



Notice of Preparation

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

TO: Property Owners, Responsible Agencies & Interested Parties

FROM: City of Ontario, Planning Department, 303 East "B" Street, Ontario, CA 91764

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report

NOTICE IS HEREBY GIVEN that pursuant to the California Environmental Quality Act (CEQA), the City of Ontario will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the project identified below. For regulatory agencies, we need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering a permit or other approval for the project.

Project Title/File No.: 5355 East Airport Drive (PDEV22-017)

Project Location: The Project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1, 2, and 3 attached, the 13.08-acre Project site is located at 5355 East Airport Drive (APN: 0238-052-29 and 0238-052-20). The Project site is bordered by East Airport Drive to the south, industrial uses to the east and west, and railroad tracks to the north.

Project Description: The Project Applicant seeks to demolish all existing on-site structures and re-develop the site as a warehouse distribution facility with approximately 270,337 square feet (s.f.) of building area as shown on Figure 4, *Site Plan*. Of the total building square footage, the Project would allocate 255,337 s.f. for ground floor space and 15,000 s.f. for mezzanine space. Development of the Project site would require demolition of the existing buildings and structures, on-site landscaping, and on-site parking. The proposed building would be a one-story, 48-foot-tall speculative warehouse/ distribution facility with office. The Project includes surface parking with 251 parking spaces including 135 standard automobile parking stalls, 7 accessible parking stalls, 25 electric vehicle parking stalls, and 84 additional standard stalls within the truck court. The Project would further include 48 truck trailer parking spaces located south of the building near the building's 54 proposed dock doors. A new 5' sidewalk would be constructed along East Airport Drive to provide pedestrian access from the public street to the primary building entrances. Bike racks also would be provided near the building entrance and electrical room. Ornamental landscaping, lighting, walls, and utility infrastructure improvements/connections would be installed per compliance with the City's Municipal Code. Vehicular access would be provided via 2 driveways connecting with East Airport Drive. A 14-foot-high concrete screen wall would border the Project site's southern boundary along the trailer parking spaces, which would transition to an 8-foot-high black tube steel gate from the gate entry to the truck driveways connecting with East Airport Drive. An 8-foot-high painted tube steel fence would border the Project's eastern and western boundaries. Although the future building user is not presently known, the proposed building is assumed to operate 24 hours a day, 7 days a week.

An Initial Study has not been prepared for the Project as the City has determined that an EIR will be required for the Project, which is in the discretion of the Lead Agency as set forth in State CEQA Guidelines Section 15063(a). The following environmental topics will be analyzed within the forthcoming Draft EIR:

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

Public Review Period: The City welcomes input and comments regarding preparation of the EIR. In accordance with CEQA, the NOP will be circulated for a 30-day public review period. Should you have any comments, please provide a written response to this NOP within the 30-day NOP public review period, which extends from September 1, 2022 to September 30, 2022. Pursuant to CEQA Guidelines Section 15082, responsible and trustee agencies and other interested parties, including members of the public, must submit any comments in response to this notice no later than 30 days after receipt of the notice. Please send your response to the contact person identified below. We will need the name and contact information for a contact person in your agency.

Thomas Grahn
City of Ontario Planning Department
303 East B Street
Ontario, CA 91764
Phone: (909) 395-2413
Email: TGrahn@ontarioca.gov

Scoping Meeting: The proposed project is, is not, considered a project of statewide, regional, or area-wide significance. The proposed project will, will not, affect highways or other facilities under the jurisdiction of the State Department of Transportation. A scoping meeting will, will not, be held by the lead agency.

If the project meets the criteria requiring the scoping meeting, or if the agency voluntarily elects to hold such a meeting, the date, time, and location of the scoping meeting are as follows:

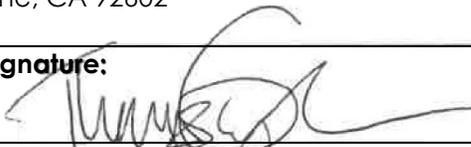
Meeting Date and Time: September 13, 2022, at 6 PM

Meeting Location (Via Zoom): <https://us02web.zoom.us/j/83565725981>; Webinar ID: 835 6572 5981

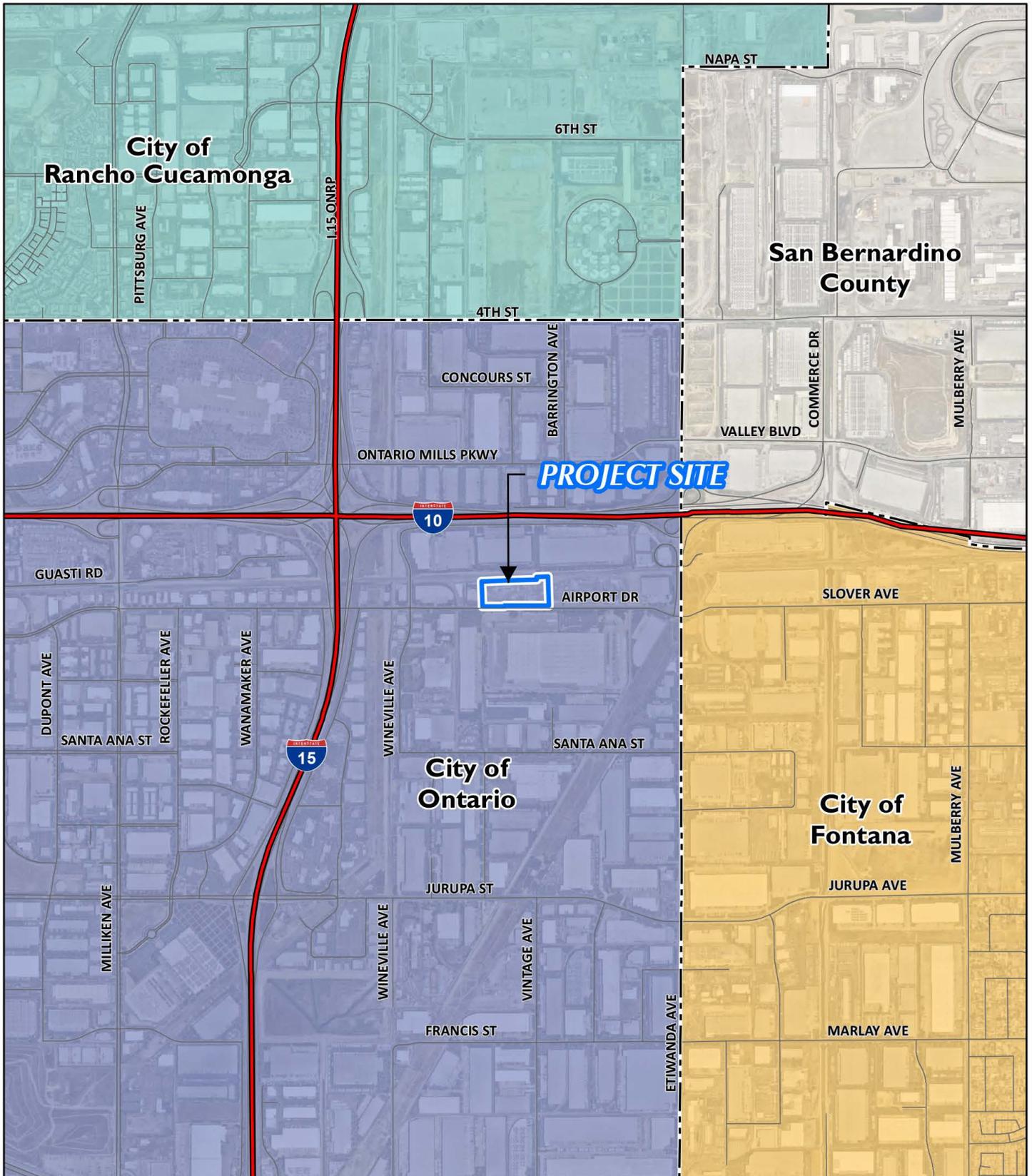
By Phone: +1(669)900-9128,,83565725981# or +1(669)444-9171,,83565725981#

Project Applicant: Prologis, Inc.; 17777 Center Court Dr N, Suite 100, Cerritos, CA 90703

Consulting firm retained to prepare draft EIR: T&B Planning, Inc.; 3200 El Camino Real, Suite 100, Irvine, CA 92602

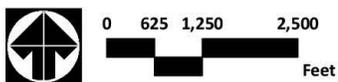
Signature: 	Date: 8/31/2022
Name: Thomas Grahn	Title: Senior Planner

Reference: California Code of Regulations, Title 14 (CEQA Guidelines) Sections 15082(a), 15103, and 15375.



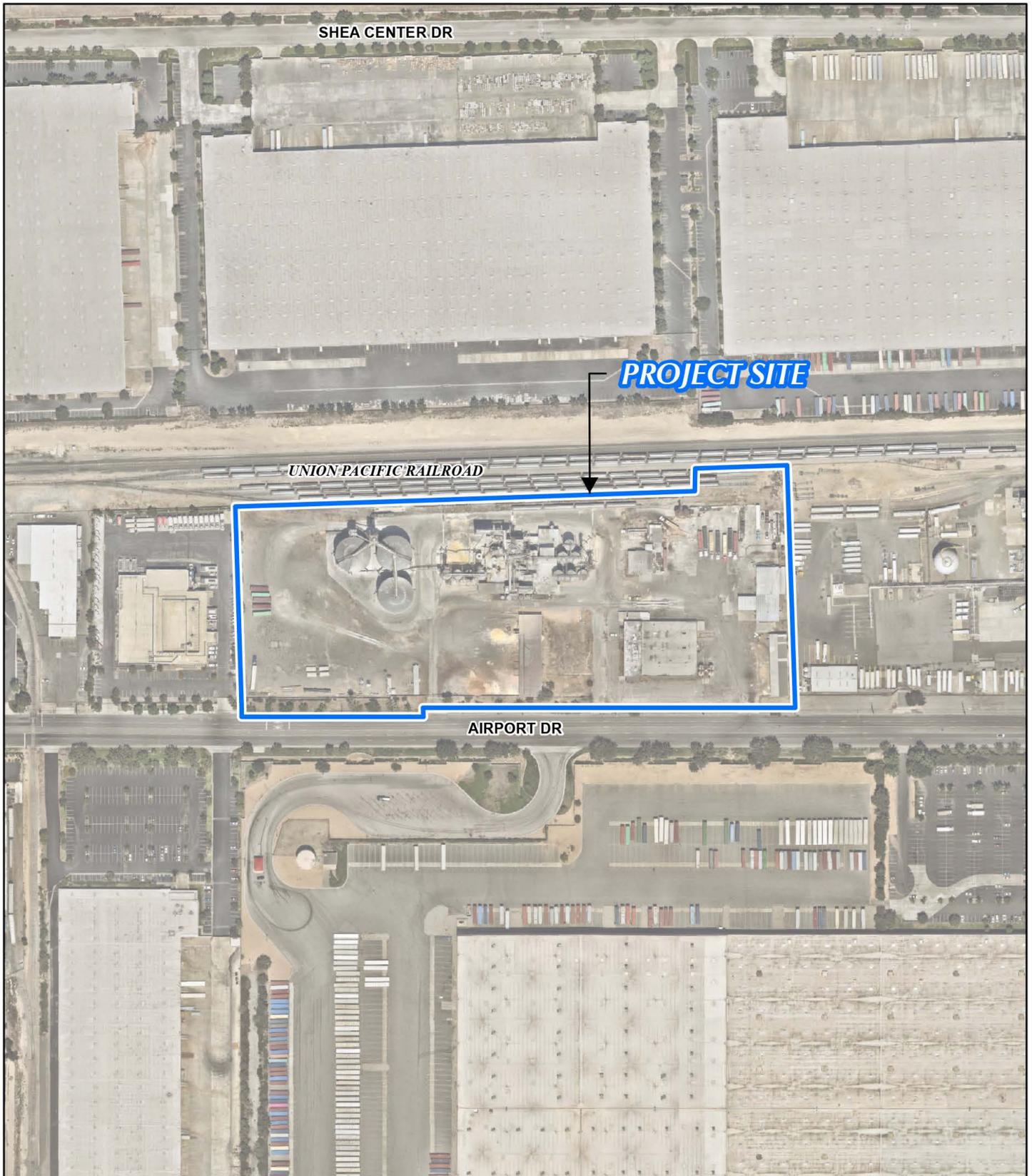
Source(s): ESRI, Nearmap Imagery (2022), SB County (2022)

Figure 1



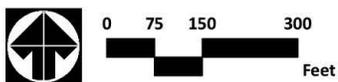
Vicinity Map

5355 East Airport Drive



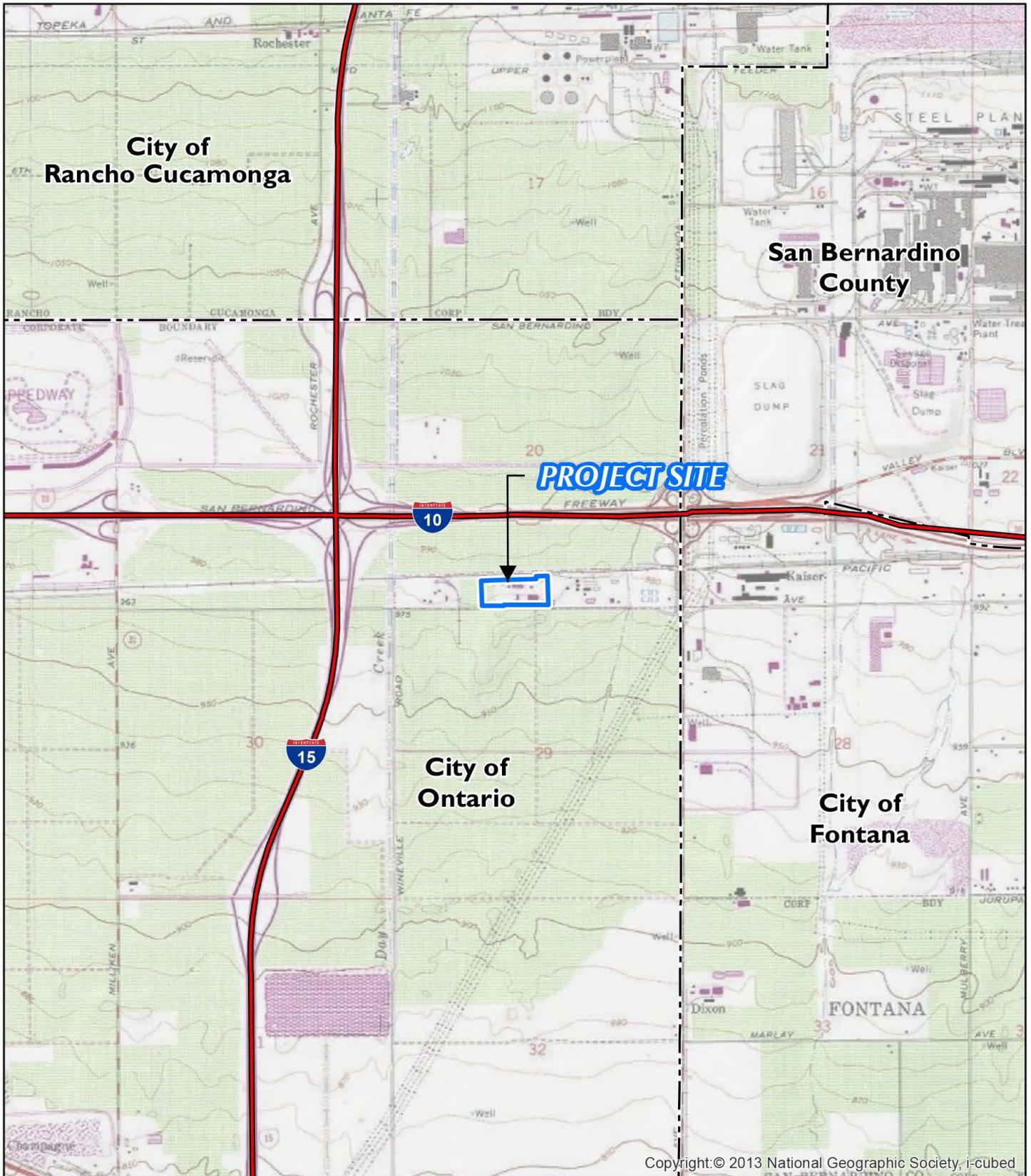
Source(s): ESRI, Nearmap Imagery (2022), SB County (2022)

Figure 2



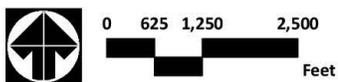
Aerial Photograph

5355 East Airport Drive



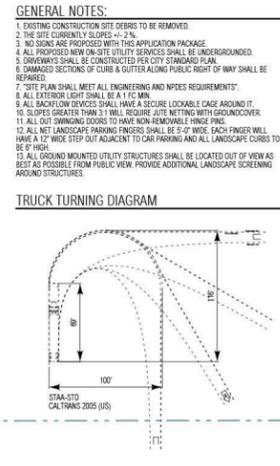
Source(s): ESRI, USGS (2013)

Figure 3



USGS Topographic Map

5355 East Airport Drive



- GENERAL NOTES:**
- EXISTING CONSTRUCTION SITE DEBRIS TO BE REMOVED.
 - THE SITE CURRENTLY SLOPES +1.2%.
 - NO SIGNS ARE PROPOSED WITH THIS APPLICATION PACKAGE.
 - ALL PROPOSED NEW ON-SITE UTILITY SERVICES SHALL BE UNDERGROUND.
 - DRIVEWAYS SHALL BE CONSTRUCTED PER CITY STANDARD PLAN.
 - SHARPED SECTIONS OF CURB & GUTTER ADJACENT PUBLIC RIGHT OF WAY SHALL BE REPAIRED.
 - SITE PLAN SHALL MEET ALL ENGINEERING AND NPDES REQUIREMENTS.
 - ALL EXTERIOR LIGHT SHALL BE 4'11" MIN.
 - ALL BACKFLOW DEVICES SHALL HAVE A SECURE LOCKABLE CASE AROUND IT.
 - SLOPES GREATER THAN 3% WILL REQUIRE SITE NETTING WITH GRASS COVER.
 - ALL OUT SWINGING DOORS TO HAVE NON-REMOVABLE HINGE PINS.
 - ALL NET LANDSCAPE PARKING FINGERS SHALL BE 5'-0" WIDE. EACH FINGER WILL HAVE A 12" WIDE STEP OUT ADJACENT TO CAR PARKING AND ALL LANDSCAPE CURVES TO BE 5' HIGH.
 - ALL GROUND MOUNTED UTILITY STRUCTURES SHALL BE LOCATED OUT OF VIEW AS BEST AS POSSIBLE FROM PUBLIC VIEW. PROVIDE ADDITIONAL LANDSCAPE SCREENING AROUND STRUCTURES.
- TRUCK TURNING DIAGRAM**
- KEYNOTES:**
- PROPOSED PAINTED CONCRETE TILT-UP 40' CLEAR INDUSTRIAL BUILDING.
 - TYPICAL PARKING STALL - 9' X 18'. MAY BE REDUCED TO 9' X 16 W 2'-0" OVERHANG. STRIPING PER CITY STANDARDS.
 - TYPICAL CARPOOL/VANPOOL PARKING STALL - 9' X 18'. MAY BE REDUCED TO 9' X 16 W 2'-0" OVERHANG. STRIPING PER CITY STANDARDS.
 - CONCRETE PAVED TRUCK COURT.
 - FULLY IRRIGATED LANDSCAPE AREA BOUNDED BY 6" CONCRETE CURB - SEE CONCEPT LANDSCAPE PLAN.
 - PRIMARY BUILDING ENTRANCE W/ DECORATIVE CONCRETE ENTRY WALK.
 - LOCATION OF TRASH ENCLOSURE, SEE SHEET A2-1P.
 - NEW 14'-0" HIGH CONCRETE SCREENWALL, PAINTED AND CONSTRUCTED TO MATCH THE BUILDING. FINISH: GRAY/WHITE/BLACK PAINT FOR THE BOTTOM 12'-0". SEE ELEVATIONS SHEET A3-1P FOR ELEVATIONS.
 - PROPERTY LINES.
 - PROPOSED TRANSFORMER LOCATION.
 - 12' X 53' TRUCK TRAILER PARKING AREA.
 - NEW ADA ACCESSIBLE PARKING STALLS 9' X 15'-0".
 - DASHED LINE INDICATES: NEW 5'-0" WIDE SURFACE WALK, ACCESSIBLE PATH OF TRAVEL FROM PUBLIC SIDEWALK & PARKING STALLS TO PRIMARY BUILDING ENTRANCE - CONSTRUCT NEW CONCRETE SIDEWALK. MAX SLOPE OF SURFACE WALK IN THE DIRECTION OF TRAVEL 4.9%, MAX CROSS SLOPE 2%.
 - PROVIDE ENHANCED DECORATIVE PAVING AT DRIVEWAY APPROACH WITH 2'-0" WIDE SMOOTH CONCRETE BAND.
 - PROPOSED DRIVEWAYS PER CITY STANDARDS.
 - PROPOSED CURB GUTTER PER CITY STANDARD.
 - PROPOSED ON-SITE FIRE HYDRANT LOCATIONS.
 - PATIO AREA WITH SEATING.
 - CONCRETE LANDING AND BICYCLE RACK FOR BIKES. SEE PROJECT DATA FOR SPACES REQUIRED.
 - LONG TERM MOUNTED BICYCLE RACK. NOTE: LONG TERM RACK TO BE INSTALLED ADJACENT TO ELECTRICAL ROOM TO COMPLY WITH CALGREEN. SEE PROJECT DATA FOR SPACES REQUIRED.
 - OWNER TO COORDINATE WITH THE RAIL COMPANY ON TIE STATUS OF THE RAIL SPIRES. CURRENT PLAN IS TO REMOVE THE RAIL SPIRES.

ZONING INFORMATION

OFFICE/ WAREHOUSE III-B
 CONSTRUCTION TYPE B/S-1/F-1
 OCCUPANCY
 AIRPORT INFLUENCE AREA ZONE D

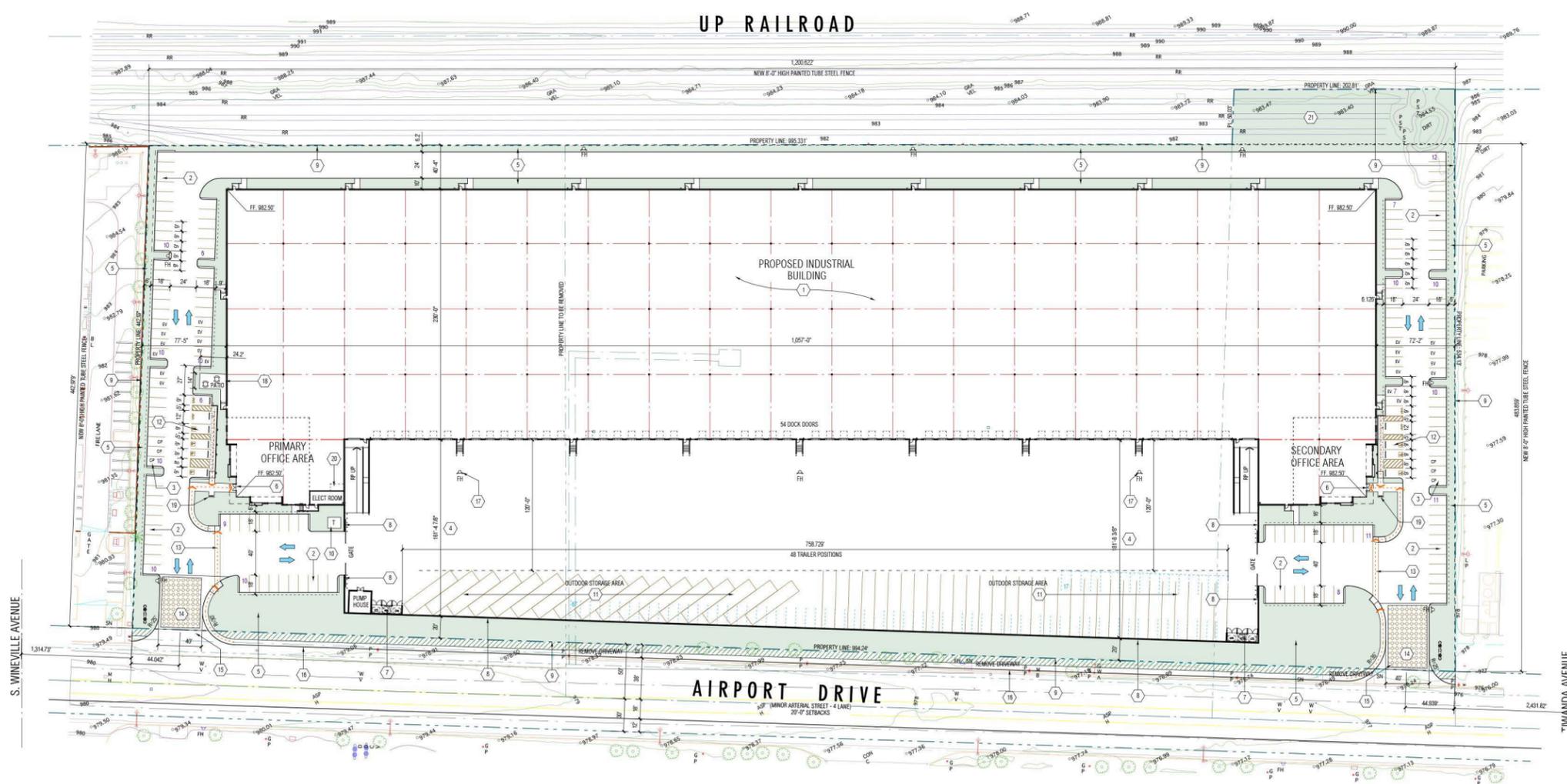
DEVELOPER / OWNER:
 PROGRESS UP
 3545 CONCRETE STREET, SUITE 100
 OAKLAND, CA 94618
 CONTACT: JOHN CATER
 EMAIL: john@progressup.com

PREPARED BY:
 RSA, OFFICE OF ARCHITECTURAL DESIGN
 15251 WILSON PARKWAY, SUITE 100
 IRVINE, CA 92618
 CONTACT: MIKE GILL
 EMAIL: mike@rsa-architects.com

LEGAL DESCRIPTION:
 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
 PARCEL 1:
 THAT PORTION OF LOT 3, BLOCK 20, TRACT NO. 2244, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 20 OF MAPS, PAGES 53 TO 56, INCLUSIVE, RECORDS OF SAID COUNTY.
 PARCEL 2:
 THAT PORTION OF LOT 3, BLOCK 20, TRACT NO. 2244, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 20 OF MAPS, PAGES 53 TO 56, INCLUSIVE, RECORDS OF SAID COUNTY.
 APN: 0238-022-29-0-000 AND 0238-022-30-0-000

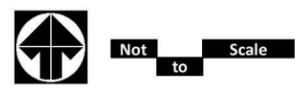
PROJECT DATA

PROJECT ZONING	IG (GENERAL INDUSTRIAL)
PROJECT SITE AREA:	589,954 SF
BUILDING AREA:	13,016 AC
WAREHOUSE AREA:	255,327 SF
MEZZANINE:	15,000 SF
TOTAL BUILDING AREA:	270,327 SF
TOTAL PROJECT LOT COVERAGE:	44.79%
TOTAL PROJECT F.A.R.:	47.43%
PARKING REQUIRED:	30,000 SF OFFICE @ 1/250 SF
	1 TO 30,000 SF (17,000 SF)
	20,000 SF AND ABOVE (12,000 SF)
TOTAL STALLS REQUIRED:	120 STALLS
	20 STALLS
	111 STALLS
TOTAL STALLS PROVIDED:	251 STALLS
PARKING PROVIDED:	105 STALLS
STANDARD STALLS:	72 STALLS
DISABLED ACCESS STALLS:	25 STALLS
BY PARKING STALLS:	84 STALLS
FUTURE STALLS WITHIN TRUCK COURT:	14 STALLS
TOTAL STALLS PROVIDED:	251 STALLS
BICYCLE PARKING:	13 STALLS
STANDARD STALLS:	13 STALLS
1-BICYCLE STALL SHALL BE DESIGNATED FOR LONG TERM PARKING:	1 STALLS
TOTAL BICYCLE STALLS REQUIRED:	14 STALLS
TOTAL BICYCLE STALLS PROVIDED:	8 STALLS
REQUIRED TRAILER PARKING: (1 TRAILER PER 4 DOCK DOORS)	14 TRAILERS
PROVIDED TRAILER PARKING:	48 TRAILERS
REQUIRED SITE LANDSCAPE AREA:	56,995 SF / 10.0%
PROVIDED SITE LANDSCAPE AREA:	72,527 SF OR 12.72%



Source(s): RGA (08-10-2022)

Figure 4



Site Plan

5355 East Airport Drive

NATIVE AMERICAN HERITAGE COMMISSION

September 8, 2022

Thomas Grahn
City of Ontario
303 East B Street
Ontario, CA 91764

Re: 2022090006, 5355 East Airport Drive Project, San Bernardino County

Dear Mr. Grahn:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.



CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

PARLIAMENTARIAN
Russell Attebery
Karuk

SECRETARY
Sara Dutschke
Miwok

COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

COMMISSIONER
Wayne Nelson
Luiseño

COMMISSIONER
Stanley Rodriguez
Kumeyaay

EXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok/Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov



AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a.** A brief description of the project.
 - b.** The lead agency contact information.
 - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).
 - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a.** Alternatives to the project.
 - b.** Recommended mitigation measures.
 - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
 - a.** Type of environmental review necessary.
 - b.** Significance of the tribal cultural resources.
 - c.** Significance of the project's impacts on tribal cultural resources.
 - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Cameron.Vela@nahc.ca.gov.

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

cc: State Clearinghouse



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

September 30, 2022

TGrahn@ontarioca.gov

Thomas Grahn, Senior Planner
City of Ontario
Planning Department
303 East "B" Street
Ontario, California 91764

Notice of Preparation of a Draft Environmental Impact Report for the 5355 East Airport Drive (PDEV22-017) (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Environmental Impact Report (EIR). Please send a copy of the Draft EIR upon its completion and public release directly to South Coast AQMD as copies of the Draft EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all emission calculation spreadsheets, and air quality modeling and health risk assessment input and output files (not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

CEQA Air Quality Analysis

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website¹ as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod² land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds³ and localized significance thresholds (LSTs)⁴ to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of

¹ South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

² CalEEMod is available free of charge at: www.caleemod.com.

³ South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

⁴ South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵.

In the event that implementation of the Proposed Project requires a permit from South Coast AQMD, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Draft EIR. The assumptions in the air quality analysis in the EIR will be the basis for evaluating the permit under CEQA and imposing permit conditions and limits. Questions on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

South Coast AQMD staff is concerned about potential public health impacts of siting warehouses within close proximity of sensitive land uses, especially in communities that are already heavily affected by the existing warehouse and truck activities. The South Coast AQMD's Multiple Air Toxics Exposure Study (MATES V), completed in August 2021, concluded that the largest contributor to cancer risk from air pollution is diesel particulate matter (DPM) emissions⁶. According to the MATES V Carcinogenic Risk interactive Map, the area surrounding the Proposed Project has an estimated cancer risk over 600 in one million⁷. Operation of warehouses generates and attracts heavy-duty diesel-fueled trucks that emit DPM. When the health impacts from the Proposed Project are added to those existing impacts, residents living in the communities surrounding the Proposed Project will possibly face an even greater exposure to air pollution and bear a disproportionate burden of increasing health risks.

Mitigation Measures

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook¹, South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2016 Air Quality Management Plan⁸, and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy⁹.

⁵ South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁶ South Coast AQMD. August 2021. *Multiple Air Toxics Exposure Study in the South Coast Air Basin V*. Available at: <http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v>.

⁷ South Coast AQMD. MATES V Data Visualization Tool. Accessed at: [MATES Data Visualization \(arcgis.com\)](https://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v).

⁸ South Coast AQMD's 2016 Air Quality Management Plan can be found at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf> (starting on page 86).

⁹ Southern California Association of Governments' 2020-2045 RTP/SCS can be found at: https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft EIR may include the following:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean Trucks Rule¹⁰ and the Heavy-Duty Low NOx Omnibus Regulation¹¹, ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentive the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of 2010 model year¹² that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document, where appropriate. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or at a minimum, provide the electrical infrastructure and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft EIR may include the following:

- Maximize use of solar energy by installing solar energy arrays.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Use of water-based or low VOC cleaning products that go beyond the requirements of South Coast AQMD Rule 1113.

Design considerations for the Proposed Project that the Lead Agency should consider to further reduce air quality and health risk impacts include the following:

¹⁰ CARB. June 25, 2020. *Advanced Clean Trucks Rule*. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>.

¹¹ CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: <https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox>.

¹² CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

- Clearly mark truck routes with trailblazer signs, so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, day care centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any check-in point for trucks is inside the Proposed Project site to ensure that there are no trucks queuing outside.
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NO_x) and particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt in to earn Points on behalf of their tenants if they so choose because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Since the Proposed Project consists of the development of a 270,337 square foot warehouse, the Proposed Project's warehouse owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation¹³. South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at (909) 396-3140 or waire-program@aqmd.gov. For implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage¹⁴.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at swang1@aqmd.gov.

Sincerely,

Sam Wang

Sam Wang

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

¹³ South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf>.

¹⁴ South Coast AQMD WAIRE Program. Accessed at: <http://www.aqmd.gov/waire>.

SW
SBC220906-09
Control Number



09/29/2022

VIA EMAIL ONLY

Thomas Grahn
City of Ontario Planning Department
303 East B Street
Ontario, CA 91764
Email: TGrahn@ontarioca.gov

RE: NOP Comments for 5355 East Airport Drive Project

Dear Mr. Grahn,

Thank you for providing Californians Allied for a Responsible Economy ("CARE CA") with the opportunity to comment on the Notice of Preparation ("NOP") for the 5355 East Airport Drive Project (the "Project") Draft Environmental Impact Report (DEIR). The Project proposes to demolish all existing on-site structures and construct an approximately 270,337 square foot warehouse facility.

I. Background on CEQA EIRs

CEQA advances three related purposes. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project. 14 Cal. Code Regs. ("Guidelines") § 15002(a)(1). "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR 'protects not only the environment but also informed self-government.'" *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564.

Second, CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring implementation of "environmentally superior" alternatives and all feasible mitigation measures. Guidelines § 15002(a)(2) and (3); *Citizens of Goleta Valley*, 52 Cal.3d at 564. If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment where feasible" and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns." Pub. Res. Code § 21081; Guidelines § 15092(b)(2)(A) and (B).

Third, CEQA compels disclosing “to the public the rationale for governmental approval of a project that may significantly impact the environment.” *California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369, 382.

Although the courts review an EIR using an “abuse of discretion” standard, “the reviewing court is not to ‘uncritically rely on every study or analysis presented by a project proponent in support of its position.’ A ‘clearly inadequate or unsupported study is entitled to no judicial deference.’” *Berkeley Keep Jets Over the Bay v. Bd. of Port Comm’rs.* (2001) 91 Cal.App.4th 1344, 1355 (quoting *Laurel Heights Improvement Ass’n v. Regents of Univ. of Cal.*, 47 Cal.3d 376, 409 n. 12 (1988)). Substantial evidence in the record must support any foundational assumptions used for the impact analyses in the EIR. *Citizens of Goleta Valley*, 52 Cal.3d at 568 (EIR must contain facts and analysis, not just bare conclusions); *Laurel Heights*, 47 Cal.3d at 392-93 (agency’s conclusions must be supported with substantial evidence).

II. General Comments

After reviewing the documents and information provided, the following comments are being submitted for consideration as part of the EIR process.

1. Project Alternatives: The DEIR should study a reasonable range of alternatives. Please include at least two environmentally superior alternatives to the Project, including an Alternative that restricts operations to fewer hours than the expected 24 hours a day, 7 days a week.

2. Industrial Use: The DEIR should provide details of any and all proposed future uses of the Project, clearly articulated and quantified. If planned operations are unknown, the DEIR must consider all reasonably foreseeable uses including higher intensity uses such as cold storage and subsequent potential use of transportation refrigeration units (TRUs) during Project operation.

Therefore, the DEIR should study a combination of the five primary logistics-type uses at the site,¹ including providing justification and square footage assumed for each use analyzed to ensure that the unique impacts of each use (i.e., both truck and vehicular trips, air quality, GHG emissions, public health risk and other environmental effects) are comprehensively evaluated.

If the Project will not include cold storage, then the City must include California Air Resources Board (CARB) recommended design measures in the DEIR. CARB recommends requiring contractual language in tenant lease agreements or restrictive covenant over parcel to prohibit use of TRUs.

3. Air Quality: The DEIR should study full mitigation of all air quality and GHG impacts that will be caused by the Project. Industrial projects of the proposed size in the region are known to exceed the limits set by SCAQMD’s Air Quality Management Plan. The Project will have high daily volumes of heavy-duty diesel truck traffic and on-site equipment (e.g., backup generators, forklifts and yard tractors) that will pollute the air with toxic diesel emissions and expose the already distressed nearby communities to further air pollution and global climate change. The DEIR should include a mobile source Health Risk Assessment and provide impacts from particulate matter from the diesel trucks on the health of those living, working, and recreating nearby including expected increases in respiratory illnesses, cardiovascular disease, and cancers.

¹ South Coast Air Quality Management District [SCAQMD], High Cube Warehouse Vehicle Trip Generation Analysis, prepared by Institute of Transportation Engineers, October 2016, p. 3.

If, as expected, the air quality impacts are significant, the DEIR must fully mitigate the impacts to ensure that the Project is in compliance with AQMP in both construction and operational phases. This includes adopting mitigation measures from other jurisdictions such as the Fontana Warehouse Ordinance. A Statement of Overriding Considerations should be considered only after ALL feasible mitigation measures are included in the MMRP.

4. **Mitigation measures:** Mitigation measures must be effective and enforceable. Every effort must be made to incorporate modern technology in the mitigation measures and MMRP. For example, a requirement that all off-road equipment and trucks using the site during construction and operations be zero emission, near-zero emissions or alternative-fueled vehicle would both reduce and/or eliminate air pollution impacts and CO2 emissions.

Mitigation measures can also include requirements to install cool roofs to reduce operational energy demand and solar canopies on the parking lot to generate energy, electrification of loading docks and provision of EV charging infrastructure, and measures to reduce urban heat island effect impacts.

III. Conclusion

Thank you for the opportunity to submit NOP comments. CARE CA respectfully requests under CEQA full analysis of all environmental impacts, feasible mitigation, and reasonable alternatives to the Project.

We look forward to reviewing and commenting on subsequent environmental review documents when these documents are released for public review. Please provide all sources and referenced materials when the documents are made available.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Modrzejewski", with a long horizontal flourish extending to the right.

Jeff Modrzejewski
Executive Director