

# PEPPER AVENUE SPECIFIC PLAN AMENDMENT AND INDUSTRIAL DEVELOPMENT PROJECT

INITIAL STUDY



**Lead Agency:**

City of Rialto  
150 S. Palm Avenue  
Rialto, CA 92376

**Project Sponsor:**

Howard Industrial

February 23, 2022

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- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

As included herein a “significant effect” or “significant impact” on the environment means “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project” (Guidelines Section 15382).

### 1.3 IMPACTS IDENTIFIED BY THE PEPPER AVENUE SPECIFIC PLAN FINAL EIR

The Pepper Avenue Specific Plan Final EIR (Final EIR) evaluated buildout of the Specific Plan area pursuant to the maximum allowable development of the Specific Plan land uses. Table ES-1 of the Draft EIR Executive Summary provides a list of the impacts that would result from construction and operation of the Specific Plan, which include the following:

**Significant and Unavoidable Impacts:**

- Noise (Cumulative Traffic Noise)

**Less-Than-Significant Impacts with Mitigation:**

- Air Quality
- Biological Resources
- Cultural Resources
- Transportation

**Less-Than-Significant Impacts:**

- Aesthetics
- Greenhouse Gas Emissions
- Land Use and Planning

### 1.4 PEPPER AVENUE SPECIFIC PLAN FINAL EIR MITIGATION MEASURES AND PROJECT DESIGN FEATURES

The Final EIR includes standard regulations, mitigation measures, and Project Design Features (DFs) that apply to all development projects within the Pepper Avenue Specific Plan area. The identified PDFs are included in the Final EIR Mitigation Monitoring and Reporting Program (MMRP) and are required to prevent the occurrence of or to minimize the significance of potential environmental

effects. The existing DFs are related to: Aesthetics, Geology, Hazards and Hazardous Material, Public Services, Traffic/Transportation, and Utilities and Service Systems. The mitigation measures adopted as part of the Final EIR are related to: Air Quality, Biological Resources, Cultural Resources, Noise, and Transportation.

## 1.5 ENVIRONMENTAL SETTING AND BASELINE

The environmental setting is normally existing conditions at the time the CEQA analysis begins (CEQA Guidelines Section 15125). In most cases, this forms the baseline that the impact analysis will use as its starting point. However, when the project is within the scope of a Program EIR (such as the Specific Plan EIR), the effective baseline is the previously approved and analyzed project for which the Program EIR was certified (*Sierra Club v. City of Orange* [2008] 163 Cal.App<sup>4</sup>th 523). “When a lead agency is considering whether to prepare a Subsequent EIR, it is specifically authorized to limit its consideration of the later project to effects not considered in connection with the earlier project.” [Citation.] (*Temecula Band of Luiseño Mission Indians v. Rancho Cal. Water Dist.* [1996] 43 Cal.App<sup>4</sup>th 425, 437). Here, the previous project is the Pepper Avenue Specific Plan; the EIR for which commenced in January 2016 with the preparation of the Initial Study and Notice of Preparation.

## 1.6 DOCUMENT ORGANIZATION

The Initial Study, in its entirety, comprises the following components:

- Section 1.0** Introduction and Purpose. Discusses the document’s purpose, format and content, California Environmental Quality Act (CEQA) requirements, the planning context under which the document was prepared, the Initial Study findings, a summary of the public review and processing of the document, and a list of the technical reports used to prepare the document.
- Section 2.0** Project Description. Provides a detailed description of the Project site and the discretionary actions required to implement the Project.
- Section 3.0** Environmental Checklist. Provides the completed Initial Study and its associated analyses documenting the reasons to support the findings and conclusions of the Initial Study.
- Section 4.0** References. Lists all plans, policies, regulatory requirements, and other documentation that are incorporated by reference in this document pursuant to CEQA Guidelines Section 15150.
- Section 5.0** Preparers. Lists all the persons who were involved in the preparation of the IS.

## 1.7 INITIAL STUDY FINDINGS

Section 3.0 of this document contains the Environmental Checklist that was prepared for the proposed Project pursuant to CEQA requirements. The Environmental Checklist indicates that the proposed Project would result in no new impacts or less than significant new environmental effects under the issue areas of: agriculture and forestry resources, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, population and housing, public services, recreation, utilities and service systems, and wildfire.

The Environmental Checklist indicates that the proposed Project could potentially result in new significant environmental effects under the issue areas of: aesthetics, air quality, cultural resources, energy, greenhouse gas emissions, land use and planning, noise, transportation, and tribal cultural resources. Therefore, these subjects will be further evaluated in a Subsequent EIR.



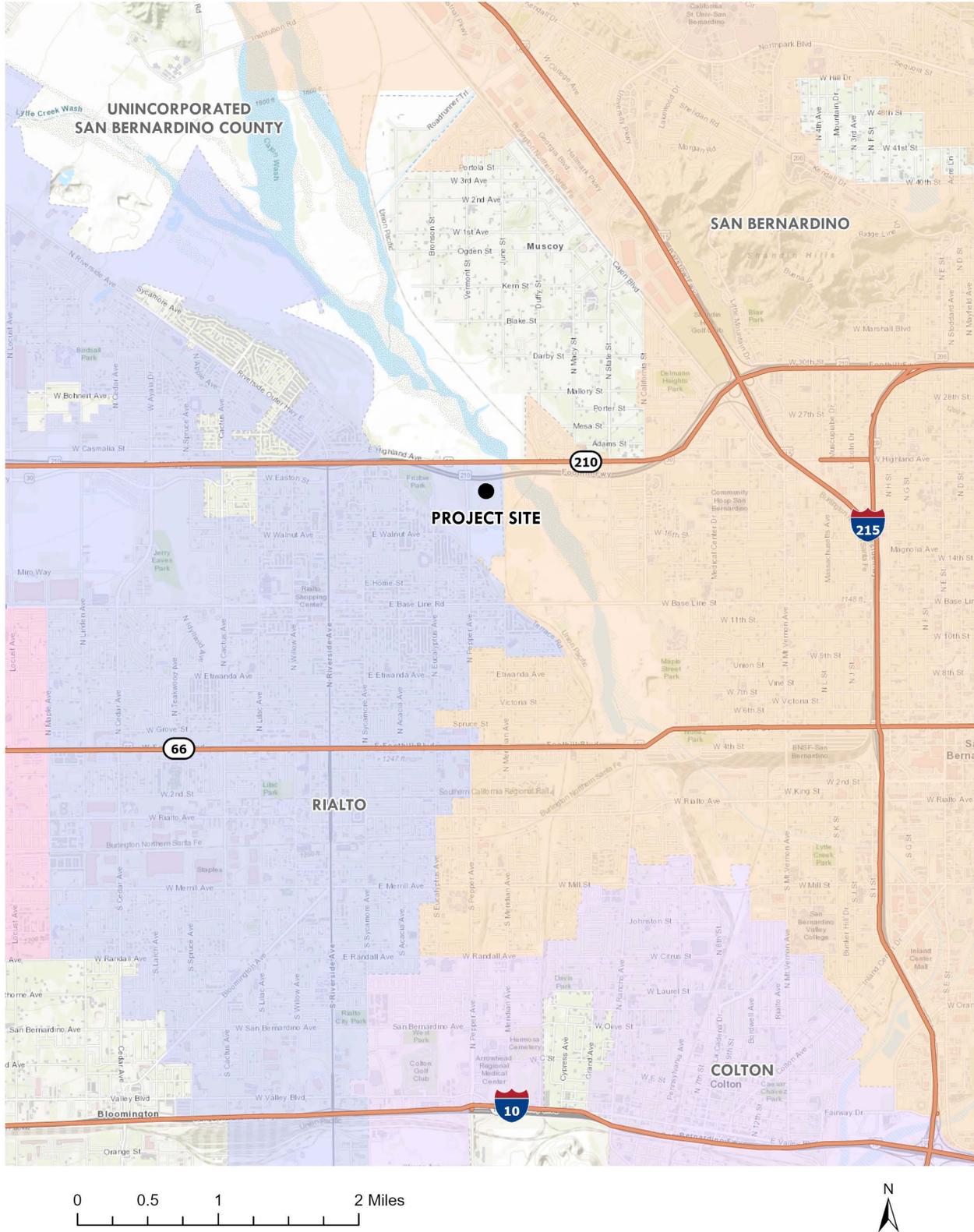
that is north of the proposed industrial development site is vacant and undeveloped land that is designated as Community Commercial.

**East:** East of both the Specific Plan area and the proposed industrial development site lies vacant land and the BNSF Railroad followed by the Lytle Creek Wash which trends in a southeast to southwest direction. In addition, a residence is located to the east of the Specific Plan area, beyond the railroad line, to the east of the on-site WVWD facility.

**West:** Areas west of the Specific Plan includes single-family residential uses and Frisbie Park. Pepper Avenue is located along the western boundary of the proposed industrial development site. Vacant undeveloped lands are located to the west beyond Pepper Avenue. Land to the west of the proposed industrial development site is designated by the Specific Plan for Open Space and Community Commercial uses.

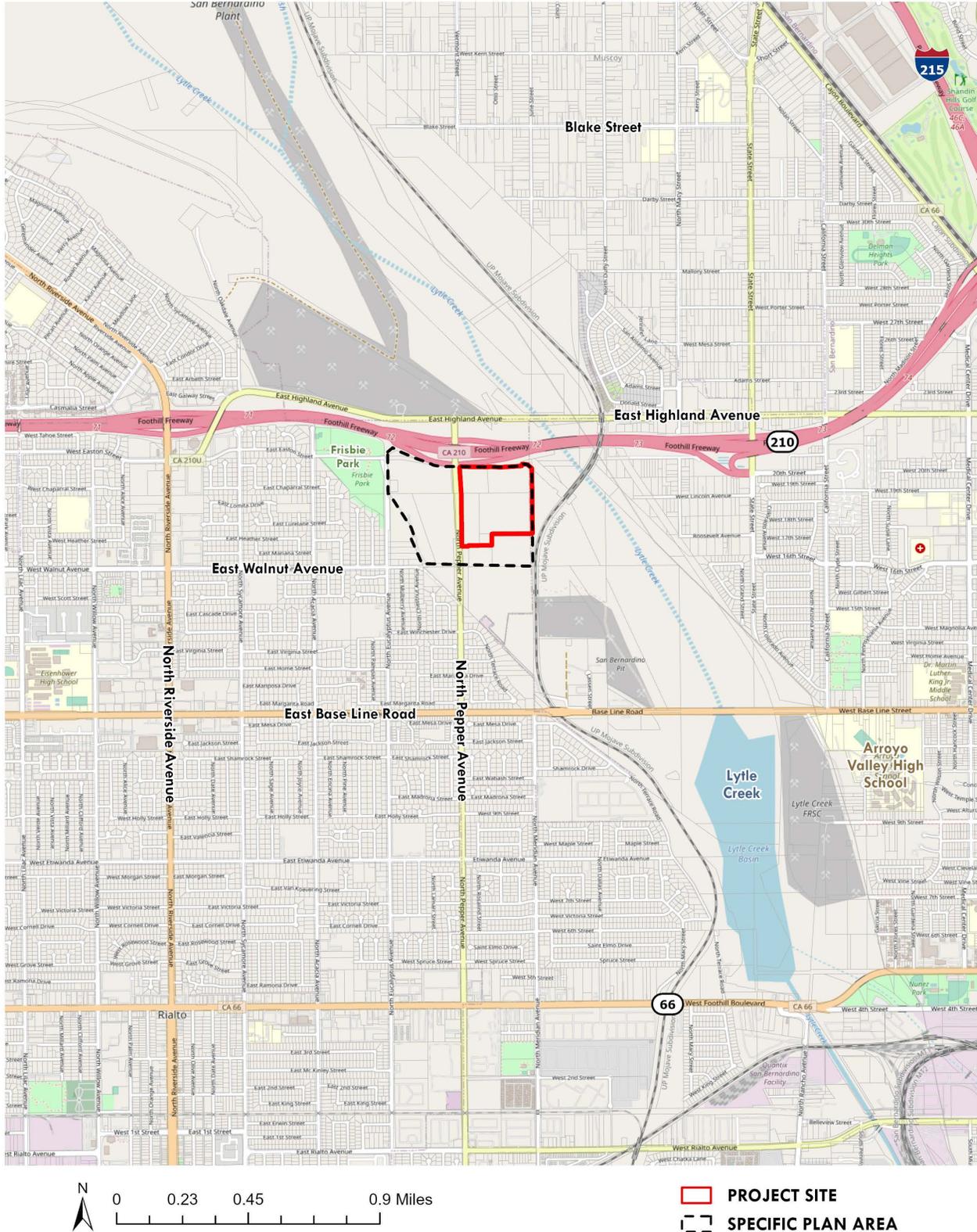
**South:** An unnamed wash and vacant land followed by single-family residential uses is located to the south of the Specific Plan area. The WVWD water production facility is located to the south of the proposed industrial development site. Land to the south of the proposed industrial development site is designated by the Specific Plan for Public Facility uses.

# Regional Location



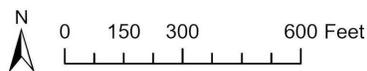
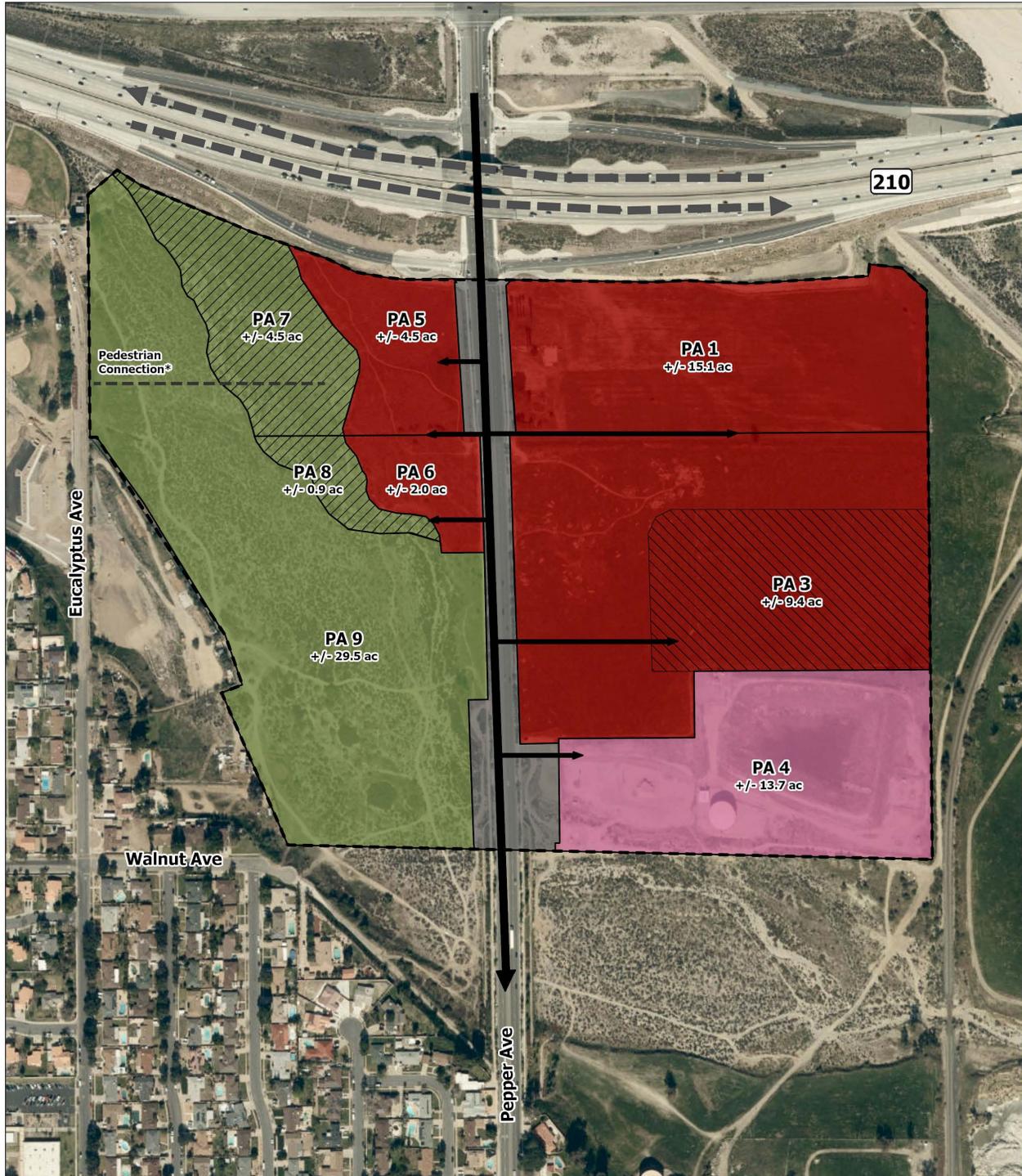
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# Local Vicinity



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# Existing Pepper Avenue Specific Plan



### Land Use Summary

- |                      |                          |
|----------------------|--------------------------|
| Community Commercial | Pepper Ave R.O.W         |
| Public Facility      | Residential Overlay      |
| Open Space           | Comm. Commercial Overlay |

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### 3 PROPOSED PROJECT

The proposed Project includes two distinct components:

- (1) a Specific Plan Amendment (“proposed Specific Plan Amendment”) to add a new Light Industrial land use designation to PAs 1, 2, 3 and create a new PA10; and
- (2) a development application for the construction and operation of a 485,000 square foot cross dock industrial warehousing building on PAs 2 and 3 (“proposed industrial development”).

#### 3.1.1 PROPOSED SPECIFIC PLAN AMENDMENT

The proposed Project includes a Specific Plan Amendment with the following components:

- Provision of a new Light Industrial land use designation that allows warehouse and logistic centers as permitted uses;
- provision of development standards for the new Light Industrial land use designation;
- splitting PA 1 into two PAs: PA 1, encompassing 2.86 acres, and PA 10, encompassing 11.56 acres;
- amending the land use designations of PAs 2, 3, and 10 from Community Commercial with a development maximum of 476,650 SF to the new Light Industrial designation with a development maximum of 750,000 SF, the residential overlay on PA 3 will remain;
- various circulation improvements, such as provision of new access points and new medians;
- and various textual and graphic amendments related to the changes listed above.

##### ***Light Industrial Land Use Designation***

The proposed Specific Plan Amendment provides a new land use designation that allows warehouse and logistic centers as permitted uses. The Specific Plan Amendment states that the Light Industrial land use designation is intended to accommodate a variety of industrial-serving commercial, low-intensity office, technology, light manufacturing, and warehouse/distribution uses that are compatible with the site’s location and close proximity to SR-210. The land use designation accommodates storage and warehousing uses located in larger buildings on larger sites. Uses may include e-commerce, high cube warehouses, or distribution, and a wide range of manufacturing and assembly uses are also permitted.

##### ***Light Industrial Development Standards***

The development standards for the new Light Industrial Land Use designation include building and landscape setbacks, building height limits, and signage requirements.

##### ***Changes to Planning Areas 1, 2, and 3***

The proposed Specific Plan Amendment would split PA 1 into two separate PAs – PA 1, encompassing approximately 2.86 acres, and the new PA 10, encompassing approximately 11.56 acres. The reduced PA 1 would remain as Community Commercial and no land use designation changes would occur. The proposed Specific Plan Amendment applies the new Light Industrial land use designation to PA 10. The Light Industrial land use designation is also applied to PAs 2 and 3, which encompass the northeastern portion of the Specific Plan area adjacent to SR-210.









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## 4 ENVIRONMENTAL CHECKLIST

This section includes the completed environmental checklist form. The checklist form is used to assist in evaluating the potential environmental impacts of the proposed Project. The checklist form identifies potential Project effects as follows: 1) Potentially Significant Impact; 2) Less Than Significant with Mitigation Incorporated; 3) Less Than Significant Impact; and, 4) No Impact. Substantiation and clarification for each checklist response is provided in Section 5 (Environmental Evaluation). Included in the discussion for each topic are standard condition/regulations and mitigation measures, if necessary, that are recommended for implementation as part of the proposed Project.

### 4.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below (☒) would be potentially affected by this project, involving at least one impact that is a “Potentially Significant New Impact” that was not previously identified in the Final EIR as indicated by the checklist on the following pages.

#### New Potentially Affected Environmental Factors

<input checked="" type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forest Resources	<input checked="" type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input checked="" type="checkbox"/>	Energy
<input type="checkbox"/>	Geology/Soils	<input checked="" type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and Hazardous Materials
<input type="checkbox"/>	Hydrology/Water Quality	<input checked="" type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources
<input checked="" type="checkbox"/>	Noise	<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input checked="" type="checkbox"/>	Transportation	<input checked="" type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Wildfire	<input checked="" type="checkbox"/>	Mandatory Findings of Significance



appropriate if there is substantial evidence that a new effect may be significant that was not previously identified in the Final EIR. If there are one or more “Potentially New Significant Impact” entries when the determination is made, a Supplemental EIR is required.

- 4) “Negative Declaration: Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analysis,” as described in (5) below, may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(d). In this case, a brief discussion should identify the following:
  - (a) Earlier Analysis Used. Identify and state where they are available for review.
  - (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - (c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.



to be less than significant (Draft EIR page 4.A-18).

Regarding impacts related to light and glare, the EIR determined that the Specific Plan guidelines and municipal code regulations require shielding of streetlights and other exterior lighting requirements would reduce light trespass and glare to a less than significant level (Draft EIR page 4.A-19).

### **Impacts Related to the Proposed Project**

#### **a) Have a substantial adverse effect on a scenic vista?**

##### **Potentially Significant New Impact.**

##### Specific Plan Amendment and Proposed Industrial Development

Scenic vistas consist of expansive, panoramic views of important, unique, or highly valued visual features that are seen from public viewing areas. This definition combines visual quality with information about view exposure to describe the level of interest or concern that viewers may have for the quality of a particular view or visual setting. A scenic vista can be impacted in two ways: a development project can have visual impacts by either directly diminishing the scenic quality of the vista or by blocking the view corridors or “vista” of the scenic resource. Important factors in determining whether a proposed project would block scenic vistas include the project’s proposed height, mass, and location relative to surrounding land uses and travel corridors.

As described previously, the EIR determined that due to in part, to the Specific Plan height restrictions and design features, impacts to a scenic vista was determined to be less than significant. The proposed Specific Plan Amendment would change the design features and setbacks of building structures within the Specific Plan area, and therefore, may result in a new impact to a scenic vista. Therefore, potential impacts related to scenic vistas will be included in the Subsequent EIR.

#### **b) Substantially damage scenic resources, including, trees, rock outcroppings, and historic buildings within a state scenic highway?**

##### **No New Impact.**

##### Specific Plan Amendment and Proposed Industrial Development

The Specific Plan area and proposed industrial development site is not located within view of a state scenic highway, as there are no designated scenic highways within the vicinity. The proposed Project would not result in impacts to trees, rock outcroppings, or historic buildings within a state scenic highway. The nearest eligible state scenic highways are Route 38 and Route 330, both are approximately 10 miles from the Specific Plan area and are not visible from the Specific Plan area. Therefore, no impacts to scenic resources would occur and this topic will not be analyzed in the Subsequent EIR.

#### **c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

##### **Potentially Significant New Impact.**

##### Specific Plan Amendment and Proposed Industrial Development

The proposed Specific Plan Amendment would change areas previously designated for Community Commercial to areas designated for Light Industrial uses, which would change the visual character of the area. In addition, the proposed Specific Plan Amendment would provide new design standards for the Light Industrial designation that may have the potential to conflict with applicable regulations governing scenic quality. Therefore, a potentially new impact related to scenic quality could occur from implementation of the proposed Project, and this topic will be evaluated in the Subsequent EIR.

**d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

**Less Than Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The Specific Plan Amendment for PAs 1-3 and the new PA 10, and the proposed industrial development on PA 2 and 3 would result in urban development of the area that would result in similar levels of new lighting as identified in the Final EIR that would generally occur from interior lighting emanating from windows, security lighting, building entrance lighting, and parking lot lighting. However, consistent with the existing Specific Plan lighting would be required to meet the City's municipal code standards that require light fixtures to be situated and shielded as not to direct or reflect lighting adjacent properties or public rights-of-way. Thus, the increase in light that would be generated by the proposed Project would not adversely affect day or nighttime views in the area. Lighting impacts would be less than significant, which is consistent with the findings of the Final EIR.

Reflective light (glare) can be caused by sunlight or artificial light reflecting from finished surfaces such as window glass or other reflective materials. Generally, darker or mirrored glass would have a higher visible light reflectance than clear glass. Buildings constructed of highly reflective materials from which the sun reflects at a low angle can cause adverse glare. The proposed light industrial development would not use highly reflective surfaces, or glass sided buildings. Although the buildings would contain windows and glass doorway entrances, the windows and doorway areas would be separated by stucco and architectural elements, which would limit the potential of glare. In addition, as described previously, lighting would be required to be angled down and shielded, which would avoid the potential of Project lighting to generate glare. Therefore, the proposed Project would not generate substantial sources of glare, and impacts would be less than significant, which is consistent with the findings of the Final EIR. Therefore, lighting and glare will not be further evaluated in the Subsequent EIR.

**Final EIR Mitigation Measure/Project Design Features**

None.

**Conclusion for Aesthetics**

As detailed previously, it is possible that new or substantially more severe aesthetics related impacts could result from the proposed Project than were identified in the Final EIR. Thus, conditions identified in CEQA Guidelines Section 15162 related to changes to the Project that require major revisions of the previous adopted EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects would occur and would trigger the need to evaluate potential aesthetics in the Subsequent EIR. Thus, aesthetics will be analyzed in the Subsequent EIR.

**Potentially Significant New Impact**      **Less Than Significant New Impact with Mitigation Incorporated**      **Less Than Significant New Impact**      **No Impact/No New Impact**

**2. AGRICULTURE AND FORESTRY**

**RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



**No New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The Specific Plan area contains a limited number of trees and does not include forestland or timberland. Additionally, the Specific Plan area does not include areas zoned as forestland. The Project would not conflict with existing zoning for, or cause rezoning of, forestland, timberland, or timberland zoned Timberland Production. Thus, no impact would occur this topic will not be analyzed in the Subsequent EIR.

**d) Result in the loss of forest land or conversion of forest land to non-forest use?**

**No New Impact.**

Specific Plan Amendment and Proposed Industrial Development

As discussed in Response 3.2(c), the proposed Project would not result in the loss of forestland or the conversion of forestland to non-forest use. The Specific Plan area does not include forestland and has not historically been used as forestland. Thus, no impact would occur this topic will not be analyzed in the Subsequent EIR.

**e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

**No New Impact.**

Specific Plan Amendment and Proposed Industrial Development

As discussed in Response 3.2(a), the Specific Plan area has no agricultural or forest resources and is not designated as Prime, Unique, or Farmland of Statewide Importance<sup>1</sup>. Therefore, the proposed Project would not convert Farmland to non-agricultural uses or forestland to non-forest use. Thus, no impact would occur and this topic will not be analyzed in the Subsequent EIR.

**Final EIR Mitigation Measure/Project Design Features**

None.

**Conclusion for Agricultural and Forest Resources**

No new impacts nor substantially more severe agricultural and forest resources related impacts would result from the proposed Project. Consistent with the determination of the Final EIR, impacts related to agricultural or forest resources from implementation of the proposed Project would not occur. Thus, no new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Final EIR.

Based on the foregoing, none of the conditions identified in CEQA Guidelines Section 15162 that would trigger the need to evaluate agricultural and forest resources in the Subsequent EIR. Thus, agricultural and forest resources will not be analyzed in the Subsequent EIR.

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<sup>1</sup> California Department of Conservation California Important Farmland Finder. Website: <https://maps.conservation.ca.gov/DLRP/CIFF/> (accessed November 15, 2021)

	Potentially Significant New Impact	Less Than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No Impact/No New Impact
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**3. AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="checked" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input checked="checked" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="checked" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="checked" type="checkbox"/>	<input type="checkbox"/>

**Summary of Impacts Identified in the Final EIR**

The EIR determined that buildout of the Specific Plan would not conflict with or obstruct implementation of the applicable air quality plan because the employment and population growth would be consistent with SCAG’s regional forecast projections. Therefore, impacts related to consistency with the AQMP were determined to be less than significant (Draft EIR page 4.B-22).

The EIR determined that construction of the Specific Plan could violate air quality standard or contribute substantially to an existing or projected air quality violation during construction activities. It was estimated that maximum regional construction emissions resulting from construction activities could exceed the SCAQMD daily significance thresholds for NO<sub>x</sub>, and that localized emissions could exceed thresholds for PM<sub>2.5</sub>. Therefore, the EIR included mitigation measures to reduce potential construction related NO<sub>x</sub> and PM<sub>2.5</sub> emissions to a less than significant level. The EIR determined that emissions resulting from operation of the Specific Plan would not exceed any SCAQMD daily significance thresholds (Draft EIR pages 4.B-23 through 4.B-39).

Regarding objectionable odors, the EIR determined that implementation of the Specific Plan would not create objectionable odors affecting a substantial number of people. In addition, the EIR determined that the Specific Plan area is not located near any sources of odors identified by the SCAQMD handbook. Therefore, impacts regarding objectionable odors were determined to be less than significant (Draft EIR page 4.B-39).



**c) Expose sensitive receptors to substantial pollutant concentrations?****Potentially Significant New Impact.**Specific Plan Amendment and Proposed Industrial Development

Sensitive receptors are locations where uses or activities result in increased exposure of persons more sensitive to the unhealthful effects of emissions (such as children and the elderly). Examples of land uses that can be classified as sensitive receptors include residences, schools, daycare centers, parks, recreational areas, medical facilities, rest homes, and convalescent care facilities. Existing sensitive receptors in the vicinity of the Specific Plan area and proposed industrial development site include residential uses. The Subsequent EIR will evaluate the potential for construction and operation of the proposed Project to expose sensitive receptors to substantial pollutant concentrations, and additional mitigation measures will be recommended as needed.

**d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?****Less Than Significant New Impact.**Specific Plan Amendment and Proposed Industrial Development

The amended Specific Plan and the proposed industrial development would not emit other emissions, such as those generating objectionable odors, that would affect a substantial number of people. The threshold for odor is identified by SCAQMD Rule 402, Nuisance, which states:

*A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.*

The type of facilities that are considered to result in other emissions, such as objectionable odors, include wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. Odors generated by the operation of light industrial and commercial uses are not expected to be significant or highly objectionable and would be required to be in compliance with SCAQMD Rule 402, which would prevent nuisances to sensitive land uses.

During construction, emissions from construction equipment, such as diesel exhaust, and volatile organic compounds from architectural coatings and paving activities may generate odors. However, these odors would be temporary and are not expected to affect a substantial number of people.

During operations of the amended Specific Plan and proposed industrial development, all Project-generated solid waste would be stored in covered containers and removed at regular intervals in compliance with solid waste regulations and would not generate objectionable odors. Therefore, impacts relating to both operational and construction activity odors would be less than significant, and odors will not be evaluated in the Subsequent EIR.

### **Final EIR Mitigation Measure/Project Design Features**

**Mitigation Measure AQ-1:** All off-road construction equipment with a horsepower (HP) greater than 50 shall be required to have USEPA certified Tier 4 interim engines or engines that are certified to meet or exceed the emission ratings for USEPA Tier 4 engines. In the event that all construction equipment cannot meet the Tier 4 engine certification, the applicant must demonstrate through future study with written findings supported by substantial evidence that is approved by the Lead Agency before using other technologies/strategies that reductions in the daily NO<sub>x</sub> and PM<sub>2.5</sub> emissions can be achieved by other technologies/strategies so that emissions from all concurrent construction would not exceed applicable SCAQMD daily emission thresholds. Alternative measures may include, but would not be limited to: reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck trips to and from the Specific Plan area, using cleaner vehicle fuel, and/or limiting the number of individual construction project phases occurring simultaneously.

Proposed Industrial Development Project Applicability: Mitigation Measure AQ-1 is applicable to the proposed industrial development and would be implemented as part of the Subsequent EIR evaluation and as part of grading permit requirements.

Specific Plan Amendment PA 1 & 10 Applicability: Mitigation Measure AQ-1 is applicable to future developments within PA 1 and PA 10 and would be implemented as part of the subsequent EIR evaluation and as part of grading permit requirements.

### **Conclusion for Air Quality**

As detailed previously, it is possible that new or substantially more severe air quality related impacts could result from the proposed Project than were identified in the Final EIR. Thus, conditions identified in CEQA Guidelines Section 15162 related to changes to the Project that require major revisions of the previous adopted EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects would occur and would trigger the need to evaluate potential air quality impacts in the Subsequent EIR. Thus, air quality will be analyzed in the Subsequent EIR.

	<b>Potentially Significant New Impact</b>	<b>Less Than Significant New Impact with Mitigation Incorporated</b>	<b>Less Than Significant New Impact</b>	<b>No Impact/ No New Impact</b>
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#### **4. BIOLOGICAL RESOURCES.**

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **Summary of Impacts Identified in the Final EIR**

The Final EIR determined that buildout of the Specific Plan could result in a substantial adverse effect on a sensitive natural community, or a species identified as a candidate, sensitive, or special status species, threatened or endangered in various portion of the Specific Plan area. However, compliance with applicable regulatory requirements and the EIR mitigation measures would reduce impacts to a less than significant level (Draft EIR page 4.C-22). The EIR determined that Mitigation Measure BIO-1 would minimize temporary direct and indirect impacts to special status plant and animal wildlife species by controlling construction activities and use of pesticides. Mitigation

Measures BIO-2 through BIO-6 would minimize impacts to the San Bernardino Kangaroo Rat and the Santa Ana River Woollystar by avoiding, maintaining or replanting suitable habitat. Mitigation Measure BIO-7 requires mitigation for the protection of the Burrowing Owl through focused surveys and avoidance of occupied burrows and habitat (Draft EIR page 6-4).

The Final EIR describes that potential permanent impacts could occur to USACE/RWQCB jurisdiction in Specific Plan PA 7 if pedestrian bridge pilings cannot be located outside of the drainages. In response, Mitigation Measure BIO-8 is included in the EIR to require compliance with Sections 404 and 401 of the Clean Water Act (CWA), respectively, including applying for a permit and mitigation subject to approval by USACE and/or RWQCB, which would reduce impacts to a less than significant level (Draft EIR page 4.C-33).

The Final EIR also describes that wildlife movement within the Specific Plan area is limited to the native Riversidean Alluvial Fan Sage Scrub (RAFSS) vegetation and associated drainages that supports protected wildlife species and it provides a potential corridor for wildlife movement between the Specific Plan area and Lytle Creek downstream. The Specific Plan would reduce impacts by including a pedestrian crossing to minimize impacts to habitat and allow continued movement of the species. The Final EIR also determined that potential impacts related to nesting birds could occur from implementation of the Specific Plan and Mitigation Measure BIO-9 was included to provide for nesting bird surveys that would reduce impacts to a less than significant level (Draft EIR page 4.C-33).

The EIR determined that the Specific Plan would be consistent with local policies related to biological resources and included mitigation measures to ensure compliance (Draft EIR page 4.C-34). Furthermore, the EIR determined that the Specific Plan area is not subject to a Habitat Conservation Plan or other type of Natural Community Conservation Plan; and thus, no impacts would occur (Draft EIR page 4.C-35).

### **Impacts Related to the Proposed Project**

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

### **Less Than Significant New Impact with Mitigation Incorporated.**

#### **Specific Plan Amendment**

The potential impacts related to biological resources that would result from the proposed Specific Plan Amendment would be similar to those that were identified by the Final EIR because the areas of development would be the same and the same areas of disturbance would occur. Thus, the same potential for impacting biological resources would occur under the amended Specific Plan. Hence, implementing development projects pursuant to the amended Specific Plan would be required to implement Final EIR Mitigation Measures BIO-1 through BIO-9, which would reduce potential impacts to a less than significant level consistent with the findings of the Final EIR. No further evaluation in the Subsequent EIR is required.

#### **Proposed Industrial Development**

The General Biological Assessment that was prepared for the proposed industrial development site (included as Appendix A) describes that the site is disturbed land that was historically used for



natural community. Therefore, no impact would occur, and this topic will not be analyzed in the Subsequent EIR.

- c) Have a substantial adverse effect on state or federally protected wetlands (including but not limited to, marsh, vernal, pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

**Less Than Significant New Impact with Mitigation Incorporated.**

Specific Plan Amendment

The potential impacts related to riparian habitat or other sensitive natural community that would result from the proposed Specific Plan Amendment would be similar to those that were identified by the Final EIR. Hence, implementing development projects pursuant to the amended Specific Plan would be required to implement Final EIR Mitigation Measure BIO-8, which would reduce potential impacts to a less than significant level consistent with the findings of the Final EIR. No further evaluation in the Subsequent EIR is required.

Proposed Industrial Development

Wetlands are defined under the federal Clean Water Act as land that is flooded or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that normally does support, a prevalence of vegetation adapted to life in saturated soils. Wetlands include areas such as swamps, marshes, and bogs. The General Biological Assessment determined that the proposed industrial development site does not contain wetlands. Therefore, no impacts to wetlands would occur, and this topic will not be analyzed in the Subsequent EIR.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

**Less Than Significant New Impact with Mitigation Incorporated.**

Specific Plan Amendment

The potential impacts related to wildlife corridors and nursery sites that would result from the proposed Specific Plan Amendment would be similar to those that were identified by the Final EIR. Hence, implementing development projects pursuant to the amended Specific Plan would be required to implement Final EIR Mitigation Measure BIO-9, which would reduce potential impacts to a less than significant level consistent with the findings of the Final EIR. No further evaluation in the Subsequent EIR is required.

Proposed Industrial Development

The General Biological Assessment describes that wildlife movement corridors can be local or regional in scale; their functions may vary temporally and spatially based on conditions and species present. Wildlife corridors represent areas where wildlife movement is concentrated due to natural or anthropogenic constraints. Local corridors provide access to resources such as food, water, and shelter. Animals use these corridors, which are often hillsides or riparian areas, to move between different habitats. Regional corridors provide these functions and link two or more large habitat areas. They provide avenues for wildlife dispersal, migration, and contact between otherwise distinct populations.

The General Biological Assessment determined that the proposed industrial development site is not located within a designated wildlife corridor or linkage. The site is flat land surrounded by residential uses to the north, water facilities to the south, I-210 to the north, the railroad to the east, and Pepper Avenue to the east, and does not function as a wildlife movement corridor. Thus, impacts related to wildlife corridors would not occur.

However, the site contains trees and shrubs that could be utilized by nesting birds and raptors during the nesting bird season. Thus, consistent with the direction of the Final EIR Mitigation Measure BIO-9 would be implemented to require nesting bird surveys occur prior to vegetation removal during nesting season. Consistent with the findings of the EIR, with implementation of Mitigation Measure BIO-9, potential impacts related to nesting birds would be less than significant. Therefore, no new or increased impacts would occur from implementation of the proposed industrial development, and this topic will not be analyzed further in the Subsequent EIR.

**e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**No New Impact.**

Specific Plan Amendment

The proposed Specific Plan Amendment would not result in conflict with local ordinances such as tree preservation ordinances. The amended Specific Plan would be required to be implemented in compliance with the City's municipal code; including Municipal Code Chapter 11.08 that provides regulations related to removal and planting public street trees. Thus, no impacts would occur.

Proposed Industrial Development

The proposed industrial development site contains a variety of ornamental trees, which would be removed and replaced with implementation of the proposed Project. Public trees in Rialto are protected by Chapter 11.08 of the Municipal Code, which was established to preserve, protect, and maintain public trees. The proposed industrial development would be required to comply with the municipal code requirements as part of the City permitting process, which would ensure that the Project does not conflict with local policies or ordinances protecting trees. As a result, there would be no impact and this topic will not be analyzed in the Subsequent EIR.

**f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**No New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The Specific Plan area is not within the study area of an adopted Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, implementation of the proposed Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. This topic will not be analyzed in the Subsequent EIR.

**Final EIR Mitigation Measure/Project Design Features**



Specific Plan Amendment PA 1 & 10 Applicability: Mitigation Measure BIO-2 is applicable to future developments within PA 1 and PA 10, unless a Biological Resources Analysis demonstrates there is no Riversidean alluvial fan sage scrub habitat within the future development site.

**Mitigation Measure BIO-3:** Prior to any permanent or temporary direct impacts to the Santa Ana River woollystar (SARWS) and where avoidance of impacts through Project design is not possible, the following measures shall be implemented:

- Seeds from all the SARWS proposed for impacts shall be collected from the Project Site and deposited at the Rancho Santa Ana Botanic Garden. The seeds shall be collected in September before the first sizeable rain event (i.e., one of 1/2 inch or more) to increase the ability to collect the seeds and to ensure a high rate of germination.
- The Rancho Santa Ana Botanic Garden shall divide the seeds for three uses: 1) for a permanent seed bank; 2) for germination and growing seedlings; and 3) to preserve for later seeding or authorized research purposes.
- The propagated seedlings and a portion of preserved seeds shall be replanted within any temporary impact areas once construction has ceased, and any permanent impacts to individual plants shall be replaced at a minimum 1:1 ratio within the proposed avoidance area (PA 9). Planting shall be conducted October to December or as close to the winter rainy season as possible. All replanting shall be conducted pursuant to an approved mitigation and monitoring plan prepared and overseen by a qualified biologist. The plan should include, at minimum, a map of the restoration areas, a description of any irrigation methodology, measures to control exotic vegetation, specific success criteria, a detailed monitoring program, contingency measures should the success criteria not be met, and identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

Proposed Industrial Development Project Applicability: Mitigation Measure BIO-3 is not applicable to the proposed industrial development t because no Santa Ana River woollystar (SARWS) is located within or adjacent to the development site.

Specific Plan Amendment PA 1 & 10 Applicability: Mitigation Measure BIO-3 is applicable to future developments within PA 1 and PA 10, unless a Biological Resources Analysis demonstrates there is no Santa Ana woollystar (SARWS) within the future development site.

**Mitigation Measure BIO-4:** Prior to construction within San Bernardino Kangaroo Rat (SBKR) critical habitat, which consists of Riversidean Alluvial Fan Sage Scrub (RAFSS), the project applicant shall purchase mitigation credits from the Vulcan Materials mitigation land bank in Cajon Wash or equivalent preserved SBKR RAFSS habitat to offset permanent impacts to occupied SBKR critical habitat at a 3:1 ratio, and temporary or indirect impacts at a 1:1 ratio.

Proposed Industrial Development Project Applicability: Mitigation Measure BIO-4 is not applicable to the proposed industrial development because no Riversidean Alluvial Fan Sage Scrub (RAFSS) is located within or adjacent to the development site.

Specific Plan Amendment PA 1 & 10 Applicability: Mitigation Measure BIO-4 is applicable to future developments within PA 1 and PA 10, unless a Biological Resources Analysis demonstrates there is no Riversidean Alluvial Fan Sage Scrub (RAFSS) within the future development site.

**Mitigation Measure BIO-5:** Prior to construction within Riversidean alluvial fan sage scrub habitat the following measures shall be implemented to minimize temporary direct and indirect effects to San Bernardino kangaroo rat (SBKR):

- A 4-foot high, 0.5-inch temporary steel mesh SBKR exclusionary fence shall be placed along the perimeter footprint where suitable SBKR habitat exists. The bottom of the exclusionary fence shall be buried below ground a minimum depth of 24 inches to minimize the potential that SBKR can re- enter the construction area and to preclude impacts to adjacent habitat. Trapping shall be conducted for SBKR within 30 days prior to ground disturbing activities. Any SBKR or other sensitive mammal species that are captured shall be relocated outside the exclusionary fencing. Trapping shall be conducted by a permitted biologist and according to protocol;
- The temporary SBKR exclusionary fencing shall be maintained in place throughout the duration of construction in these areas to minimize take of SBKR during the construction phase and preclude the inadvertent disturbance of outlying areas by construction personnel. Access to SBKR habitat outside of the construction limits shall be prohibited and posted accordingly. The exclusionary fence shall be inspected weekly and repaired as necessary so that there are no gaps greater than 0.5 inch on any portion of the fence that could allow SBKR entry into the Project Site;
- All the construction equipment shall meet applicable noise ordinances. Compliance with this requirement would minimize noise stress to SBKR in the vicinity of the Project Site; and
- Contractor pets shall be prohibited in and adjacent to the construction area.

Proposed Industrial Development Project Applicability: Mitigation Measure BIO-5 is not applicable to the proposed industrial development because no Riversidean Alluvial Fan Sage Scrub (RAFSS) is located within or adjacent to the development site.

Specific Plan Amendment PA 1 & 10 Applicability: Mitigation Measure BIO-5 is applicable to future developments within PA 1 and PA 10, unless a Biological Resources Analysis demonstrates there is no Riversidean Alluvial Fan Sage Scrub (RAFSS) within the future development site.

**Mitigation Measure BIO-6:** Prior to construction within and adjacent to Riversidean alluvial fan sage scrub habitat the following design features shall be implemented to minimize long-term indirect effects to San Bernardino kangaroo rat (SBKR):

- The pedestrian bridge supports shall be designed to minimize impacts to SBKR habitat and allow continued movement of SBKR.
- Temporary impacts areas shall be revegetated with native shrub vegetation through container plantings to reestablish SBKR habitat and provide cover and facilitate movement of small mammals. All replanting shall be conducted pursuant to a mitigation and monitoring plan prepared and overseen by a qualified biologist.
- To minimize light and noise pollution, no night lighting shall be directed into the open space areas and noise levels should not exceed City standards.

Proposed Industrial Development Project Applicability: Mitigation Measure BIO-6 is not applicable to the proposed industrial development because no Riversidean Alluvial Fan Sage Scrub (RAFSS) is located within or adjacent to the development site.



and revegetate where applicable). Any off-site mitigation may occur on land acquired for the purpose of inperpetuity preservation, or through the purchase of mitigation credits at an agency-approved off-site mitigation bank.

3. Any purchase of mitigation credits through an agency approved mitigation bank or in-lieu fee program shall occur prior to any impacts to jurisdictional drainages. If off-site mitigation is proposed on land acquired for the purpose of inperpetuity mitigation that is not part of an agency-approved mitigation bank or in-lieu fee program shall include the preservation, creation, restoration, and/or enhancement of similar habitat pursuant to a Habitat Mitigation and Monitoring Plan (HMMP). A HMMP shall also be prepared for on-site mitigation. The HMMP shall be prepared prior to any impacts to jurisdictional features, and shall provide details as to the implementation of the mitigation, maintenance, and future monitoring. The goal of the mitigation shall be to preserve, create, restore, and/or enhance similar habitat with equal or greater function and value than the impacted habitat.

Proposed Industrial Development Project Applicability: Mitigation Measure BIO-8 is not applicable to the proposed industrial development because no areas under the jurisdiction of the USACE, RWQCB, and/or CDFW are located within or adjacent to the development site.

Specific Plan Amendment PA 1 & 10 Applicability: Mitigation Measure BIO-8 is applicable to future developments within PA 1 and PA 10, unless a Biological Resources Analysis demonstrates there are no areas under the jurisdiction of the USACE, RWQCB, and/or CDFW within the future development site.

**Mitigation Measure BIO-9:** Prior to the issuance of any grading permit that would remove potentially suitable nesting habitat for raptors or songbirds, the project applicant shall demonstrate to the satisfaction of the City of Rialto that either of the following have been or will be accomplished.

1. Vegetation removal activities shall be scheduled outside the nesting season (i.e., September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to avoid potential impacts to nesting birds.
2. Any construction activities that occur during the nesting season (i.e., February 15 to August 31 for songbirds; January 15 to August 31 for raptors) would require that all suitable habitat be thoroughly surveyed for the presence of nesting birds by a qualified biologist before commencement of clearing. If any active nests are detected a buffer of 100 feet (300 feet for raptors) around the nest adjacent to construction, or as determined appropriate by the biologist, shall be delineated, flagged, and avoided until the nesting cycle is complete. An appropriate buffer shall be determined by the biological monitor to minimize impacts to the nesting bird(s) accounting for factors such as the species, type of construction activities, in addition to habitat and topography that may provide natural sound attenuation. The buffer may be modified and/or other recommendations proposed as determined appropriate by the biologist to minimize impacts.

Proposed Industrial Development Project Applicability: Mitigation Measure BIO-9 is applicable to the proposed industrial development and would be implemented prior to issuance of grading permits.

Specific Plan Amendment PA 1 & 10 Applicability: Mitigation Measure BIO-9 is applicable to future developments within PA 1 and PA 10.

**Conclusion for Biological Resources**

No new impacts nor substantially more severe biological resources related impacts would result from the proposed Project. Consistent with the determination of the Final EIR, impacts related to biological resources from implementation of the proposed Project would be less than significant with mitigation measures that were prescribed in the Final EIR. Thus, no new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Final EIR.

Based on the foregoing, none of the conditions identified in CEQA Guidelines Section 15162 that would trigger the need to evaluate biological resources in the Subsequent EIR. Thus, biological resources will not be analyzed in the Subsequent EIR. However, Final EIR Mitigation Measure BIO-9 is applicable to the proposed Project and will be included in the Subsequent EIR Mitigation Monitoring and Reporting Program (MMRP).

	Potentially Significant New Impact	Less Than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No Impact / No New Impact
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**5. CULTURAL RESOURCES.** Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Summary of Impacts Identified in the Final EIR**

The EIR determined that there are no historic resources within areas that are proposed for development by the Specific Plan. Therefore, no impacts related to historic resources would occur (Draft EIR page 4.D-15). However, the EIR determined that ground disturbing construction activities within the Specific Plan area could have a significant impact on archaeological resources. Thus, mitigation related to development level site screening was included to reduce potential impacts to a less than significant level (Draft EIR page 4.D-16).

The EIR also describes that no known human remains or Native American cultural resources have been identified within the Specific Plan area or within a one-half mile buffer. However, the Specific Plan area is located within close proximity to a major water source (Lyle Creek) which would have attracted prehistoric and historic period inhabitants to the area and several historic period water control/management resources have been identified nearby. As a result, the EIR determined that the Specific Plan area has a moderate to high potential to encounter human remains and mitigation was included to reduce potential impacts to a less than significant level (Draft EIR page 4.D-17).

The EIR Mitigation Measure CUL-1 requires Phase I archaeological resources assessment prior to excavation, clearing, trenching, grading, or boring. If resources are discovered, a Phase II report is required by Mitigation Measure CUL-2. If resources are determined eligible for listing in the California Register or are considered “unique archaeological resources”, Mitigation Measure CUL-3 requires preparation of a Phase III assessment. Mitigation Measure CUL-4 includes methods for construction monitoring of archaeological resources. Mitigation Measure CUL-5 requires that ground-disturbing activities be ceased and a treatment plan be implemented if archaeological resources are encountered. Mitigation Measure CUL-6 requires the preparation of an archaeological monitoring report, if needed. Mitigation Measures CUL-7 requires cessation of ground-disturbing activity and consultation with the County Coroner and Native American tribes in the event human remains are encountered (Draft EIR page 6-5).





in determining the depths of fill versus native soils across the improvement footprint. If no resources are identified as a result of the pedestrian survey, it does not preclude the existence of buried resources within the improvement footprint. If this is the case, a qualified archaeologist shall determine the potential for the Project to encounter buried resources during construction based on the results of the record searches, depth of native versus fill soils, and proposed excavation parameters.

The following scenarios shall be followed depending on the results of the Phase I assessment:

- If resources are identified during the Phase I assessment, then a Phase II evaluation shall be required, as described in CUL-2.
- If no resources are identified as part of the assessment, no further analyses or mitigation shall be warranted, unless it can be determined that the project has a moderate to high potential to encounter buried archaeological resources.
- If it is determined that there is a moderate or high potential to encounter buried archaeological resources, appropriate mitigation such as construction monitoring shall be required as described in CUL-4, -5, and -6.

Proposed Industrial Development Project Applicability: Mitigation Measure CUL-1 is applicable to the proposed industrial development site and will be implemented as part of the Subsequent EIR.

Specific Plan Amendment PA 1 & 10 Applicability: Mitigation Measure CUL-1 is applicable to future developments within PA 1 and PA 10.

**Mitigation Measure CUL-2: Conduct a Phase II Archaeological/Historical Resources Evaluation.** If resources are identified during the Phase I assessment, a Phase II Archaeological Resources Evaluation may be warranted if impacts from the improvements cannot be avoided. The Phase II assessment shall evaluate the resource(s) for listing in the California Register and to determine whether the resource qualifies as a "unique archaeological resource" pursuant to CEQA. If enough data is obtained from the Phase I assessment to conduct a proper evaluation, a Phase II evaluation may not be necessary. Methodologies for evaluating a resource can include but are not limited to: subsurface archaeological test excavations, additional background research, property history research, and coordination with Native Americans and other interested individuals in the community.

Proposed Industrial Development Project Applicability: Mitigation Measure CUL-2 may be applicable to the proposed industrial development site. Applicability will be determined as part of the Phase I Archaeological Assessment that will be prepared pursuant to Mitigation Measure CUL-1, as implemented as part of the Subsequent EIR.

Specific Plan Amendment PA 1 & 10 Applicability: Mitigation Measure CUL-2 is potentially applicable to future developments within PA 1 and PA 10.

**Mitigation Measure CUL-3: Conduct a Phase III Assessment if Resources are Eligible.** If, as a result of the Phase II evaluation, resources are determined eligible for listing in the California Register or are considered "unique archaeological resources" pursuant to Section 21083.2 of the Public Resources Code, potential impacts to the resources shall be analyzed and if impacts are significant (i.e., the improvement will cause a "substantial adverse change" to the resource) and cannot be avoided, mitigation measures shall be developed and implemented, such as archaeological data recovery excavations to reduce impacts to the resources to a level that is less than significant.





Proposed Industrial Development Project Applicability: Mitigation Measure CUL-7 is applicable to the proposed industrial development site and will be included the Subsequent EIR and its MMRP.

Specific Plan Amendment PA 1 & 10 Applicability: Mitigation Measure CUL-7 is applicable to future developments within PA 1 and PA 10.

**Mitigation Measure CUL-8:** If a tribe formally requests, in writing, to be notified of future specific development proposals that are initiated under the Project, the City shall begin AB 52 consultations with those particular tribes for all future development proposals within the Project Site. The purpose of those consultations would be to identify, evaluate, and mitigate impacts to tribal cultural resources from a given development proposal.

Proposed Industrial Development Project Applicability: Mitigation Measure CUL-8 is applicable to the proposed industrial development site and will be implemented as part of the Subsequent EIR.

Specific Plan Amendment PA 1 & 10 Applicability: Mitigation Measure CUL-8 is applicable to future developments within PA 1 and PA 10.

### **Conclusion for Cultural Resources**

Although no historic resources exist on the proposed industrial development site, the area is sensitive for archaeological resources. Therefore, pursuant to the Final EIR mitigation measures, a site-specific archaeological resource study will be completed as part of the Subsequent EIR. Thus, archaeological related cultural resources will be analyzed in the Subsequent EIR. In addition, the applicable mitigation measures from the Final EIR will be included in the Subsequent EIR MMRP.







provides for detailed, site-specific geotechnical investigation(s) prior to approval of a grading permit to determine the existence of any fault traces and if any exist, delineate the exact location of any fault traces and provide for appropriate setbacks to reduce impacts related to the fault to a less than significant impact (Draft EIR page 6-16).

The EIR also describes that the site is subject to strong seismic shaking, but that the effects of seismic shaking on structures can be reduced through conformance with the structural and seismic requirements recommendations of future site-specific and design-specific geotechnical and geologic reports (see DF GEO-1), the California Building Code, and/or other local governing requirements that would reduce the impacts of ground shaking, liquefaction, landslides, and other seismic hazards to a less than significant level (Draft EIR page 6-17).

Regarding soil erosion and the loss of topsoil, the EIR describes that construction with ground surface disruption during excavation, grading, and trenching would create the potential for erosion to occur. However, a Storm Water Pollution Prevention Program (SWPPP) incorporating Best Management Practices (BMPs) for erosion control would be required to be prepared prior to the start of grading activities for each development in accordance with the Santa Ana Regional Water Quality Control Board (RWQCB) included in the EIR as DF HYDRO-1 that would reduce impacts to a less than significant level (Draft EIR page 6-18).

The EIR also describes that soil erosion during operation of the Specific Plan development projects would be minimized by site drainage design and maintenance practices, as required by the RWQCB as part of a project-specific Water Quality Management Plans (WQMPs) for development, included in the EIR as DF HYDRO-2. Also, the EIR describes that design procedures can be incorporated to reduce soil erosion, included as DF HYDRO-3. The EIR determined that compliance with existing regulations would reduce potential impacts to a less than significant level (Draft EIR page 6-18).

The EIR describes that based on the soil types within the Specific Plan area (sand and gravel to silty sand), have a very low expansion potential. Therefore, the EIR determined that implementation of the Specific Plan would result in less than significant impacts associated with expansive soils (Draft EIR page 6-20).

The EIR also describes that the Specific Plan area is capable of being served by existing and new wastewater infrastructure, and that no septic tanks or alternative wastewater disposal systems would be required, and no impacts related to septic tanks or alternative wastewater disposal systems would occur (Draft EIR page 6-21).

The EIR also determined that the sediments that underlie the Specific Plan area are not old enough to have potential for yielding paleontological resources. Therefore, the implementation of ground disturbing construction would have no impact to paleontological resources (Draft EIR page 4.D-17).

### **Impacts Related to the Proposed Project**

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**
  - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?**

**Less than Significant New Impact.** In 1972, the Alquist-Priolo Special Studies Zones Act was signed into law and renamed the Alquist-Priolo Earthquake Fault Zoning Act (A-P Act) in 1994. The primary purpose of the Act is to mitigate the hazard of fault rupture by prohibiting the location of structures for human occupancy access the trace of an active fault. The A-P Act requires the State Geologist (Chief of the California Geology Survey) to delineate “Earthquake Fault Zones” along with faults that are “sufficiently active” and “well-defined.” The boundary of an “Earthquake Fault Zone” is generally about 500 feet from major active faults and 200 to 300 feet from well-defined minor faults. The A-P Act dictates that cities and counties withhold development permits for sites within an Alquist-Priolo Earthquake Zone until geologic investigations demonstrate that the site zones are not threatened by surface displacements from future faulting.

#### Specific Plan Amendment

As described in the Final EIR, the Specific Plan area is within the Alquist-Priolo Earthquake Fault Zone for the San Jacinto fault. The potential impacts related to fault rupture that would result from the proposed Specific Plan Amendment would be similar to those that were identified by the Final EIR because the areas of development would be the same and the same fault setback and building code regulations would be applicable. Additionally, the same design features that were included in the Final EIR (DF GEO-1 and DF GEO-2) would continue to be applicable to the amended Specific Plan. Thus, consistent with the findings of the Final EIR implementation of existing regulations would reduce potential impacts related to fault rupture from the amended Specific Plan to a less than significant level.

#### Proposed Industrial Development

Because the proposed industrial development site is located within a fault zone, the Alquist-Priolo Earthquake Fault Zoning Act requires a fault trenching investigation to determine the presence of on-site strands of any active or potentially active fault and to determine the need for a structural setback, which is also required by Final EIR Design Feature DF GEO-1. Thus, a Fault Study was prepared for the proposed industrial development site, which is included as Appendix C. The Fault Study describes that a segment of the San Jacinto fault is mapped  $650\pm$  feet southwest of the proposed industrial development site and another segment of the San Jacinto fault is mapped  $7500\pm$  feet northeast of the proposed industrial development site. The segment of the San Jacinto fault near the proposed industrial development site is identified as the San Bernardino segment, which is a right-lateral fault with an average slip rate is 5 millimeters per year.

As detailed in the Fault Study, approximately 18-20 feet of onsite sediments were trenched in two locations across the proposed industrial development site. The upper 10 to 12 feet generally consisted of unbroken sediments. The deeper alluvial soils were characteristic of channel deposits with interbedded sand and gravel layers that pinch out horizontally. The cobbles were generally rounded and sub-rounded and were generally concentrated in the lower section of each depositional channel. None of the deeper alluvial channel deposits were offset. The sediments exposed near the bottom of the trenches were determined to be deposited approximately 2,100 years ago and the recurrence interval for the San Bernardino segment of the San Jacinto fault is 107 years. Based on the recurrence interval with respect to the approximate date of the deeper exposed sediments, an offset in the deeper sediments would be evident if the fault transected the site. Therefore, the Fault Study determined that the San Bernardino segment of the San Jacinto fault does not transect the site. As a result, potential impacts related to fault rupture were determined to be less than significant and no new impact would result. This topic will not be analyzed in the Subsequent EIR.

**ii. Strong seismic ground shaking?**

**Less than Significant New Impact.**

Specific Plan Amendment

As described in the Final EIR, the Specific Plan area is subject to strong seismic shaking, but that the effects of seismic shaking on structures can be reduced through conformance with the structural and seismic requirements of future site-specific and design-specific geotechnical and geologic reports (included as DF GEO-1) and the California Building Code. The potential impacts related to seismic shaking that would result from the proposed Specific Plan Amendment would be similar to those that were identified by the Final EIR because the areas of development would be the same and the same geotechnical and building code regulations would be applicable, and DF GEO-1 requires site specific geotechnical studies to identify appropriate structural engineering. Thus, consistent with the findings of the Final EIR implementation of existing regulations would reduce potential impacts related to seismic ground shaking from the amended Specific Plan to a less than significant level.

Proposed Industrial Development

The proposed industrial development site, like most of southern California, could be subject to seismically related strong ground shaking. Ground shaking is a major cause of structural damage from earthquakes. The amount of motion expected at a building site can vary from none to forceful depending upon the distance to the fault, the magnitude of the earthquake, and the local geology.

The closest fault is the San Jacinto fault that is mapped  $650\pm$  feet southwest of the proposed industrial development site and another segment of the San Jacinto fault is mapped  $7500\pm$  feet northeast of the proposed industrial development site. A major earthquake along this fault or another regional fault could cause substantial seismic ground shaking at the site. However, structures built in the City are required to be built in compliance with the CBC (California Code of Regulations, Title 24, Part 2) that provides provisions for earthquake safety based on factors including building occupancy type, the types of soils onsite, and the probable strength of ground motion. Compliance with the CBC would require the incorporation of: 1) seismic safety features to minimize the potential for significant effects as a result of earthquakes; 2) proper building footings and foundations; and 3) construction of the building structure so that it would withstand the effects of strong ground shaking. As required by Design Feature DF GEO-1 a site-specific geotechnical investigation has been completed with recommendations for construction to withstand seismic ground shaking.

The City's permitting process would ensure that all required CBC seismic safety measures are incorporated into the building. Compliance with the CBC as verified by the City's review process and included as a condition of approval, would reduce impacts related to strong seismic ground shaking to a less than significant level, which is consistent with the findings of the Final EIR. Thus, no new impact would result, and this topic will not be analyzed in the Subsequent EIR.

**iii. Seismic-related ground failure, including liquefaction?**

**Less than Significant New Impact.** Soil liquefaction is a phenomenon in which saturated, cohesionless soils layers, located within approximately 50 feet of the ground surface, lose strength due to cyclic pore water pressure generation from seismic shaking or other large cyclic loading. During the loss of stress, the soil acquires "mobility" sufficient to permit both horizontal

and vertical movements. Soil properties and soil conditions such as type, age, texture, color, and consistency, along with historical depths to ground water are used to identify, characterize, and correlate liquefaction susceptible soils.

Soils that are most susceptible to liquefaction are clean, loose, saturated, and uniformly graded fine-grained sands that lie below the groundwater table within approximately 50 feet below ground surface. Lateral spreading is a form of seismic ground failure due to liquefaction in a subsurface layer.

#### Specific Plan Amendment

As described in the Final EIR, the Specific Plan area has a low potential for liquefaction that would be further reduced through conformance with design-specific geotechnical and geologic reports (included as DF GEO-1) and the California Building Code. The potential impacts related to seismic ground failure and liquefaction that would result from the proposed Specific Plan Amendment would be similar to those that were identified by the Final EIR because the areas of development would be the same and the same geotechnical and building code regulations would be applicable. Thus, consistent with the findings of the Final EIR implementation of existing regulations would reduce potential impacts related to liquefaction from the amended Specific Plan to a less than significant level.

#### Proposed Industrial Development

The Geotechnical Feasibility Study (Appendix D) for the proposed industrial development did not identify ground water within the 50-foot-deep borings and describes that water level readings at the nearest groundwater well show a high groundwater of 418 feet below the ground surface. Thus, the high groundwater (within 50 feet of the ground surface) does not exist, and onsite liquefaction would not occur. In addition, the Geotechnical Feasibility Study describes that the site is not mapped as within a liquefaction zone and that based on subsurface conditions, liquefaction is not a design concern. Therefore, consistent with the findings of the Final EIR, impacts related to liquefaction would be less than significant and this topic will not be analyzed in the Subsequent EIR.

#### **iv. Landslides?**

**No New Impact.** Landslides and other slope failures are secondary seismic effects that are common during or soon after earthquakes. Areas that are most susceptible to earthquake induced landslides are steep slopes underlain by loose, weak soils, and areas on or adjacent to existing landslide deposits.

#### Specific Plan Amendment

As described in the Final EIR, the Specific Plan area has various topographical features that includes slopes as steep as 1:1. Implementation of the proposed Specific Plan Amendment would have the same potential effects related to landslides that would be reduced to a less than significant level with compliance with the California Building Code and site-specific geologic reports (that are included as DF GEO-1). Thus, consistent with the findings of the Final EIR, implementation of existing regulations would reduce potential impacts related to landslides from the amended Specific Plan to a less than significant level.

#### Proposed Industrial Development

The Geotechnical Feasibility Study (Appendix D) for the proposed industrial development site describes that there are no hills or substantial changes to topography on the development site. The site topography ranges from approximately 1,267 feet mean sea level (msl) on the



**Less than Significant New Impact.**Specific Plan Amendment

As described previously, the Specific Plan area has a low potential for landslides and liquefaction; thus, the related lateral spreading and collapse potential would also be low. In addition, seismic and soil stability effects would be reduced through conformance with design-specific geotechnical and geologic reports (included as DF GEO-1) and the California Building Code. Thus, consistent with the findings of the Final EIR implementation of existing regulations would reduce potential impacts related to landslide, collapse, liquefaction, subsidence, and lateral spreading from the amended Specific Plan to a less than significant level.

Proposed Industrial Development

As described previously the proposed industrial development site does not contain or is adjacent to large slopes, and impacts related to landslides would not occur. Also, the Geotechnical Feasibility Study (Appendix D) describes that the site does not have potential for liquefaction. Thus, the related impacts of lateral spreading and subsidence would also not occur. In addition, the Geotechnical Feasibility Study provides CBC design criteria to limit the potential for soils movement or collapse. Therefore, consistent with the findings of the Final EIR, impacts would be less than significant and this topic will not be analyzed in the Subsequent EIR.

**d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?****No New Impact.**Specific Plan Amendment and Proposed Industrial Development

Expansive soils contain certain types of clay minerals that shrink or swell as the moisture content changes; the shrinking or swelling can shift, crack, or break structures built on such soils. Arid or semiarid areas with seasonal changes of soil moisture experience, such as southern California, have a higher potential of expansive soils than areas with higher rainfall and more constant soil moisture.

The Final EIR described that the soils within the Specific Plan area (sand and gravel to silty sand), have a very low expansion potential. In addition, the Geotechnical Feasibility Study (Appendix D) performed expansion testing on the soils within the proposed industrial development site, which determined that soils have a 0 expansion index and are not expansive. Therefore, no impacts related to expansive soils would occur, and this topic will not be further analyzed in the Subsequent EIR.

**e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?****No New Impact.**Specific Plan Amendment and Proposed Industrial Development

The development within the Specific Plan area would not use septic tanks or alternative methods for disposal of wastewater into subsurface soils. Furthermore, the proposed industrial development would connect to existing public wastewater infrastructure that is adjacent to the site within Pepper Avenue. Therefore, the proposed Project would not result in any impacts related to septic tanks or alternative wastewater disposal methods and this topic will not be analyzed in the Subsequent EIR.

**f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**No New Impact.**

Specific Plan Amendment and Proposed Industrial Development

As determined by the Final EIR, the sediments that underlie the Specific Plan area are not old enough to have potential for yielding paleontological resources. Therefore, the implementation of ground disturbing construction would have no impact to paleontological resources. This topic will not be analyzed in the Subsequent EIR.

**Final EIR Mitigation Measure/Project Design Features**

**Design Feature DF GEO-1: Geotechnical Investigation** – Prior to the approval of a precise grading permit for any building within the Project Site, a subsequent site- and design-specific geotechnical and geologic report prepared by a licensed geologist shall be submitted to the City Engineer for review and approval. The report shall document the feasibility of each proposed use and the appropriate geotechnical, geologic, and seismic conditions associated with that use. The geologic investigation shall demonstrate that buildings for human occupancy will not be constructed across active faults and must be setback in accordance with Alquist-Priolo Earthquake Fault Zoning Act requirements. For residential uses, setback distances may vary, but a minimum 50-foot setback is required.

To demonstrate compliance with the Alquist-Priolo Earthquake Fault Zoning Act requirements, the analysis shall include the results of a subsurface investigation, including on-site trenching activities as necessary, to delineate the precise location(s) of any fault traces that could impact buildings on the future development. Unless otherwise modified, any conditions, recommendations, or construction measures contained therein, including the imposition of specified setback requirements for proposed development activities within Alquist-Priolo Earthquake Fault Zones, shall become conditions of approval for the requested use. The report shall comply with all applicable State and local code requirements, including the current building code in effect at the time of precise grading permit issuance.

Proposed Industrial Development Project Applicability: Design Feature DF GEO-1 is applicable to the proposed industrial development site, has been completed, is included as Appendix D.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature GEO-1 is applicable to future developments within PA 1 and PA 10.

**Design Feature DF GEO-2: Geotechnical Disclosures** – Pursuant to the requirements of the Natural Hazards Disclosure Act, under Sec. 1103 of the California Civil Code, real estate sellers and brokers shall disclose to future buyers that if the Project lies within one or more state or locally mapped hazard areas, including an earthquake fault zone. This hazard shall also be disclosed on a statutory form called the Natural Hazard Disclosure Statement (NHDS) to all prospective buyers within the Project Site.

Proposed Industrial Development Project Applicability: Design Feature DF GEO-2 is applicable to the proposed industrial development and would be implemented as part of real estate disclosures.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature GEO-2 is applicable to future developments within PA 1 and PA 10.

**Design Features DF HYDRO-1 and DF HYDRO-2.** As listed in Section 10, *Hydrology and Water Quality*.

Proposed Industrial Development Project Applicability: Design Features DF HYDRO-1 and DF HYDRO-2 are applicable to the proposed industrial development and would be implemented as part of Project permitting.

Specific Plan Amendment PA 1 & 10 Applicability: Design Features DF HYDRO-1 and DF HYDRO-2 are applicable to future developments within PA 1 and PA 10.

### **Conclusion for Geology and Soils**

No new impacts nor substantially more severe geology and soils related impacts would result from the proposed Project. Consistent with the determination of the Final EIR, impacts related to geology and soils from implementation of the proposed Project would be less than significant with implementation of design features that were identified in the Final EIR. Thus, no new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Final EIR.

Based on the foregoing, none of the conditions identified in CEQA Guidelines Section 15162 that would trigger the need to evaluate biological resources in the Subsequent EIR. Thus, geology and soils will not be analyzed in the Subsequent EIR. However, Final EIR Design Features DF GEO-1, DF GEO-2, DF HYDRO-1, and DF HYDRO-2 will be included in the Subsequent EIR MMRP to ensure implementation.



**b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

**Potentially Significant Impact.**

Specific Plan Amendment and Proposed Industrial Development

The State of California, through its Governors and Legislature, has established a comprehensive framework for the substantial reduction of GHG emissions over the next 40-plus years. This will occur primarily through the implementation of Assembly Bill (AB) 32 (2006), Senate Bill (SB) 375 (2008), Executive Order S-3-05 (2005), Executive Order B-30-15 (2015), and SB 32 (2016), which address GHG emissions on a statewide, cumulative basis.

As described previously, it is possible that the proposed Project would result in an increase in GHG emissions. Therefore, the Subsequent EIR will further evaluate the level of GHG emissions produced by the proposed Project and evaluate its consistency with the applicable plans and policies. Mitigation measures will be identified if necessary.

**Final EIR Mitigation Measure/Project Design Features**

None.

**Conclusion for Greenhouse Gas Emissions**

As detailed previously, it is possible that new or substantially more GHG related impacts could result from the proposed Project than were identified in the Final EIR. Thus, conditions identified in CEQA Guidelines Section 15162 related to changes to the Project that require major revisions of the previous adopted EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects would occur and would trigger the need to evaluate potential GHG impacts in the Subsequent EIR. Thus, GHG will be analyzed in the Subsequent EIR.



The EIR determined that the Specific Plan area is not on any hazardous materials lists or databases and that no off-site facilities appear to present an environmental concern for the Specific Plan. Therefore, the EIR determined that impacts related to a hazardous materials site would be less than significant (Draft EIR page 6-23).

The EIR also determined that the Specific Plan area is not located within an airport land use plan or within two miles of a public airport or public use airport. The nearest airport, Rialto Municipal Airport, was closed in 2014, is located approximately 2.25 miles to the west. Therefore, the EIR determined that no impacts related to airport hazards would occur (Draft EIR page 6-23).

Regarding emergency access, the EIR describes that the Specific Plan area is located in an area where adequate circulation and access is provided to facilitate emergency response. Future driveway and building configurations would comply with applicable fire access and code requirements for emergency evacuation that would be verified as part of the City permitting process, and therefore, impacts were determined to be less than significant (Draft EIR page 6-23).

Appendix A of the Final EIR, contains the Initial Study for the Pepper Avenue Specific Plan, which describes (Page B-20) that the Specific Plan area is not located in an area that has a significant amount of vegetation and is characterized by low sloping, gradual topography. The Initial Study states that according to Exhibit 4.7-2, *Wildfire Hazards Map*, in the 2010 General Plan Draft EIR, the site and immediate surrounding areas are not located within an area subject to wildfire hazards. Furthermore, future development on site would be subject to all applicable standards and regulations related to fire protection and prevention, and it was determined that impacts related to wildland fire hazards would be less than significant.

### **Impacts Related to the Proposed Project**

#### **a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

#### **Less than Significant New Impact.**

#### **Specific Plan Amendment and Proposed Industrial Development**

A hazardous material is defined as any material that, due to its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the environment. Hazardous materials include, but are not limited to, hazardous substances, hazardous wastes, and any material that regulatory agencies believe would be injurious to the health and safety of persons or harmful to the environment if released into the home, workplace, or environment. Hazardous wastes require special handling and disposal because of their potential to damage public health and the environment.

#### **Construction**

The construction activities that would occur by the proposed change in the Specific Plan allowable land uses and by the proposed industrial development would involve transport, use, and disposal of hazardous materials such as paints, solvents, oils, grease, and caulking. In addition, hazardous materials would be needed for fueling and servicing construction equipment on the site. These types of materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by county, state, and federal regulations, which construction activities are required to strictly adhere to. As a result, the routine transport, use or disposal of hazardous materials during construction activities for the proposed Project would be less than significant, which

is consistent with the findings of the Final EIR. Therefore, this topic will not be further evaluated in the Subsequent EIR.

### **Operation**

The proposed change in Specific Plan allowable land uses and the proposed industrial development would include operation of light industrial uses, which was not previously allowed by the Specific Plan. Light industrial uses generally use and store limited hazardous materials, such as: cleaning agents, paints, pesticides, batteries, and aerosol cans. Normal routine use of these products would not result in a significant hazard to residents or workers in the vicinity of the Specific Plan area and industrial development site.

Also, should any future business that occupies the proposed industrial building or other buildings within the Specific Plan area handle acutely hazardous materials (as defined in Section 25500 of California Health and Safety Code, Division 20, Chapter 6.95) the business would require a hazardous materials permit from the Fire Department, as part of City operational permitting procedures. Such businesses are also required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the Fire Department regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business. In addition, any business handling at any one time, greater than 500 pounds of solid, 55 gallons of liquid, or 200 cubic feet of gaseous hazardous material, is required, under Assembly Bill 2185 (AB 2185), to file a Hazardous Materials Business Emergency Plan. A Hazardous Materials Business Emergency Plan is a written set of procedures and information created to help minimize the effects and extent of a release or threatened release of a hazardous material. The intent of the Hazardous Materials Business Emergency Plan is to satisfy federal and state right-to-know laws and to provide detailed information for use by emergency responders.

Therefore, if future businesses that use or store hazardous materials occupy a building within the Specific Plan area, the business owners and operators would be required to comply with all applicable federal, state, and local regulations, as verified by City operational permitting. Therefore, operational impacts associated with the disposal of hazardous materials and/or the potential release of hazardous materials would be less than significant, which is consistent with the findings of the Final EIR, and this topic will not be analyzed further in the Subsequent EIR.

**b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

**Less than Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development  
**Construction**

As described previously, construction of the proposed industrial development and allowable uses under the proposed Specific Plan Amendment would involve the limited use and disposal of hazardous materials. Equipment that would be used in construction has the potential to release gas, oils, greases, solvents; and spills of paint and other finishing substances. However, the amount of hazardous materials onsite would be limited, and construction activities would be required to adhere to all applicable regulations regarding hazardous materials storage and handling, as well as to implement construction BMPs (through implementation of a required SWPPP implemented by City permitting) to prevent a hazardous materials release and to promptly contain and clean up any spills, which would minimize the potential for harmful exposures. With compliance to existing laws

and regulations, which is mandated by the City through construction permitting, the potential construction-related impacts would be less than significant, which is consistent with the findings of the Final EIR. Therefore, this topic will not be further evaluated in the Subsequent EIR.

### **Operation**

As described previously, operation of the allowable uses proposed by the Specific Plan Amendment and the proposed industrial development includes use of limited hazardous materials, such as: cleaning agents, paints, pesticides, batteries, and aerosol cans. These types of hazardous materials are not acutely hazardous and regulated by existing laws that have been implemented to reduce risks related to the use of these substances. Similarly, should any future business that occupies a building within the Specific Plan area handle acutely hazardous materials, it would be required to file a Hazardous Materials Business Plan to ensure proper use, storage, and disposal of hazardous substances. As a result, operation of the proposed Specific Plan Amendment and proposed industrial development would not create a reasonably foreseeable upset and accident condition involving the release of hazardous materials into the environment, and impacts would be less than significant, which is consistent with the findings of the Final EIR. This topic will not be analyzed further in the Subsequent EIR.

### **c) Emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

#### **Less than Significant New Impact.**

##### Specific Plan Amendment and Proposed Industrial Development

Allowable uses proposed by the Specific Plan Amendment and the proposed industrial development would not produce hazardous emissions or handle acutely hazardous materials, substances, or wastes. The nearest school to the Specific Plan area is Frisbie Middle School, located at 1442 N. Eucalyptus Avenue (approximately 0.7 mi southwest of the proposed industrial development site). As noted in Response 9(a), the allowable uses by the Specific Plan Amendment and proposed industrial development are not anticipated to release hazardous emissions or handle hazardous or acutely hazardous materials, substances, or wastes in significant quantities. Construction activities associated with the Specific Plan Amendment buildout and proposed industrial development site would use a limited amount of hazardous and flammable substances/oils during heavy equipment operation for site excavation, grading, and construction. The amount of hazardous chemicals present during construction is limited and would be contained in compliance with existing government regulations. Therefore, impacts related to hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or wastes within 0.25 mi of an existing or proposed school would be less than significant, which is consistent with the findings of the Final EIR. This topic will not be analyzed further in the Subsequent EIR.

### **d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

#### **No New Impact.**

##### Specific Plan Amendment and Proposed Industrial Development

According to the California Department of Toxic Substances Control (DTSC) EnviroStor database and the Phase I Environmental Site Assessment that was prepared for the proposed industrial development site, the area is not located on a federal Superfund site, State response site, voluntary

cleanup site, school cleanup site, corrective action site, or tiered permit site. Therefore, the proposed Project would not be located on a hazardous materials site pursuant to Government Code Section 65965.5. Thus, impacts related to being located on a known hazardous materials site pursuant to Government Code Section 65965.5 will not be analyzed in the Subsequent EIR.

- e) **For a project within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

**No New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The Specific Plan area is not within an airport land use plan and is located over 6 miles to the northwest of the closest operating public airport or public use airport (San Bernardino International Airport). Additionally, the proposed industrial development would be a maximum of 46-feet high and would not be of a sufficient height to require modifications to the existing air traffic patterns at the airport and, therefore, would not affect aviation traffic levels or otherwise result in substantial aviation-related safety risks. Hence, the proposed Project would not result in impacts to an airport land use plan, or where such a plan has not been adopted, and would not result in a safety hazard or excessive noise for people residing or working in the Specific Plan area or proposed industrial development site. This topic will not be further analyzed in the Subsequent EIR.

- f) **Impair implementation of an adopted emergency response plan or emergency evacuation plan?**

**Less than Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The proposed Specific Plan Amendment and proposed industrial development would not physically interfere with an adopted emergency response plan or emergency evacuation plan. Direct access to the proposed industrial development site would be provided by two driveway locations along Pepper Avenue, which is directly adjacent to the site. Construction activities would occur within the proposed industrial development site and would not restrict access of emergency vehicles to the site or adjacent areas. In addition, travel along Pepper Avenue would remain open and would not interfere with emergency access in the site vicinity. The proposed industrial development and all other Specific Plan development projects are required to design and construct internal access, and size and location of fire suppression facilities (e.g., hydrants and sprinklers) to conform to Rialto Fire Department standards. The Rialto Fire Department would review the development plans prior to approval to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9). As such, the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant, which is consistent with the findings of the Final EIR. This topic will not be analyzed further in the Subsequent EIR.

- g) **Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

**No New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The Specific Plan area does not contain and is not adjacent to any wildland areas. According to the CalFire Fire Hazard Severity Zone map, the Specific Plan area is not within an area identified as a Fire Hazard Area. As a result, the proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. Therefore, this topic will not be analyzed in the Subsequent EIR.

### **Final EIR Mitigation Measure/Project Design Features**

**Design Feature DF HAZ-1: Soil Investigation** – Soil samples shall be collected for new development within the Project Site prior to issuance of grading permits and analyzed for the presence of organochlorine pesticides and Title 22 Metals. Sampling and analysis shall be conducted in accordance with appropriate California guidelines (e.g., Department of Toxic Substances Control, 2008, Interim Guidance for Sampling Agricultural Properties). Soils with elevated organochlorine pesticides or metals compared with these guidelines shall be removed and disposed offsite in accordance applicable federal, state, and local regulations.

Proposed Industrial Development Project Applicability: Design Feature DF HAZ-1 is not applicable to the proposed industrial development site as determined by the Phase I Environmental Site Assessment (Appendix B). Previous agricultural uses were cleared from the site by the mid-1980 and the site has remained vacant since. The Phase I Environmental Site Assessment determined that potential trace levels of pesticides on the site is considered a de minimis condition and collection and analysis of soil samples for pesticides is unwarranted (page 9).

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature HAZ-1 is applicable to future developments within PA 1 and PA 10, unless a Phase I Environmental Site Assessment determines it is not applicable.

### **Conclusion for Hazards and Hazardous Materials**

No new impacts nor substantially more severe hazards and hazardous materials related impacts would result from the proposed Project. Consistent with the determination of the Final EIR, impacts related to hazards and hazardous materials from implementation of the proposed Project would be less than significant with compliance with existing regulations related to hazardous materials. Thus, no new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Final EIR.

Based on the foregoing, none of the conditions identified in CEQA Guidelines Section 15162 that would trigger the need to evaluate hazards and hazardous materials in the Subsequent EIR. Thus, hazards and hazardous materials will not be analyzed in the Subsequent EIR.

	<b>Potentially Significant New Impact</b>	<b>Less Than Significant New Impact with Mitigation Incorporated</b>	<b>Less Than Significant New Impact</b>	<b>No Impact / No New Impact</b>
<b><u>10. HYDROLOGY AND WATER QUALITY.</u></b> Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Summary of Impacts Identified in the Final EIR**

The EIR describes that development (disturbing 1 or more acre) is required to prepare a SWPPP (see DF HYDRO-1), that would reduce construction related water quality impacts to a less than significant level. The EIR also describes that future development would require implementation of a WQMP that meets applicable RWQCB requirements (see DF HYDRO-2) and would reduce impacts

to a less than significant level (Draft EIR page 6-23).

The EIR also describes that impacts to groundwater supplies would be less than significant, and that development projects would incorporate site-specific LID BMPs (DF HYDRO-2). As such, construction and operation of the Project would not substantially deplete groundwater supplies or result in a substantial net deficit in the aquifer volume or lowering of the local groundwater table (Draft EIR page 6-24).

The EIR also determined that the Specific Plan area is not subject to tsunami hazards given the distance from the Pacific Ocean and elevation of the site relative to sea level. No open reservoirs or other large water bodies are located within or upstream of the Specific Plan area. Therefore, the site is not subject to flooding hazards associated with seiches or tsunamis. The EIR further determined that the potential for mudflows to affect the proposed uses would be negligible given the distance of the nearest mountains, and the gently sloping topography of the Specific Plan area is not conducive to sustaining mudflows (Draft EIR page 6-25).

### **Impacts Related to the Proposed Project**

#### **a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

#### **Less Than Significant New Impact.**

##### **Specific Plan Amendment and Proposed Industrial Development**

The Specific Plan area is under the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB), which sets water quality standards for all ground and surface waters within its region. Water quality standards are defined under the Clean Water Act (CWA) to include both the beneficial uses of specific water bodies and the levels of water quality that must be met and maintained to protect those uses (water quality objectives). Water quality standards for all ground and surface waters overseen by the Santa Ana RWQCB are documented in its Basin Plan, and the regulatory program of the Santa Ana RWQCB is designed to minimize and control discharges to surface and groundwater, largely through permitting, such that water quality standards are effectively attained.

##### **Construction**

Construction of the proposed industrial development and the other development projects under the proposed Specific Plan Amendment would be required through City permitting to implement of a grading and erosion control plan that is required by the Construction Activities General Permit (State Water Resources Board Order No. 2012-0006-DWQ, NPDES No. CAS000002), which requires preparation of a SWPPP by a Qualified SWPPP Developer, included as Design Feature DF HYDRO-1. The SWPPP is required for plan check and approval by the City's Building and Safety Division, prior to provision of permits for the construction, and would include construction BMPs such as:

- Silt fencing, fiber rolls, or gravel bags
- Street sweeping and vacuuming
- Storm drain inlet protection
- Stabilized construction entrance/exit
- Vehicle and equipment maintenance, cleaning, and fueling
- Hydroseeding
- Material delivery and storage

- Stockpile management
- Spill prevention and control
- Solid waste management
- Concrete waste management

Adherence to the existing requirements and implementation of the appropriate BMPs per the permitting process would ensure that activities associated with construction would not violate any water quality standards. The proposed industrial development and the other Specific Plan projects would be required to have an approved grading and erosion control plan and approval of a SWPPP, which would include construction BMPs to minimize the potential for construction related sources of pollution, which would be implemented during construction to protect water quality. As a result, impacts related to the degradation of water quality during construction activities would be less than significant, which is consistent with the findings of the Final EIR. This topic will not be further evaluated in the Subsequent EIR.

**Operation**

The proposed industrial development and other uses allowed by the proposed Specific Plan Amendment would operate industrial and warehouse type facilities, which would introduce the potential for pollutants such as, chemicals from cleaners, pesticides and sediment from landscaping, trash and debris, and oil and grease from vehicles. These pollutants could potentially discharge into surface waters and result in degradation of water quality. However, in accordance with State Water Resources Board Order No. 2012-0006-DWQ, NPDES No. CAS000002 each development would be required to incorporate a WQMP with post-construction (or permanent) Low Impact Development (LID) site design, source control, and treatment control BMPs. The LID site design would minimize impervious surfaces and provide infiltration of runoff into landscaped areas.

The source control BMPs would minimize the introduction of pollutants that may result in water quality impacts; and treatment control BMPs that would treat stormwater runoff. The proposed industrial development would install an onsite detention basin to treat stormwater, which would remove coarse sediment, trash, and pollutants (i.e., sediments, nutrients, heavy metals, oxygen demanding substances, oil and grease, bacteria, and pesticides). The additional types of BMPs that would be implemented as part of the proposed industrial development are listed in Table HWQ-1; and similar BMPs would be required to be included in other developments pursuant to the amended Specific Plan.

**Table HWQ-1: Types of BMPs Incorporated into the Project Design**

Type of BMP	Description of BMPs
LID Site Design	<u>Optimize the site layout:</u> The site has been designed so that runoff from impervious surfaces would flow over pervious surfaces or to the detention basin. Runoff would be directed to the onsite detention basin that would slow and retain runoff.
	<u>Use pervious surfaces:</u> Landscaping and an onsite detention basin is incorporated into the Project design to increase the amount of pervious area and onsite retention of stormflows.
Source Control	<u>Storm Drain Stenciling:</u> All inlets/catch basins would be stenciled with the words “Only Rain Down the Storm Drain,” or equivalent message.

Type of BMP	Description of BMPs
	<p><u>Need for future indoor &amp; structural pest control:</u> The building would be designed to avoid openings that would encourage entry of pests.</p> <hr/> <p><u>Landscape/outdoor pesticide use:</u> Final landscape plans would accomplish all of the following:</p> <ul style="list-style-type: none"> <li>• Design landscaping to minimize irrigation and runoff, to promote surface infiltration where appropriate, and to minimize the use of fertilizers and pesticides that can contribute to storm water pollution.</li> <li>• Consider using pest-resistant plants, especially adjacent to hardscape.</li> <li>• To ensure successful establishment, select plants appropriate to site soils, slopes, climate, sun, wind, rain, land use, air movement, ecological consistency, and plant interactions</li> </ul> <hr/> <p><u>Roofing, gutters and trim:</u> The architectural design would avoid roofing, gutters, and trim made of copper or other unprotected metals that may leach into runoff.</p> <hr/> <p><u>Sidewalks and parking lots:</u> Sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris. Debris from pressure washing would be collected to prevent entry into the storm drain system. Wash water containing any cleaning agent or degreaser would be collected and discharged to the sanitary sewer and not discharged to a storm drain.</p>
<b>Treatment Control</b>	<p><u>Biofiltration Systems:</u> The detention basin proposed for the Project would detain runoff, filter it prior to discharge.</p>

With implementation of the operational source and treatment control BMPs that is outlined in the preliminary WQMP (Appendix F) that would be reviewed and approved by the City during the project permitting and approval process, potential pollutants would be reduced to the maximum extent feasible, and implementation of the proposed industrial development and Specific Plan Amendment would not substantially degrade water quality. Therefore, impacts would be less than significant, which is consistent with the findings of the Final EIR, and this topic will not be further evaluated in the Subsequent EIR.

**b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

**Less Than Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The Specific Plan area, including the industrial development site, is largely undeveloped, vacant, and pervious. Thus, stormwater currently infiltrates into the soils. Consistent with the findings of the Final EIR, both the development projects under the proposed Specific Plan Amendment and the proposed industrial development would result in areas of impervious surfaces. However, consistent with the Final EIR and pursuant to Design Feature DF HYDRO-2, WQMPs are required to be completed for each development that are required to demonstrate that runoff would be infiltrated to retain the runoff from the 85th percentile, 24-hour rain event. Thus, a majority of stormwater would continue to infiltrate into site soils, such that the potential for groundwater recharge onsite would not be substantially affected.

In addition, groundwater within the Specific Plan area is adjudicated, which manages groundwater pumping such that substantial depletion of groundwater supplies would not occur. The 2020 Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan that includes the West Valley Water District (WVWD) that supplies water to the Specific Plan area describes that WVWD draws the majority of its water supply from its wells that extract groundwater from five regional groundwater basins: Bunker Hill and Lytle Creek (which are both part of the San Bernardino Basin or SBB), Rialto-Colton, Riverside North, and Chino Basins. All five basins have been adjudicated and are managed for long term sustainability. Groundwater extractions and conditions are monitored and tracked annually by the Western-San Bernardino Watermaster and the Basin Technical Advisory Committee. The proposed Specific Plan Amendment and proposed industrial development would not conflict with the groundwater basing adjudications. Thus, impacts related to the groundwater recharge would be less than significant, which is consistent with the Final EIR, and this topic will not be further evaluated in the Subsequent EIR.

**c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**

**i. result in substantial erosion or siltation on- or off-site;**

**Less Than Significant New Impact.**

Specific Plan Amendment

The potential impacts related to soil erosion and siltation that would result from the proposed Specific Plan Amendment would be similar to those that were identified by the Final EIR because the areas of development would be the same, the same areas of ground disturbance would occur, and the same regulations would require implementation of project specific SWPPPs and WQMPs that were included in the Final EIR as DF HYDRO-1 and DF HYDRO-2. Thus, consistent with the findings of the Final EIR implementation of existing regulations would reduce potential impacts to a less than significant level, which is consistent with the findings of the Final EIR.

Proposed Industrial Development

Construction of the proposed industrial development has the potential to contribute to soil erosion and siltation. Grading and excavation activities that would be required that would expose and loosen topsoil, which could be eroded by wind or water. However, the Final EIR DF HYDRO-1 implements the requirements of the NDPES Storm Water Permit that all projects in the City are required to conform to. To reduce the potential for soil erosion and the loss of topsoil, a SWPPP is required by the RWQCB regulations to be developed by a QSD (Qualified SWPPP Developer). The SWPPP is required to address site-specific conditions related to specific grading and construction activities. The SWPPP is required to identify potential sources of erosion and siltation during construction, identify erosion control BMPs to reduce or eliminate the erosion and siltation, such as use of silt fencing, fiber rolls, or gravel bags, stabilized construction entrance/exit, hydroseeding. With implementation of the SWPPP included as DF HYDRO-1, construction impacts related to erosion and siltation would be less than significant, which is consistent with the findings of the Final EIR.

In addition, the proposed industrial development includes installation of landscaping, such that during operation of the proposed industrial development large areas of loose

topsoil that could erode would not exist. The onsite drainage features that would be installed by the proposed industrial development have been designed to slow, filter, and infiltrate stormwater, which would also reduce the potential for stormwater to erode soil during operations. Furthermore, implementation of the proposed industrial development requires City approval of a site-specific Water Quality Management Plan (WQMP), included as DF HYDRO-2, which would ensure that appropriate operational BMPs would be implemented to minimize or eliminate the potential for soil erosion and sedimentation to occur. As a result, potential impacts related to substantial soil erosion or sedimentation would be less than significant, which is consistent with the findings of the Final EIR. Thus, no new or increased impacts would result from the proposed Project, and this topic will not be further evaluated in the Subsequent EIR.

- ii. **substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;**

**Less Than Significant New Impact.**

Specific Plan Amendment

The potential impacts related to surface runoff and drainage that would result from the proposed Specific Plan Amendment would be similar to those that were identified by the Final EIR because the areas of development would be generally the same and the same regulations would require implementation of project specific WQMPs that are included in the Final EIR as DF HYDRO-2, that requires the 85th percentile of stormwater runoff to be infiltrated on site. Therefore, the proposed Specific Plan Amendment would not substantially increase surface water runoff in a manner that would result in flooding. Thus, consistent with the findings of the Final EIR implementation of existing regulations would reduce potential impacts to a less than significant level, which is consistent with the findings of the Final EIR.

Proposed Industrial Development

As detailed previously, runoff generated by the proposed industrial development would be conveyed to a detention basin that would be installed on site to filter and infiltrate into site soils. In addition, the proposed industrial development includes installation of landscaping that provide for infiltration of stormwater runoff. As described previously, the onsite drainage features that would be installed by the proposed industrial development have been designed to slow, filter, and infiltrate stormwater, such that a substantial increase in stormwater runoff would not occur. Furthermore, implementation of the proposed industrial development requires City approval of a site-specific Water Quality Management Plan (WQMP), included as DF HYDRO-2, which would manage stormwater runoff. As a result, potential impacts related an increase in stormwater runoff that could result in flooding would be less than significant, which is consistent with the findings of the Final EIR. Thus, no new or increased impacts would result from the proposed Project, and this topic will not be further evaluated in the Subsequent EIR.

- iii. **create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;**

**Less Than Significant New Impact.**

Specific Plan Amendment

As described in the previous response, the potential impacts related to surface runoff and drainage that would result from the proposed Specific Plan Amendment would be similar to those that were identified by the Final EIR because the areas of development would be generally the same and the same regulations would require implementation of project specific WQMPs that are included in the Final EIR as DF HYDRO-2, that requires the 85th percentile of stormwater runoff to be infiltrated on site. Therefore, the proposed Specific Plan Amendment would not substantially increase surface water runoff in a manner that would exceed the capacity of drainage systems or result in polluted runoff. Thus, consistent with the findings of the Final EIR implementation of existing regulations would reduce potential impacts to a less than significant level, which is consistent with the findings of the Final EIR.

Proposed Industrial Development

As detailed previously, runoff generated by the proposed industrial development would be conveyed to a detention basin that would be installed on site to filter and infiltrate into site soils. In addition, the proposed industrial development includes installation of landscaping that provide for infiltration of stormwater runoff. As described previously, the onsite drainage features that would be installed by the proposed industrial development have been designed to meet the 85th percentile storm water capture requirements that would be verified in project specific WQMPs, included as DF HYDRO-2. As a result, potential impacts related an increase in stormwater runoff that could exceed the capacity of drainage systems or result in polluted runoff would be less than significant, which is consistent with the findings of the Final EIR. Thus, no new or increased impacts would result from the proposed Project, and this topic will not be further evaluated in the Subsequent EIR.

**iv. impede or redirect flood flows?****No New Impact.**Specific Plan Amendment and Proposed Industrial Development

According to the Flood Insurance Rate Map (FIRM), published by the Federal Emergency Management Agency (FEMA) (06071C7940J), the Specific Plan area is located in Zone X, which is an area located outside of the 100-year and 500-year flood plains. Therefore, the proposed Project would not impede or redirect flood flows and impacts will not be analyzed further in the Subsequent EIR.

**d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?****No New Impact.**Specific Plan Amendment and Proposed Industrial Development

As discussed in Response 10(c)(iv), the Specific Plan area is not within a flood hazard area. As such, the Project is not at risk of inundation during a storm event. Therefore, the proposed Project would not risk release of pollutants within a flood hazard area. No new impacts would occur.

Tsunamis are generated ocean wave trains generally caused by tectonic displacement of the sea floor associated with shallow earthquakes, sea floor landslides, rock falls, and exploding volcanic

islands. The Specific Plan area is over 45 miles from the nearest ocean shoreline. Based on the inland location of the site, the Specific Plan area is not at risk of inundation from tsunamis. Therefore, consistent with the findings of the Final EIR, the proposed Project would not risk release of pollutants from inundation from a tsunami.

Seiching is a phenomenon that occurs when seismic ground shaking induces standing waves (seiches) inside water retention facilities (e.g., reservoirs and lakes). Such waves can cause retention structures to fail and flood downstream properties. The Specific Plan area is not located adjacent to any water retention facilities. For this reason, the Specific Plan area is not at risk of inundation from seiche waves. Therefore, the proposed Project would not risk release of pollutants from inundation from seiche and impacts. No new impacts would occur and this topic will not be analyzed further in the Subsequent EIR.

**e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**Less Than Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

As described previously, development projects are required to have an approved SWPPP, which would include construction BMPs to minimize the potential for construction related sources of pollution, included as DF HYDRO-1. Also, WQMPs with source control BMPs are required to minimize the introduction of pollutants and treatment control BMPs are included to treat runoff. With implementation of the WQMPs that are (included as DF HYDRO-2) required by the City during the project permitting and approval process, potential pollutants would be reduced to the maximum extent feasible, and implementation of the proposed Project would not obstruct implementation of a water quality control plan.

Also as described previously, the Specific Plan area receives water from groundwater basins that are adjudicated. Thus, the allowable withdrawal of water from the basin by water purveyors is limited. Additionally, the proposed Specific Plan Amendment and proposed industrial development would not pump water and water supplies would be provided by WVWD. Thus, the proposed Project would not conflict with or obstruct a groundwater management plan. No new impacts would occur, and this topic will not be further evaluated in the Subsequent EIR.

**Final EIR Mitigation Measure/Project Design Features**

**Design Feature DF HYDRO-1:** SWPPP - A Storm Water Pollution Prevention Plan (SWPPP) shall be developed by the applicant of each future development proposed within the Specific Plan that disturbs 1 or more acre. The SWPPP shall comply current Construction General Permit (CGP) and associated local National Pollutant Discharge Elimination System (NPDES) regulations at the time of development to ensure that the potential for soil erosion and short-term water quality impacts is minimized on a project-by-project basis.

Proposed Industrial Development Project Applicability: Design Feature DF HYDRO-1 is applicable to the proposed industrial development and would be implemented as part of construction related City permitting.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF HYDRO-1 is applicable to future developments within PA 1 and PA 10.

**Design Feature DF HYDRO-2: WQMP** - A Water Quality Management Plan (WQMP) shall be developed by the applicant of each future development proposed within the Specific Plan. The WQMP shall comply with all applicable provisions of the San Bernardino County Technical Guidance Document for Water Quality Management Plan (TGD-WQMP), WQMP Template (Template), and Transportation Project BMP Guidance, as required under Section XI.D.2 of Order No. R8-2010-0036. The WQMP shall include, but not be limited to, the following:

- Incorporation of site design/Low Impact Development (LID) strategies and source control measures in a systematic manner that maximize the use of LID features to provide treatment of stormwater and reduce runoff. For those areas of the Project Site where LID features are not feasible or do not meet the feasibility criteria, treatment control Best Management Practices (BMPs) with biotreatment enhancement design features shall be utilized to provide treatment. LID features shall be sized to infiltrate the required design capture volume (DCV) to reduce impacts of pollutants and runoff volumes to downstream receiving waters.
- Assuming complete build-out of the project, the entire Project Site shall require approximately 5.4 acre-feet of runoff to be infiltrated to retain the runoff from the 85th percentile, 24-hour rain event. Individual developments shall be responsible for their proportionate share. Infiltration BMPs would be sized in accordance with Form 4.3-3 of the TGD for WQMPs.
- Should infiltration prove infeasible based on future geotechnical studies associated with the site-specific plans, harvest and reuse BMPs shall be evaluated as part of the future site-specific plans and WQMPs.

Proposed Industrial Development Project Applicability: Design Feature DF HYDRO-2 is applicable to the proposed industrial development and would be implemented as part of Project permitting.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF HYDRO-2 is applicable to future developments within PA 1 and PA 10.

**Design Feature DF HYDRO-3: Storm Drain Infrastructure** - Should the “West and East Systems Drainage Scenario,” as depicted in Section IX, Hydrology and Water Quality, in Attachment B of the Initial Study be implemented by the Project, then DF HYDRO-3 shall be required. If an alternative drainage system is implemented, DF HYDRO-3 would not be required. As stated above, the final storm water design may differ from this design, as the Project’s Specific Plan does not mandate specific building locations. Additionally, the final design could include green roofs, bioswales, etc. that would alter the minimum required size of the underground basin, or even eliminate the need for an underground basin. Other designs such as at-grade basins, or storm water designs that only treat individual developments could also be implemented.

Regardless, the precise drainage conveyance system design would be analyzed as part of the Water Quality Management Plan for each future, precise development consistent with State and City requirements for storm water conveyance.

If the Project Site west or east of Pepper Avenue is developed concurrently, the respective West or East drainage and water quality system would be constructed in its entirety consistent with DF HYDRO-2. In this scenario, the developers within either system would enter into a development agreement to delineate their fair share cost of design and construction of the facilities, as

applicable. If the northerly portion within either system is developed prior to the southerly portion, the owner would be responsible to do one of the following:

1. Install the proposed retention/detention system within the southerly portion of the Project Site (within their respective system) as well as any drainage conveyances to and from the basin system, sized to accommodate the south site as well. This could require a development agreement for reimbursement of the fair share of costs and shared land use between both owners; or
2. Install drainage and water quality facilities to accommodate only the north portion of their respective system. This would most likely require the design and implementation of an interim Grading and Drainage Plan to mitigate any impacts to the southerly owner.

In this scenario, if the southerly portion of either system is developed prior to the northerly portion, the southern property owner would be responsible to install a drainage and water quality system within the southerly portion of the Project Site to include the anticipated demand and capacity contributed from the northerly site (within their respective system). Specifically, the proposed stormwater conveyances and retention/detention basin within each system would be sized per stormwater and water quality demand for the either the entire West system (Planning Areas 5, 6, 7 and 8) or entire East system (Planning Areas 1, 2 and 3). As such, a development agreement between owners within each system would be implemented for the reimbursement of the fair share of costs.

Proposed Industrial Development Project Applicability: Design Feature DF HYDRO-3 is applicable to the proposed industrial development and would be implemented as part of construction related City permitting.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF HYDRO-3 is applicable to future developments within PA 1 and PA 10.

**Design Feature DF HYDRO-4: Storm Drain Fees** - The applicant of each future development proposed within the Project Site shall be responsible for paying development impacts fees per Title 3 – Revenue and Finance, Chapter 3.33 – Development Impact Fees, Section 3.33.270 – Storm Drain Facilities Development Impact Fee of the Municipal Code.

Proposed Industrial Development Project Applicability: Design Feature DF HYDRO-4 is applicable to the proposed industrial development and would be implemented as part of Project permitting.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF HYDRO-4 is applicable to future developments within PA 1 and PA 10.

### **Conclusion for Hydrology and Water Quality**

No new impacts nor substantially more severe hydrology and water quality related impacts would result from the proposed Project. Consistent with the determination of the Final EIR, impacts related to hydrology and water quality from implementation of the proposed Project would be less than significant with implementation of design features that were identified in the Final EIR. Thus, no new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Final EIR.

Based on the foregoing, none of the conditions identified in CEQA Guidelines Section 15162 that would trigger the need to evaluate biological resources in the Subsequent EIR. Thus, hydrology and water quality will not be analyzed in the Subsequent EIR. However, Final EIR Design Features DF

HYDRO-1 through DF HYDRO-4 will be included in the Subsequent EIR MMRP to ensure implementation.

	Potentially Significant New Impact	Less Than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No Impact / No New Impact
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**11. LAND USE AND PLANNING.** Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Summary of Impacts Identified in the Final EIR**

The EIR determined that while there are several developed residential, commercial, and public facility uses within the Project vicinity, no established communities are located within the Project Site that could be physically divided by Project implementation. Therefore, no impacts related to the physical division of an established community would result from the Specific Plan (Draft EIR page 6-25).

The EIR also determined that implementation of the Specific Plan would not conflict with applicable land use plans, policies, or regulations of an agency with jurisdiction over the planning area, including California Government Code 65450, SCAG policy documents, the City of Rialto General Plan, and the City’s Zoning Ordinance. Therefore, impacts were determined to be less than significant (Draft EIR page 4.F-11).

**Impacts Related to the Proposed Project**

**a) Physically divide an established community?**

**No New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The Specific Plan area is generally undeveloped vacant land that is bisected by Pepper Avenue. The Specific Plan area has been previously designated for development. The proposed Specific Plan Amendment would modify the specific types of uses that are allowed to be developed on the site, but those new uses would not physically divide an established community. The proposed Industrial development is to be located adjacent to Pepper Avenue, WVWD water infrastructure facilities, a rail line, and undeveloped land that is planned for similar development. Implementation of the proposed Project would change future planned land uses within the eastern portion of the Specific Plan area and would change the current undeveloped land of the proposed development site to light industrial uses.

These changes would not physically divide an established community. The new light industrial allowable land uses are employment land uses that are similar to the currently allowable business park uses within the Specific Plan area. In addition, neither the proposed Specific Plan Amendment,

nor the proposed industrial development would include new infrastructure (such as roadways) that would physically divide an established community. Therefore, consistent with the findings of the Final EIR, no impact would occur. This topic will not be evaluated in the Subsequent EIR.

**b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

**Potentially Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The Project includes a Specific Plan Amendment to provide a new light industrial land use designation and related development standards, change the Specific Plan land use designation of PA 2, 3, and the new PA 10 from Community Commercial to Light Industrial, and keep the Community Commercial designation on the reduced 2.86-acre PA 1. In addition, the Project includes development and operation of an approximately 485,000 square foot industrial warehousing building. These actions may have the potential to interfere with an applicable plan, policy, or regulation related to avoidance or mitigation of an environmental effect that could result in a new impact not identified in the Final EIR. Therefore, the Project's consistency with General Plan, zoning code, and other environmentally mitigating policies, and/or regulations will be analyzed in the Subsequent EIR.

**Final EIR Mitigation Measure/Project Design Features**

None.

**Conclusion for Land Use and Planning**

As detailed previously, it is possible that new or substantially more severe land use and planning related impacts could result from the proposed Project than were identified in the Final EIR. Thus, conditions identified in CEQA Guidelines Section 15162 related to changes to the Project that require major revisions of the previous adopted EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects would occur and would trigger the need to evaluate potential land use and planning impacts in the Subsequent EIR. Thus, land use and planning will be analyzed in the Subsequent EIR.

	Potentially Significant New Impact	Less Than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No Impact / No New Impact
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**12. MINERAL RESOURCES.** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Summary of Impacts Identified in the Final EIR**

The EIR describes that although the Specific Plan area is likely to contain aggregate materials, it is zoned for and surrounded by residential development on the western and southern sides that are incompatible with mineral extraction activities. Also, the EIR describes that the General Plan does not support expansion of surface mining activities in MRZ-2 areas. Therefore, the EIR determined that impacts regarding mineral resources were less than significant (Draft EIR page 6-25).

**Impacts Related to the Proposed Project**

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

**No New Impact.**

**Specific Plan Amendment and Proposed Industrial Development**

Exhibit 2.7, Mineral Resource Zones, of the General Plan identifies that the Specific Plan area is located within an MRZ-2 Zone. As described by the Final EIR, the General Plan does not support expansion of surface mining activities in MRZ-2 areas. The Specific Plan area and proposed industrial development site have not historically been used for mining and are not identified as containing valuable mineral resources. Therefore, implementation of the proposed Specific Plan Amendment and development and operation of the proposed industrial development would not result in the loss of availability of a valuable known mineral resource. This topic will not be analyzed in the Subsequent EIR.

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on the general plan, specific plan or other land use plan?**

**No New Impact.**

**Specific Plan Amendment and Proposed Industrial Development**

As discussed in the previous response, no known valuable mineral resources exist on or near the Specific Plan area. The Specific Plan area is not designated for mineral recovery uses but is

designated for urban uses. In addition, the proposed Specific Plan Amendment and proposed industrial development would not cause loss of potential resources. Therefore, no impacts related to the loss of availability of a locally important mineral resource recovery site, as delineated on a local general plan, specific plan, or other land use plan, would occur as a result of Project implementation. This topic will not be further analyzed in the Subsequent EIR.

#### **Final EIR Mitigation Measure/Project Design Features**

None.

#### **Conclusion for Mineral Resources**

No new impacts nor substantially more severe mineral resource related impacts would result from the proposed Project. Consistent with the determination of the Final EIR, impacts related to mineral resources from implementation of the proposed Project would not occur. Thus, no new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Final EIR.

Based on the foregoing, none of the conditions identified in CEQA Guidelines Section 15162 that would trigger the need to evaluate mineral resources in the Subsequent EIR. Thus, mineral resources will not be analyzed in the Subsequent EIR.

	Potentially Significant New Impact	Less Than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No Impact / No New Impact
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**13. NOISE.** Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Summary of Impacts Identified in the Final EIR**

The EIR describes that construction activities associated with implementation of the Specific Plan would be conducted within the allowable hours specified in the City's Municipal Code, which would ensure that construction noise impacts are less than significant (Draft EIR page 4.G-15). The EIR determined that noise impacts on existing development from operational on-site stationary noise sources would be less than significant. Operational traffic would increase ambient noise levels at off-site noise-sensitive uses in the Specific Plan area; however, the increases would not exceed the established thresholds (Draft EIR page 4.G-15).

The EIR also describes that potential future residences could be exposed to traffic-related noise levels that would exceed thresholds. However, implementation of the Final EIR mitigation measure would ensure that impacts would be reduced to a less than significant level (Draft EIR page 4.G-18). Also, the EIR determined that noise impacts related to airports would not occur, as no airports are located near the Specific Plan Area (Draft EIR page 6-26).

Regarding vibration, the EIR determined that construction activities would result in sporadic, temporary vibration effects that would not exceed established thresholds. Thus, construction vibration impacts was determined to be less than significant (Draft EIR page 4.G-25). Likewise, the EIR determined that none of the proposed land uses would generate excessive vibration levels at sensitive receptor locations. Thus, operational vibration impacts were determined to be less than significant (Draft EIR page 4.G-25).

**Impacts Related to the Proposed Project**

- a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

**Potentially Significant New Impact.****Specific Plan Amendment and Proposed Industrial Development**

The proposed Specific Plan Amendment would result in new light industrial land uses that would have different noise levels and timing of operational activities than were evaluated in the Final EIR. The proposed light industrial uses involve use of machinery, onsite truck movement, and loading dock activities. In addition, the truck traffic that would occur with development of light industrial uses, including the proposed approximately 485,000 square foot industrial development, could result in a substantial increase in noise that was not identified in the Final EIR. Therefore, a noise study will be prepared, and potential noise impacts will be evaluated in the Subsequent EIR.

- b) **Generation of excessive groundborne vibration or groundborne noise levels?**

**Potentially Significant New Impact.****Specific Plan Amendment and Proposed Industrial Development**

The volume of vibration that would occur from buildout of the proposed Specific Plan Amendment and development of the proposed industrial building is likely to be similar to that identified in the Final EIR. However, to ensure that construction activities, would not impact sensitive noise receptors with excessive groundborne vibration from the operation of heavy equipment, potential impacts will be evaluated in the Subsequent EIR. Additionally, the truck movements related to proposed industrial uses could have the potential to effect sensitive receptors. Therefore, this topic will be evaluated in the Subsequent EIR.

- c) **For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

**No New Impact.****Specific Plan Amendment and Proposed Industrial Development**

The Specific Plan area is not located within an airport land use plan and is not located within two miles of a private or public use airport. The Specific Plan area is located over 6 miles east of the San Bernardino International Airport. Therefore, implementation of the proposed Project would not expose people residing or working in the Specific Plan area or proposed industrial development site to excessive noise levels, and no impacts would occur. Thus, further analysis of this issue will not be included in the Subsequent EIR.

**Final EIR Mitigation Measure/Project Design Features**

**Mitigation Measure Noise-1:** Prior to approval of design review permits for sensitive uses, to reduce and/or ensure exterior noise levels are at or below 65 CNEL at potential outdoor sensitive uses (i.e., residential courtyards, parks, and passive recreation areas) proposed by the Specific Plan, a combination of sound barrier walls, earthen berms, and landscaping shall be designed and

implemented by a qualified acoustical consultant, as necessary. Alternatively, outdoor uses shall be located behind buildings (not facing traffic corridors) in a manner that shields outdoor sensitive uses from roadway noise and reduces the exterior noise level to 65 CNEL or below. Also, an acoustical engineer shall submit evidence, along with the application for a building permit, any design plans or features of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

Proposed Industrial Development Project Applicability: Mitigation Measure Noise-1 is not applicable to the proposed industrial development because the development does not include sensitive uses. However, Mitigation Measure Noise-1 is applicable to the proposed Specific Plan Amendment and will be included as part of the Subsequent EIR MMRP.

Specific Plan Amendment PA 1 & 10 Applicability: Mitigation NOI-1 is not applicable to future developments within PA 1 and PA 10, unless they result in construction of sensitive uses.

### **Conclusion for Noise**

As detailed previously, it is possible that new or substantially more severe noise and/or vibration related impacts could result from the proposed Project than were identified in the Final EIR. Thus, conditions identified in CEQA Guidelines Section 15162 related to changes to the Project that require major revisions of the previous adopted EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects would occur and would trigger the need to evaluate potential noise and vibration impacts in the Subsequent EIR. Thus, noise and vibration will be analyzed in the Subsequent EIR.

Potentially Significant New Impact	Less Than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No Impact / No New Impact
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**14. POPULATION AND HOUSING.**

Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Summary of Impacts Identified in the Final EIR**

The EIR describes that the new residents generated by buildout of the Specific Plan would not result in a substantial increase in the local population; and the increase in population would be within the SCAG and City of Rialto General Plan population estimates for the City. Also, the EIR determined that implementation of the Specific Plan would not displace existing housing or people. Therefore, no construction of replacement housing would be necessary (Draft EIR page 6-26).

**Impacts Related to the Proposed Project**

**a) Induce substantial unplanned population growth in an area, either directly or indirectly?**

**Less Than Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The proposed Specific Plan Amendment would change the existing buildout from 476,650 SF of Community Commercial uses to 735,185 SF of Light Industrial uses and 13,000 SF of commercial uses (including the proposed light industrial development of approximately 485,000). The Final EIR assumes a generation rate of 12.60 employees per acre (3,457.14 SF per employee) for the existing Community Commercial, which equates to a total of 138 employees for buildout of the 476,650 square foot area.

The Fiscal Analysis prepared for the proposed light industrial development identifies that the proposed land use is estimated to result in one employee per 1,200 SF, which is consistent with SCAG’s Employment Density Study estimate of one employee per 1,195 SF. Based on the estimate of one employee per 1,200 SF, the proposed light industrial buildout of PAs 2, 3, and 10 would result in 612 employees. The proposed buildout of the reduced PA 1 would result in approximately 4 employees. This is an increase of 478 employees over the existing allowable buildout of these PAs. Of these employees, 404 would be employed at the proposed approximately 485,000 square foot industrial development.

SCAG's Growth Forecast by Jurisdiction estimates that employment within the City of Rialto would grow from 24,400 in 2020 to 30,500 in 2040. The increase of 478 employees that would result from the proposed Specific Plan Amendment would equate to 8 percent of the projected growth. Therefore, the growth that would result from the Project is within existing projections, and the additional jobs provided by the proposed Project would not result in substantial unplanned growth in the area.

Furthermore, the Specific Plan area is in an urbanized area and the Project does not propose to expand surrounding utility infrastructure (e.g., water, electricity, cell tower, gas, sanitary sewer, and stormwater drains). Thus, the proposed Project would result in a less than significant impact related to inducement of substantial unplanned population growth, which is consistent with the findings of the Final EIR, and this topic will not be analyzed further in the Subsequent EIR.

**b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

**No New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The Specific Plan area is generally undeveloped and does not contain any housing and has not been historically used for housing. The proposed industrial development site in PAs 2 and 3 is undeveloped and vacant. The site was historically used for agricultural; however, the orchard was removed in the mid-1980s and the site has remained vacant since. PA 2 includes a Residential Overlay that allows 275 residential units subject to a CUP. Homes could only be built in lieu of 116,000 SF of commercial uses and were not permitted by right, so they were not accounted for in the City's Housing Element. Because the proposed Project would keep the Residential Overlay on PA 3, which would continue to allow the potential development of 275 residential units subject to a CUP if industrial uses are not constructed, the Project would not displace any housing and would not necessitate the construction of replacement housing. As a result, no new impact would occur, and this topic will not be analyzed in the Subsequent EIR.

**Final EIR Mitigation Measure/Project Design Features**

None.

**Conclusion for Population and Housing**

No new impacts nor substantially more severe population and housing related impacts would result from the proposed Project. Consistent with the determination of the Final EIR, impacts related to population and housing from implementation of the proposed Project would be less than significant. Thus, no new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Final EIR.

Based on the foregoing, none of the conditions identified in CEQA Guidelines Section 15162 that would trigger the need to evaluate population and housing in the Subsequent EIR. Thus, population and housing will not be analyzed in the Subsequent EIR.

Potentially Significant New Impact	Less Than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No Impact/No New Impact
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**15. PUBLIC SERVICES.**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="checked" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="checked" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="checked" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="checked" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="checked" type="checkbox"/>	<input type="checkbox"/>

**Summary of Impacts Identified in the Final EIR**

**Fire Services.** The EIR describes that fire protection, prevention, and emergency medicals services within the City of Rialto are provided by the Rialto Fire Department and that the Specific Plan buildout would increase fire service needs. The Specific Plan design features include a construction management plan to be prepared for each development to minimize disruptions to through traffic flow and maintain emergency vehicle access (DF SERVICE-1) and payment of development impacts (DF SERVICE-2). The EIR determined that the growth from the Specific Plan would not be substantial enough to significantly impact fire and emergency services on a daily or annual basis, and no new fire protection facilities would be necessary. Thus, impacts were determined to be less than significant (Draft EIR page 6-26).

**Police Services.** The EIR describes that police protection services are provided by the Rialto Police Department and that the police department response times would not be substantially changed by implementation of the Specific Plan. Thus, the EIR determined that impacts regarding police services would be less than significant. Nonetheless, to offset any incremental need for funding of capital improvements to maintain adequate police protection facilities and equipment, and/or personnel, the developments would be required to pay development impacts fees (DF SERVICE-3) (Draft EIR page 6-27).

**Schools.** The EIR determined that the Specific Plan area is served by the Rialto Unified School District (RUSD). Pursuant to Senate Bill (SB) 50 (Section 65995 of the Government Code) payment of fees to the RUSD is considered full mitigation for development impacts (DF SERVICE-4) (Draft EIR page 6-28).

**Parks.** The EIR also determined that to offset the Specific Plan’s demand for funding of capital improvements to maintain adequate park facilities and equipment, the residential development projects would be responsible for meeting the parkland dedication and/or in-lieu fee requirements pursuant to the Quimby Act and Municipal Code Title 3 – Revenue and Finance, Chapter 3.33 – Development Impact Fees, which would reduce impacts to a less than significant level (Draft EIR page 6-28).

**Impacts Related to the Proposed Project**

**a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for:**

- Fire protection?**
- Police protection?**
- Schools?**
- Parks?**
- Other public facilities?**

***Fire Protection – Less Than Significant New Impact.***

**Specific Plan Amendment and Proposed Industrial Development**

As described by the Final EIR, the City of Rialto Fire Department provides fire protection services to the Specific Plan area, in addition to the rest of the City. The Fire Department has 5 fire stations, the closest of which is 1.6 miles from the proposed industrial development. The location of the stations in relation to the proposed industrial development is listed below.

- Fire Station 201 located at 131 S. Willow Avenue, 3.4 miles from the proposed industrial development.
- Fire Station 202 located at 1700 N. Riverside Avenue, 1.6 miles from the proposed industrial development.
- Fire Station 203 located at 1550 N. Ayala Drive, 3.5 miles from the proposed industrial development.
- Fire Station 204 located at 3288 N Alder Avenue, 6 miles from the proposed industrial development.
- Fire Station 205 located at 1485 S. Willow Avenue, 5.1 miles from the proposed industrial development.

Implementation of the proposed developments pursuant to the proposed Specific Plan Amendment and the proposed industrial development would be required to adhere to the California Fire Code, as included in the City of Rialto Municipal Code Chapter 15.28. As part of project permitting, plans are reviewed City’s Building and Safety Division to ensure that the project plans meet the fire protection requirements.

As detailed in Section 14, *Population and Housing*, the proposed Specific Plan Amendment, including proposed industrial development would result in an increase of increase of 478 employees at buildout. The additional employees would result in an incremental increase in demand for fire protection and emergency medical services. However, the existing fire station is 1.6 miles from the proposed industrial development site that currently serve the Specific Plan area. The increase in

fire service demands from the additional 478 employees at buildout of the amended Specific Plan would not require construction of a new or physically altered fire station that could cause environmental impacts. Therefore, impacts related to fire protection services would be less than significant.

In addition, Design Feature DF SERVICE – 2, includes municipal code requires fees to provide funding for fire protection facilities necessary to address direct and cumulative service needs generated by new development. Because impacts related to fire services would be less than significant, which is consistent with the findings of the Final EIR, this topic will not be analyzed in the Subsequent EIR.

**Police Protection – Less Than Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The City of Rialto Police Department provides police protection to the City. The police station is located approximately 3.3 miles from the industrial development site at 128 N Willow Avenue. As described previously, proposed Specific Plan Amendment, including proposed industrial development would result in an increase of increase of 478 employees at buildout. These additional employees and the additional goods that would be accommodated by the increase square footage provided by the Specific Plan Amendment could create the need for additional police services. Operation of the industrial uses generate a typical range of sheriff service calls, such as burglaries, thefts, and employee disturbances. However, to reduce the need for law enforcement services, security concerns are addressed by inclusion of low-intensity security lighting and security cameras. Pursuant to the City’s existing permitting process, site plans are reviewed to ensure that crime prevention and emergency access measures are incorporated appropriately to provide a safe environment. Although an incremental increase could occur from implementation of the Specific Plan Amendment and proposed industrial development, the increased need for law enforcement services would not result in the need for new or physically altered police facilities. Thus, impacts related to police services would be less than significant, which is consistent with the findings of the Final EIR.

In addition, Design Feature DF SERVICE - 3 includes municipal code requires fees to provide funding for police facilities necessary to address direct and cumulative service needs generated by new development. Because impacts related to police services would be less than significant, which is consistent with the findings of the Final EIR, this topic will not be analyzed in the Subsequent EIR.

**Schools – Less Than Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

As described previously, proposed Specific Plan Amendment, including proposed industrial development would result in an increase of increase of 478 employees at buildout. The addition of employees would not directly generate new students. Thus, potential impacts related to school facilities would be less than significant, which is consistent with the findings of the Final EIR. In addition, Design Feature DF SERVICE - 4 requires fee payments to provide funding for school facilities necessary to address direct and cumulative service needs generated by new development. Because impacts related to schools would be less than significant, which is consistent with the findings of the Final EIR, this topic will not be analyzed in the Subsequent EIR.

**Parks – Less Than Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

As described previously, proposed Specific Plan Amendment, including proposed industrial development would result in an increase of increase of 478 employees at buildout. The addition of employees would not directly generate new residents that would use parks. Thus, potential impacts related to parks would be less than significant, which is consistent with the findings of the Final EIR. In addition, Design Feature DF SERVICE - 5 requires fee payments to provide funding for park facilities necessary to address direct and cumulative service needs generated by new development. Because impacts related to parks would be less than significant, which is consistent with the findings of the Final EIR, this topic will not be analyzed in the Subsequent EIR.

#### **Other Services – Less Than Significant New Impact.**

##### Specific Plan Amendment and Proposed Industrial Development

As described previously, proposed Specific Plan Amendment, including proposed industrial development would result in an increase of increase of 478 employees at buildout. The addition of employees would not directly generate new residents that would need other services, such as libraries. Thus, potential impacts related to other services would be less than significant, which is consistent with the findings of the Final EIR. In addition, Design Feature DF SERVICE - 6 requires fee payments to provide funding for library facilities necessary to address direct and cumulative service needs generated by new development. Because impacts related to other facilities would be less than significant, which is consistent with the findings of the Final EIR, this topic will not be analyzed in the Subsequent EIR.

##### Final EIR Mitigation Measure/Project Design Features

**Design Feature DF SERVICE - 1: Construction Management Plan** – A construction management plan shall be developed by the applicant or contractor of each future developments proposed within the Specific Plan area and approved by the City of Rialto Public Works Department prior to construction activities. The construction management plan shall include, at a minimum, the following:

- Identify the locations of the off-site truck staging and provide measures to ensure that trucks use the specified haul route, as applicable, and do not travel through nearby residential neighborhoods or schools;
- Schedule vehicle movements to ensure that there are no vehicles waiting off-site and impeding public traffic flow on surrounding streets;
- Establish requirements for loading/unloading and storage of materials on the Project Site;
- Coordinate with the City and emergency service providers to ensure adequate access is maintained to and around the Project Site; and
- During construction activities when construction worker parking cannot be accommodated on the Project Site, a Construction Worker Parking Plan shall be prepared which identifies alternate parking location(s) for construction workers and the method of transportation to and from the Project Site (if beyond walking distance) for approval by the City. The Construction Worker Parking Plan shall prohibit construction worker parking on residential streets and prohibit on-street parking, except as approved by the City.

Proposed Industrial Development Project Applicability: Design Feature DF SERVICE - 1 is applicable to the proposed industrial development and would be implemented prior to issuance of construction permits.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF SERVICE-1 is applicable to future developments within PA 1 and PA 10.

**Design Feature DF SERVICE - 2: Fire Fees** – The applicant of each applicable future developments proposed within the Specific Plan shall be responsible for paying development impacts fees per Title 3 – Revenue and Finance, Chapter 3.33 – Development Impact Fees, Section 3.33.220 – Fire Protection Facilities Development Fee of the Municipal Code.

Proposed Industrial Development Project Applicability: Design Feature DF SERVICE - 2 is applicable to the proposed industrial development and would be implemented as part of City permitting.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF SERVICE-2 is applicable to future developments within PA 1 and PA 10.

**Design Feature DF SERVICE - 3: Police Fees** – The applicant of each applicable future development proposed within the Project Site shall be responsible for paying development impacts fees per Title 3 – Revenue and Finance, Chapter 3.33 – Development Impact Fees, Section 3.33.210 – Law Enforcement Facilities Development Impact Fee of the Municipal Code.

Proposed Industrial Development Project Applicability: Design Feature DF SERVICE - 3 is applicable to the proposed industrial development and would be implemented as part of City permitting.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF SERVICE-3 is applicable to future developments within PA 1 and PA 10.

**Design Feature DF SERVICE - 4: Schools Fees** – The applicant of each applicable future development proposed within the Project Site shall be responsible for paying development impacts fees to the Rialto Unified School District (RUSD) as full mitigation for potential impacts to schools pursuant to SB 50 (Section 65995 of the Government Code) and Title 17 – Subdivisions, Chapter 17.22 – School Facilities Fee, Section 17.22.120 – Facilities Fee and Section 17.22.140 – Dedication or Provision of Facilities in Lieu of Fees, of the Municipal Code.

Proposed Industrial Development Project Applicability: Design Feature DF SERVICE - 4 is applicable to the proposed industrial development and would be implemented as part of City permitting.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF SERVICE-4 is applicable to future developments within PA 1 and PA 10.

**Design Feature DF SERVICE - 5: Parks** – The applicant of each future residential development proposed within the Project Site shall be responsible for meeting the parkland dedication or fee requirements pursuant to the Quimby Act and Title 3 – Revenue and Finance, Chapter 3.33 – Development Impact Fees, Section 3.33.150 – Parks and Recreation Development Impact Fees and Title 17 – Subdivisions, Chapter 17.23 – Park and Recreational Facilities Dedication of the Municipal Code.

Proposed Industrial Development Project Applicability: Design Feature DF SERVICE - 5 is applicable to the proposed industrial development and would be implemented as part of City permitting.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF SERVICE-5 is applicable to future developments within PA 1 and PA 10.

**Design Feature DF SERVICE - 6: Library Fees** – The applicant of each applicable future development proposed within the Project Site shall be responsible for paying applicable

development impacts fees Title 3 – Revenue and Finance, Chapter 3.33 – Development Impact Fees, Section 3.33.200 – Library Facilities Development Impact Fee of the Municipal Code.

Proposed Industrial Development Project Applicability: Design Feature DF SERVICE - 6 is applicable to the proposed industrial development and would be implemented as part of City permitting.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF SERVICE-6 is applicable to future developments within PA 1 and PA 10.

### **Conclusion for Public Services**

No new impacts nor substantially more severe public service related impacts would result from the proposed Project. Consistent with the determination of the Final EIR, impacts related to public services from implementation of the proposed Project would be less than significant with implementation of the design features that were included in the Final EIR. Thus, no new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Final EIR.

Based on the foregoing, none of the conditions identified in CEQA Guidelines Section 15162 that would trigger the need to evaluate public services in the Subsequent EIR. Thus, public services will not be analyzed in the Subsequent EIR. However, the Final EIR design features are applicable to the proposed Project and will be included in the Subsequent EIR MMRP.

Potentially Significant New Impact	Less Than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No Impact / No New Impact
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**16. RECREATION.**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Summary of Impacts Identified in the Final EIR**

The EIR describes that the Specific Plan does not include recreational facilities, and that operation of the Specific Plan would increase demand for parks services. However, the EIR determined that due to the proximity of numerous parks and recreational facilities, the effect of any one park would be nominal and distributed over the local vicinity, resulting in no substantial increase in demand to any one recreational facility. Accordingly, impacts were determined to be less than significant (Draft EIR page 6-29). In addition, the Specific Plan includes a design measure to provide for funding for new park and recreation facilities (Draft EIR page 6-28).

**Impacts Related to the Proposed Project**

**a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that physical deterioration of the facility would be accelerated?**

**Less Than Significant New Impact.**

**Specific Plan Amendment and Proposed Industrial Development**

As described previously, proposed Specific Plan Amendment, including proposed industrial development would result in an increase of increase of 478 employees at buildout. The addition of employees would not directly generate new residents that would use park and recreation facilities. Thus, potential impacts related to recreation would be less than significant, which is consistent with the findings of the Final EIR. In addition, Design Feature DF SERVICE - 5 requires fee payments to provide funding for park facilities necessary to address direct and cumulative service needs generated by new development. Because impacts related to recreation facilities would be less than significant, which is consistent with the findings of the Final EIR, this topic will not be analyzed in the Subsequent EIR.

**b) Require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

**Less Than Significant New Impact.**Specific Plan Amendment and Proposed Industrial Development

The proposed Specific Plan Amendment does not include changes to any recreation facilities. The open space areas and proposed pedestrian bridge included in the existing Specific Plan remain unchanged. Thus, no new recreation facilities are included in the proposed Project that, the construction of which could have an adverse physical effect on the environment. Therefore, consistent with the findings of the Final EIR, impacts related to recreation would be less than significant, and this topic will not be analyzed in the Subsequent EIR.

**Final EIR Mitigation Measure/Project Design Features**

**Design Feature DF SERVICE -5:** Parks. – As listed previously in Section 15, *Public Services*.

Proposed Industrial Development Project Applicability: Design Feature DF SERVICE - 5 is applicable to the proposed industrial development and would be implemented as part of City permitting.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF SERVICE-5 is applicable to future developments within PA 1 and PA 10.

**Conclusion for Recreation**

No new impacts nor substantially more severe recreation related impacts would result from the proposed Project. Consistent with the determination of the Final EIR, impacts related to recreation from implementation of the proposed Project would be less than significant with implementation of the design features that were included in the Final EIR. Thus, no new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Final EIR.

Based on the foregoing, none of the conditions identified in CEQA Guidelines Section 15162 that would trigger the need to evaluate recreation in the Subsequent EIR. Thus, recreation will not be analyzed in the Subsequent EIR. However, the Final EIR Design Feature DF SERVICE-5 is applicable to the proposed Project and will be included in the Subsequent EIR MMRP.

<b>Potentially Significant New Impact</b>	<b>Less Than Significant New Impact with Mitigation Incorporated</b>	<b>Less Than Significant New Impact</b>	<b>No Impact / No New Impact</b>
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**17. TRANSPORTATION.** Would the project:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Summary of Impacts Identified in the Final EIR**

The EIR determined that with implementation of the prescribed mitigation measure and the Specific Plan design features, potentially significant traffic impacts would be reduced to a less than significant level under the Existing Plus Project, Opening Year, and Long Range (2035) conditions (Draft EIR page 4.H-22). The EIR includes Mitigation Measure TRAF-1 that requires development projects to participate in the City of Rialto DIF Program by paying applicable fees, supplemented by participation in additional fair share intersection improvement costs as needed (Draft EIR page 6-5). The EIR also determined that due to compliance with existing safety design standards, as verified through development permitting, the Specific Plan would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) (Draft EIR page 4.H-22).

**Impacts Related to the Proposed Project**

**a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

**Potentially Significant New Impact.**

**Specific Plan Amendment and Proposed Industrial Development**

The Specific Plan currently designates PA 1, PA 2, and PA 3 as Community Commercial with a maximum development potential for 476,650 SF of business park and retail uses. The proposed Specific Plan Amendment would change the designation of PA 2, PA 3, and the new PA 10 (11.56-acre portion of current PA 1) to Light Industrial and allow a maximum development of 735,185 SF. The proposed industrial development includes approximately 485,000 SF of this total. The Specific Plan Amendment would decrease the size of PA 1 to 2.86-acre, but leave PA 1 as Community Commercial, which would allow a maximum development of 13,000 SF of commercial uses. The

proposed Specific Plan Amendment would result in a change of use and a 271,535 square foot increase in buildout. The increased buildout and truck traffic related to the proposed industrial uses could result in a potentially significant impact new impact on area roadways, including the potential for conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. A traffic impact analysis will be prepared to assess existing traffic conditions, forecast project-generated traffic volumes and distribution, and forecast traffic conditions in the Specific Plan buildout year with and without the proposed Specific Plan Amendment and with and without the proposed light industrial development. Also, description of the existing and planned bicycle, pedestrian, and transit in the Specific Plan area and by the proposed industrial development site will be provided and potential effects will be evaluated. Therefore, potential impacts related to conflicts with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities will be evaluated in the Subsequent EIR. The transportation related mitigation measures from the Final EIR will be included in the traffic impact analysis and the Subsequent EIR MMRP, as applicable.

**b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

**Potentially Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The CEQA Guidelines § 15064.3(b) provides criteria for analyzing transportation impacts. For land use projects, such as the proposed project, CEQA Guidelines § 15064.3(b) states that vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. In addition, it states that the analysis includes evaluation of factors such as the availability of transit, proximity to other destinations, etc. This section also provides guidance on setting thresholds for VMT and methodology for evaluating VMT. Per CEQA Guidelines Section 15064.3(C), the provisions of Section 15064.3 became applicable statewide beginning on July 1, 2020. Thus, at the time the Final EIR was prepared, in 2017, the requirements related to VMT analysis in EIRs did not exist. Due to the current VMT analysis requirements, the traffic impact analysis will include a VMT analysis that will be summarized in the Subsequent EIR, and mitigation measures will be included as necessary.

**c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

**Less than Significant New Impact.**

Specific Plan Amendment

The proposed Specific Plan Amendment does not include circulation features involving sharp curves, dangerous intersections, or other potentially hazardous geometric design features. Also, the proposed Specific Plan Amendment land use designation change from Community Commercial to Light Industrial does not create an incompatible use that could cause a hazard. The proposed Light Industrial designated areas are set aside on the east side of Pepper Avenue with separate driveway entrances. Thus, the proposed Specific Plan Amendment would result in less than significant impacts, which is consistent with the findings of the Final EIR. This topic will not be analyzed further in the Subsequent EIR.

Proposed Industrial Development

The proposed industrial development includes only a light industrial warehouse facility. There are no proposed uses that would be incompatible. The development would also not increase any hazards related to a design feature. Operation of the industrial development would involve trucks entering and exiting the site from Pepper Avenue for access to the loading bays and trailer parking via two 40-foot-wide driveways that are designed to accommodate trucks. Passenger vehicles would enter and exit the site using a separate driveway from Pepper Avenue. The onsite circulation design provides fire truck accessibility and turning ability throughout the site. Thus, no impacts related to vehicular circulation design features would occur from the proposed industrial development, and this topic will not be analyzed further in the Subsequent EIR.

**d) Result in inadequate emergency access?**

**Less than Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The proposed Specific Plan Amendment and proposed industrial development would not result in inadequate emergency access. Direct access to the proposed industrial development site would be provided by two driveway locations along Pepper Avenue, which is directly adjacent to the site. Construction activities would occur within the proposed industrial development site and would not restrict access of emergency vehicles to the site or adjacent areas. In addition, travel along Pepper Avenue would remain open and would not interfere with emergency access in the site vicinity. The proposed industrial development and all other Specific Plan development projects are required to design and construct internal access, and size and location of fire suppression facilities (e.g., hydrants and sprinklers) to conform to Rialto Fire Department standards. The Rialto Fire Department would review the development plans prior to approval to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9). As such, the proposed Project would not result in inadequate access, and impacts would be less than significant, which is consistent with the findings of the Final EIR. This topic will not be analyzed further in the Subsequent EIR.

**Final EIR Mitigation Measure/Project Design Features**

**Mitigation Measure TRAF-1:** Prior to issuance of building permits, future Project applicant(s) shall participate in the City of Rialto Development Impact Fee (DIF) Program by paying applicable fees, supplemented by participation in additional fair share intersection improvement costs as needed. Such fees shall be determined by additional and/or focused traffic impact studies, as determined necessary by the City of Rialto Traffic Engineering Division, prior to future development occurring within the Specific Plan Area. Payment of fees to these fee programs may be considered as mitigation for the Project's proportionate share of cumulative impacts. If the City finds that the payment of DIF fees alone do not adequately address the Project's proportionate share, a fair share contribution may be imposed in order to mitigate the Project's share of cumulative impacts. Improvements constructed by development may be eligible for a fee credit or reimbursement through the program where appropriate (to be determined at the City's discretion). The improvements identified below shall be funded by the Project's proportionate payment of fees, as determined necessary by the City of Rialto Traffic Engineering Division. The City shall ensure that the improvements will be constructed pursuant to the fee program at the point in time necessary to avoid identified significant traffic impacts.

Riverside Avenue/Easton Street (Intersection #3):

- Participate in the signal modification to provide separate right turn overlap signal phasing for the existing westbound right turn lane.

Eucalyptus Avenue/Baseline Road (Intersection #8):

- Northbound Approach: Provides separate left turn lane, in addition to the existing through lane.
- Southbound Approach: Provide separate left turn lane, in addition to the existing through lane.

Pepper Avenue/Highland Avenue (Intersection #9):

- Northbound Approach: Restripe through lane to shared through-right lane, in addition to the left turn lane and right turn lane.
- Eastbound Approach: Participate in the signal modification to provide separate right turn overlap signal phasing for the right turn lane.

Pepper Avenue/SR-210 Westbound Ramps (Intersection #10):

- Northbound Approach: Modify traffic signal to provide north/south split phase. restripe first through lane to provide a left-through lane, in addition to the left turn lane and second through lane.
- Westbound Approach: Provide additional (second) left turn lane.

Pepper Avenue/SR-210 Eastbound Ramps (Intersection #11):

- Northbound Approach: Provide separate right turn lane.
- Eastbound Approach: Provide additional (second) right turn lane.

Pepper Avenue/Winchester Drive (Intersection #12):

- Participate in construction of a traffic signal.
- Northbound Approach: Provide separate left turn lane and second through lane, eliminating defacto right turn lane.
- Southbound Approach: Provide separate left turn lane and second through lane, eliminating defacto right turn lane.

Pepper Avenue/Mariposa Drive (Intersection #13):

- Participate in construction of a traffic signal.
- Northbound Approach: Provide separate left turn lane and second through lane, eliminating defacto right turn lane.
- Southbound Approach: Provide separate left turn lane and second through lane, eliminating defacto right turn lane.

Pepper Avenue/Baseline Road (Intersection #14):

- SB Approach: Provide separate right turn lane.

Pepper Avenue/Etiwanda Avenue (Intersection #15):

- Participate in construction of a traffic signal.

Pepper Avenue/Foothill Boulevard (Intersection #16):

- Participate in the signal modification to provide separate right turn overlap signal phasing for the existing eastbound right turn lane.
- Southbound Approach: Provide separate right turn lane.
- Westbound Approach: Provide additional (third) through lane..

Proposed Industrial Development Project Applicability: Mitigation Measure TRAF-1 is applicable to the proposed industrial development a Traffic Impact Analysis, including fair share contributions will be prepared as part of the Subsequent EIR.

Specific Plan Amendment PA 1 & 10 Applicability: Mitigation Measure TRAF-1 is applicable to future developments within PA 1 and PA 10.

**Design Feature DF TRAF-1: Pepper Avenue / Northerly Right-In/Right-Out (RIRO) Driveway** – Install stop sign control on the EB approach, design the intersection to restrict left-in access to the Project driveway and left-out access from the Project driveway, and construct the intersection with the following geometrics:

- NB Approach: Provide two through lanes.
- SB Approach: Provide one through lane and one shared through-right turn lane.
- EB Approach: Provide a right turn lane.

Proposed Industrial Development Project Applicability: Design Feature DF TRAF-1 is not applicable to the proposed industrial development but is applicable to the proposed Specific Plan Amendment buildout and will be included as part of the Subsequent EIR MMRP.

**Design Feature DF TRAF-2: Pepper Avenue / Main Driveway (intersection #23)** – Install traffic signal control and construct the intersection with the following geometrics:

- NB Approach: Provide one left turn lane, one through lane, and one shared through right lane.
- SB Approach: Provide two left turn lanes, one through lane, and one shared through right lane.
- EB Approach: Provide one left turn lane and one shared through-right lane.
- WB Approach: Provide one left turn lane, one through lane, and one right turn lane.

Proposed Industrial Development Project Applicability: Design Feature DF TRAF-2 is included as part of the Project. As part of the Subsequent EIR a Traffic Impact Analysis will be prepared that will evaluate the function of the driveways of the proposed industrial development, and mitigation as needed will be included in the Subsequent EIR MMRP.

**Design Feature DF TRAF-3: Pepper Avenue / Southerly RIRO Driveway** – Install stop sign control on the EB approach, design the intersection to restrict left-in access to the Project driveway and left out access from the Project driveway, and construct the intersection with the following geometrics:

- NB Approach: Provide two through lanes.
- SB Approach: Provide one through lane and one shared through-right turn lane.
- EB Approach: Provide a right turn lane.

Proposed Industrial Development Project Applicability: Design Feature DF TRAF-3 is not applicable to the proposed industrial development but is applicable to the proposed Specific Plan Amendment buildout and will be included as part of the Subsequent EIR MMRP.

**Design Feature DF TRAF-4: Pepper Avenue / South Driveway (intersection #24)** – At complete build-out, or as otherwise determined by traffic needs, install traffic signal control and construct the intersection with the following geometrics:

- NB Approach: Provide one through lane and one shared through-right lane.
- SB Approach: Provide one left turn lane and two through lanes.
- WB Approach: Provide one left turn lane, and one right turn lane.

Proposed Industrial Development Project Applicability: Design Feature DF TRAF-4 is not applicable to the proposed industrial development but is applicable to the proposed Specific Plan Amendment buildout and will be included as part of the Subsequent EIR MMRP.

### **Conclusion for Transportation**

As detailed previously, it is possible that new or substantially more severe transportation related impacts could result from the proposed Project than were identified in the Final EIR. Thus, conditions identified in CEQA Guidelines Section 15162 related to changes to the Project that require major revisions of the previous adopted EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects would occur and would trigger the need to evaluate potential transportation related impacts in the Subsequent EIR. Thus, transportation will be analyzed in the Subsequent EIR.

<b>Potentially Significant New Impact</b>	<b>Less Than Significant New Impact with Mitigation Incorporated</b>	<b>Less Than Significant New Impact</b>	<b>No Impact / No New Impact</b>
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**18. TRIBAL CULTURAL RESOURCES.**

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Summary of Impacts Identified in the Final EIR**

The EIR does not include a specific evaluation related to Tribal Cultural Resources; however, the EIR determined that ground disturbing construction activities within the Specific Plan area could have a significant impact on archaeological resources and protection related to tribal cultural resources was provided in the EIR mitigation measures that were included to reduce potential impacts to a less than significant level (Draft EIR page 4.D-16).

The EIR also describes that no known human remains, or Native American cultural resources have been identified within the Specific Plan area or within a one-half mile buffer. However, the Specific Plan area is located within close proximity to a major water source (Lyle Creek) which would have attracted prehistoric and historic period inhabitants to the area and several historic period water control/management resources have been identified nearby. As a result, the EIR determined that the Specific Plan area has a moderate to high potential to encounter human remains and mitigation was included to reduce potential impacts to a less than significant level (Draft EIR page 4.D-17). Mitigation Measures CUL-7 requires cessation of ground-disturbing activity and consultation with the County Coroner and Native American tribes in the event human remains are encountered during construction activities.

**Impacts Related to the Proposed Project**

**a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?**

**No New Impact.**

Specific Plan Amendment

As detailed in Section 5, *Cultural Resources*, the Final EIR determined that there are no historic resources within areas that are proposed for development by the Specific Plan. The Specific Plan Amendment does not change the areas proposed to be developed. Thus, no historic resources exist, and no impacts related to historic resources as defined in Public Resources Code section 5020.1(k) would occur from implementation of the Specific Plan Amendment.

Proposed Industrial Development

The proposed industrial development site is undeveloped land that was previously used as agricultural land (an orchard) since at least the 1930s. The Phase I Environmental Site Assessment (Appendix B) describes that the orchard was removed from the site by the mid-1980s and that it has remained vacant and undeveloped since then. There are no historic resources on the proposed industrial development site, and impacts would not occur. This topic will not be further evaluated in the Subsequent EIR.

**b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?**

**Potentially Significant New Impact.**

Specific Plan Amendment

Tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either eligible or listed in the California Register of Historical Resources or local register of historical resources (Public Resources Code § 21074). The potential impacts related to tribal cultural resources that would result from the proposed Specific Plan Amendment would be similar to those that were identified by the Final EIR because the areas of development would be the same, and the same areas of ground disturbance would occur. Thus, the same potential for impacting tribal cultural resources would occur under the amended Specific Plan. Hence, implementing development projects pursuant to the amended Specific Plan would be required to implement Final EIR Mitigation Measures CUL-1 through CUL-8, which would reduce potential impacts to a less than significant level, consistent with the findings of the Final EIR.

Proposed Industrial Development

In order to determine whether any tribal cultural resources could be impacted by the proposed industrial development, California Native American tribes that are traditionally and culturally affiliated to the Specific Plan area will be contacted (Public Resources Code § 21080.3.1), and consultation undertaken with those Native American tribes that express an interest in engaging in consultation pursuant to Assembly Bill 52. In addition to tribal consultation, a cultural resources assessment will be prepared with a literature review and records search from the Native American Heritage Commission (NAHC) per Final EIR Mitigation Measure CUL-1. The Subsequent EIR will

evaluate potential impacts of the proposed Project on tribal cultural resources, and additional mitigation measures will be provided as needed.

**Final EIR Mitigation Measure/Project Design Features**

**Mitigation Measures CUL-1 through CUL-8.** As listed in Section 5, *Cultural Resources*.

Proposed Industrial Development Project Applicability: Mitigation Measures CUL-1, CUL-5, CUL-7, and CUL-8 are applicable to the proposed industrial development site and will be implemented as part of the Subsequent EIR or included in the Subsequent EIR MMRP. Mitigation Measures CUL-2, CUL-3, CUL-4, CUL-6 may be applicable to the proposed industrial development site. Applicability will be determined as part of the Phase I Archaeological Assessment that will be prepared pursuant to Mitigation Measure CUL-1.

**Conclusion for Tribal Cultural Resources**

As determined by the Final EIR, the area is sensitive for tribal cultural resources. Therefore, pursuant to the requirements of AB 52 and the Final EIR mitigation measures, tribal consultation and a site-specific study will be completed as part of the Subsequent EIR. Thus, tribal cultural resource related impacts will be analyzed in the Subsequent EIR. In addition, the applicable mitigation measures from the Final EIR will be included in the Subsequent EIR MMRP.

	Potentially Significant New Impact	Less Than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No Impact / No New Impact
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**19. UTILITIES AND SERVICE SYSTEMS.**

Would the project:

a) Require or result in the relocation or construction of new or expanded water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Summary of Impacts Identified in the Final EIR**

The EIR determined that the Specific Plan includes utility and service systems improvements, such as water, sewer, and drainage infrastructure improvements. In addition, the EIR determined that the Specific Plan demand for water is within the demand projected by the Urban Water Management Plan that shows the water supplies with ability to meet projected demands in normal and multiple dry years. Thus, the EIR determined that impacts related to water supplies were less than significant (Draft EIR page 6-30). The EIR also determined that the solid waste generation from buildout of the Specific Plan would be accommodated at regional landfills, and impacts would be less than significant (Draft EIR page 6-33).

**Impacts Related to the Proposed Project**

**a) Require or result in the relocation or construction of new or expanded water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

**Less Than Significant New Impact.**

### Specific Plan Amendment

The proposed Specific Plan Amendment would not change the planned infrastructure of the planning area. The proposed development areas would remain the same under the proposed Specific Plan Amendment and the infrastructure improvements described in the Final EIR are consistent with the needed infrastructure for buildout of the proposed Specific Plan Amendment. Thus, additional impacts from implementation of the proposed Specific Plan Amendment would not occur and impacts would be less than significant. This topic will not be further evaluated in the Subsequent EIR.

### Proposed Industrial Development

The proposed industrial development would install new water and sewer infrastructure on the site and connect to the existing water and sewer infrastructure in the adjacent roadways. Existing 30-inch and 12-inch water lines and a 12-inch sewer line are located in Pepper Avenue. New or expanded off-site water and wastewater infrastructure would not be required be constructed to serve the proposed industrial development. Thus, impacts would be less than significant, which is consistent with the findings of the Final EIR, and this topic will not be further evaluated in the Subsequent EIR.

### **b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

#### **Less Than Significant New Impact.**

##### Specific Plan Amendment and Proposed Industrial Development

The Specific Plan currently designates PA 1, PA 2, and PA 3 as Community Commercial with a maximum development potential for 476,650 SF of business park and retail uses. The proposed Specific Plan Amendment would change the designation of PA 2, PA 3, and the new PA 10 to Light Industrial and allow a maximum development of 735,185 SF. The remaining approximately 2.86-acre portion of PA 1 would remain Community Commercial to allow commercial development at up to 13,000 SF. The proposed Specific Plan Amendment would result in a change of use and a 271,535 square foot increase in buildout.

The West Valley Water District (WVWD) that supplies water to the Specific Plan area has 21 groundwater wells, 25 separate storage reservoirs across eight pressure zones, for a total storage over 72 million gallons (MG), and over 375 miles of transmission and distribution pipelines. The West Valley Water District 2020 Water Facilities Master Plan provides a water demand rate of 1,794 gallons per day per net acre for commercial land uses and 500 gallons per day per net acre for light industrial uses. Therefore, the change in proposed land use would reduce the water demand by 1,294 per net acre. The Final EIR assumes (Appendix A, Initial Study, pages B-61 and 62) that commercial land uses have a water demand of 2.43 gallons per minute per acre (3,499 gallons per day per acre). This analysis provides a comparison based on the WVWD demand rates to provide a more conservative analysis of water demand changes from the proposed Project.

Based on these demand rates, buildout of 476,650 SF of Community Commercial would generate a water demand of 19,554.6 gallons per day (21.9 acre-feet per year). Buildout of 735,185 SF of light industrial uses would generate a water demand of 8,439 gallons per day (9.5 acre-feet per year) and the buildout of 13,000 SF of commercial uses would generate a water demand of 535 gallons per day (0.60 acre-feet per year). As such, buildout based on the proposed Specific Plan Amendments would result in a water demand of 8,974 gallons per day (10.05 acre-feet per year). Therefore, the proposed Project would result in a reduction in water demand of approximately 10,580 gallons per day (11.9-acre feet annually). No new impacts related to water demand would result from the proposed Project. Impacts would be less than significant, and this

topic will not be further evaluated in the Subsequent EIR.

- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

**Less than Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

As described in the previous response, the proposed Specific Plan Amendment would result in a change of use and a 271,535 square foot increase in non-residential development at buildout, including the proposed industrial development. The Final EIR (Appendix A, Initial Study, page B-57) describes that the City's Sewer Master Plan assumes a wastewater generation rate of 1,500 gallons per acre per day for non-residential land uses. Thus, the increase in wastewater that would be generated from the increase in buildout would be approximately 9,350 gallons per day.

The Final EIR (Appendix A, Initial Study, page B-58) describes that the City's Sewer Master Plan performance criteria considers sewers adequate if they convey peak flows without surcharging or exceeding the maximum depth over diameter criteria (d/D) of 0.8. The Final EIR Sewer System Analysis determined that the highest proposed d/D for the adopted Specific Plan would be 0.42. As such, the existing sewer system has capacity to accommodate the additional 9,350 gallons per day from the build out of the proposed Specific Plan Amendment and proposed industrial development.

The Final EIR (Appendix A, Initial Study, page B-59) also describes that the permitted capacity of the Rialto Wastewater Treatment Plant (WWTP) is 11.7 million gallons per day (mgd) with average sewage flows of 7 mgd. The increase of 9,350 gallons would be 0.2 percent of the available capacity of the Rialto WWTP. Thus, impacts would be less than significant, which is consistent with the findings of the Final EIR and this issue will not be evaluated further in the Subsequent EIR.

- d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure or otherwise impair the attainment of solid waste reduction goals?**

**Less Than Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

The Final EIR (Appendix A, Initial Study, page B-67) estimates that both commercial and business park uses generate approximately 5 pounds of solid waste per day per 1,000 SF. Business park and light industrial uses have similar uses and generate similar volumes of solid waste. Thus the 271,535 square foot increase in non-residential development at buildout of the proposed Specific Plan, including the proposed industrial development, would result in approximately 1,357.7 pounds of additional solid waste per day. However, pursuant to AB 341, at least 75 percent of the solid waste is required to be recycled, which would reduce the volume of landfilled solid waste to approximately 339.4 pounds of solid waste per day.

In 2019, a majority (89 percent) of the solid waste from the City of Rialto that was disposed of in landfills, went to the Mid-Valley Sanitary Landfill. The Mid-Valley Sanitary Landfill is permitted to accept 7,500 tons per day of solid waste and is permitted to operate through April 2033. In September 2021, the facility received a peak tonnage of 4,105.26 tons. Thus, the facility had additional capacity of 3,394.75 tons per day. Therefore, the landfill would be able to

accommodate the addition of solid waste from buildout of the proposed Specific Plan Amendment, including proposed industrial development. Thus, impacts related to solid waste generation and landfill capacity would be less than significant, which is consistent with the findings of the Final EIR, and this topic would not be further analyzed in the Subsequent EIR.

**e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

**No New Impact.**

**Specific Plan Amendment and Proposed Industrial Development**

The proposed Specific Plan and industrial development would result in new development that would generate an increased amount of solid waste as described in the previous response. All solid waste-generating activities within the City is subject to the requirements set forth in Section 5.408.1 of the 2016 California Green Building Standards Code that requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste, and AB 341 that requires diversion of a minimum of 75 percent of operational solid waste. Implementation of the proposed Specific Plan Amendment and industrial development would be consistent with all state regulations, as ensured through the City's development project permitting process. Therefore, the proposed Project would comply with all solid waste statute and regulations; and impacts would not occur. Impacts related to solid waste regulations will not be evaluated further in the Subsequent EIR.

**Final EIR Mitigation Measure/Project Design Features**

**Design Feature DF WATER-1: Water Infrastructure** – Future development within the Project Site shall provide connections to the water servicing line from both sides of Pepper Avenue. These future connections shall lie north of the WVWD Lord Ranch Facility and require either a direct connection to the existing 30-inch transmission line in Pepper Avenue or extending the 12-inch line to the connection points. The water system shall be designed to deliver the peak hour domestic demand to each service point with a residual pressure of 40 pounds per square inch (psi) and to deliver specified fire flow plus the peak day domestic demand with a minimum residual pressure of 20 psi. The fire flow requirement for the Project Site is 3,000 gallons per minute (gpm) for three hours (for commercial/office/high density residential areas). The maximum operating pressure in mains shall not exceed 130 psi with pressure reducers required on service connections having pressure greater than 80 psi. All water lines shall be looped where possible. All dead-end lines shall not exceed 660 feet in length or the current design requirements at the time of design.

**Proposed Industrial Development Project Applicability: Design Feature DF WATER - 1 is applicable to the proposed industrial development that would connect to the water lines within Pepper Avenue.**

**Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF WATER-1 is applicable to future developments within PA 1 and PA 10.**

**Design Feature DF WATER-2: Water Fees** - The applicant of each applicable future development proposed within the Project Site shall be responsible for paying development impacts fees per Title 3 – Revenue and Finance, Chapter 3.33 – Development Impact Fees, Section 3.33.260 – Domestic and Recycled Water Facilities Development Impact Fee of the Municipal Code.

**Proposed Industrial Development Project Applicability: Design Feature DF WATER - 2 is applicable to the proposed industrial development and would be implemented as part of City permitting.**

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF WATER-2 is applicable to future developments within PA 1 and PA 10.

**Design Feature DF SEWER-1: Sewer Infrastructure** – The sewer system for the Project shall consist of two systems, the East and West systems. The East system shall gravity flow southerly within the future commercial development area (east of pepper Avenue) and then westerly to a proposed lift station on the east side of Pepper Avenue. The East system shall consist of 8-inch and 6-inch laterals. The West system (west of Pepper Avenue) shall gravity flow easterly towards Pepper Avenue and join an existing 12-inch VCP sewer line in Pepper Avenue.

An on-site sewer lift station on the east side of Pepper Avenue shall be required to pump sewage flows southerly via a force main into the gravity sewer system in Winchester Drive. The future lift station shall be sized to accommodate the peak sewer flows from the Project as well as any potential offsite future developments that may be tributary to the lift station, including the Caltrans-maintained area north of the 210 Freeway and south of Highland Area (which consists of 7.4 acres). Future development of this 7.4-acre area would likely add additional sewer flows of approximately 9 percent of the above peak flow to the lift station. Therefore, the proposed lift station shall be designed to accommodate the calculated peak flow plus 9 percent.

The on-site sewer system for the Specific Plan area may reach depths of 20-25 feet, therefore the future lift station shall be designed to have sufficient power to siphon sewer flows from these depths. Furthermore, there would be approximately 35-40 feet of vertical change and approximately 1,100 feet of horizontal length between the lift station and the point of connection into the existing sewer system in Winchester Drive. The final engineering and design specifications shall ensure the lift station can accommodate these constraints.

Proposed Industrial Development Project Applicability: Design Feature DF SEWER - 1 is not applicable to the proposed industrial development that would connect to the existing sewer line in Pepper Avenue.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF SEWER-1 is applicable to future developments within PA 1 and PA 10.

**Design Feature DF SEWER-2: Sewer Fees** - The applicant of each applicable future development proposed within the Project Site shall be responsible for paying development impacts fees per Title 3 – Revenue and Finance, Chapter 3.33 – Development Impact Fees, Section 3.33.240 – Sewage Collection Facilities Development Impact Fee and Section 3.33.250 – Sewage Treatment Facilities Development Impact Fee of the Municipal Code.

Proposed Industrial Development Project Applicability: Design Feature DF SEWER - 2 is applicable to the proposed industrial development and would be implemented as part of City permitting.

Specific Plan Amendment PA 1 & 10 Applicability: Design Feature DF SEWER-2 is applicable to future developments within PA 1 and PA 10.

### **Conclusion for Utilities and Service Systems**

No new impacts nor substantially more severe utility and service systems related impacts would result from the proposed Project. Consistent with the determination of the Final EIR, impacts related to utility and service systems from implementation of the proposed Project would be less than

significant with implementation of the design features that were included in the Final EIR. Thus, no new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Final EIR.

Based on the foregoing, none of the conditions identified in CEQA Guidelines Section 15162 that would trigger the need to evaluate utility and service systems in the Subsequent EIR. Thus, utility and service systems will not be analyzed in the Subsequent EIR. However, the Final EIR design features are applicable to the proposed Project and will be included in the Subsequent EIR MMRP.

	<b>Potentially Significant New Impact</b>	<b>Less Than Significant New Impact with Mitigation Incorporated</b>	<b>Less Than Significant New Impact</b>	<b>No Impact / No New Impact</b>
<b><u>20. WILDFIRES.</u></b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Summary of Impacts Identified in the Final EIR**

Appendix A of the Final EIR, contains the Initial Study for the Pepper Avenue Specific Plan, which describes (Page B-20) that the Specific Plan area is not located in an area that has a significant amount of vegetation and is characterized by low sloping, gradual topography. The Initial Study states that according to Exhibit 4.7-2, *Wildfire Hazards Map*, in the 2010 General Plan Draft EIR, the site and immediate surrounding areas are not located within an area subject to wildfire hazards. Furthermore, future development on site would be subject to all applicable standards and regulations related to fire protection and prevention, and it was determined that impacts related to wildland fire hazards would be less than significant.

**Impacts Related to the Proposed Project**

**a) Substantially impair an adopted emergency response plan or emergency evacuation plan?**

**No New Impact.** According to the CalFire Fire Hazard Severity Zone map, the Specific Plan area is not within an area identified as a Fire Hazard Area. In addition, the amended Specific Plan and proposed industrial development would not substantially impair an adopted emergency response plan or emergency evacuation plan. The Specific Plan area and proposed industrial development site are adjacent to roadways, and the site is not adjacent to or in the vicinity of wildlands.

Therefore, the proposed Project would not impair an adopted emergency response plan or emergency evacuation plan within or near a very high fire hazard severity zone. Wildfire risks will not be further evaluated in the Subsequent EIR.

**b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

**No New Impact.** As described in the previous response, the Specific Plan area is not within a High Fire Hazard Severity Zone. The Specific Plan area is flat and does not generally have prevailing winds or other factors that could exacerbate fire risks. The proposed Project would not result in exposure of persons to pollutant concentrations from a wildfire. Thus, impacts will not be further evaluated in the Subsequent EIR.

**c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

**No New Impact.** As described in the previous responses, the Specific Plan area is not within a High Fire Hazard Severity Zone, and the proposed Project does not include infrastructure that could exacerbate fire risks. The proposed industrial development would connect to the existing utility infrastructure that is adjacent to the site. Thus, no new impacts would result, and wildfire risks will not be further evaluated in the Subsequent EIR.

**d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

**No New Impact.** As described in the previous responses, the Specific Plan area is not within a High Fire Hazard Severity Zone. In addition, the Specific Plan area is generally flat area and does not contain or is adjacent to large slopes, and the proposed Project would not generate large slopes. Furthermore, the proposed industrial development includes installation of drainage facilities. Thus, the Project would not result in risks related to wildfires or risks related to downslope or downstream flooding or landslides after wildfires. Thus, wildfire risks will not be further evaluated in the Subsequent EIR.

**Final EIR Mitigation Measure/Project Design Features**

None.

**Conclusion for Wildfires**

No new impacts nor substantially more severe wildfire related impacts would result from the proposed Project. Consistent with the determination of the Final EIR, impacts related to wildfires from implementation of the proposed Project would not occur. Thus, no new or substantially greater impacts would occur with implementation of the proposed Project when compared to those identified in the Final EIR.

Based on the foregoing, none of the conditions identified in CEQA Guidelines Section 15162 that would trigger the need to evaluate wildfires in the Subsequent EIR. Thus, wildfires will not be analyzed in the Subsequent EIR.

**21. MANDATORY FINDINGS OF SIGNIFICANCE.**

	Potentially Significant New Impact	Less Than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No Impact / No New Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Summary of Impacts Identified in the Final EIR**

**Impacts Related to the Proposed Project**

**a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

**Potentially Significant New Impact.**

**Specific Plan Amendment and Proposed Industrial Development**

Based on the discussion in Section 4, *Biological Resources*, potential impacts related to biological resources that would result from the proposed Specific Plan Amendment would be similar to those that were identified by the Final EIR because the areas of development would be the same and the same areas of disturbance would occur. Thus, the same potential for impacting biological resources would occur under the amended Specific Plan. Hence, implementing development projects pursuant to the amended Specific Plan would be required to implement Final EIR Mitigation Measures BIO-1 through BIO-9, which would reduce potential impacts to a less than significant level consistent with the findings of the Final EIR. No further evaluation in the Subsequent EIR is required.

However, Section 5, *Cultural Resources*, and Section 18, *Tribal Cultural Resources*, describes that potential for impacting archeological and tribal cultural resources would occur under the amended

Specific Plan. Hence, implementing development projects pursuant to the amended Specific Plan would be required to implement Final EIR Mitigation Measures CUL-1 through CUL-8. Also, pursuant to Final EIR Mitigation Measure CUL-1, an archaeological resources assessment will be prepared for the proposed industrial project as part of the Subsequent EIR. Therefore, this topic will be evaluated in the Subsequent EIR, and additional mitigation measures will be identified if necessary.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

**Potentially Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

Cumulative impacts are defined as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), states:

- a. Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.
- b. The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

As described above, the proposed Specific Plan Amendment and proposed industrial development would change the type of land uses at buildout in a portion of the Specific Plan Area. In addition, the proposed Specific Plan Amendment, including proposed industrial development, would result in a 273,350 square foot increase in building area at buildout. The proposed Project would have the potential to result in cumulative impacts to aesthetic, air quality, cultural, energy, greenhouse gas, land use, noise, transportation, and tribal cultural resources. The extent and significance of potential cumulative impacts resulting from the combined effects of the proposed Project plus other past, present, and reasonably foreseeable future project will be evaluated in the Subsequent EIR.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

**Potentially Significant New Impact.**

Specific Plan Amendment and Proposed Industrial Development

As detailed in the previous responses, the proposed Specific Plan Amendment and proposed industrial development could cause substantial adverse effects on human beings if not properly mitigated. The proposed Project could result in impacts to aesthetics, air quality, greenhouse gas, land use, noise, and transportation that could result in adverse effects on human beings. Therefore, these impacts will be addressed in the Subsequent EIR, and additional mitigation measures will be provided as needed.

**Final EIR Mitigation Measure/Project Design Features**

As listed in the previous responses.

**Conclusion for Mandatory Findings of Significance**

As detailed previously, it is possible that new or substantially more severe impacts related to these mandatory findings of significance could result from the proposed Project than were identified in the Final EIR. Thus, conditions identified in CEQA Guidelines Section 15162 related to changes to the Project that require major revisions of the previous adopted EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects would occur and would trigger the need to evaluate potential impacts in the Subsequent EIR. Thus, mandatory findings of significance will be analyzed in the Subsequent EIR.

## 5 REFERENCES

2020 Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan. Accessed:  
<https://wwwd.org/about/transparency/#integratedregionalurbanwatermanagementplan>

California Department of Conservation California Important Farmland Finder. Accessed:  
<https://maps.conservation.ca.gov/DLRP/CIFF/>

California Department of Toxic Substances Control EnviroStor Database. Accessed:  
<https://www.envirostor.dtsc.ca.gov/public>

California State Scenic Highway System Map. Accessed:  
<https://www.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>

CalFire Fire Hazard Severity Zones Maps. Accessed: <https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>

CalRecycle Jurisdiction Disposal and Alternative Daily Cover (ADC) Tons by Facility. Accessed:  
<https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility>

CalRecycle Solid Waste Information System (SWIS) database. Accessed:  
<https://www2.calrecycle.ca.gov/SolidWaste/Site/Search>

City of Rialto General Plan, 2010. Accessed: <https://www.yourrialto.com/653/General-Plan>

Fault Study Proposed Commercial/Industrial Building, prepared by Southern California Geotechnical, 2020. Appendix C

Fiscal Impacts Resulting from the Proposed Pepper Avenue Industrial Building Project, 2021. Prepared by DTA Finance.

FEMA Flood Map Service Center. Accessed:  
<https://msc.fema.gov/portal/search?AddressQuery=pepper%20avenue%2C%20rialto%2C%20ca#searchresultsanchor>

Geotechnical Feasibility Study Proposed Commercial/Industrial Building, prepared by Southern California Geotechnical, 2020. Appendix D

Pepper Avenue Specific Plan, 2017. Accessed: <https://www.yourrialto.com/314/Current-Projects>

Pepper Avenue Specific Plan Final Environmental Impact Report, October 2017. Accessed:  
<https://www.yourrialto.com/314/Current-Projects>

Pepper Industrial Building General Biological Assessment, 2021. Prepared by Hernandez Environmental Services. Appendix A

Phase I Environmental Site Assessment, 2019. Prepared by SCS Engineers. Appendix B

Preliminary Drainage Study, 2021. Prepared by FMCivil Engineers, Inc. Appendix E

Preliminary Water Quality Management Plan, 2021. Prepared by FMCivil Engineers, Inc. Appendix F

SCAG's Employment Density Study, October 31, 2001. Accessed:  
<http://www.mwcog.org/file.aspx?A=QTTITR24POOOUlw5mPNzK8F4d8djdJe4LF9Exj6IXOU%3D>

SCAG's Growth Forecast By Jurisdiction 2016-2040. Accessed: <https://scag.ca.gov/subarea-forecasting>

West Valley Water District 2020 Water Facilities Master Plan. Accessed: <https://wwvd.org/wp-content/uploads/2020/07/2020-Water-Facilities-Master-Plan.pdf>

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