CEQA PLUS INITIAL STUDY

AND

MITIGATED NEGATIVE DECLARATION

FOR THE

RIALTO HABITAT NATURE CENTER PROJECT

Prepared For:

City of Rialto

Utilities Division

150 S. Palm Avenue

Rialto, CA 92376

(909)-820-8056

Prepared By:

Enplanners, Inc.

P.O. Box 960

Lake Arrowhead, CA 92352

(951) 289-5233

February 2024

PAGE

TABLE OF CONTENTS

PAGE

LIST OF FIGURES

LIST OF TABLES

LIST OF APPENDICES

LIST OF ABBREVIATIONS

BMP	best management practice
CAAQS	California ambient air quality standards
Cal/OSHA	California Occupational Safety and Health Administration
CalEEMod	California Emissions Estimator Model
CARB	California Air Resources Board
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CESA	California Endangered Species Act
CNDDB	California Natural Diversity Database
CO	Carbon monoxide
Cortese List	Hazardous Waste and Substances Sites List
CRHR	California Register of Historic Resources
dBA	A-weighted decibels
DOC	California Department of Conservation
DTSC	California Department of Toxic Substances Control
EPA	U.S. Environmental Protection Agency
ESA	federal Endangered Species Act
FHSZ	fire hazard severity zone
FMMP	Farmland Mapping and Monitoring Program
GHGs	greenhouse gases
IPaC	Information, Planning, and Consultation System
Ldn	Day-Night Level
Leq	Equivalent Continuous Sound Level
LRA	Local Responsibility Area
MLD	Most Likely Descendant

PAGE

MTCO2/year	metric tons of carbon dioxide-equivalent per year
MTP/SCS	Metropolitan Transportation Plan/Sustainable Communities Strategy
NAAQS	national ambient air quality standards
NAHC	Native American Heritage Commission
NCIC	North Central Information Center
NO2	nitrogen dioxide
NOX	nitrogen oxide
NPDES	National Pollution Discharge Elimination System
NRH	National Register of Historic Places
PM10	respirable particulate matter with an aerodynamic diameter less than or equal to 10 microns
PM2.5	fine particulate matter with an aerodynamic diameter less than or equal to 2.5 microns in diameter
PPV	peak particle velocity
PRC	Public Resources Code
RMS	root-mean-square
ROG	reactive organic gases
RPS	renewables portfolio standard
SARWQCB	Santa Ana Region Water Quality Control Board
SCAQMD	South Coast Air Quality Management District
SO2	Sulfur dioxide
SPL	sound pressure level
SRA	State Responsibility Area
SWPPP	stormwater pollution prevention plan
USFWS	U.S. Fish and Wildlife Service
VdB	vibration velocity
WDR	waste discharge requirements

1.0 INTRODUCTION

1.1 INTRODUCTION AND REGULATORY GUIDANCE

This Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared by the City of Rialto (City) to evaluate potential environmental effects resulting from the proposed Rialto Habitat Nature Center Project (the Project). Chapter 2 "Project Description" presents detailed Project information.

This document has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.). An initial study is prepared by a lead agency to determine if a project may have a significant effect on the environment (State CEQA Guidelines Section 15063[a]), and thus to determine the appropriate environmental document. In accordance with State CEQA Guidelines Section 15070, a "public agency shall prepare…a proposed negative declaration or mitigated negative declaration…when: (a) The Initial Study shows that there is no substantial evidence…that the Project may have a significant impact on the environment, or (b) The Initial Study identifies potentially significant effects but revisions to the Project plans or proposal are agreed to by the applicant and such revisions would reduce potentially significant effects to a less-than-significant level." In this circumstance, the lead agency prepares a written statement describing its reasons for concluding that the Project would not have a significant effect on the environment and, therefore, does not require the preparation of an Environmental Impact Report (EIR). By contrast, an EIR is required when the Project may have a significant environmental impact that cannot clearly be reduced to a less-than-significant effect by adoption of mitigation or by revisions in the Project design.

In addition, the proposed Project may be partially funded with a loan from the federal Clean Water State Revolving Fund (SRF) program established by the U.S. Environmental Protection Agency (EPA). This program is administered, nationally, by the EPA, and in certain instances the administration has been delegated to the states. In California, administration of the SRF program has been delegated to the State Water Resources Control Board (SWRCB). In turn, the SWRCB requires that all projects being considered under the SRF program must comply with CEQA and certain federal environmental protection laws. Collectively, the SWRCB refers to these requirements as "CEQA-Plus." Therefore, this IS/MND has been expanded beyond the typical content requirements of an initial study to include additional "CEQA-Plus" information. CEQA does not require consideration of alternatives in MNDs; however, an analysis of alternatives is provided to meet SRF Program requirements. Other CEQA-Plus requirements are fulfilled in the IS analysis and associated appendices (see Chapter 4, "Compliance with Federal Regulations," for a complete list of federal laws address in compliance with SRF Program requirements). The SWRCB, as a responsible agency for the Project, will consider this CEQA document prior to any SRF loan authorization.

1.2 PURPOSE OF THIS DOCUMENT

As described in the environmental checklist (Chapter 3), the proposed Project would not result in any unmitigated significant environmental impacts. Therefore, an IS/MND is the appropriate document for compliance with the requirements of CEQA. This IS/MND conforms to these requirements and to the content requirements of State CEQA Guidelines Section 15071.

Under CEQA, the lead agency is the public agency with primary responsibility over approval of the Project. The City is the CEQA lead agency because they are responsible for constructing, operating, and funding the Rialto Habitat Nature Center Project. The purpose of this document is to present to decision-makers and the public information about the environmental consequences of implementing the Project. This disclosure document is being made

available to the public for review and comment. Because state agencies will act as responsible or trustee agencies, the City will circulate the IS/MND to the State Clearinghouse of the Governor's Office of Planning and Research for distribution and a 30-day public review period from February 15, 2024, to March 18, 2024. A copy of the IS/MND and supporting documentation are available for review on the City's website:

https://www.yourrialto.com/755/Lake-Rialto

Comments should be addressed to:

Arron Brown, Assistant City Manager
City Manager's Office
City of Rialto
150 South Palm Avenue
Rialto, CA 92376

E-mail comments may be addressed to: abrown@rialtoca.gov

If you have questions regarding the IS/MND, please call Arron Brown at: (909) 421-7219. If you wish to send written comments (including via e-mail), they must be postmarked by March 18, 2024. After comments are received from the public and reviewing agencies, the City may (1) adopt the MND and approve the Project; (2) undertake additional environmental studies; or (3) abandon the Project. If the Project is approved for funding, the City may proceed with the Project.

1.3 SUMMARY OF FINDINGS

Chapter 3 of this document contains the analysis and discussion of potential environmental impacts of the Project. Based on the issues evaluated in that chapter, it was determined that the Project would have either no impact or a less-than-significant impact related to most of the issue areas identified in the Environmental Checklist, included as Appendix G of the State CEQA Guidelines. These include the following issue areas:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Hazards and Hazardous Materials
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Potentially significant impacts were identified for biological resources, cultural resources, and geology and soils; however, mitigation measures included in the IS/MND would reduce all impacts to a less than significant level.

1.4 DOCUMENT ORGANIZATION

This IS/MND is organized as follows:

Chapter 1: Introduction. This chapter provides an introduction to the environmental review process and SRF process. It describes the purpose and organization of this document as well as presents a summary of findings.

Chapter 2: Project Description. This chapter describes the purpose of and need for the proposed Project, identifies Project objectives, and provides a detailed description of the Project.

Chapter 3: Environmental Checklist. This chapter presents an analysis of a range of environmental issues identified in the CEQA Environmental Checklist and determines if Project actions would result in no impact, a less-than-significant impact, a less-than-significant impact with mitigation incorporated, or a potentially significant impact. If any impacts were determined to be potentially significant, an EIR would be required. For this Project, however, none of the impacts were determined to be significant after implementation of mitigation measures.

Chapter 4: Compliance with Federal Regulations. This chapter provides a discussion of compliance with federal executive orders and regulations required for "CEQA-Plus" compliance.

Chapter 5: Alternatives. This chapter provides an analysis of alternatives to the proposed Project including the No Project Alternative.

Chapter 6: Mitigation Monitoring Report Plan. This chapter provides mitigation, monitoring, and reporting plan designed to fulfill Section 21081.6 of the California Environmental Quality Act (CEQA), which requires public agencies to adopt a reporting or monitoring program whenever a project or program is approved that includes mitigation measures identified in an environmental document.

Chapter 7: References. This chapter lists the references used in preparation of this IS/Proposed MND.

Chapter 8: List of Preparers. This chapter identifies report preparers.

2.0 PROJECT DESCRIPTION

2.1 PROJECT OVERVIEW

The City of Rialto (City) is proposing to construct the Rialto Habitat Nature Center (RHNC) on a vacant portion of the City's Wastewater Treatment Plant (WWTP) property. The proposed Project would provide an approximately 13-acre outdoor public space including an approximately 10-acre non-contact/non-water craft lake consisting of two connected lakes, 1 mile of pedestrian perimeter trails, passive recreation, environmental education programming, and public outreach. The lakes would be created by intercepting fully treated (primary, secondary, and tertiary) effluent from the WWTP that is currently discharged into the lined Rialto Channel and routing a portion of the effluent flow into the proposed lake. The treated water from the WWTP would be reclaimed and temporarily stored in the lakes prior to being discharged back into the concrete-lined channel at the existing location. The City currently discharges treated effluent into the concrete-lined Rialto Channel that flows downstream and changes into an unlined portion of the channel south of Agua Mansa Road prior to flowing into the Santa Ana River. Agua Mansa Road is located approximately 0.25 miles and the Santa Ana River approximately 0.65 miles down channel from the discharge point. The proposed Project would not change the flow rate or discharge location of effluent into the Rialto Channel and Santa Ana River.

The proposed Project includes an 11-space public parking area located approximately 0.25 miles to the south on Agua Mansa Road. Access to the RHNC from the parking area would be provided by a path of travel along the service road that runs along the west side of Rialto Channel. The RHNC site, Agua Mansa Road parking area, and path of travel constitute the proposed Project or Project for the purposes of this document.

It should be noted that the City has the ability and capacity to choose not to divert any water into the lakes post construction, for the purposes of regulating flows into Rialto Channel or effectively concluding the existence of the lakes. Reasons for temporarily or permanently stopping the diverting and storage of the water could be for maintenance of the lined and unlined portions of Rialto Channel, the cost of maintenance and repairs to the lakes, or overall operations of the lakes. The Rialto Habitat Nature Center Project is fully autonomous to the overall system, and should budget decline in the City, the City reserves the right to stop diverting water into the lakes and return to pre-project conditions.

2.2 PROJECT LOCATION

2.2.1 Rialto Habitat Nature Center

RHNC would be located on an approximately 13-acre site in the southern portion of the approximately 40-acre City-owned Rialto WWTP, located at 501 E. Santa Ana Avenue, City of Rialto, San Bernardino County (Figure 2-1, Regional Location). Parking for the proposed RHNC would be located approximately 0.25 miles to the south on Agua Mansa Road as discussed further in Section 2.4. The RHNC site is generally located northwest of the Santa Ana River, and south of Interstate 10 between Riverside Avenue to the west and Pepper Avenue (extended) to the east (Figure 2-2, Aerial View of Project Vicinity). The RHNC site is bordered by the existing WWTP to the north, So Cal Edison power poles and easement to the south, the concrete-lined Rialto Channel to the east, and undeveloped industrial-zoned property to the west.

2.2.2 Public Parking and Pedestrian Path

Due to safety concerns preventing parking within the WWTP property, the City considered various parking locations for the RHNC. Described in detail below is the preferred public parking location that was selected and is therefore analyzed in this Initial Study.

Public parking for the proposed project would be constructed on an approximately 0.15-acre vacant site, identified as APN 805-36-185A, located on the north side of Agua Mansa Road, east of 687 West Agua Mansa Road, and directly west of the Agua Mansa Road crossing of the Rialto Channel. The parking location is approximately 0.25 miles to the south of the RHNC site in the City of Colton and within San Bernardino County right-of-way (Agua Mansa Road). Development of the parking area may require approvals or permits from other jurisdictions including San Bernardino County and the City of Colton. Development of the parking area would require site preparation, earthwork, and paving. The parking area would include installation of AC pavement comprised of the 11 parking spaces and a drive aisle, plus a pedestrian connection to RHNC via an existing utility road on the western edge of the Rialto Channel. Development of a pedestrian pathway between the parking area and RHNC on the existing utility road would require minimal improvements including brush clearing, signage, loose rock removal and tread improvement for drainage. The path of travel between the RHNC and the parking area would be approximately 1,300 feet (0.25 miles).

FIGURE 2-1: REGIONAL LOCATION

SOURCE: ENPLANNERS INC. 2024

FIGURE 2-2: AERIAL VIEW OF PROJECT VICINITY

SOURCE: ENPLANNERS INC. 2024

2.3 PROJECT OBJECTIVES

The objective of the Project is to create an outdoor, passive recreational park with environmental education opportunities for Rialto residents, underserved Disadvantaged Communities (DAC) and Severely Disadvantaged Communities (SDAC) communities, and neighboring community residents. The Project would provide surface water quality improvements, open space, and ecosystem and freshwater wildlife habitat through achieving the following basic objectives:

- Creating Wetlands & Wildlife Habitat
- Creating a Community Water Feature, Walking Trails, and Education Experience.

2.4 EXISTING SETTING

2.4.1 RHNC Site

The approximately 13-acre RHNC site is currently vacant and consists of an abandoned, unused pit. The pit was originally used up to the early 1970's as a receiving basin for partially treated discharge from the WWTP. In the early 1970's, implementation of federal Clean Water Act regulations prohibited discharge of partially treated water onto the earth and water ways and as a result the design and discharge was revised to comply with newly adopted regulations. An existing 36-inch discharge pipe near the east side of the pit discharges treated effluent flow directly from the WWTP into the Rialto Channel. A majority of the RHNC site is disturbed or developed. The remaining portions of the site are covered by brittlebush and California buckwheat scrub, mulefat and tamarisk thicket, non-native grasslands, and ruderal vegetation.

2.4.2 Parking Area and Pedestrian Path

The public parking area on Agua Mansa Road is currently an unimproved roadway shoulder consisting of a 0.15-acre generally level site. The site is regularly maintained for weed abatement purposes. The location is within San Bernardino County's Agua Mansa Road right-of-way.

2.4.3 Other Related Planning Efforts

Local biological agencies including the San Bernardino Valley Municipal Water District (SBVMWD) have drafted a Habitat Conservation Plan (HCP) for the Upper Santa Ana River (SAR) watershed.[1] The HCP is a comprehensive program that would provide a framework to protect, enhance, and restore the habitat for Covered Species defined in the HCP while streamlining permitting for Covered Activities.

Currently, the WWTP discharges 100 percent of its treated effluent flows (average flow 7 mgd; minimum flow 6 mgd; maximum flow 8 mgd)[2] into the concrete-lined Rialto Channel via a 36-inch diameter effluent pipeline. Existing effluent discharge exceeds the 7 cfs or 3.8 mgd flow the City has agreed to provide into Rialto Channel as part of prior agreements coordinated with other agencies for the benefit of the Santa Ana River.

The City has recently agreed to sell Inland Empire Utilities Agency (IEUA) 7 mgd of effluent in the first phase and up to 10 mgd in the future. The recycled water interconnect project would include a pump station located north of the RHNC site and within the WWTP property and an interconnection pipeline from the pump station easterly along the northern perimeter of the RHNC site to Rialto Channel. From Rialto Channel, the pipeline would turn north towards Santa Ana Avenue and ultimately to IEUA's Regional Water Recycling Plant No. 4 located at 12811 6th Street in Rancho Cucamonga.

[1] *Upper Santa Ana River Habitat Conservation Plan, Stakeholder Draft*, San Bernardino Valley Municipal Water District, October 2020.

[2] *Rialto Recycled Water Interconnection Preliminary Design Report, Draft Report*, Inland Empire Utilities Agency, page 2-2, June 26, 2023.

2.5 PROPOSED PROJECT

RHNC would provide the citizens of Rialto and the region with an approximately 13-acre outdoor public natural space including a 10-acre lake consisting of two connected lakes that would hold approximately 41 acre-feet of water, one mile of pedestrian perimeter trails, passive recreation, environmental education programming, and public outreach (Figure 2-3, Grading Plan). The RHNC would be created by diverting approximately 10 percent of the treated water from the City's WWTP and temporarily storing the reclaimed water in the lakes to provide passive outdoor and educational experiences and wetland/terrestrial wildlife habitat. The remaining 90 percent of treated waters would continue to be discharged into the Rialto Channel to maintain the minimum 7 cfs requirement. Once the lake has been created and becomes operational, the approximately 10 percent of water diverted and reclaimed from the WWTP into the lakes will be returned to the Rialto Channel and rejoin the majority of effluent flow into the channel.

The existing pit would be reengineered to create two lakes separated by a pedestrian path running north-south but connected by duel 24-inch diameter pipes. As shown in Figure 2-4, Liner Installation Plan, a synthetic polyethylene (PE) plastic liner would be installed on the entire bottoms and sides of the lakes. The PE liner would be buried beneath a layer of clay layer installed in the six-foot deep lake perimeter areas and in the manufactured wetlands area in the north side of the larger east lake. The smaller, 3-acre west lake would have a depth of approximately 13 feet. The larger, 7-acre lake would have a depth of 48 feet and would also include a maintenance access ramp to the bottom of the lake when emptied and a shallow marsh wetland area of 3 to 4 acres. For safety purposes, a shallow three-foot-deep and 13-foot-wide bench would be constructed along the edge of the lake (Figure 2-5, Cross Section at Wetlands). Once the lake is created, the discharges to the Rialto Channel would be the same as existing conditions that are occurring today. In essence, the lakes would function as a reclaimed water temporary storage facility using approximately 10 percent the treated effluent prior to its return into the Rialto Channel.

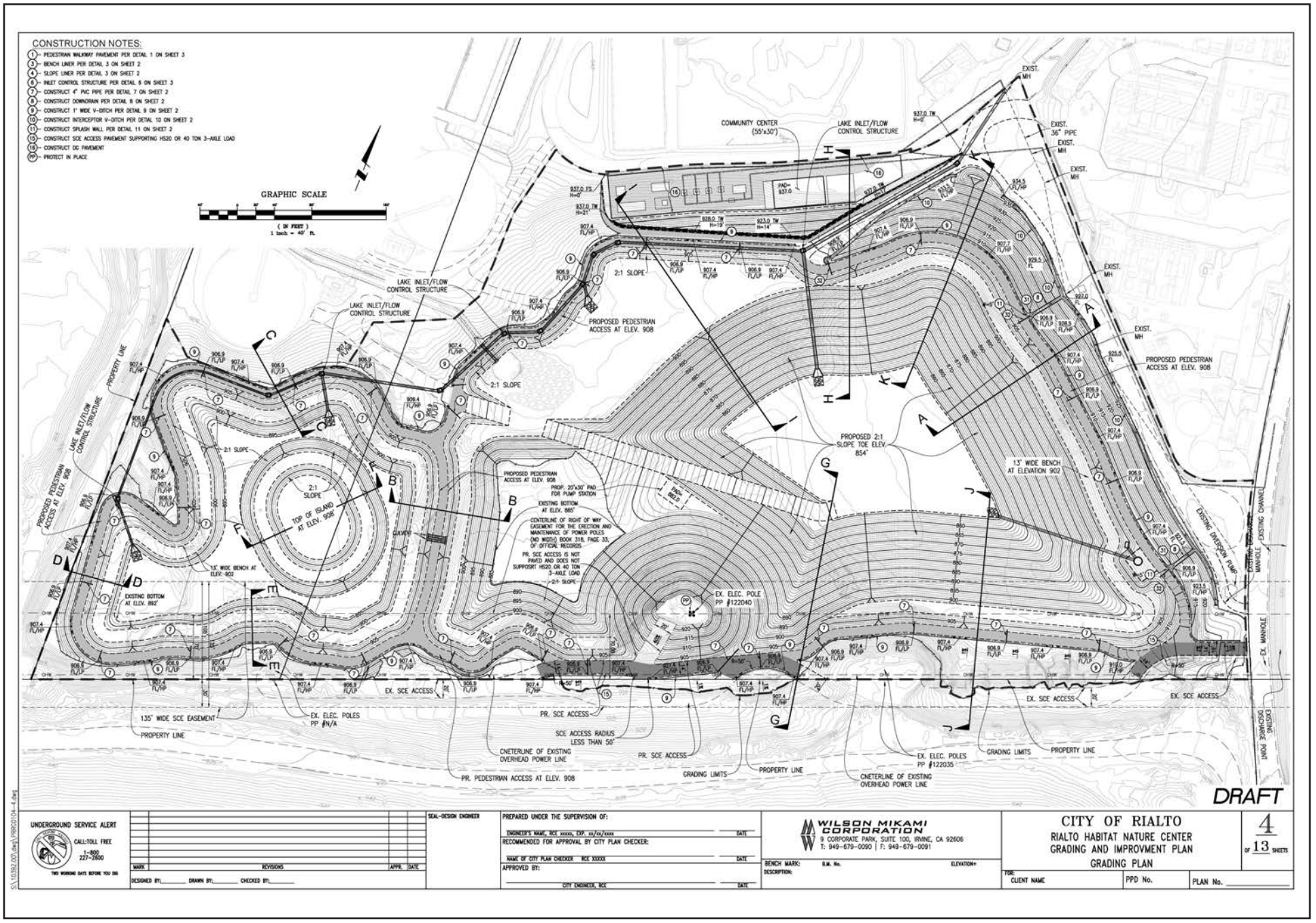
The inlet to the lake from the WWTP would divert from the existing 36-inch effluent pipeline at the northeast corner of the RHNC site. Delivery pipelines ranging from 18 to 30 inches in diameter would deliver reclaimed, treated effluent into the lake via gravity flow. The pipeline alignment follows the northern and western perimeter of the lake extending approximately 1,200 feet westerly from the diversion junction at the northeast corner of the RHNC property. Inlet control structures and lateral pipelines would deliver the effluent to the bottom of the lake at four locations. The first location would be at the north side of the larger eastern lake and down to the bottom and deepest point of the lake. The second location would be further to the west also on the north side of the larger lake and down to the shallow wetlands area. The third location would be further to the west on the north side of the smaller lake and down to the bottom and deepest point of the smaller lake. The fourth location would be further to the west and south on the west side of the smaller lake and down to the bottom and deepest point of the smaller lake. The outgoing water from the lake would be pumped from the bottom of the larger, deeper lake and discharged back into Rialto Channel at the same location as the WWTP's existing discharge point and near the existing diversion pump in the southeastern corner of the RHNC site.

Drainage for the RHNC site would be accomplished by a network of v-ditches located on the outside of the perimeter trails that encircle the lakes and on the east side of the site approximately 15 to 20 feet above the perimeter trails. The v-ditches would convey off site stormwater flowing onto the site and on-site flow into the lake via down drains located around the lake.

In addition, and as described previously, the proposed Project would include development of an 11-space parking area on an approximately 0.15-acre paved parking which would provide adequate parking and a pedestrian pathway connection along the channel's utility road to the RHNC site (Figure 2-6, Parking Grading and Improvement Plan). Development of the parking area would require site preparation, earthwork, and paving. Development of the pedestrian pathway between the parking area and the lake along the existing utility road would require minimal

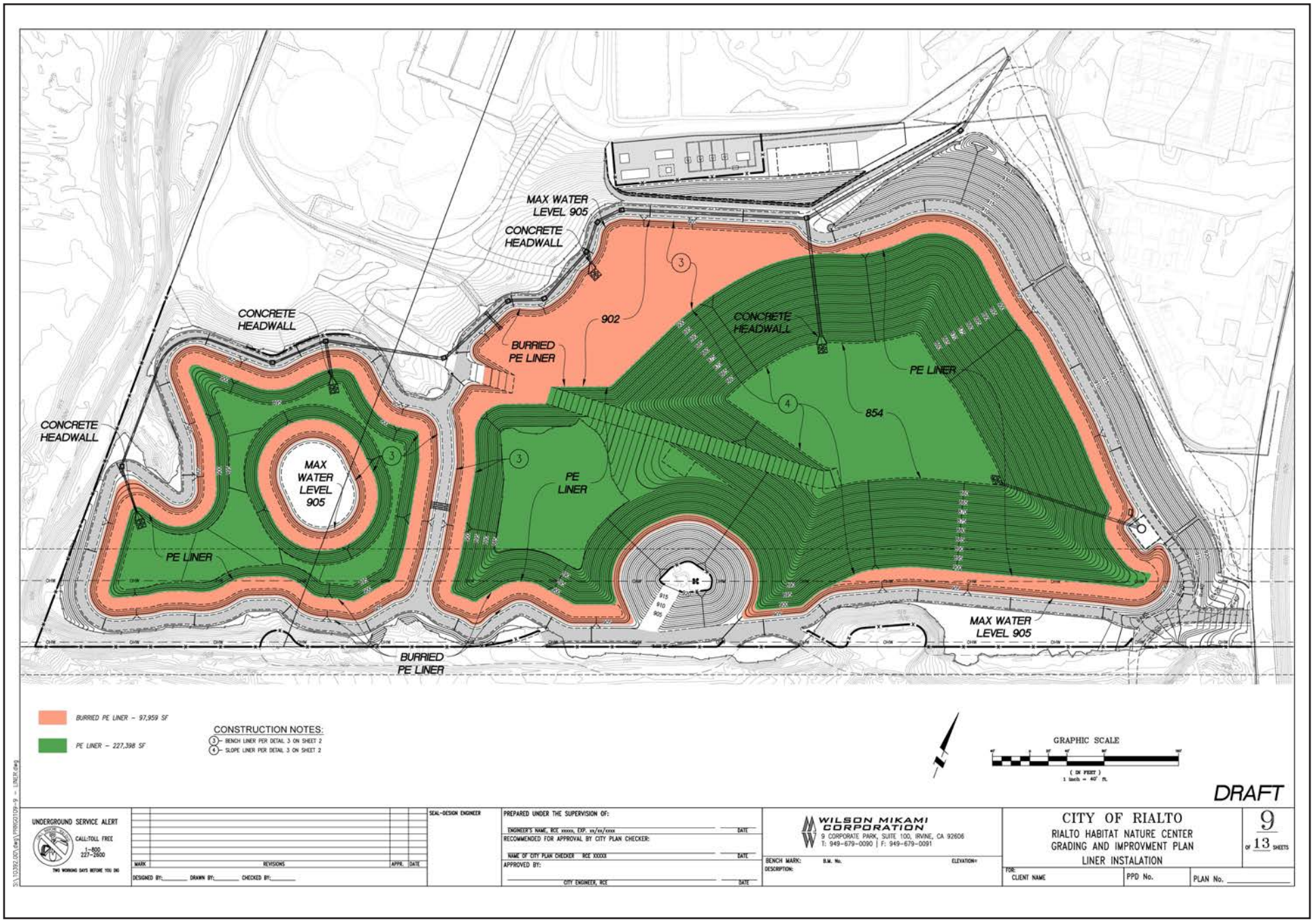
improvements including brush clearing, signage, loose rock removal and tread improvement for drainage. The path of travel between the lake and the parking area would be approximately 1,300 feet (0.25 mile) along the Rialto Channel utility road. Access into the RHNC site would be accommodated by a gate located in the southeast corner of the site near the Rialto Channel utility road.

FIGURE 2-3: GRADING PLAN



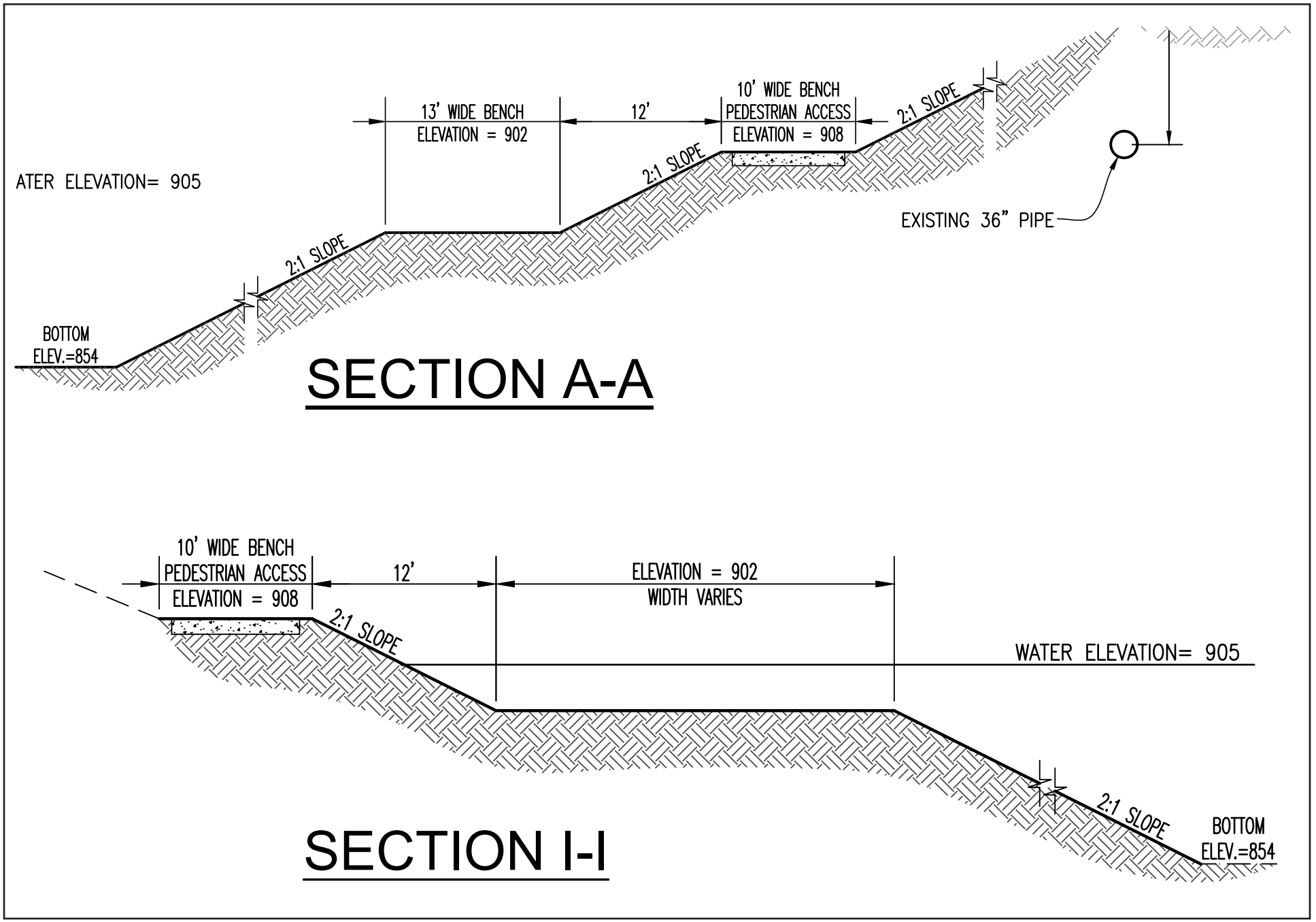
SOURCE: UTILITIES DIVISION 2023

FIGURE 2-4: LINER INSTALLATION PLAN



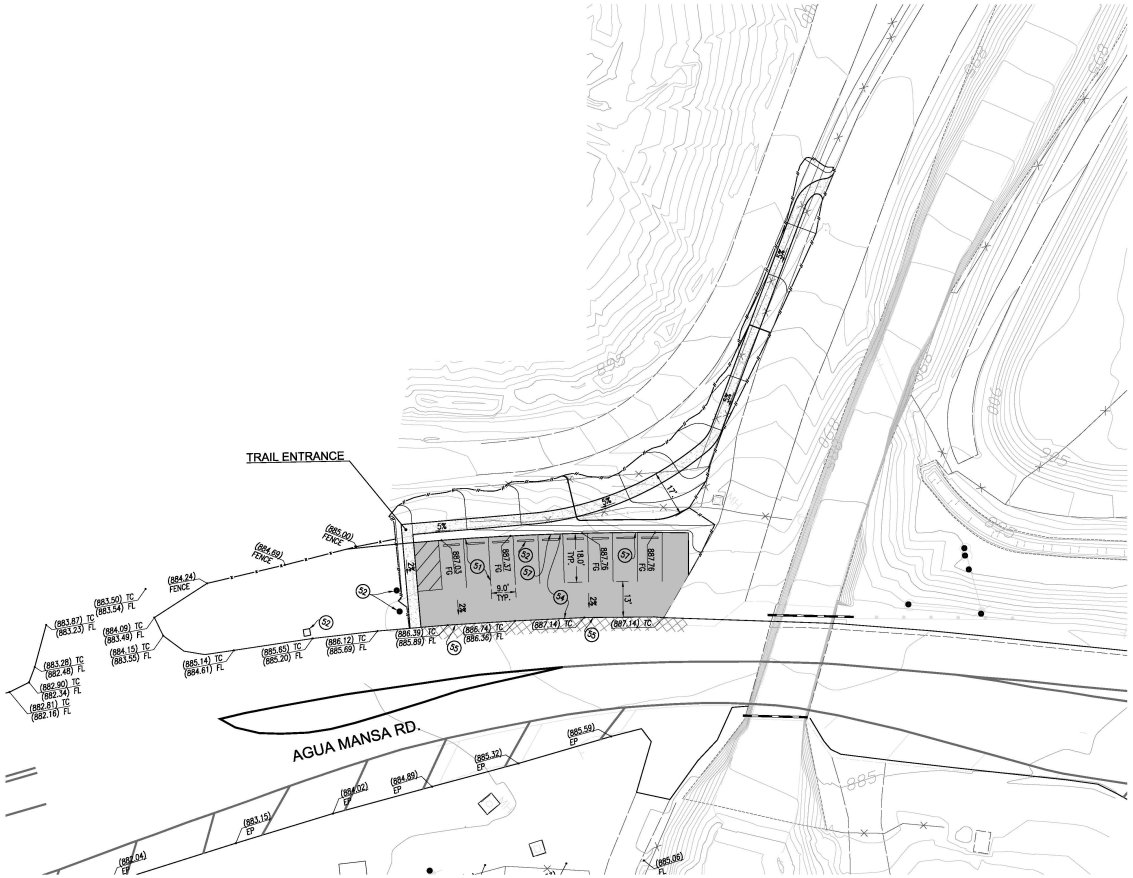
SOURCE: UTILITIES DIVISION 2023

FIGURE 2-5: CROSS SECTIONS AT WETLANDS



SOURCE: UTILITIES DIVISION 2023

FIGURE 2-6: PARKING GRADING AND IMPROVEMENT PLAN



CONSTRUCTION NOTES:

(51)– PAINT PARKING STRIPING
(52)– PROTECT EXISTING UTILITIES IN PLACE
(54)– CONSTRUCT 4" AC OVER 6" AB PAVEMENT 95% MIN. COMPACTED NATIVE AND WEED KILLER PER GEOTECHNICAL REPORT AND APPROVAL BY THE CITY OF RIALTO. SEE SECTION A-A ON SHEET 2
(56)– COLD PLANE EXISTING PAVEMENT (0.1" MIN) AND CONSTRUCT (0.1" MIN.) AC OVERLAY PER DETAIL "C" ON SHEET 2
(57)– CONSTRUCT 6" CURB PER CITY OF RIALTO STANDARD PLAN SC-202

GRAPHIC SCALE
(IN FEET)
1 inch = 20' ft.

DRAFT

UNDERGROUND SERVICE ALERT
CALL:TOLL FREE
1-800
227-2600
TWO WORKING DAYS BEFORE YOU DIG

MARK	REVISIONS	APPR.	DATE

DESIGNED BY:_____ DRAWN BY:_____ CHECKED BY:_____

SEAL-DESIGN ENGINEER

PREPARED UNDER THE SUPERVISION OF:
ENGINEER'S NAME, RCE xxxxx, EXP. xx/xx/xxxx DATE
RECOMMENDED FOR APPROVAL BY CITY PLAN CHECKER:
NAME OF CITY PLAN CHECKER RCE XXXXX DATE
APPROVED BY:
CITY ENGINEER, RCE DATE

WILSON MIKAMI CORPORATION
9 CORPORATE PARK, SUITE 100, IRVINE, CA 92606
T: 949-679-0090 | F: 949-679-0091

BENCH MARK: B.M. No. ELEVATION=
DESCRIPTION:

CITY OF RIALTO
RIALTO HABITAT NATURE CENTER
GRADING AND IMPROVMENT PLAN
PARKING GRADING AND IMPROVEMENT PLAN
10 OF 13 SHEETS

FOR: CLIENT NAME | PPD No. | PLAN No. _____

C:\Users\KMWilson\appdata\local\temp\AcPublish_36tA\PRRG0110-12 – PRKG VRDR.dwg

SOURCE: UTILITIES DIVISION 2023

2.6 CONSTRUCTION

Construction of the proposed lake, parking, and pedestrian pathway is anticipated to take place over 18 months. Construction of the lake would consist of site preparation, grading, underground utility construction, and landscaping. Site preparation would consist of vegetation removal and removal of any onsite trash and debris. Grading for the Project would consist of any removals of unsuitable soils to be used for non-compaction required locations. Excavation for the lake would begin at the eastern most portion of the lake and would consist of a maximum 30 feet cut and minor fills to achieve lowest appropriate depths. In addition, grading of the eastern portion of the lake would construct two to one (2:1) slope embankments built up to the west for the proposed wetlands area and include a west to east access ramp to the bottom. Excavation of the western most portion of the lake would consist of a maximum 15 feet cut and fills to achieve appropriate depth and to construct 2:1 slopes embankments with bench surrounding proposed island in the middle. Grading would also include construction of a proposed pedestrian access (trail) which partitions the lake with 2:1 slope embankments and a culvert connecting the flow between the east and west lakes. Ultimately, grading of the lake site would generally be balanced onsite and would consist of 65,996 cubic yards (cy) total cut material and 65,934 cy total fill material. Although there is an approximate 62 cy of net cut, soils would balance onsite due to anticipated shrinkage. Simultaneous to grading, construction of underground utilities would take place which includes underground drainage, pipelines, pump station, restroom and dry utilities. Once grading and underground utilities are complete, finish grading would commence to construct the trails, slopes, and landscape areas. The lake and its embankments would be lined with a geomembrane to retain lake water and erosion control and landscaping would be planted around the lake (Figure 2-7 Conceptual Landscape Site Plan). Once final construction activities have completed, 10 percent of the existing flows into the Rialto Channel would commence to fill the lake to a full capacity at an elevation of 905 amsl.

Construction of the parking area would consist of site preparation, grading, and paving. Site preparation would consist of minor clearing of non-native weeds and grass, and removal of any onsite trash and debris. Grading would consist of minor cuts, approximately less than 1-foot and proper compact to an asphalt concrete (AC) paved parking area with driveway. The existing pathway connecting users to RHNC would require minor site preparation consisting of brush clearing and tread improvement for drainage and loose rock removal.

2.7 PROJECT OPERATION AND MAINTENANCE

As designed, the proposed Project would result in the discharge of approximately 90 percent of existing effluent flows into the Rialto Channel with the remaining approximately 10 percent of effluent flows temporarily diverted and stored in the lakes. Ultimately, the lake water would be pumped back into Rialto Channel resulting in the same are nearly the same quantity of flow into the Rialto Channel.

FIGURE 2-7: CONCEPTUAL LANDSCAPE SITE PLAN

SOURCE: UTILITIES DIVISION 2023

Rialto Habitat Nature Center

Operation of RHNC would generally occur Monday through Sunday during daylight hours (dawn to dusk). Daily securing of the site and monthly hardscape maintenance would be provided by the City's Facilities and Maintenance Department. In addition, if necessary, maintenance of kiosks, restrooms and other land-based amenities would consist of inspection and monitoring on a daily basis. Daily trash removal, routine cleaning, and grounds clean up, and monthly landscaping would be provided by the City's Community Services Department. Maintenance of the lake would consist of monthly inspections and if necessary, removal of settled solids, algae, invasive plants or contaminants by vacuum truck.

Rialto Habitat Nature Center Amenities

Local residents and other guests would access the lake for recreational use and educational programs. The RHNC amenities would include 11 paved parking spaces and bus access on Agua Mansa Road as described previously.

The 1 mile of pedestrian perimeter trails would include the following amenities for guests:

1. Resting Areas: The Project would include casual seating (boulders, stumps etc.) to allow for a quick stop along a path, as well as benches or similar seating to allow for longer duration resting or observation.
2. Observation Areas: The design includes areas to connect people to nature without trampling or disturbing the habitat. Themed informational signage would be provided throughout for guest guidance and enhanced experience. Signage with consistent icons, and symbology would begin at the site entrance and continue throughout all the Project areas.
3. Waste Management: Wildlife-proof waste collection stations would be placed at key locations (park entrance, gathering spaces, observation locations) for users to dispose of trash in bins and minimize trash ending up on the ground.
4. Irrigation: The Project would use treated dry-weather flow water and stormwater for planting irrigation. Supplemental irrigation would likely be required during the anticipated two-year plant and habitat establishment period.
5. Habitat Features: Habitat structures features would primarily consist of small, protected spaces made of natural materials (rock) to create habitat spaces for small native mammals, reptiles, birds, and native bees. Habitat structures would be designed and located within the riparian, transitional, and upland zones to encourage and promote native fauna occupying the site.
6. Hardscape Design: ADA compliant pedestrian access would be incorporated into the Project design. Of the 11 paved on-site parking spaces, appropriate ADA parking spaces would be provided. The 1 mile of pedestrian trail would be comprised of decomposed granite with a binder to prevent wind erosion.

2.8 REQUIRED PERMITS AND PROJECT APPROVALS

Construction of the Project may be funded through the Drinking Water State Revolving Fund (DWSRF) Program, within the Division of Financial Assistance, State Water Resources Control Board (SWRCB), which uses federal funds to provide low interest loans to eligible recipients drinking water infrastructure projects. The Project may also be funded through the Water Infrastructure Finance and Innovation Act (WIFIA) program. The WIFIA program is a federal credit program administered by EPA for eligible water and wastewater infrastructure projects including projects eligible for SRF funding, drought prevention projects, energy efficiency upgrades at water and wastewater treatment facilities, alternative water supply projects, and acquisition of property integral to a project or for environmental mitigation. Therefore, the Project is subject to federal environmental regulations, including the

Federal Endangered Species Act (Section 7), the National Historic Preservation Act (Section 106), and the General Conformity Rule for the Clean Air Act, among others. The Project may also be funded by other state, and local grant funding, other low interest loans and the City of Rialto Wastewater Reserve Funds. The project would be required to comply with the City's NPDES General Construction Permit and a South Coast Air Quality Management District Permit to Construct and Permit to Operate.

Consequently, the environmental document prepared for the Project must comply with both state and federal environmental project review process. The SWRCB has developed its own "NEPA-like" state environmental review process for SRF projects referred to as CEQA Plus. CEQA Plus utilizes the environmental documents developed under the CEQA as well as documents prepared for compliance with specified federal environmental laws and regulations referred to as federal cross-cutters. The CEQA Plus process complies with required elements from the EPA as outlined in the federal code of regulations [40 C.F.R. section 35.3140(b)] and refers to the CEQA document and supporting technical studies as well as supplemental information provided for compliance with the applicable federal cross cutters authorities.

3.0 ENVIRONMENTAL CHECKLIST FORM

1. Case Number

Not applicable

2. Project Title

Rialto Habitat Nature Center

3. Related Files

Not applicable

4. Lead Agency Name and Address

City of Rialto
150 South Palm Avenue
Rialto, CA 92376

5. Contact Person

Arron Brown, Assistant City Manager
City Manager's Office
(909) 421-7219
abrown@rialtoca.gov

6. Project Applicant

City of Rialto Utilities Division
150 South Palm Avenue
Rialto, CA 92376

7. Project Location

The Project would be located on City-owned property that is part of the Rialto Water Treatment Plant located at 501 E. Santa Ana Avenue, City of Rialto, San Bernardino County. Parking for the proposed Rialto Habitat Nature Center would be located 0.25 miles to the south on Agua Mansa Road and accessed via a path along the existing Rialto Channel utility road (See Section 2.3, Project Location).

(Latitude: 34° 2'53.74"N / Longitude: 117°21'24.17"W)

8. General Plan Designations

General Industrial (GI) – General Plan (GP)
Public - Agua Mansa Industrial Corridor Specific Plan (AMICSP)

9. Zoning

Agua Mansa Industrial Corridor Specific Plan - GP

General Manufacturing (M-2) – AMICSP

10. Description of Project

Section 2.0, Project Description, illustrates the description of the Project in further detail.

11. Surrounding Land Uses and Setting

	GENERAL PLAN LAND USE	AMICSP LAND USE	AMICSP ZONING
PROJECT SITE	**General Industrial (GI)**	**Public**	**General Manufacturing (M-2)**
NORTH			
EAST			
SOUTH			
WEST			

12. Other agencies whose approval is required (e.g., permits, finance approval, or participation agreement):

California Regional Water Quality Control Board, Santa Ana Region

- Modification to Waste Discharge Requirements Order R8-2014-0010 (National Pollutant Discharge Elimination System permit No. CA0105295).
- Storm Water Pollution Prevention Plan General Construction Permit.

City of Rialto discretionary actions:

- Approval of the approval of the Initial Study and adoption of a Mitigated Negative Declaration.
- Approval of findings regarding the adequacy of the environmental analysis contained in the Initial Study.
- Authorize expenditure of funds to construct the RHNC, parking area, and pedestrian path between RHNC and the parking area.

City of Colton discretionary actions:

- Approval of encroachment permit for Agua Mansa Road parking area

County of San Bernardino discretionary actions:

- Approval of encroachment permit for pedestrian path along Rialto Channel utility road.

Have California Native American tribes traditionally and culturally affiliated with the Project area requested consultation pursuant to Public Resources Code 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significant impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The AB-52 consultation process was initiated on July 27, 2023, by sending letters to the San Manuel Band of Mission Indians, Gabrieleño Tongva Nation, Gabrieleño-Tongva Nation, Gabrieleño-Tongva, Gabrieleño Band of Mission Indians, and Morongo Band of Mission Indians. Two responses were received during the consultation request window ending August 26, 2023. One response was from the San Manuel Band of Mission Indians requesting a copy of the completed report. The other response was from the Gabrieleno Band of Mission Indians - Kizh Nation that provided information regarding potential tribal cultural resources in the area and a request that the information be mentioned in the environmental document and included as a confidential appendix.

See Section 3.18, Tribal Cultural Resources, for a detailed discussion of potential impacts to tribal cultural resources.

Note: *Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources*

Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

13. Other Environmental Reviews Incorporated by Reference in this Review:

- Appendix A: Air Quality and Greenhouse Gas Assessment
- Appendix B: Biological Resource Assessment
- Appendix C: Cultural Resources Assessment
- Appendix D: Geotechnical Exploration and Review of Grading and Improvement Plan

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Greenhouse Gas Emissions	☐ Public Services
☐ Agriculture & Forest Resources	☐ Hazards and Hazardous Materials	☐ Recreation
☐ Air Quality	☐ Hydrology / Water Quality	☐ Transportation
☒ Biological Resources	☐ Land Use / Planning	☐ Tribal Cultural Resources
☒ Cultural Resources	☐ Mineral Resources	☐ Utilities / Service Systems
☐ Energy	☐ Noise	☐ Mandatory Findings of Significance
☒ Geology / Soils	☐ Population / Housing	☐ None

ENVIRONMENTAL DETERMINATION (TO BE COMPLETED BT THE LEAD AGENCY)

On the basis of this Initial Study, the City of Rialto Environmental Review Committee finds:

☐ The City of Rialto finds that the proposed Project COULD NOT have a significant effect on the environment, and a *NEGATIVE DEC*LARATION will be prepared.

☒ The City of Rialto finds that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The City of Rialto finds that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The City of Rialto finds that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ The City of Rialto finds that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Signature_____ Date_____

Printed Name_____ Title_____

Agency_____

3.1 AESTHETICS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. Aesthetics. Except as provided in Public Resources Code section 21099 (where aesthetic impacts shall not be considered significant for qualifying residential, mixed-use residential, and employment centers), would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
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 points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

3.1.1 ENVIRONMENTAL SETTING

The RHNC site is comprised of vacant City-owned land, the public parking area is an unimproved portion of San Bernardino County right-of-way on the north frontage of Aqua Mansa Road, and the connecting pathway between the RHNC site and the parking area is an existing utility or service road on the west side of Rialto Channel owned by the San Bernardino County Flood Control District. The majority of the Project site to be developed is the RHNC site, an unused dry pit formerly used to receive partially treated effluent from the waste water treatment plant (WWTP) to the north. The Project site is located on the southern portion of the WWTP property and is bordered by the existing WWTP facilities to the north, So Cal Edison power poles and easement adjacent to the RHNC site to the south with Agua Mansa Landfill further to the south, the Rialto Channel to the east, and undeveloped industrial-zoned property to the west. Most structures in the area are one or two stories in height consisting of office and industrial buildings and other industrial structures. The visual character of the Project area and the surrounding area is dominated by old industrial development and newer industrial development typical within the Agua Mansa Industrial Corridor Specific Plan, along with scattering of undeveloped, vacant properties. The City of Rialto 2010 General Plan (City GP) identified several significant resources that can be seen from numerous vantage points in the City including the San Gabriel Mountains, San Bernardino Mountains, Box Springs Mountains, La Loma Hills, Jurupa Hills.

3.1.2 DISCUSSION

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

Less Than Significant Impact. The proposed Project site is currently vacant and located in an area surrounded by existing industrial uses to the north, west, and south, and vacant land to the east. As indicated previously the San Gabriel Mountains, San Bernardino Mountains, Box Springs Mountains, La Loma Hills, and Jurupa Hills are defined as scenic resources in the City's General Plan. In addition, views of the higher elevations of the Cities of Riverside and Moreno Valley are considered scenic resources. According to Goal 2-14 of the City GP, all projects shall protect such scenic vistas and resources by ensuring that building heights are consistent with the scale of surrounding, existing development. These scenic vistas are visible from the Project site and area, but the Project proposes no large, high buildings or structures and therefore would not obstruct views of such scenic resources. Grading- and construction-related activities have the potential to temporarily modify the existing visual character and views of the Project site and area. These effects on visual character would be temporary in nature, would be confined to the Project area, and would not have a substantial effect on a scenic vista. Following construction, views of the proposed RHNC site and public parking area would change from vacant to developed land. The landscaping surrounding the RHNC site and ancillary structures, buildings, and related features would be visible including the asphalt paved public parking lot on Agua Mansa Road. However, views of the RHNC site would be considered an improvement in comparison to the existing vacated, empty pit. The Project would have a **less than significant impact** directly, indirectly, or cumulatively on scenic vistas. No mitigation is required.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The City's GP does not identify or designate any potential or existing scenic routes in the vicinity of the Project area. In addition, there are no designated state scenic highways nearby, adjacent to, or visible from the Project area (Caltrans, 2023). As a result, the Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Therefore, the Project would have **no impact** directly, indirectly, or cumulatively on scenic resources. No mitigation is required.

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 points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less Than Significant Impact. The Project area is in an urbanized area designated General Industrial per the City's GP and is zoned General Manufacturing (M-2) within the Agua Mansa Industrial Corridor Specific Plan (AMICSP). During Project grading and construction, views of the Project site would be modified as a result of the temporary presence of grading and construction equipment and activities. However, the appearance of construction equipment and associated activities would be temporary and not considered to be significant. Once construction activities are complete, the site would change from vacant land to development associated with the RHNC, parking area, and pedestrian path between them.

Views of the RHNC site would consist of the two lakes separated by a pedestrian path running north-south between them and pedestrian paths surrounding the entire perimeter of the lakes. All aboveground utilities associated with the Project, would be screened by the surrounding landscaping and not be visible to motorists, pedestrians, and bicyclists from public viewpoints. Views of the existing vacant dry pit site would change to an approximately 13-acre outdoor public recreational space including a 10-acre lake, one mile of pedestrian perimeter trails, and native landscape. Development of the Project would contrast with the predominantly industrial development in the areas but would not conflict with applicable regulations regarding scenic quality. Instead, however, the RHNC would be

considered an improvement in comparison to the existing vacated, empty pit and an improvement in comparison to the surrounding visual character of area. Therefore, the Project would result in a **less than significant impact** directly, indirectly, or cumulatively to the scenic quality of the site and surroundings. No mitigation is required.

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

Less Than Significant Impact. Grading- and construction-related activities would occur during daylight hours from 7:00 a.m. through 6:00 p.m. and would not require nighttime lighting. Grading and construction equipment are unlikely to have reflective surfaces and would not be a substantial source of glare in the area. The Project would not be constructed with materials that would create substantial glare; however, the lake would be filled with water which would naturally create a source of day-time glare from certain overhead viewpoints. Although the Project would create a new source of glare, this glare would not be visible from off-site public areas. The Project would not result in a new source of substantial light or glare that would adversely affect day or nighttime views in the area. Therefore, the Project would result in a **less than significant impact** directly, indirectly, or cumulatively related to light or glare effects on views. No mitigation is required.

3.2 AGRICULTURE AND FOREST RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. Agriculture and Forest 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, as updated) prepared by the California Department 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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	☒
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))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?

3.2.1 ENVIRONMENTAL SETTING

Farmlands are mapped by the State of California Department of Conservation (DOC) under the Farmland Mapping and Monitoring Program (FMMP). Under the FMMP, land is delineated into the following eight categories: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, Grazing Land, Urban or Built-Up Land, Other Land, and Water. The Project area is defined as Urban and Built-Up Land and surrounded Other Land according to the DOC therefore is not designated as Important Farmland. The RHNC site is currently an unused dry pit. The parking area is unimproved edge of roadway (Agua Mansa Road) and the pedestrian path between the RHNC, and the parking area is an existing utility or service road (Rialto Channel). The Project area is surrounded by vacant land and industrial uses such as crushing operations, pallet storage, and an auto yard.

3.2.2 DISCUSSION

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?

No Impact. The Project area is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance according to the FMMP. Implementation of the Project would not convert farmland to non-agricultural uses. The Project would have **no impact** directly, indirectly, or cumulatively to Prime, Unique, or Importance Farmland. No mitigation is required.

b) Conflict with existing zoning for agricultural use or a Williamson Act contract?

No Impact. The Project area is not subject to Williamson Act contract. Therefore, implementation of the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract. Therefore, the Project would have **no impact** directly, indirectly, or cumulatively on Williamson Act Preserves, Contracts, or agricultural zoning. No mitigation is required.

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))?

No Impact. The existing zoning within the Project area is not for forest land, timberland, or Timberland Production. The Project would include construction of a lake and surrounding recreational trials on vacant land and would not cause rezoning of forest land. Therefore, the Project would have **no impact** directly, indirectly, or cumulatively from the loss of forest land or conversion of forest land to non-forest use. No mitigation is required.

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

No Impact. The Project area is not considered forest land and is a vacant unused dry pit. Implementation of the Project would require the grading activities such as cut and fills to balance the site. Furthermore, there is no forest land within the City. Therefore, the Project would have **no impact** directly, indirectly, or cumulatively from the loss of forest land or conversion of forest land to non-forest use. No mitigation is required.

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 Impact. No forest or agricultural resources are located within or adjacent to the Project area. As discussed above in items a) through d), the Project would not involve changes in the existing environment which, because of their

location or nature, could result in conversion of forest land or agricultural land. Therefore, the Project would have **no impact** directly, indirectly, or cumulatively on Farmland or forest use. No mitigation is required.

3.3 AIR QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. Air Quality. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied on to make the following determinations. Are significance criteria established by the applicable air district available to rely on for significance determinations? Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

3.3.1 ENVIRONMENTAL SETTING

The analysis in this section is based on the Air Quality and Greenhouse Gas Assessment (AQ/GHG Analysis) prepared by Urban Crossroads, Inc. dated July 27, 2023, which is provided in its entirety as Appendix A of this IS/MND.

3.3.2 DISCUSSION

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. The Project Site is located within the South Coast Air Basin (SCAB) jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAB, a 6,745-square mile subregion of the SCAQMD, is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. Additionally, the SCAB includes portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County. (Urban Crossroads, 2023).

SCAQMD has adopted an Air Quality Management Plan (AQMP) to meet the State and federal ambient air quality standards. AQMPs are regularly updated to reduce emissions, accommodate growth, and to minimize any negative fiscal impacts of air pollution control on the economy more effectively. The 2022 AQMP was recently adopted by the SCAQMD in December 2022. As analyzed in the AQ/GHG Analysis, the proposed Project's consistency with the AQMP was determined using the process as defined in Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD's CEQA Air Quality Handbook (1993). The Handbook identifies three consistency criterion as discussed below:

Consistency Criterion No. 1: The proposed Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

As determined in the AQ/GHG Analysis, violations under this criterion refer to the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). CAAQS and NAAQS violations would occur if regional or localized significance thresholds are exceeded. As evaluated within this section and Response b), the Project's regional and localized construction and operational-source emissions would not exceed applicable regional significance thresholds and therefore the Project meets Consistency Criterion No. 1.

Consistency Criterion No. 2: The Project will not exceed the assumptions in the AQMP based on the years of Project build-out phase.

The 2022 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections from local general plans adopted by cities in the district are provided to the SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in the City GP is considered to be consistent with the AQMP.

The proposed Project is consistent with the City GP land use designation of GI and designation of Public in the AMICSP, and does not require a General Plan or Specific Plan amendment. For these reasons, the Project is determined to be consistent with the second criterion.

Since the proposed Project would not be in violation of either Consistency Criteria, the Project's potential impacts are considered to be **less than significant impact** directly, indirectly, or cumulatively to the implementation of the AQMP. No mitigation is required.

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?

Less Than Significant Impact. The Project would generate air pollution from construction activities and long-term operations. As described in the AQ/GHG Analysis, air pollutants have adverse effects to human health including, respiratory illness and carcinogenic effects. Based on available modeling, it is not feasible to correlate regional criteria pollutant emissions from development projects of the scale of the proposed Project to adverse health effects on a SCAB-wide level. However, the potential for the Project to result in substantial adverse health effects from toxic air contaminant emissions is addressed in Response 3.3 (c).

The following analysis is based on the applicable significance thresholds established by the SCAQMD for regional criteria pollutant emissions. This analysis assumes that the proposed Project would comply with applicable mandatory regional air quality standards, including: SCAQMD Rule 402, "Nuisance;" SCAQMD Rule 403, "Fugitive Dust;" SCAQMD Rule 1113, "Architectural Coatings;" SCAQMD Rule 1186.1, "Less-Polluting Street Sweepers," and Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations "Airborne Toxic Control Measure."

Regional Construction Emissions

For purposes of the construction emissions analysis, construction was expected to occur in July of 2024. The California Emissions Estimator Model (CalEEMod) accounts for the implementation and enforcement of California's progressively more restrictive regulatory requirements for construction equipment and the ongoing replacement of older construction fleet equipment with newer, less- polluting equipment. Construction activities that occur in the near future would be expected to generate more air pollutant emissions than if the same activities would occur further into the future. Thus, in the event that the Project's construction period occurs later than expected by this analysis, Project-related construction emissions would not exceed the values presented herein. (Urban Crossroads)

The Project's construction characteristics and construction equipment fleet assumptions used in the analysis were previously described in Section 2.0, Project Description.

The calculated maximum daily emissions associated with Project construction are presented in Table AQ-1, Construction Emissions Summary. Detailed construction model outputs are presented in the Project's AQ/GHG Analysis. As shown, the Project's daily construction emissions of volatile organic compounds (VOCs), nitrogen oxides (NO_X) carbon monoxide (CO), sulfur oxides (SO_X), and particulate matter (PM_{10} and $PM_{2.5}$) would not exceed SCAQMD regional criteria thresholds. If a project does not exceed the SCAQMD regional thresholds, then SCAQMD considers that project's air pollutant emissions to be cumulatively not considerable. Because Project construction emissions would not exceed the SCAQMD regional criteria significance thresholds, construction of the Project would not result in a cumulatively considerable net increase of any criteria pollutant, including any pollutants for which the SCAB does not attain applicable federal or State ambient air quality standards.

TABLE AQ-1: REGIONAL CONSTRUCTION EMISSIONS SUMMARY

Year	Emissions (lbs/day)					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Summer						
2023	5.00	47.11	39.61	0.05	8.42	5.07
2024	6.38	54.87	56.09	0.10	5.93	3.45
Winter						
2023	6.70	58.95	56.55	0.10	8.42	5.07
2024	6.37	54.92	54.85	0.10	5.93	3.45
2025	0.88	7.53	10.86	0.01	0.54	0.37
Maximum Daily Emissions	**6.70**	**58.95**	**56.55**	**0.10**	**8.42**	**5.07**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: Air Quality and Greenhouse Gas Assessment (Appendix A)

Regional Operational Emissions

Operation of the Project is expected to generate air pollutant emissions from the operation of motor vehicles (including trucks) associated with employee and visitor trips, operation of on-site equipment, on-site maintenance activities, and the consumption of energy resources. The calculated operational-source emissions are summarized on Table AQ-2, and detailed construction model outputs are presented in the Project's AQ/GHG Analysis.

As summarized in Table AQ-2, Project-related operational emissions of VOCs, NO_X, CO, SO_X, PM_{10} and $PM_{2.5}$ would not exceed SCAQMD regional criteria thresholds. The Project would not emit substantial concentrations of these pollutants during long-term operation and would not contribute to an existing or projected air quality violation. The Project's long-term emissions of VOCs, NO_X, CO, SO_X, PM_{10} and $PM_{2.5}$ would be less than significant.

TABLE AQ-2: TOTAL PROJECT REGIONAL OPERATIONAL EMISSIONS

Source	Emissions (lbs/day)					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Summer						

Mobile	0.12	0.14	1.32	0.00	0.11	0.02
Area	0.30	0.00	0.00	0.00	0.00	0.00
Total Maximum Daily Emissions	**0.42**	**0.14**	**1.32**	**0.00**	**0.11**	**0.02**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**
Winter						
Mobile	0.11	0.15	1.08	0.00	0.11	0.02
Area	0.30	0.00	0.00	0.00	0.00	0.00
Total Maximum Daily Emissions	**0.41**	**0.15**	**1.08**	**0.00**	**0.11**	**0.02**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Air Quality and Greenhouse Gas Assessment (Appendix A)

In summary, short-term construction and long-term operations of the Project would not exceed applicable regional thresholds of significance established by SCAQMD. Therefore, the proposed Project would not cause a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment resulting in a **less than significant impact** directly, indirectly, or cumulatively. No mitigation is required.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. The SCAQMD's *Final Localized Significance Threshold Methodology* (SCAQMD 2008) recommends the evaluation of localized NO_2, CO, PM_{10}, and $PM_{2.5}$ construction-related impacts to sensitive receptors in the immediate vicinity of a project site. Such an evaluation is referred to as a localized significance threshold (LST) analysis. SCAQMD has developed LSTs that represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards, and thus would not cause or contribute to localized air quality impacts. LSTs are developed based on the ambient concentrations of NO_x, CO, PM_{10}, and $PM_{2.5}$ pollutants for each of the 38 source receptor areas (SRAs) in the Basin. The proposed Project is located within SRA 34, Central San Bernardino Valley Area.

The SCAQMD recommends that the nearest sensitive receptor be considered when determining the Project's potential to cause an individual or cumulatively significant localized impact. The nearest land use where an individual could remain for 24 hours to the Project site has been used to determine localized construction and operational air quality impacts for emissions of PM_{10} and $PM_{2.5}$ (since PM_{10} and $PM_{2.5}$ thresholds are based on a 24-hour averaging time). The nearest sensitive receptor to the proposed Project is the existing residence at 323 Jurupa Ave, approximately 3,910 feet (1,192 meters) west of the Project site.

Localized Emissions Analysis

According to SCAQMD LST methodology, LSTs would apply to the operational phase of a proposed project, if the project includes stationary sources, or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., transfer facilities and warehouse buildings). As described within this IS/MND, the proposed Project does not include such uses, and thus, due to the lack of significant stationary source emissions, no LST analysis is needed for operations.

Emissions associated to construction, specifically with peak demolition, site preparation and grading activities are considered for purposes of LSTs represent the maximum localized emissions that would occur. Any other

construction phases of development that overlap would result in less emissions and consequently lesser impacts. Table AQ-3 below presents the localized impacts at the sensitive receptor locations in the vicinity of the Project Site with highest exposure to Project construction activities. As detailed, localized construction emissions from Project construction would not exceed the applicable SCAQMD thresholds for any criteria pollutant. Detailed model outputs and receptor locations are presented in the Project's AQ/GHG Analysis (Appendix A).

TABLE AQ-3: PROJECT LOCALIZED SIGNIFICANCE SUMMARY OF CONSTRUCTION

On-Site Emissions	Emissions (lbs/day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Site Preparation				
Maximum Daily Emissions	**47.02**	**37.99**	**8.19**	**5.01**
SCAQMD Localized Threshold	222	1,442	499	300
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**
Grading				
Maximum Daily Emissions	**40.94**	**32.67**	**4.63**	**2.78**
SCAQMD Localized Threshold	241	1,575	504	305
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**

Source: Air Quality and Greenhouse Gas Assessment (Appendix A)

Based on the information presented in Table AQ-3, the Project would not result in substantial localized pollutant concentrations during either construction or operation. Impacts would be less than significant.

CO "Hot Spot" Analysis

As discussed in the AQ/GHG Analysis, the Project would not result in potentially adverse CO concentrations or "hot spots." An adverse CO concentration, known as a "hot spot", would occur if an exceedance of the state one-hour standard of 20 parts per million (ppm) or the eight-hour standard of 9 ppm were to occur. To support this conclusion, measurements from busy intersections in Los Angeles were used for such determination. For example, 8.4 ppm 8-hr CO concentration measured at the Long Beach Boulevard and Imperial Highway intersection (highest CO generating intersection within the "hot spot" analysis), only 0.7 ppm was attributable to the traffic volumes and congestion at this intersection and the remaining 7.7 ppm were due to the ambient air measurements at the time the 2003 AQMP was prepared. The Project's trip generation is significantly less than the example, and therefore there is no potential for creation of a hot spot. As a result, a less than significant impact would occur.

In summary, the proposed Project would not expose sensitive receptors to substantial pollutant concentrations resulting in a **less than significant** directly, indirectly, and cumulatively. No mitigation is required.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. Land uses associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting operations, refineries, landfills, dairies, and fiberglass molding facilities. Although operation of the RHNC would not emit typical objectionable odors, it is possible that the dual lake complex would generate objectionable odors from occasional algae blooms during not summer months. It should be noted the existing General Plan land use designation for the RHNC site and zoning within the AMICSP permits the operation of the adjacent WWTP and related infrastructure and therefore it can be

assumed activities such as the proposed Project and the creation of a new source of objectionable odors from occasional algae blooms are permitted.

In addition, potential odor sources associated with the Project may result from construction equipment exhaust and the application of paving during construction activities and the temporary storage of typical solid waste (refuse) associated with the Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. The Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, the Project would not cause objectionable odors affecting a substantial number of people per SCAQMD Rule 402, resulting in **less than significant impact** directly, indirectly, and cumulatively. No mitigation is required.

3.4 BIOLOGICAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. 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 Wildlife or the U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒

3.4.1 ENVIRONMENTAL SETTING

The analysis in this section is based on the Biological Resource Assessment (Biological Assessment) prepared by Carlson Strategic Land Solutions, Inc. (CSLS) dated December 2023, which is provided in its entirety as Appendix B of the IS/MND.

In addition, a field survey and jurisdictional delineation was performed on January 27, 2023, by CSLS to assess and map vegetation communities, plants, and wildlife, and to identify habitat areas that could be suitable for special status plant species or jurisdictional features.

3.4.2 DISCUSSION

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 Wildlife or the U.S. Fish and Wildlife Service?

Less Than Significant With Mitigation Incorporated. The Project site consists of primarily disturbed and developed areas associated with the City's WWTP property. The approximately 13-acre site, consisting of the proposed RHNC and associated amenities, is currently and undeveloped unused dry pit. The large pit area was formerly used as a receiving basin for partially treated discharge from the WWTP up to the early 1970's prior to implementation of federal Clean Water Act regulations that prohibited discharge of partially treated water onto the earth and water ways. The proposed parking location is disturbed right-of-way on the north frontage of Agua Mansa Road and the proposed pedestrian trail between the RHNC and parking area is disturbed and developed as a utility or service road for the Rialto Channel.

Vegetation Communities

According to the Biological Assessment, the field survey analyzed the Project site and a surrounding 300-foot buffer to identify the existing vegetation types of which consists primarily of developed, disturbed, and non-native vegetation communities. The native habitat observed on-site during the field survey was comprised of brittle bush scrub (Encelia farinose), disturbed brittle bush scrub, disturbed California buckwheat scrub (Eriogonum fasciculatum), and mulefat thicket (Baccharis salicifolia) vegetation communities.

Table Bio-1 list the approximate total acreages of vegetation communities that will be impacted by Project activities. It is anticipated that the entire Project site would be impacted with the implementation of the Project.

TABLE BIO-1: VEGETATION COMMUNITY IMPACTS

Vegetation Community	Existing Vegetation (acres)	*Impacts (acres)*	Avoided (acres)
Brittle Bush Scrub	3.85	2.23	1.62
Disturbed Brittle Bush Scrub	0.10	0.10	0.00
Disturbed California Buckwheat Scrub	0.12	0.12	0.00
Mulefat Thicket	0.12	0.12	0.00
Non-native Grasslands	0.45	0.35	0.10
Tamarisk Thicket	0.43	0.40	0.03
Ruderal	2.06	1.86	0.20
Disturbed	7.71	5.99	1.72
Developed	2.21	0.12	2.09
TOTAL	**17.05**	**11.29**	**5.76**

Direct impacts to the 8.72 acres of tamarisk thicket, non-native grasslands, ruderal, disturbed and developed communities onsite from Project implementation, are not significant because these areas consist of built environment and non-native vegetation communities. Further, the species found within these vegetation

communities include common plant species which are present in large numbers throughout the region and the removal is not considered significant.

Direct impacts to 2.57 acres of native vegetation communities (brittlebush scrub, disturbed brittlebush scrub, disturbed California buckwheat scrub, and mulefat thicket) from Project implementation is not considered significant because while native, the limited area does not contain any sensitive species, plants or wildlife, or represent sensitive habitats identified through CNDDB or CDFW sensitive plant communities. The species found within these communities includes common plant species which are present in large numbers throughout the region and the removal is not considered significant. Furthermore, the habitat to be associated with the creation of the two lakes include the creation of these vegetation communities on the slopes and shelf of the lakes. No indirect impacts to the surrounding 300-foot buffer area are anticipated.

As concluded in the Biological Assessment, no special status or sensitive plant species were identified to occur on-site, nor were they observed on-site. Therefore, impacts to candidate, sensitive, or special-status vegetation species would be considered less than significant.

Wildlife

During the field survey, the wildlife species observed included the American crow (Corvus brachyrhynchos), California towhee (*Melozone crissalis*), Bewick's wren (*Thryomanes bewickii*), American avocet (*Recurvirostra americana*), White crowned sparrow (*Zonotrichia leucophrys*), American bushtit (*Psaltriparus minimus*), Yellow-rumped warbler (*Setophaga coronata*), Western bluebird (*Sialia mexicana*), Cooper's Hawk *(Accipiter cooperii),* house finch (*Haemorhous mexicanus*), mourning dove (*Zenaida macroura*), song sparrow (*Melospiza melodia*), Anna's hummingbird (*Calypte anna*), turkey vulture (*Cathartes aura*), western fence lizard (*Sceloporus occidentalis*), cottontail rabbit (*Sylvilagus audubonii*), California ground squirrels (*Spermophilus beecheyi*), coyote (*Canis latrans*). As determined in the Biological Assessment, the Project site has nesting and foraging habitat for avian species due to the location, surrounding land uses, and the built nature of the Project site. In addition, the habitat found on-site was determined to not provide suitable habitat for sensitive wildlife species.

Although the Project site consists of unsuitable habitat for sensitive wildlife species, direct impacts during construction or long-term operations associated with vegetation removal may occur to all avian species covered under the Migratory Bird Treaty Act (MBTA) with the removal of potential nesting and foraging habitat. Therefore, a pre-construction survey is required prior to grading, site disturbances, or operational vegetation maintenance in compliance with the MBTA to ensure nesting birds are not disturbed during Project construction and operation. Implementation of **Mitigation Measure (MM) BIO-1** would reduce potential impacts to the nesting avian species to a less than significant level.

Critical Habitat

The United States Fish and Wildlife Service (USFWS) online service was reviewed and assessed for information regarding Threatened and Endangered Species Final Critical Habitat designation to determine if the Project site is within any species designated Critical Habitat. The Project site and surrounding buffer area are not located within any designated Critical Habitat overlay.

However, due to the proximity of the Project site to the Delhi Sands Flower-Loving Fly (DSF) Conservation Areas, a DSF assessment was performed on the RHNC lake site by Ken Osborne (Biological Assessment (Appendix B)), on February 15, 2023, and a subsequent survey was performed on March 2, 2023, on the parking area to determine the suitability for DSF to occur on-site. As concluded in the Biological Assessment, the entire Project site and parking area is on alluvial soils and therefore unsuitable for DSF. In addition, based on the proximity of DSF populations in the area, conditions on the entire Project site and areas surrounding west of the existing channel (which bounds the

eastern edge of the WWTP facility) presents conditions unsuitable for DSF. As a result, implementation of the Project would have no impact related to the DSF, and no mitigation is required.

With implementation of **MM BIO-1** the Project would have a **less than significant impact** on a candidate, sensitive, or special status species directly, indirectly, and cumulatively.

Furthermore, implementation the RHNC would include creation of new coastal sage scrub and riparian habitats. The creation of the lakes and adjacent habitats provides superior habitat than the vegetation communities being impacted. Furthermore, Project implementation would provide superior nesting and foraging habitat for avian species.

Mitigation Measures

MM BIO-1: If grading, site disturbance, or operational vegetation maintenance is to occur between January 1 through August 15 for raptors and February 15 through August 31 for all other avian species, a nesting bird survey shall be conducted within all suitable habitat, on-site and within 300-feet surrounding the site (as feasible), by a qualified biologist within no more than 5 days of scheduled vegetation removal or start of ground disturbing activities, to determine the presence of nests or nesting birds. If active nests are identified, the biologist shall establish buffers around the vegetation (500 feet for raptors and sensitive species, 200 feet for non-raptors/non-sensitive species). All work within these buffers shall be halted until the nesting effort is finished (i.e. the juveniles are surviving independent from the nest). The on-site biologist shall review and verify compliance with the no-work buffers and verify the nesting effort has finished. Work can resume when no other active nests are found on-site or within the surrounding buffer area. Alternatively, a qualified biologist may determine that construction can be permitted within the buffer areas of an active nest with preparation and implementation of a monitoring plan to prevent any impacts while the nest continues to be active (eggs, chicks, etc.). Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared documenting mitigation monitoring compliance. If ground disturbances have not commenced within 5 days of a negative survey or if construction activities have stopped for 5 days or longer, the nesting survey must be repeated to confirm the absence of nesting birds.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

No Impact. The Project vicinity includes the Rialto Channel, which is located on the eastern portion of the Project boundary. Rialto Channel would not be impacted as part of Project implementation. Furthermore, the channel is a concrete lined channel with no riparian habitat or other sensitive natural community. **No impact** directly, indirectly, or cumulatively to riparian habitats or other sensitive natural communities within the Rialto Channel would result from the proposed Project's implementation. No mitigation is required.

It should be noted that the City has the ability and capacity to choose not to divert any water into the proposed lakes post construction, for the purposes of regulating flows into Rialto Channel or effectively concluding the existence of the lakes. Reasons for temporarily or permanently stopping the diverting and storage of the water could be for maintenance of the lined and unlined portions of Rialto Channel, the cost of maintenance and repairs to the lakes, or overall operations of the lakes. The Rialto Habitat Nature Center Project is fully autonomous to the overall system, and should budget decline in the City, the City has the authorization to stop any diverting water into the lake and return to pre-project conditions.

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?

No Impact. The Project site does not contain State or federally protected wetlands. The proposed Project would have **no impact** directly, indirectly, or cumulatively to state or federally protected wetlands directly, indirectly, or cumulatively and no mitigation is required.

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 With Mitigation Incorporated. The Project site is comprised of vegetation which has the potential to support nesting and foraging habitat for migratory birds. Although implementation of the proposed Project would cause a loss of nesting and foraging habitat for migratory birds and raptors, the Project proposes to create two connected lakes and associated wetland/riparian habitats, which includes opportunities for nesting and foraging habitat post-construction. Therefore, impacts to foraging habitat would be temporary and less than significant impact would occur.

As discussed in Response 3.4 (a), the on-site vegetation would have the potential to support avian species nesting and foraging. Disturbing or destroying active nests is a violation of the MBTA (16 U.S.C. 703 et seq.) and the nests and eggs are protected under Fish and Wildlife Code Section 3503. As such, direct impacts to breeding birds (e.g. through nest removal or vegetation removal) or indirect impacts (e.g. by noise causing abandonment of the nest) is potentially significant. Compliance with the MBTA would reduce impacts to a less than significant level, as previously detailed in **MM BIO-1.**

With implementation of **MM BIO-1**, the Project would have no long-term effect on wildlife movement including migratory birds, thus the Project would have a **less than significant impact with mitigation incorporated** directly, indirectly, and cumulatively.

Mitigation Measures

MM BIO-1: As previously listed.

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

No Impact. The City does not have any policies or ordinances protecting biological resources that are applicable to the Project site, such as a tree preservation ordinance. Therefore, **no impact** directly, indirectly, or cumulatively is anticipated and no mitigation is required.

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 Impact. The City or Rialto or the County of San Bernardino do not have an adopted Conservation Plan, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans. As discussed in the section, the Project is located near DSF observed occurrences, located 300 meters east, 350 meters east northeast, and within 0.9 km north northwest of the Project site, and DSF conservation occurs to the east and west of the Project site. However, it has been determined the Project site does not contain suitable habitat for the DSF, therefore, no impacts would occur to DSF conservation area since the Project site is not located within designated preserve or reserve area. Therefore, **no impact** directly, indirectly, or cumulatively is anticipated and no mitigation is required.

The local biological agencies including the San Bernardino Valley Municipal Water District (SBVMWD) have drafted a Habitat Conservation Plan (HCP) for the Upper Santa Ana River (SAR) watershed, which is a comprehensive program

that would provide a framework to protect, enhance, and restore the habitat for Covered Species defined in the HCP while streamlining permitting for Covered Activities. This plan has not been approved by the Wildlife Agencies (USFWS and CDFW) at the time of the Biological Assessment. However, it is the intent of the Project to maintain the existing flows of the WWTP discharge into Rialto Channel. Following Project implementation, the discharge will meet and exceed the current 7 cfs requirement the City is obligated to outflow to Rialto Channel as part of prior agreements.

3.5 CULTURAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. Cultural Resources. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

3.5.1 ENVIRONMENTAL SETTING

The analysis in this section is based on the Cultural Resources Assessment (CRA) (prepared by Duke CRM dated July 2023, which is included as Appendix C to the IS/MND.

As documented in the CRA, a records search for cultural resources (archaeological and historical) was performed on March 13, 2023, at the South Central Coastal Information Center (SCCIC), located at California State University, Fullerton. This included a review of all recorded historic and prehistoric cultural resources, as well as a review of known cultural resources surveys and excavation reports generated from projects located within ½ mile of the proposed Project. In addition, a review was conducted of the Built Environment Resources Directory (BERD), which includes the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), California Historical Landmarks, and California Points of Historical Interest. The search identified 29 reports within the ½ mile search radius; four (4) of which cover all or a portion of the Project area. No cultural resources were identified during these studies within the Project area. The records search identified 29 cultural resources within the ½ mile search radius. One report from 1987 addressed the main body of the Project area for expansion of the WWTP. Two additional surveys covered the main body of the Project area. One survey covered the utility access road along Rialto Channel and another covered a proposed transmission line along Agua Mansa Road. As a review of these records identified 15 cultural resources within the ½ mile search radius. In addition, Duke CRM performed a pedestrian survey of the Project area was conducted on April 21, 2023, which did not result in the identification a historic or archaeological feature as the site was determined to be vacant with portions of dense vegetation.

3.5.2 DISCUSSION

a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

No Impact. The only structures within the Project vicinity are the existing buildings and equipment at the adjacent WWTP facility to the north and the Rialto Channel to the east. As previously stated, the Project site is vacant and heavily disturbed due to the previous excavation of a pit and use as an effluent discharge location and subsequent abandonment as an effluent receiving location in the 1970s. As determined within the CRA, the 15 cultural resources identified within the ½ mile search radius of the Project site are not located within the Project area and none will be affected by the Project. The Project site contains no resources and would not affect resources and therefore development of the Project would not meet any of the criterion of eligibility for listing in the NRHP or CRHR, or affect

the significance of larger historic properties. As a result, the CRA concludes that no further cultural resources work is recommended. Therefore, there would be **no impact** directly, indirectly, or cumulatively to historical resources and no mitigation is required.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less Than Significant Impact With Mitigation Incorporated. As stated in the CRA, analysis of the Project area was based on records search data, historical maps, aerial photographic research, field survey. The CRA concluded that due to the lack of cultural remains and the past history of soil disturbances, the Project area has low sensitivity at the surface for prehistoric resources and a low sensitivity for buried prehistoric and historic era resources.

Nevertheless, the possibility remains that unknown archaeological materials could be encountered during construction-related ground disturbing activities. This impact would be potentially significant.

Implementation of **Mitigation Measure MM CUL-1** would reduce potential impacts to archaeological resources discovered during project construction activities to a less than significant level because workers would be trained on identification of and proper handling of cultural resources. In addition, the measures would require the performance of professionally accepted and legally compliant procedures for the discovery of previously undocumented significant historical or archaeological resources. Therefore, with implementation of **MM CUL-1**, impacts to historic and archaeological resources would result in a **less than significant impact with mitigation incorporated** directly, indirectly, or cumulatively.

Mitigation Measures

MM CUL-1: Prior to grading activities and in consultation with the City, a qualified archaeologist shall develop a treatment plan. The treatment plan shall include protocols for the treatment of inadvertent discoveries of cultural or tribal resources during ground disturbances that would include evaluation of the resource(s) for CRHR-eligibility and further treatment to reduce impacts to the resource(s) through treatment that may include salvage excavation, laboratory analysis and processing, research, curation of the find in a local museum or repository, and preparation of a report summarizing the find(s). If the discovery is prehistoric in nature, local Native Americans shall be consulted.

If cultural resources or tribal cultural resources (such as structural features, unusual amounts of bone or shell, artifacts, or human remains) are encountered in the Project area during construction, the Project contractor shall stop work within 100 feet of the find(s) and the construction contractor shall immediately notify the project's City representative. The City representative in coordination with the Project contractor shall implement the evaluation and treatment protocols contained in the treatment plan.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant Impact With Mitigation Incorporated. There are no known past cemeteries or burials within the Project area. However, because earthmoving activities associated with project construction would occur, there is potential to encounter buried human remains or unknown cemeteries in areas with little or no previous disturbance. This impact would be potentially significant.

Implementation of **Mitigation Measure MM CUL-2** would reduce potential impacts related to human remains to a less than significant level by requiring work to stop if suspected human remains are found, communication with the county coroner, and the proper identification and treatment of the remains consistent with the California Health and Safety Code and the California Native American Historical, Cultural, and Sacred Sites Act. Therefore, with

implementation of **MM CUL-2,** a **less than significant impact with mitigation incorporated** would occur to human remains directly, indirectly, or cumulatively.

Mitigation Measures

MM CUL-2: If human remains are encountered in the Project area during construction, the Project contractor shall stop work in accordance with State Health and Safety Code Section 7050.5. No further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). With the permission of the City or authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. In addition, according to the California Health and Safety Code, a cemetery is place where six (6) or more human bodies are buried (Section 8100), and unauthorized disturbance of Native American cemeteries is a felony (Section 7052).

3.6 ENERGY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. Energy. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

3.6.1 ENVIRONMENTAL SETTING

California is powered by a diverse mix of energy sources including petroleum products (gasoline, diesel, jet fuel), natural gas, and alternative energy. The proposed RHNC Project would result in the construction of 13-acre outdoor public recreational space including a 10-acre lake, one mile of pedestrian perimeter trails, public parking on Agua Mansa Road, and a pedestrian path between the RHNC site and the parking area along the Rialto Channel utility road. Consumption of energy from the proposed Project would occur during construction and operation and is discussed within this section.

3.6.2 DISCUSSION

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact. The proposed Project would use energy resources during construction and operation. Energy resources that would be potentially impacted by land use development projects result from energy demand for electricity, natural gas, vehicle and equipment fuels, and utility distribution. The proposed Project would comply with existing, applicable, City and State regulatory compliance measures related to air pollution and GHG emissions reduction, trip and trip length reduction, and water efficiency which all promote the efficient use of energy. The Project would also be constructed in accordance with all applicable City and State building codes that require use of energy efficient designs and materials resulting in the conservation energy. These existing regulatory compliance measures establish an inherent baseline of energy efficiencies common to all development projects in the City.

Construction Energy: Construction activities would require short-term and therefore limited energy consumption and are not expected to have an adverse impact on available energy supplies and infrastructure. Electricity demand during construction would be temporary, nominal, and would cease upon the completion of construction. Electricity would be supplied by a connection to the City's existing WWTP near the Project site, anticipated to be on the north border of the site. Natural gas typically is not consumed during construction, nor is anticipated for operation of the RHNC. While it is difficult to measure the energy used in the production of construction materials such as asphalt, and concrete, it is reasonable to assume that the production of such materials would employ all reasonable energy conservation practices in the interest of minimizing the cost of doing business. The proposed Project would have a

less than significant impact directly, indirectly, or cumulatively related to electricity, natural gas, and transportation energy supply and infrastructure capacity during construction. No mitigation is required.

Operation Energy: Energy would be consumed during Project operations related to water conveyance via proposed pumps, solid waste disposal, inbound and outbound vendor trips, and vehicle trips of employees and customers. The proposed Project would be required to comply with applicable federal, State, and local standards promoting energy efficiency including Title 24 building code standards. The proposed Project would not result in the inefficient, wasteful, or unnecessary consumption of building energy as nor structures are proposed. Additionally, there would not be any inefficient, wasteful, or unnecessary energy usage in comparison to similar development projects of this nature regarding construction-related fuel consumption. In addition, the proposed Project would result in a new outdoor passive use and environmental destination providing the opportunity to meet the demand for such space at a closer distance from residents in the vicinity. Therefore, implementation of the proposed Project would result in less than significant impacts on energy resources.

In summary, the proposed project would have a **less than significant impact** directly, indirectly, or cumulatively related to electricity, natural gas, and transportation energy supply and energy infrastructure capacity during operation. No mitigation is required.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. As previously stated, the proposed Project would result in the construction of a lake with outdoor space, trails, and parking. Energy saving strategies would be implemented where feasible to reduce energy consumption during Project construction and operation of the RHNC as outlined in the California Green Building Standards Code to offset energy consumption and costs. CARB air pollution emission reduction strategies that reduce both construction and operation energy consumption including diesel anti-idling measures, light-duty vehicle technology, usage of alternative fuels such as biodiesel blends and ethanol, and heavy-duty vehicle design measures would reduce energy consumption. In addition, the Project would comply with all applicable General Plan policies and more specifically the goals within the *Sustainable Building Practices and Energy Conservation* section:

- **Goal 2-30:** Incorporate green building and other sustainable building practices into development projects.
- **Goal 2-31:** Conserve energy resources

The Project would comply with all applicable Municipal Code requirements specific to energy and water efficiency standards. Therefore, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. As a result, the potential impacts are considered to be **less than significant** directly, indirectly, or cumulatively and no mitigation is required**.**

3.7 GEOLOGY AND SOILS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Geology and Soils. Would the project:				
a) Directly or indirectly cause potential substantial				
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? (Refer to California Geological Survey Special Publication 42.)	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction??	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

3.7.1 ENVIRONMENTAL SETTING

A Geotechnical Exploration and Review of Grading and Improvement Plan (Geotechnical Exploration) was conducted by NMG Geotechnical, Inc. (NMG) dated January 16, 2023, to evaluate the existing conditions of the proposed Project

site, to identify geologic hazards, and to provide recommendations for Project development. Information from this report is utilized in the analysis below and the report is included as Appendix D to the IS/MND.

3.7.2 DISCUSSION

a.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 Impact. The Project site is in a seismically active zone typical of the Southern California area. Because the Project site is in a seismically active region of Southern California, occasional seismic ground shaking is likely to occur within the lifetime of the proposed Project. However, according to the California Department of Conservation, the California Geologic Survey, the Project site is not within an Alquist-Priolo Earthquake Fault Zone. The closest active fault is the San Jacinto Fault, located approximately 3.8 miles northeast of the site. The Project site is not crossed by an earthquake fault and is not affected by a state-designated Alquist-Priolo Earthquake Fault Zone. Thus, impacts would be **less than significant** directly, indirectly, or cumulatively. No mitigation is required.

a.ii) Strong seismic ground shaking?

Less Than Significant Impact. As mentioned previously, the Project site is located within a seismically active region of Southern California. The closest active fault is the San Jacinto Fault, located approximately 3.8 miles northeast of the site. Thus, strong seismic ground shaking has a high likelihood of occurring at the site. The amount of ground motion varies based on the distance to a fault, the magnitude of an earthquake, and local geology. Greater movement can be expected at sites located closer to an earthquake epicenter, sites consisting of poorly consolidated material such as alluvium, and sites subject to earthquakes of great magnitude.

As described, the proposed Project would construct a lake with outdoor trails and an associated paved parking lot of which all earthwork and grading construction activities preformed in the City are required to be in compliance with the California Building Code (CBC [California Code of Regulations, Title 24, Part 2]). Per the City's General Plan Seismic Hazards Policy 5-1.2, all construction is required to conform with the Uniform Building Code (UBC) and the CBC. These requirements are implemented through the City's Municipal Code, Chapter 11.12 Excavations and Fills, to provide for earthquake resistant earthwork practices and design. Compliance with the Municipal Code would ensure CBC earthquake safety practices and design are implemented at a project level based on factors including occupancy type, types of soils on-site, and probable strength of ground motion. Through compliance with the Municipal Code, the proposed Project would not expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking more than other developments in Southern California.

The Geotechnical Report conducted a project-specific evaluation of the geotechnical issues and made findings regarding construction of the proposed Project. The Geotechnical identified the following main issues for the project:

- Stability of the perimeter slopes, especially during emptying and re-filling of the lake;
- Erodibility and potential soil piping of the sandy alluvium;
- Impact of lake development on existing slopes and adjacent properties, including existing electric transmission towers along the southern portion of the site;
- Presence of uncertified fills placed during prior grading/disposal at the site;
- Presence of the Agua Mansa Landfill rubble material along the southern boundary of the subject site; and
- The potential for strong seismic shaking.

Based on the evaluation and findings, construction of the proposed improvements was determined to be geotechnically feasible provided the geotechnical recommendations presented in Geotechnical Report are implemented during design, grading and construction of the Project. These recommendations have been

incorporated into the grading and improvement plans developed for the proposed Project and constitute a Project Design Feature (PDF). With implementation of the geotechnical recommendations that have been incorporated into the Project's grading and improvement plans (i.e., PDF), impacts would be **less than significant** directly, indirectly, or cumulatively related to seismic-related ground shaking, and no mitigation is required.

a.iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. Liquefaction refers to loose saturated sand or gravel deposits that lose their load supporting capability when subjected to intense shaking. Any buildings or structures on these sediments may float, sink, or tilt as if on a body of water. According to the County of San Bernardino General Plan (2009), *Geologic Hazard Overlay,* the Project site is located in an area outside a zone of "Suspected Liquefaction Susceptibility." In addition, the Geotechnical Exploration determined groundwater within the Project site is located at a depth in excess of 35 feet. As stated above in Response 3.7 (a.ii), through compliance with the Municipal Code and implementation of the geotechnical recommendations that have been incorporated into the Project's grading and improvement plans (i.e., PDF), the proposed Project would not expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction more than other developments in Southern California. Impacts would result in a **less than significant impact** directly, indirectly, or cumulatively related to seismic-related ground failure, including liquefaction, and no mitigation is required.

a.iv) Landslides?

Less Than Significant Impact. Landslides are the downhill movement of masses of earth and rock and are often associated with earthquakes. Other factors such as slope, moisture content soil, composition of subsurface geology, heavy rains, and improper grading can influence the occurrence of landslides.

The Project site is considered to be generally flat around the pit. The Project's construction would involve excavation of the eastern portion of the lake to obtain two to one (2:1) slopes and minor cuts and fills to develop the western portion of the lake and trails throughout. Construction activities would include minor grading and compaction to obtain proper elevations for the parking lot to be paved. All areas in the Project site, including the slopes of the lake, would be properly conditioned and compacted as required in accordance with the geotechnical recommendations contained in the Geotechnical Report prepared for the Project (i.e., PDF). As a result of the Project's implementation of the geotechnical recommendations that have been incorporated into the grading plans to further stabilize on-site soil conditions, impacts would be **less than significant** directly, indirectly, or cumulatively and no mitigation is required.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact.

Erosion and sediment control methods would be implemented as part of the Project's Storm Water Pollution Prevention Plan (SWPPP) that is a required for all construction activities including the proposed Project. With implementation of the grading and erosion control standards for which all development activity must comply with Chapter 11.12, *Excavations and Fills*, of the Municipal Code, and implementation of measures designed to minimize soil erosion would occur in accordance with the SWPPP. Compliance with State and federal requirements as well as with Chapters 12.60.110 and 11.12 of the City's Code would ensure that soil erosion or loss of topsoil would result in a **less than significant impact** directly, indirectly, or cumulatively and no mitigation is required.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Less Than Significant Impact. As mentioned previously, the Project site is located within a seismically active region of Southern California. As stated above in Response 3.7 (a.iii), impacts related to liquefaction would be less than

significant level with compliance with the CBC as implemented through the City's Municipal Code. As demonstrated in Response 3.7 (a.iv), the Project site would not be subject to earthquake-induced landslides. As stated in the Geotechnical Exploration, impacts from subsidence, lateral spreading, and liquefaction are considered low due to the dense nature of fill and native soil of the Project site. These recommendations have been incorporated into the grading and improvement plans developed for the proposed Project (i.e., PDF). With implementation of the geotechnical recommendations that have been incorporated into the Project's grading and improvement plans, potential impacts would result in a **less than significant impact** directly, indirectly, or cumulatively and no mitigation is required.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. Expansive soils contain certain types of clay minerals that shrink or well 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 experiences, such as southern California, have a higher potential of expansive soils than areas with higher rainfall and more constant soil moisture. As determined in the Geotechnical Exploration, the majority of the Project site consists of sand and gravel and some silt. The Project site soil is determined to have relatively high dry densities and low compressibility. In addition, near-surface soils, both fill and alluvium are predominantly non-expansive.

Compliance with the CBC as implemented through the Municipal Code would require that specific engineering design recommendations are incorporated into grading plans and building specifications as a condition of construction permit approval to ensure that Project structures would withstand the effects of related to ground movement from expansive soils. The geotechnical recommendations addressing expansive soils as presented in Geotechnical Report have been incorporated into the grading and improvement plans developed for the proposed Project and constitute a PDF. With implementation of the geotechnical recommendations that have been incorporated into the Project's grading and improvement plans, a **less than significant impact** directly, indirectly, or cumulatively would occur related to expansive soils and no mitigation is required.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. The Project does not propose the use of septic tanks or alternative wastewater disposal systems. As a result, **no impact** associated with the use of septic tanks would occur directly, indirectly, or cumulatively as part of the proposed Project's implementation and no mitigation is required.

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

Less Than Significant With Mitigation Incorporated. According to the United States Department of Agriculture (USDA) Web Soil Survey and the Geotechnical Report, the soils that underlie the Project site are described as quarries and pit soils which consist of undocumented fill, and sandy and gravelly alluvium soil deposits. Due to the type and quantity of soil to be cut from the western portion of the RHNC lake site, the likelihood of encountering paleontological resources is considered very low at near surface depths into such alluvium. However, there is the potential to uncover unknown paleontological resources during grading activities. **Mitigation Measure MM GEO-1** would ensure avoidance and minimization measures are implemented in the event inadvertent discoveries of paleontological resources are uncovered during construction including procedures to evaluate resources. Implementation of **MM GEO-1** would result in a **less than significant impact with mitigation incorporated** directly, indirectly, and cumulatively.

Mitigation Measures

MM GEO-1: If paleontological resources are encountered in the Project area during construction, work shall be suspended within 100 feet of the find (based on the apparent distribution of paleontological materials), and the construction contractor shall immediately notify the Project's City representative. The City shall contact a qualified paleontologist to evaluate the finds and the paleontologist shall: 1) implement avoidance and minimization measures if necessary; 2) identify the need for off-site lab evaluation requirements if necessary; and 3) define the steps needed for final disposition of the finds if necessary.

3.8 GREENHOUSE GAS EMISSIONS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. Greenhouse Gas Emissions. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

3.8.1 ENVIRONMENTAL SETTING

The analysis below is based on the Air Quality and Greenhouse Gas Assessment (AQ/GHG Analysis) prepared by Urban Crossroads, Inc. (Urban Crossroads) dated July 27, 2023, which is provided in its entirety as Appendix A of the IS/MND.

3.8.2 DISCUSSION

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact.

Construction

Project construction would generate greenhouse gas (GHG) emissions from equipment exhaust, construction-related vehicular activity, and construction worker automobile trips. Construction GHG emissions would be temporary, short-term, and negligible when averaged over 30-years.

Operations

The proposed Project would include a pump for the lake, and possible lighting for security and safety of the perimeter trails. As a result, operational energy usage for the Project would result in the generation of GHG emissions. Existing State and federal regulations including the California Building Code regarding the energy efficiency of appliances (pump equipment) and lighting, would reduce the electricity demand from the proposed Project. The Project would also generate GHG emissions from mobile sources (trucks and passenger vehicles including busses). Truck and passenger vehicle emissions would be reduced by numerous regulations that affect both the cleanliness of fuels and the eventual tailpipe emissions.

Estimated GHG emissions from the proposed Project were estimated using previously the referenced CalEEMod. The estimated GHG emissions from the proposed Project are summarized below in Table GHG-1.

TABLE GHG-2: PROPOSED PROJECT GHG EMISSIONS

Source	Emissions (MT/yr)				
	CO_2	CH_4	N_2O	R	Total CO_2e

Annual construction-Related Emissions Amortized Over 30 Years	56.49	2.32E-03	5.71E-04	7.39E-03	56.72
Energy	27.85	0.00	0.00	0.05	29.33
Mobile	0.91	0.00	0.00	0.00	0.91
Water	15.65	0.00	0.00	0.00	15.75
Waste	0.09	0.01	0.00	0.00	0.32
Total CO_2e (All Sources)	**102.03**				

Source: Urban Crossroads (Appendix A)

The South Coast Air Quality Management District (SCAQMD) developed draft screening thresholds for local agencies including a screening threshold of 3,000 $MTCO_2e$/yr for residential/commercial projects.[1] Use of SCAQMD's draft recommendations has become a widely accepted practice by the City. For this reason, a 3,000 $MTCO_2e$/yr threshold has been used as a screening threshold for the proposed Project. As shown in Table GHG-1, the proposed Project would generate a total of approximately 102.03 $MTCO_2e$/yr. As a result, the sum of Project construction and operational GHG emissions would be below the 3,000 $MTCO_2e$ significance threshold. Therefore, the increase in GHG emissions resulting from implementation of the proposed Project would result in a **less than significant impact** directly, indirectly, or cumulatively. No mitigation is required.

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

Less Than Significant Impact. The City of Rialto has prepared a Draft Climate Adaptation Plan. The Climate Adaption Plan provides general guidance and policies that would "… prepare the City and its residents for the expected impacts of climate change, as required by State law." projects.[2] The Climate Adaption Plan is not a GHG reduction plan.

The 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) lays out a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279. The 2022 Scoping Plan relies on the deployment of clean technologies and fuels, further reductions in short-lived climate pollutants, support for sustainable development, increased action on natural and working lands to reduce emissions and sequester carbon, and the capture and storage of carbon. The proposed Project would comply with and would implement state and regional regulations and strategies that would minimize and control GHG emissions, and in this regard supports the 2022 Scoping Plan. The Project does not propose or require elements or operations that would obstruct or conflict with the 2022 Scoping Plan. In addition, the Project would not have the potential to generate direct or indirect GHG emissions that would result in a significant impact on the environment. Thus, a **less than significant impact** related to consistency with GHG emissions reduction plans, policies or regulations would occur. No mitigation is required.

[1] *Draft Guidance Document - Interim CEQA Greenhouse Gas (GHG) Significance Threshold*, SCAQMD, 2008.
[2] *City of Rialto, Climate Adaptation Plan*, City of Rialto, 2021.

3.9 HAZARDS AND HAZARDOUS MATERIALS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. Hazards and Hazardous Materials. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☒	☐
e) For a project located 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?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	☒

3.9.1 ENVIRONMENTAL SETTING

The RHNC site is in the southern portion of the existing WWTP property to the north, So Cal Edison power poles and easement to the south, the Rialto Channel to the east, and undeveloped industrial-zoned property to the west. According to the Geotechnical Exploration (Appendix D), aerial photographs and topographic maps depict the proposed Project site in a topographically low area historically used as sand and gravel quarries, and effluent ponds for the WWTP. The approximately 13-acre Project site is currently vacant and is covered by the former effluent pit

and is currently abandoned, unused. The Project site has an existing 36-inch drain pipe near the east side of the dry pit which discharges treated effluent flow into the Rialto Channel.

3.9.2 DISCUSSION

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

Less Than Significant Impact. Construction of the Project would involve the routine transport and handling of hazardous substances such as diesel fuels, lubricants, and solvents. Handling and transport of these materials could result in the exposure of workers to hazardous materials. During Project construction, workers would be required to use, store, and transport hazardous materials in accordance with local, state, and federal regulations, including California Occupational Safety and Health Administration (Cal/OSHA) and California Department of Toxic Substances Control (DTSC) requirements and manufacturer's instructions.

Once operational, it is expected RHNC would require the need to store small quantities of hazardous materials used on the site typical of any outdoor use or park such as fuels and oils for equipment, solvents, adhesives, pesticides, and other materials. Consequently, Project operations would not be considered hazardous to the public at large. Certified Unified Program Agency (CUPA) with Hazardous Materials Division of the San Bernardino County Fire Department

The Project would be required to implement and comply with existing hazardous materials regulations including the San Bernardino County Certified Unified Program Agency's (CUPA) Hazardous Waste Inspection Program. The Project would not create significant hazards to the public or environment through the routine transport, use, and disposal of hazardous materials. Adherence to existing regulations governing the transport, use and storage of hazardous materials during Project construction and operations would result in a **less than significant impact** directly, indirectly, or cumulatively. No mitigation is required.

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

Less Than Significant Impact. The Project site is located approximately one mile southeast from the closest residences and any potential spills would be unlikely to pose a significant hazard to the public. Furthermore, as discussed above in Response 3.9 (a), the Project would involve limited use of hazardous materials during construction and operations. Compliance with applicable Federal, State, and local laws and regulations pertaining to the transport, use, disposal, handling, and storage of hazardous materials would reduce risks from release of hazards to the environmental to an accepted level, resulting a **less than significant impact** directly, indirectly, or cumulatively. No mitigation is required.

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

No Impact. The nearest school is the Crestmore Elementary School, located approximately 1.9 miles west from the Project site. There are no schools within 0.25-mile of the Project site. Therefore, there would be **no impact** directly, indirectly, or cumulatively and no mitigation is required.

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?

Less Than Significant Impact. The Hazardous Waste and Substances Sites List (Cortese List) is a planning document used by the State, local agencies, and developers to comply with the CEQA requirements in providing information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California

Environmental Protection Agency to develop an annually updated Cortese List. The Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List. DTSC's EnviroStor database provides DTSC's component of Cortese List data.

Review of EnviroStor database indicates that the Project site is not identified on the Cortese list or other State or county hazardous materials lists. In addition, there are no hazardous materials sites within 0.25-mile of the Project site. In addition, there are no hazardous materials sites within 0.25-mile of the Project site. Therefore, ground disturbance during Project construction and Project operations are not anticipated to create a significant hazard to the public or environment, resulting in a **less than significant impact** directly, indirectly, or cumulatively and no mitigation is required.

e) For a project located 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 Impact. The nearest airport is Flabob Airport, which is a public airport located approximately 5.15 miles from the Project site to the southwest. In addition, the San Bernardino International Airport is approximately 7.3 miles from the Project site to the northeast. There are no public airports within 2 miles of the Project site, and the Project site is not within an airport land use plans area. Therefore, **no impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No Impact. As described in the City's General Plan, the City has the potential to be exposed to a multitude of hazards including wildfires, floods, windstorms, hazardous materials releases, civil disturbance, and earthquakes. However, the City's Standard Emergency Management System (SEMS) Multi-Hazard Functional Plan (MHFP) includes procedures for mitigating such events. The Project would not physically interfere with the MHFP, or any other emergency response plan. Vehicles traveling to the Project area would use the Project parking area on Agua Mansa Road. Similarly, during construction, workers and vendors would stage vehicles and equipment within the Project footprint, and they would not stage near or block any evacuation routes. Although construction adjacent to Agua Mansa Road may temporarily interfere with traffic or result in lane closures, the proposed Project would be required to maintain adequate emergency access to the site. It should be noted that construction of the Project would not require any street closures. The Project would have a **less than significant impact** directly, indirectly, and cumulatively on emergency response or evacuation plans. No mitigation is required.

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

No Impact. The Project site is not in an area designated as having a high potential for wildland fires. The Project site is in a urbanized area of the City of Rialto developed with industrial structures and material storage that is void of nearby wildlands. According to the California Department of Forestry and Fire Protection (CalFire), the Project site is not within a fire hazard severity zone (FHSZ). The Project would not expose people or structure to a significant risk involving wildland fires. Thus, the Project would have **no impact** directly, indirectly, and cumulatively on wildland fires. No mitigation is required.

3.10 HYDROLOGY AND WATER QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. Hydrology and Water Quality. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
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 on- or off-site erosion or siltation	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
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	☐	☐	☒	☐
iv) Impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

3.10.1 ENVIRONMENTAL SETTING

As stated previously, the RHNC site is dominated by an abandon pit formerly used as the discharge location for partially treated effluent from the WWTP up to the early 1970s. A concrete drainage channel that drains the WWTP facilities to the north terminates into a rip-rap infiltrate pad located in the northern-central portion of the site. No

other drainage feature exists on the Project site. The concrete-lined Rialto Channel is located adjacent to the east of the Project site.

3.10.2 DISCUSSION

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

Less Than Significant Impact. Prior to start of Project construction, the City or Project contractor would be required to prepare and receive approval of a Storm Water Pollution Prevention Plan (SWPPP) from the Santa Ana Regional Water Quality Control Board (RWQCB) pursuant to the National Pollutant Discharge Elimination System (NPDES) regulations and the Santa Ana River Basin Water Quality Control Plan. The SWPPP would be included and implemented as part of the NPDES General Industrial Activities Storm Water Permit. The SWPPP would contain construction and operational best management practices (BMPs) that would restrict the discharge of sediment into the streets and local storm drains including the adjacent Rialto Channel, based on the required Project specific WQMP. The SWPPP must be obtained prior to the commencement of construction in order to ensure applicable BMPs are implemented. The SWPPP would remain on the Project site during construction and during project operations, so that the City and contractor are aware of the measures to be implemented. Adherence to the BMPs outlined in the mandatory SWPPP would ensure Project construction and operations do not violate any water quality standards or waste discharge requirements. Furthermore, the proposed Project would be subject to Section 12.60.260 of the Rialto Municipal Code, which requires projects to submit a WQMP for review and approval by the City.

Once constructed, the Project would divert and reclaim approximately 1 cfs of effluent from the WWTP into the lake complex and outlet the same or similar flow back into the existing discharge drainpipe into concrete-line Rialto Channel along the west of the property. This discharge will require a modification to the City's existing waste discharge requirements (WDR) permit that govern the WWTP's effluent discharge into the channel. The modification would be processed through the Santa Ana RWQCB that constitutes a Project Design Feature (PDF). With approval of the WDR permit modification (i.e., PDF) by the Santa Ana RWQCB, the minor change in the WWTP effluent discharge location necessary to accommodate outflow from the lake would be considered a less than significant impact.

According to the Geotechnical Exploration (Appendix D) completed for the Project site, groundwater has been as shallow as 870 feet, which is 7 feet below the bottom of the eastern lake. Explorations conducted in 2010 and 2021 showed groundwater levels at 836 and 841 feet msl, which is more than 35 feet below the bottom of the eastern lake. The proposed dual 10-acre lake complex would be created using a synthetic polyethylene (PE) liner partially buried under clay near the lake perimeters and the manufactured wetlands area in the north side of the larger, eastern lake. Although infiltration of the lake water into the groundwater below would not result in a violation of water quality standards because the incoming effluent from the WWTP is fully treated to tertiary levels considered acceptable for percolation into the groundwater, the synthetic PE liner would create an impermeable barrier between the lake water and the below groundwater. As a result, the groundwater table is would not be encountered during construction and operation of the lake would not result in percolation of lake water into the groundwater. at the site.

Through compliance with the Rialto Municipal Code and implementation of the BMPs contained in the construction and operation SWPPP and any modifications to the discharge measures contained in the modified WDR permit, the Project would not violate water quality standards or waste discharge requirements. As a result, a **less than significant impact** regarding violation of water quality standards and waste discharge requirements would occur directly, indirectly, and cumulatively. No mitigation is required.

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 Impact. The proposed Project would require connection to domestic water supplied by WVWD. Therefore, the Project would not include construction of a well that would otherwise result in a direct decrease in underlying groundwater supplies. The project site does not contain a groundwater recharge basin or other facilities that promote groundwater recharge and is therefore not considered an important location for groundwater recharge. However, the synthetic PE lined lake complex would create an impervious barrier and prohibit the incidental infiltration of stormwater runoff that currently flows into the previously excavated pit. Because the existing infiltration that occurs on the Project site is not considered to be important or significant, the loss of percolation into the subsurface soils compared to the existing conditions is not considered significant. As a result, the Project would not impede sustainable management of the groundwater basin resulting a **less than significant impact** directly, indirectly, or cumulatively to groundwater. No mitigation is required.

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:

c.i) Result in substantial on- or off-site erosion or siltation?

Less Than Significant Impact. As discussed in Response 3.10 (a) above, the Project would comply with Federal NPDES regulations as implemented through a SWPPP. The SWPPP would contain construction and operational BMPs that would restrict the discharge of sediment into the streets and local storm drains. Adherence to the BMPs outlined in the mandatory SWPPP would ensure Project construction and operations would not violate any water quality standards or waste discharge requirements. Similar to existing conditions, storm water runoff from the southernly parking lot would be discharged off-site into local storm drains from Agua Mansa Road. Construction of the Project would be restricted to the Project site and the Project would not alter the course of any stream or river including the Santa Ana River that would lead to on-or off-site siltation or erosion. The Project would have a **less than significant impact** directly, indirectly, or cumulatively to existing drainage patterns. No mitigation is required.

c.ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Less Than Significant Impact. As previously stated, Project implementation would not adversely affect the existing drainage patterns in the area as the site is predominately a previously excavated pit. As such, alteration of the on-site drainage pattern would be conducted in a manner consistent with all applicable standards related to the collection and treatment of stormwater compared to the Project site's existing condition. The Project would not increase the rate or amount of surface runoff in a manner which would result in flooding on-or-off-site. The Project would have a **less than significant impact** directly, indirectly, or cumulatively regarding surface runoff. No mitigation is required.

c.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 Impact. Runoff from the developed site would be minimal because a majority of the Project consists of 10 acres of lake. Runoff from the adjacent off-site locations onto the proposed developed site would be conveyed to the lake utilizing a series of v-ditches along the outside of the perimeter trails and on the east side of the site above the perimeter trails and down pipes into the lake. Additionally, the public parking area would be designed to maintain existing flows along the Agua Mansa Road curbs and gutters. Because Project implementation would result in the same or less rate and amount of surface runoff as in the existing condition, the Project would not contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems. In

addition, with implementation of the SWPPP as discussed in this section, the Project would not create substantial amounts of additional sources of polluted runoff. The Project would have a **less than significant impact** directly, indirectly, or cumulatively regarding surface runoff. No mitigation is required.

c.iv) Impede or redirect flood flows?

No Impact. According to the Federal Emergency Management Agency (FEMA) National Flood Hazard Layer View (NFHLV) maps, the proposed RHNC site is within a designated flood hazard area. The parking lot is within a Zone X designation which has an annual probability of flooding of less than 0.2 percent and represents areas outside a 500-year flood plain. Properties located in Zone X are also not located within a 100-year flood plain. As stated in this section, the proposed drainage system would capture offsite and onsite stormwater flows convey through the site safely to the proposed lake complex. For these reasons**,** the Project would have **no impact** related to impeding or redirecting flood waters directly, indirectly, or cumulatively. No mitigation is required.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. The Project site is not within a 100-year flood hazard zone. Therefore, the Project would not have the potential to release pollutants due to 100-year flood inundation (FEMA, 2008). A tsunami is a sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of a seafloor associated with large, shallow earthquakes. A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. The Project site is located approximately 45 miles northeast of the Pacific Ocean. Due to site distance, the Project would not be subject to tsunami-related inundation. With the exception of the relatively small water holding facilities on the WWTP, there are no large enclosed or semi-enclosed bodies of water in proximity to the Project site and therefore the Project would not be subject to seiche related inundation. **No impact** related to the potential for seiche or mudflow exists either directly, indirectly, or cumulatively. No mitigation is required.

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

Less Than Significant Impact. As previously discussed in Response 3.10 (a) and (b), the Project would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Plan by preparing and adhering to a SWPPP and WQMP. Implementation of the Project would not conflict with or obstruct the Santa Ana River Basin Water Quality Control Plan and impacts would be less than significant. As such, the Project's construction and operation would not conflict with any sustainable groundwater management plan. As a result, **a less than significant impact** directly, indirectly, or cumulatively is anticipated. No mitigation is required.

3.11 LAND USE AND PLANNING

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. Land Use and Planning. Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒

3.11.1 ENVIRONMENTAL SETTING

The majority of the Project site is located in the City of Rialto including the RHNC site and the connecting pedestrian pathway along the Rialto Channel utility road. A small portion of the Project is the public parking area on the north side of Agua Mansa Road which is located in the City of Colton and within San Bernardino County right-of-way. The RHNC site includes vacant land owned by the City, nearby roadways and the adjacent WWTP facility to the north and Rialto Channel to the east. The area is surrounded by industrial development and vacant land.

The RHNC site is designated General Industrial (GI) by the General Plan and the zoning is Agua Mansa Industrial Corridor Specific Plan (AMICSP). The AMICSP land use designation for the RHNC site is Public. The GP land use designation of GI allows for heavy industrial activities and permitted for manufacturing and processing, warehousing and distribution, chemical or petroleum products processing and refining, heavy equipment operations, and similar uses.

3.11.2 DISCUSSION

a) Physically divide an established community?

No Impact. The Project area is located within an area of the existing WWTP, industrial uses, and vacant land. The proposed Project is replacing the existing previously excavated pit with a lake, trails, native landscaping, and environmental education opportunities. The Agua Mansa Road parking lot would replace vacant land with 11 asphalt paved parking spaces for public use. The proposed Project introduces land uses permitted for development within the AMICSP Public designation. Therefore, the Project would not divide the established community. As a result, **no impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

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?

No Impact. The proposed land use within the Project area would be consistent with the General Plan and AMICSP land use designations. The Project would result in a lake created by using existing recycled water from the adjacent WWTP. The previously excavated, existing pit would be reengineered to create two interconnected lakes and a shallow marsh wetland area by diverting and reclaiming a small portion of the WWTP's tertiary treated effluent. Lake water would be returned back into the concrete-lined Rialto Channel at the existing discharge location at the southeast portion of the east lake resulting in no change to existing flow conditions that are occurring today.

Therefore, the Project would not result in any changes to the existing land use that would conflict with the existing land use designations for the project area. As a result, **no impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

3.12 MINERAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

3.12.1 ENVIRONMENTAL SETTING

The California Surface Mining and Reclamation Act of 1975 (SMARA) requires that all cites address significant aggregate resources, classified by the State Geologist and designated by the State Mining and Geology Board, in their General Plans to promote conservation and protection of significant mineral deposits. The law provides for significant aggregate resources to be recognized and considered before land use decisions are made that may compromise the availability of these resources. The State Geologist classifies lands in California based on geological factors, without regard to existing land use and land ownership. Because available aggregate construction material is limited, four designations have been established for the classification of sand, gravel, and crushed rock resources:

- MRZ-1 Mineral Resource Zone: No significant mineral deposits are present or likely to be present.
- MRZ-2 Mineral Resource Zone: Significant mineral deposits are present or there is a high likelihood for their presence.
- MRZ-3 Mineral Resource Zone: The significance of mineral deposits cannot be determined.
- MRZ-4 Insufficient data to assign any other MRZ designation.

These mineral resource designations are intended to prevent incompatible land use development in areas determined to have significant mineral resource deposits. Permitted uses within a designated area of regional significance include mining, uses that support mining such as smelting and storage of materials, or uses that would not hinder future mining, such as grazing, agriculture, and low-intensity recreation.

3.12.2 DISCUSSION

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?

And;

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?

No Impact. Project Site is located within Mineral Resource Zone 2 (MRZ 2), which is a designation placed upon areas where geological data indicate that significant Plain Cement Concrete-Grade (PCC-Grade) aggregate resources are

present. (Rialto, 2010, Exhibit 2.7). In addition, the potential deposits on the Project site and surrounding area are classified as a sector containing regionally-significant resources (Rialto, 2010, Exhibit 2.6). However, the City's GP includes a land use designation for Open Space – Resources, which applies to areas necessary for the protection and preservation of unique areas for such purposes as managed production of aggregate resources. This designation would allow for mineral extraction and processing facilities per the SMARA classification, (i.e. MRZ-2). According to Exhibit 2.2, Land Use Policy Plan and Exhibit 2.5, Parks and Open Space Resources of the GP, Open Space – Resource designations are located predominately in the northern portions of the City. Therefore, the proposed Project site and surrounding area is not designated for mining operations. Lastly, the Project site historically was not used for mining operations and is located in an area that is either developed or planned to be developed with non-mining uses.

Thus, implementation of the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California. As a result, a **no impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

3.13 NOISE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. Noise. Would the 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 in other applicable local, state, or federal standards?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
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?	☐	☐	☐	☒

3.13.1 ENVIRONMENTAL SETTING

The area surrounding the RHNC site consists of vacant land, industrial uses, roadways, and the adjacent WWTP facilities. The General Plan designates the majority of the Project and surrounding areas as General Industrial, and the AMICSP designates the Project area as Public land uses and General Manufacturing (M-2) zoning. This GP land use designation is primarily for industrial uses, which allows for heavy industrial activities for manufacturing and processing, warehousing and distribution, chemical or petroleum products processing and refining, heavy equipment operations, and similar uses. These uses are not typically compatible with residential. (Rialto, 2010). Although the parking lot is located the City of Colton, the parking lot is within the San Bernardino County right-of-way and would remain a public space.

3.13.2 DISCUSSION

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 in other applicable local, state, or federal standards?

Less Than Significant Impact. Noise impacts can occur from short-term construction activities and long-term operations of a project. Short-term construction noise can occur from crew commutes and transport of equipment and materials to the Project site. Additional short-term construction noise, specific to the lake Project, would come from site preparation, grading, and paving of the parking lot. Typically, the most impactful noise impacts derive from the use of large construction equipment. Due to the nature of the proposed Project, operational noise of the lake consists of parking lot vehicle noise, landscaping equipment, and temporary use of pump equipment.

Construction

There are no sensitive receptors adjacent to the Project or within the vicinity, as industrial development and vacant property surrounds the Project site. Industrial uses including the adjacent WWTP to the north are non-sensitive uses. The WWTP would be the closest facility which has an office building at a distance of approximately 1,070 feet from the center of Project site where the majority of heavy equipment would be used for grading activities of the lake. This office or receptor within the WWTP is set behind large equipment and tanks with vehicle parking and loading areas, thus would experience lower noise levels due to the additional attenuation from distance and the shielding of intervening structures and operational activities.

According to the City of Rialto Municipal Code 9.50.070, disturbances from construction activity, noise associated with construction, erection, alteration, repair, addition, movement, demolition, or improvement to any building or structure are permitted only within the hours provided below:

October 1st through April 30th	
Monday—Friday	7:00 a.m. to 5:30 p.m.
Saturday	8:00 a.m. to 5:00 p.m.
Sunday / State holidays	No permissible hours
May 1st through September 30th	
Monday—Friday	6:00 a.m. to 7:00 p.m.
Saturday	8:00 a.m. to 5:00 p.m.
Sunday / State holidays	No permissible hours

Source: City of Rialto Municipal Code

While the City establishes limits to the hours during which construction activity may take place, the City of Rialto General Plan and Municipal Codes do not establish numeric maximum acceptable construction source noise levels at potentially affected receivers, which would allow for a quantified determination of what CEQA constitutes a substantial temporary or periodic noise increase. Therefore, a numerical construction threshold based on Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual is used for analysis of daytime construction impacts. As such, the FTA considers a daytime exterior construction noise level of 80 dBA Leq as a reasonable threshold for noise sensitive residential land use with a nighttime exterior construction noise level of 70 dBA Leq.

Typical construction equipment noise levels obtained from the Federal Highway Administration (FHWA) Roadway Construction Noise Model User's Guide for the equipment to be used for the Project in the reference the larger noise level for front end loader and grader is referenced/used. The noise levels listed represent the A-weighted maximum sound level (L_{max}), measured at a distance of 50 feet from the construction equipment.

- Grader - 84 dBA
- Front End Loader - 80 dBA

While construction noise would vary, it is expected that noise levels during construction at the off-site receiver located significantly farther than 50 feet to the north would not exceed the FTAs 80 dBA L_{eq} threshold. These predicted noise levels would only occur when all construction equipment is operating simultaneously, a conservative assumption that would overestimate Project noise levels at the WWTP to the north. While construction-related short-term noise levels have the potential to be higher than existing ambient noise levels in the Project area under existing conditions, the noise impacts would no longer occur once Project construction is completed. Therefore, all nearby receiver locations would experience less than significant impacts due to Project construction noise levels.

Although the Project's construction noise, typical in nature, would increase ambient noise levels at the Project site, Project construction activities are required to comply with the allowed construction hours per the City's Municipal Code noise ordinance as previously stated. Therefore, noise levels from Project construction noise are within applicable standards, resulting in a **less than significant impact** directly, indirectly, or cumulatively. No mitigation is required.

Operation

Operational noise impacts from the proposed Project are regulated by Chapter 9.50, Noise Control, of the City's Municipal Code. As previously stated, the RHNC site is designated by the General Plan for General Industrial uses and designated by the AMICSP for Public uses. As discussed subsequently in section 3.17, Transportation, operation of the Project is anticipated to generate approximately less than 50 average daily trips, which represents an incremental increase to the existing roadway volumes. Since a doubling of traffic volumes is required to generate a perceptible 3 dBA CNEL noise increase, the off-site traffic volume increase attributable to the Project would not generate a perceptible noise level increase. While the Project would result in a small increase in regional and local traffic volumes, traffic generated by the operation of the proposed Project would not meaningfully influence traffic noise levels in surrounding off-site areas. Therefore, off-site traffic noise impacts would be less than significant.

Due to the nature of the proposed Project, operation of the lake, lake amenities, and parking area would not generate substantial noise level increases during the daytime or nighttime at the WWTP, the nearest non-sensitive receiver location. Project-related operational noise level increases would be below the operational noise level increase significance criteria resulting in a less than significant impact at all receiver locations. Therefore, noise levels from Project operational noise are within applicable standards, resulting in a less than significant impact directly, indirectly, or cumulatively and no mitigation is required.

In summary, the construction and operational noise levels associated with the proposed Project would comply with noise level standards at all nearby receiver locations, resulting in a **less than significant impact** directly, indirectly, or cumulatively. No mitigation is required.

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

Less Than Significant Impact. The potential for ground-borne vibration impacts occurs during construction activities. Ground-borne noise and vibration from construction activity has the potential to be high when activities occur near a project boundary, however most construction activities are more central to a project site. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods employed. Operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Ground vibration levels measured in peak particle velocity (PPV) associated with various types of construction equipment are used to estimate the potential for building damage using vibration assessment methods defined by the Federal Transit Authority Vibration Standards (FTA) as shown in Table NOI-1.

TABLE NOI-1: VIBRATION SOURCE LEVELS FOR CONSTRUCTION EQUIPMENT

Equipment	PPV (in/sec) at 25 feet
Pile Driver (Impact), Typical	0.644
Pile Driver (Sonic), Typical	0.170
Vibratory Roller	0.210
Hoe Ram	0.089
Large Bulldozer	0.089
Caisson Drilling	0.089

Loaded Trucks	0.076
Jackhammer	0.035
Small Bulldozer	0.003

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual

PPV = peak particle velocity.

Construction

Although the City does not specify vibration level standards, the San Bernardino County Development Code Section 83.01.090[a] states that vibration shall be no greater than or equal to two-tenths inches per second PPV measured at or beyond the lot line. Therefore, to evaluate vibration impacts due to the operation and construction of the Project, a PPV vibration level standard of 0.2 inches per second (in/sec) is used. According to the FTA guidelines, a large bulldozer is 0.089 PPV at 25 feet which is representative of the heavy equipment used during construction.

Although there are no sensitive receivers within or near the vicinity of the Project site as previously discussed, the expected Project related vibration levels would be perceived at the adjacent receiver, the WWTP to the north. The closest facility on the WWTP would be approximately 1,070 feet from the center of Project site where the majority of heavy equipment would be used for grading activities of the lake. As a result, construction vibration levels at this distance are estimated to be below 0.01 PPV (in/sec) and would be below the 0.20 in/sec PPV threshold for vibration at the WWTP receiver location. Furthermore, vibration levels at the site of the closest receiver would be temporary and occur only during the times that heavy construction equipment is operating. Therefore, Project-related vibration impacts would be less than significant during the construction activities at the Project site.

Operation

Operational activities at the Project site would not include or require equipment, facilities, or activities that would result in perceptible ground-borne vibration. Maintenance of the RHNC would involve use of vehicles and light trucks to and from the Project site and the parking area on Agua Masa Road. However, the vehicles or heavy trucks would operate at the posted speed limits on smooth paved and gravel surfaces on the Project site and surrounding roadways resulting in minimal vibration and groundborne noise levels. Project operation would not generate excessive groundborne vibration or groundborne noise levels and impacts would be less than significant.

In summary, groundborne vibration and groundborne noise levels during Project construction and operations would result in a **less than significant impact** directly, indirectly, or cumulatively and no mitigation is required.

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 Impact. As stated in Response 3.9 (e), Flabob Airport is a public airport located approximately 5.2 miles to the southwest and the San Bernardino International Airport is 7.2 miles to the northeast from the Project site. The Project site is not located within any 60 CNEL contour line boundaries of the Flabob Airport or the San Bernardino International Airport. The Project site is not located in a high noise area of the Flabob Airport or the San Bernardino International Airport, or located within two miles from any other airport. The proposed Project would not expose employees to excessive aircraft noise and **no impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

3.14 POPULATION AND HOUSING

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. 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)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

3.14.1 ENVIRONMENTAL SETTING

According to the U.S. Census Bureau, the City of Rialto's population totaled 104,394 in 2021 (U.S. Census Bureau 2021). Total housing units were not reported in 2021 for the City by the U.S Census Bureau; however, 26,134 households were reported in 2021. The Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Adopted Growth Forecast projects an estimated population of 111,400 and 31,000 housing units by the year 2035. The Project area is surrounded by non-residential development comprised of vacant land and industrial businesses; therefore no housing is within the Project area.

3.14.2 DISCUSSION

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)?

No Impact. The Project is consistent with the underlying General Plan and AMICSP land use designations for the site. The proposed Project does not include the construction of new homes or businesses, nor does it extend roads or infrastructure that would lead to unplanned population growth. Therefore, the Project would not 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). Therefore, the proposed Project would have **no impact** on population growth directly, indirectly, or cumulatively. No mitigation is required.

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

No Impact. The entire Project site would be described as vacant unused property. The RHNC site is located on a portion of the WWTP property that is vacant and owned by the City. The parking area is vacant property along the north side of Agua Mansa Road within the San Bernardino County right-of-way. Consequently, there is no existing housing (or residents) on the Project site or within the Project site vicinity. As a result, the proposed Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **No impacts** would occur directly, indirectly, or cumulatively. No mitigation is required.

3.15 PUBLIC SERVICES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. Public Services.				
Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:				
i) Fire Protection	☐	☐	☐	☒
ii) Police Protection	☐	☐	☐	☒
iii) Schools	☐	☐	☐	☒
iv) Parks?	☐	☐	☐	☒
v) Other public facilities?	☐	☐	☐	☒

3.15.1 ENVIRONMENTAL SETTING

Fire protection for the City is provided by the Rialto Fire Department (RFD). RFD consists of five fire stations staffed 24 hours per day by firefighters and one administrative office. One battalion chief, four engine companies, one truck company, and four paramedic ambulances are staffed each day. RFD also provides staffing for a Hazardous Materials unit, an Urban Search and Rescue unit, a Brush Engine, and an OES type VI engine. The nearest RFD station to the Project area is Fire Station #205, which is located at 1485 S. Willow Avenue, approximately 3.8 miles north from the Project area.

The City's police force is provided by the City of Rialto Police Department (CRPD), located at 128 N. Willow Avenue, approximately 3.9 miles north from the Project area. CRPD employs approximately 176 total sworn and non-sworn employees, and services a 28.5 square mile area. CRPD offers a variety of police services and assignments which include Patrol, K-9, School Resource Officer (SRO), Street Crime Attack Team (SCAT), Investigations, Traffic, Narcotics, Training/Backgrounds, Community Services, the Re-Entry Support Team, and is part of a Four-City Regional SWAT team (Inland Valley SWAT) and Air-Support Unit.

The Project is within the Colton Joint Unified School District. The closest school to the Project area is the Crestmore Elementary School, which is located approximately 2.5 miles west of the Project area.

As described in Section 3.16, Recreation, there are 143 total acres of recreational oriented areas within the City, which include neighborhood parks, community parks and facilities, and mini-parks of varying sizes to meet the needs of residents (Rialto, 2010). The nearest park to the Project is the Rialto Park and Little League field, approximately 2.1 miles to the north.

3.15.2 DISCUSSION

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:

a) i) Fire Protection

No Impact. RFD reviews all development plans to ensure future development conforms to all fire protection and prevention requirements, including, but not limited to requirements related to emergency access and fire flow for extinguishing on-site fires. The proposed Project would entail the development and operation of a passive-use lake with a perimeter trail and parking lot on Agua Mansa Road, which is surrounded by existing development that receive adequate RFD services. RHNC would be landscaped with native plants and equipped with minimal structures in the form of educational kiosks and a small community center and therefore would not introduce a substantive amount of fire prone materials. Due to the nature of the proposed Project, the Project would not generate increased demand for public services such as those related to fire protection, nor would the proposed Project generate the need for new or physically altered government facilities such as fire stations, the construction of which could cause significant environmental impacts. As a result, there would be **no impact** directly, indirectly, or cumulatively. No mitigation is required.

a.ii) Police Protection

No Impact. The proposed Project would entail the development and operation of a passive-use lake with a perimeter trail and parking lot on Agua Mansa Road, which is surrounded by existing development that receive adequate CRPD services. As discussed in Response 3.14 (a), the proposed Project would not induce a substantial unplanned population growth in the surrounding area, either directly or indirectly. RHNC would operate during the day only and by visitors and groups specifically intending to visit the site given the access restrictions created by the single entrance location and access requiring a quarter of a mile walk along the Rialto Channel utility road. Therefore, the proposed Project would not generate increased demand for public services such as those related to police protection, nor would the proposed Project generate the need for new or physically altered government facilities such as police stations, the construction of which could cause significant environmental impacts. As a result, there would be **no impact** directly, indirectly, or cumulatively. No mitigation is required.

a.iii) Schools

No Impact. As discussed in the Response 3.14 (a) above, the proposed Project would not induce a substantial unplanned population growth in the surrounding area, either directly or indirectly. The Project would not increase demand on schools resulting in the renovation of an existing school or construction of a new school that would result in an impact to the environment. As a result, there would be **no impact** directly, indirectly, or cumulatively. No mitigation is required.

a.iv) Parks

No Impact. As discussed in Section 2.0 Project Description, the City is proposing to construct RHNC within a previously excavated, vacant pit on the City's WWTP property. The approximately 10-acre passive use lake and surrounding area would provide public open space with approximately one mile of pedestrian perimeter trails, and provide opportunity for passive recreation, environmental education programming, and public outreach. In addition, RHNC would provide the City and surrounding area with new wetland and terrestrial wildlife habitat, and water quality benefits. As a result, the proposed Project would in fact benefit the general public as it would provide access to new recreational activities. The construction and operational impacts of the proposed Project are assessed in this

IS/MND, and all impacts have been determined to be less than significant or mitigated to less than significant. Consequently, n**o impact** from the construction and operation of the proposed Project would occur directly, indirectly, or cumulatively. No mitigation is required.

a.v) Other public facilities

No impact. Construction activities associated with the Proposed Project would be temporary in nature and would not increase the need for schools, parks, or other public facilities because the workers at the facility would likely be local. The Proposed Project would be constructed on an undeveloped and vacant site owned and operated by the City. Once in operation, the added employment opportunities the Project would create would be minimal and would be supplied by the City or by a third party. Operation of the Proposed Project would not increase the need for schools, parks, or other public facilities. N**o impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

3.16 RECREATION

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. Recreation. Would the project:				
a) 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?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

3.16.1 ENVIRONMENTAL SETTING

There are 143 total acres of recreational oriented space within the City, which includes neighborhood parks, community parks and facilities, and mini-parks of varying sizes to meet the needs of residents (Rialto, 2010). There are also a number of San Bernardino County and regional open space parks within the City's sphere of influence; County and regional facilities also provide recreation opportunities for Rialto residents. Demand for park and recreational facilities are generally the direct result of residential development. Accordingly, the proposed Project is recreational in nature.

3.16.2 DISCUSSION

a) 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?

No Impact. The proposed Project, RHNC, would provide the citizens of Rialto and the region with an approximately 13-acre outdoor public recreational space including a 10-acre lake, one mile of pedestrian perimeter trails, passive recreation, environmental education programming, and public outreach with adequate parking. Therefore, the proposed Project would not induce population growth as discussed in Section 3.14, Population and Housing. The Project would add to the City's park and recreational space inventory and therefore would not increase use of existing neighborhood and regional parks or other recreational facilities. Therefore, the Project would not result in additional demand for such facilities that would otherwise result in substantial physical deterioration requiring new construction or expansion that would create an impact to the environment. There would be **no impact** directly, indirectly, or cumulatively and no mitigation is required.

b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

No Impact. The Project includes the construction of a 13-acre passive use, outdoor public recreational space including a 10-acre lake, one mile of pedestrian perimeter trails, and adequate parking (11 paved parking spaces). Construction of the project could potentially have adverse physical effects on the environment, as discussed throughout this Initial Study. However, Project compliance with the standard design and construction measures and

the Mitigation Measures presented in this Initial Study would reduce impacts to less than significant. Given the size, nature, and intended use of the proposed Project, **no impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

3.17 TRANSPORTATION

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. Transportation. Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guideline section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☐	☒

3.17.1 ENVIRONMENTAL SETTING

Lead agencies are required to use vehicle miles traveled (VMT) as the metric to evaluate project-related transportation impacts. The City has a draft VMT policy, but the policy has not been formerly adopted. The draft VMT policy follows the guidance provided by the San Bernardino County Transportation Authority (SBCTA) *Recommended Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment* (February 2020) and is generally consistent with the *Technical Advisory for Evaluating Transportation Impacts In CEQA*, published by the Governor's Office of Planning and Research (OPR), December 2018 (OPR Technical Advisory). The following analysis has been prepared consistent with the SBCTA guidance.

3.17.2 DISCUSSION

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

Less Than Significant Impact. The City's General Plan Circulation Element (*City of Rialto General Plan, Making the Connections: The Circulation Chapter*) addresses the citywide circulation system including transit, roadway, bicycle, and pedestrian facilities. The Circulation Chapter is intended to guide the development of the City's circulation system in a manner that is compatible with the land use vision. The City will strive to meet diverse mobility needs and reduce VMT, which would reduce greenhouse gas emissions, address climate change, and mitigate roadway congestion.

Once constructed and operational, the type of traffic generated by the proposed Project would be limited to passenger vehicles, mid-size delivery and maintenance trucks, and busses and compatible with the type of existing traffic on Riverside Avenue, Santa Ana Avenue, and Agua Mansa Road and other roadways in the Project vicinity. Pedestrian and bicycle travel would occur on the short distance along Agua Mansa Road to the pedestrian path on Rialto Channel and then approximately one-quarter mile on the utility road and away from vehicular traffic. The proposed Project does not provide on-site vehicular circulation as vehicular access to the RHNC site would be limited to the public parking lot on the north side of Agua Mansa Road. The parking lot would be asphalt paved to match

existing roadway elevation along Agua Mansa Road, thereby providing non-curbed driveway. Vehicular access to the parking lot would be made from Agua Mansa Road traveling westbound from South Rancho Road.

Final design plans would be subject to review and approval by the City's Public Works Department and City Engineer as part of the City's standard development review process prior to the issuance of building permits to ensure such on-site design features are constructed. Therefore, impacts would be less than significant. In summary, the proposed Project would not introduce any new pedestrian or bicycle paths and roadways that would interfere with adopted plans, programs, ordinances, or policies regarding roadway facilities. Therefore, traffic conflicts with a program, plan, ordinance, or policy addressing the circulation system would not occur resulting in a **less than significant impact** directly, indirectly, or cumulatively. No mitigation is required.

b) Conflict or be inconsistent with CEQA Guideline section 15064.3, subdivision (b)?

Less Than Significant Impact. There are several types of screening that can screen projects from the need from a project-level, detailed VMT analysis. The following guidance developed by the San Bernardino County Transportation Authority (SBCTA) for the City was used to screen out the Project from detailed VMT analysis. Per the SBCTA Recommended Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment (February 2020), there are three steps of screening to screen projects from project-level VMT assessments. These are Step 1: Transit Priority Area (TPA) Screening, Step 2: Low VMT Area Screening, and Step 3: Project Type Screening. However, a project only needs to satisfy one of the three screening steps. The proposed Project is screened from further, detailed VMT analysis by the Project Type step.

Step 3: Project Type Screening: The SBCTA guidance lists several local oriented land use types that can be assumed to improve VMT because of their local serving nature and associated short trip distances. The list includes local parks as well as representative project types with a trip generation of 110 daily trips per day.

The proposed RHNC would provide the citizens of Rialto and the region with a park-like land use in the form of an approximately 13-acre outdoor public recreational space including a 10-acre passive use lake, one mile of pedestrian perimeter trails, passive recreation, environmental education programming, and public outreach. RHNC would be a unique outdoor passive use recreational land use that is expected to draw local and regional visitors. In addition, due to the nature of the RHNC access restrictions and day only operations, daily trips to and from the RHNC parking area are expected to be less than 110 per day. Therefore, Project Screening Step 3: Project Type Screening is satisfied and considered to be consistent with the SBCTA screening analysis and the Project is screened from further VMT analysis. As a result, the Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would be **less than significant** directly, indirectly, or cumulatively. No mitigation is required.

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 Impact. The types of traffic generated during operation of the Project (i.e., passenger vehicles, mid-sized delivery vehicles, and busses) would be compatible with the type of traffic observed along Riverside Avenue, Santa Ana Avenue, and Agua Mansa Road under existing conditions due to the surrounding industrial development and residential neighborhoods beyond the Riverside Avenue intersection to the west. If any component of Project construction would occur in the Agua Mansa Road public right-of-way, the Project would be required to adhere to the applicable construction control practices specified in Chapter 11.04, *Improvements*, within the City's Municipal Code, to minimize potential safety hazards. Within the Chapter, Section 11.04.070, further states, no person shall excavate, construct improvements, grade, or encroach within any public right-of-way of the City unless and until such person first obtains and keeps in force and effect a valid encroachment permit issued pursuant to the terms of this chapter. All contractors, subcontractors or other workers must operate within the street work zone safety rules and regulations as adopted by the City Council under Resolution Number 4938.

The City would review the Project development application materials as part of the City's standard development review process to ensure no hazardous transportation design features would be introduced within the City public right-of-way. Thus, construction and operation of the proposed Project would not create or substantially increase safety hazards due to a design feature or incompatible use. Therefore, the Project would have a **less than significant impact** from creation of traffic hazards directly, indirectly, and cumulatively. No mitigation is required.

d) Result in inadequate emergency access?

No Impact. Emergency access to the Project site would be made via the existing WWTP driveway at 501 E. Santa Ana Avenue. A secondary emergency access would be available via the approximately 20-foot-wide utility road on the west side of the Rialto Channel, the same location as the pedestrian path proposed to connect the RHNC lake site to the public parking area on the north side of Agua Mansa Road. The parking lot would be asphalt paved to match existing roadway elevation along Agua Mansa Road, thereby providing non-curbed driveway access. The proposed Project would be required to maintain adequate pathway and parking lot emergency access for emergency vehicles and responders during construction and long-term operation as required by the City of Rialto. The City would review the Project construction improvement plans as part of the City's standard development review process to ensure no hazardous transportation design features would be introduced through implementation of the Project. For these reasons, there would be **no impact** directly, indirectly, or cumulatively to emergency access. No mitigation is required.

3.18 TRIBAL CULTURAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. Tribal Cultural Resources.				
Has a California Native American Tribe requested consultation in accordance with Public Resources Code section 21080.3.1(b)?				
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)?	☐	☐	☐	☒
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?	☐	☐	☐	☒

3.18.1 ENVIRONMENTAL SETTING

A Tribal Resources is defined in the Public Resources Code section 21074 and includes the following:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are either of the following: included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1;
- 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purpose of this paragraph, the lead agency shall consider the significance of the resources to a California American tribe;
- A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape;

- A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "non-unique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal resource if it conforms with the criteria of subdivision (a).

Under PRC section 21080.3.1 and 21082.3, the City must consult with tribes traditionally and culturally affiliated with the Project area that have requested formal notification and responded with a request for consultation. The parties must consult in good faith. Consultation is deemed concluded when the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource when one is present or when a party concludes that mutual agreement cannot be reached. Mitigation measures agreed on during the consultation process must be recommended for inclusion in the environmental document.

3.18.2 DISCUSSION

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)?

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?

Less Than Significant Impact. The City is required to consult with interested California Native American tribes regarding the Project pursuant to Assembly Bill 52 (AB-52). As such, the AB-52 process was initiated on July 27, 2023, by sending letters to the San Manuel Band of Mission Indians, Gabrieleño Tongva Nation, Gabrieleño-Tongva Nation, Gabrieleño-Tongva, Gabrieleño Band of Mission Indians, and Morongo Band of Mission Indians. Two responses were received during the consultation request window ending August 26, 2023. One response was from the San Manuel Band of Mission Indians requesting a copy of the completed report. The other response was from the Gabrieleno Band of Mission Indians - Kizh Nation that provided information regarding potential tribal cultural resources in the area and a request that the information be mentioned in the environmental document and included as a confidential appendix.

The Cultural Resources Study (Duke CRM, 2023) prepared for the proposed Project included a request to the NAHC for a Sacred Lands File (SLF) search. The SLF search was negative for the presence of Native American cultural resources in the Project vicinity. Therefore, the Project would not affect SLF resources.

Considering no tribal resources have been identified within the Project site, and the chance of unearthing a tribal cultural resource is less than a cultural resources, impacts to tribal cultural resources would be **less than significant impact** directly, indirectly, or cumulatively. No mitigation is required.

3.19 UTILITIES AND SERVICE SYSTEMS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. Utilities and Service Systems. Would the project:				
a) Require or result in the relocation or construction of construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider that 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

3.19.1 ENVIRONMENTAL SETTING

Water

The proposed Project is located within an area served by the West Valley Water District (WVWD) for domestic water. The WVWD services the northern and southern portions of the City, from Baseline Avenue to I-15, with a narrow extension in the south from Merrill Avenue south beyond Agua Mansa Road to the Santa Ana River. WVWD's primary source of water is water wells. These wells draw water from four water basins: Lytle Creek Surface Water Basin, Rialto Ground Water Basin, Bunkerhill Ground Water Basin, and Chino Hill Ground Water Basin.

Wastewater

Wastewater within the City of Rialto is treated at the City WWTP, which occupies the north portion of City-owned property shared with the Project site. The WWTP occupies approximately 25 acres and provides secondary and

tertiary treatment processes with a maximum treatment capacity of 11.7 million gallons per day (mgd). The City processes over 2 billion gallons of wastewater per year at the WWTP.

Stormwater

The proposed RHNC site is a previously excavated and abandoned pit; therefore no drainage facilities are present. Rialto Channel is located adjacent to the east of the RHNC site. Rialto Channel is a regional storm drain facility that starts approximately eight miles to the north of Santa Ana Avenue before emptying into the Santa Ana River approximately one mile south of the Santa Ana Avenue.

Electric Power

Southern California Edison provides electrical service to customers located within the Project area, and would provide electricity for the Project.

Natural Gas

Southern California Gas Company provides natural gas services to customers located within the Project area, and would provide gas for the Project. However, development of the RHNC Project would not create a demand natural gas.

Telecommunications

Development of the RHNC would not require installation of wireless internet service or phone serve.

3.19.2 DISCUSSION

a) Require or result in the relocation or construction of construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?

Water

Less Than Significant Impact. As noted previously, the proposed Project is located within an area served by the WVWD. The proposed Project would require connection to the existing domestic water located at the WWTP to the north. This connection would be made from the disturbed and developed area of the WWTP to the proposed RHNC community center building on the north side of the east lake and other areas along the lake perimeters. Impacts from such construction have been addressed in this IS/MND. As a result, a **less than significant impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

Wastewater

Less Than Significant Impact. The proposed Project would construct a new lake, recreational trail, and other amenities on an existing vacant site. The Project would utilize a portion of the effluent flow generated by the plant to fill the proposed lake and once filled to maintain a constant flow into the lake. Once the lake is filled, the same or similar flow into the lake (approximately 1 cfs) would be discharged back into the concrete lined Rialto Channel at the existing effluent discharge point. The proposed community center would require connection to the City's wastewater system located at the WWTP to the north. This connection would be made from the disturbed and developed area of the WWTP to the proposed RHNC community center building on the north side of the east lake. Impacts from such construction have been addressed in this IS/MND. The quantity of wastewater generated at the community center would be insignificant and well within the capacity of the WWTP. As such, this Project would not require or result in the relocation or construction of new or expanded wastewater treatment facilities, the construction or relocation of which could cause significant environmental effects. As a result, a **less than significant impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

Stormwater

Less Than Significant Impact. As discussed previously, the proposed drainage plan for the RHNC site would involve the installation v-ditches that would capture all offsite runoff onto the Project site and onsite flow during storm events. The captured storm flows would be conveyed into the lake via down pipes located at strategic locations round the lake perimeter. As a result, the Project design would ensure that storm water would be adequately managed within the Project footprint, and ultimately conveyed into the lake. The off-site parking location would generate and significant amount of stormwater from the installation of the proposed asphalt parking spaces and drive aisle. The proposed Project would not require expansion or development of new offsite stormwater facilities. As a result, a **less than significant impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

Electric Power

Less Than Significant Impact. The proposed Project would construct a new lake with recreational amenities include a community center on the north side of the east lake. The proposed Project would require electricity to operate a small pump station for the RHNC lake and other supporting equipment. In addition, during construction some of the equipment used may be electric. Given that the Project would require connection to electricity during operation, the Project would connect into existing electricity from the adjacent WWTP to the north. This connection would be made from the disturbed and developed area of the WWTP to the proposed RHNC community center and the outlet pump located in the southeast portion of the east lake. Impacts from such construction have been addressed in this IS/MND. As a result, the Project would have no potential to require or result in the relocation or construction of new or expanded electric power facilities, the construction or relocation of which could cause significant environmental effects. A **less than significant impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

Natural Gas

No Impact. Development of the RHNC Project would not create a demand for natural gas. Therefore, the Project would not result in a significant environmental effect related to the relocation or construction of new or expanded natural gas facilities. As a result, a **no impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

Telecommunications

No Impact. Development of the RHNC Project would not require installation of wireless internet service or phone serve. Therefore, the project would not result in a significant environmental effect related to the relocation or construction of new or expanded telecommunication facilities. As a result, a **no impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

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 Impact. The proposed Project would require minimal water to operate. The water for the proposed lake system would be supplied by effluent from the adjacent WWTP to the north. The proposed Project would require the use of water during grading activities to moisten the material for dust control and compaction. Once operational, the Project would require a minimal quantity of drinking water for the community center and irrigation water for native landscaping. Based on the limited and short term demand for potable water during construction and the minimal quantity of potable water anticipated to supply the community center and irrigation requirements of the Project, sufficient water supplies are available to serve the Project. As a result, a **less than significant impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

c) Result in a determination by the wastewater treatment provider that 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 Impact. As discussed previously, the Project would utilize a portion of the effluent flow generated by the WWTP to fill the proposed lake and once filled to maintain a constant flow into the lake. Once the lake is filled, the same or similar flow into the lake (approximately 1 cfs) would be discharged back into the concrete lined Rialto Channel at the existing effluent discharge point. The proposed community center would require connection to the City's wastewater system located at the WWTP to the north. The quantity of wastewater generated at the community center would be insignificant and well within the capacity of the WWTP. Therefore, a **less than significant impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

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 Impact. Construction of the Project would result in a temporary increase in solid waste disposal needs associated with construction wastes, such as clearing of on-site debris prior to grading activities. Construction waste with no practical reuse or that cannot be salvaged or recycled would be disposed of at a local transfer station or solid waste facility. The closest active permitted regional landfill is the Mid- Valley Sanitary Landfill (61.2 million cubic yards remaining capacity) (CalRecycle 2023). Solid waste generated by the project would represent a small fraction of the daily permitted tonnage of this facility. Therefore, the Project's construction-related solid waste disposal needs would be sufficiently accommodated by existing landfills. Following construction, Project operation would generate minimal waste from visitor attendance and landscape maintenance. The proposed Project is not anticipated to exceed the capacity of the local solid waste infrastructure or impair the attainment of solid waste reduction goals. As a result, a **less than significant impact** would occur directly, indirectly, or cumulatively. No mitigation is required..

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

No Impact. The Project would comply with applicable local, State and federal regulations regarding solid waste, including those of the City, specifically, Municipal Code Section 18.108. This section of the municipal code provides policies and regulations regarding solid waste handling and recycling by both customers and collectors. As previously stated, waste generated by the Project would be minimal and comply with the City's programs to recycle such waste. The Project would not conflict with or impede implementation of such programs. As a result, a **no impact** would occur directly, indirectly, or cumulatively. No mitigation is required.

3.20 WILDFIRE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. Wildfire. Is the project located in or near state responsibility areas or lands classified as high fire hazard severity zones? 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?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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 ongoing impacts to the environment?	☐	☐	☐	☒
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?	☐	☐	☐	☒

3.20.1 ENVIRONMENTAL SETTING

Wildland fire hazards are of concern where development is adjacent to wildland areas, particularly in north Rialto. Fires starting in the foothill areas can easily spread south and consume urban development, especially if pushed by the Santa Ana winds that blow from the Cajon Pass. As discussed above in Section 3.9, Hazards and Hazardous Materials, the Project area is located within a Local Responsibility Area that is not within a fire hazard severity zone (FHSZ) (CALFIRE 2020).

3.20.2 DISCUSSION

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

Less Than Significant Impact. Construction associated with the proposed RHNC site would not occur in the street, therefore minimizing the potential to interfere with an emergency response or evacuation plan. However, there is a limited potential to interfere with an emergency response or evacuation plan during construction due to worker and

vendor vehicle trips to the site. The proposed Project is required to comply with the California Fire Code as adopted by the City of Rialto Municipal Code. In addition, evacuation routes are conducted by the City's Police and Fire Departments utilizing the California's Emergency Alert System (EAS) that utilizes public notices broadcast over the radio and television to inform the public. Therefore, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or evacuation plan, because no permanent public street or lane closures are proposed. A **less than significant impact** related to emergency response plans or emergency evacuation plans would occur directly, indirectly, and cumulatively. No mitigation is required.

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 Impact. As previously stated, the proposed Project site is not located within, or adjacent to a state responsibility area, or lands classified as a very high FHSZ. The proposed RHNC site is characterized as heavily disturbed by past excavation of a pit, dirt stock piling and other grading activities. Similarly, the surrounding area is heavily disturbed from weed abatement and vehicle use. The site is characterized by non-native grasses and other weedy species. The potential for significant exposure of site occupants to pollutant concentrations from a wildfire would be minimal. The Project site itself is not anticipated to be exposed to wildfire, particularly once developed, because the site would be cleared and developed as a lake with recreational trail which would minimize potential wildfire risk. Although there is vacant property to the east, this property is east of the Rialto Channel and does not present a wildfire risk for the RHNC site. The surrounding areas to the north, south and west are developed and disturbed. Therefore, **no impacts** are identified or anticipated to occur. No mitigation measures are required.

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 ongoing impacts to the environment?

No Impact. As previously stated, the proposed Project site is not located within, or adjacent to a state responsibility area, or lands classified as very high FHSZ. The Proposed Project is currently surrounded by the WWTP to the north that would service the Lake (i.e. water, wastewater, power), the Rialto Channel to the east, existing infrastructure (i.e. power lines) to the south, and vacant highly disturbed land to the west. The Proposed Project does not require the installation or maintenance of any new or expanded wildfire infrastructure because the risk of wildfire is not anticipated. Therefore, **no impacts** are identified or anticipated to occur. No mitigation measures are required.

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 Impact. As previously stated, the proposed Project site is not located within, or adjacent to a state responsibility area, or lands classified as very high fire FHSZ. Topographically, the perimeter of the Project site is generally flat. The middle of the Project site consists of the previously excavated pit varying in depths and elevations due to prior grading and material stock piling. Overall relief on the Project site is approximately 30 feet, with elevations ranging from 900 feet above mean sea level (MSL) surrounding the site down to 870 feet above MSL near center of the site. There are no steep slopes within a one-quarter mile radius of the Project site. The Project Site has no known susceptibility to landslides. Construction of the RHNC lake and pedestrian paths would include grading and manipulation of onsite soils in conformance with project specific geotechnical and engineering specifications identified for the Project. As a result, the Project would not be exposed to downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. Therefore, **no impacts** are identified or anticipated to occur. No mitigation measures are required.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. Mandatory Findings of Significance.				
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 an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
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.)	☐	☒	☐	☐
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

3.21.1 ENVIRONMENTAL SETTING

The environmental analysis above indicates that the proposed Project has the potential to adversely affect Biological Resources, Cultural Resources, and Geology and Soils. Mitigation measures that have been identified in this document would be incorporated into the project to mitigate potentially significant adverse impacts to a less than significant level.

3.21.2 DISCUSSION

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 an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant Impact With Mitigation Incorporated. Potential impacts related to habitat of fish or wildlife species were discussed in the Biological Resources Section of this IS/MND, and were all found to result in a less than significant impact with mitigation directly, indirectly, and cumulatively. However, implementation of **Mitigation**

Measure MM BIO-1 was identified to mitigate potential impacts to nesting birds during Project construction. Potential impacts to cultural, archaeological, and paleontological resources related to major periods of California and the City's history or prehistory were discussed in the Cultural Resources, Tribal Cultural Resources, and Geology and Soils Sections of this IS/MND, resulting in a less than significant impact. However, implementation of **Mitigation Measures MM CUL-1** was identified to mitigate potential impacts to inadvertent discoveries of cultural or tribal resources during ground disturbances. Implementation of MM **CUL-2** was identified to mitigate potential impacts to inadvertent discoveries of human remains during ground disturbances. Implementation of MM **GEO-1** was identified to mitigate potential impacts to inadvertent discoveries of paleontological resources during ground disturbances. Accordingly, the Project would not 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 an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory. Impacts would be **less than significant with mitigation incorporated**.

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.)

Less Than Significant Impact With Mitigation Incorporated. As presented in this document, potential Project-related impacts are either less than significant or would be less than significant with mitigation incorporated. There are no potential impacts attributable to the proposed Project that would intermingle with impacts from nearby projects and therefore implementation of the proposed Project would not result in impacts that are cumulatively considerable when evaluated with the impacts of other current projects, or the effects of probable future projects. Therefore, the proposed Project's contribution to any significant cumulative impacts would be less than cumulatively considerable. As discussed in Sections 3.1 through 3.20 of this IS/MND, mitigation would be required and incorporated as necessary. Similarly, all other development projects would be required to adhere to existing regulations and implement project-specific mitigation measures to reduce impacts to less than significant levels, which in combination would reduce potential for cumulative impacts. Therefore, impacts would be **less than significant with mitigation incorporated**.

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

Less Than Significant Impact. Effects on human beings were evaluated as part of the air quality, hazards and hazardous materials, hydrology and water quality, noise, population and housing, traffic, utilities, and wildfire sections of this IS/MND and found to be no impact or less than significant impact for each of the above sections. Therefore, potential direct and indirect impacts on human beings that result from the proposed Project would be **less than significant.** No mitigation is required.

4.0 COMPLIANCE WITH FEDERAL LAWS AND REGULATIONS

The City is seeking federal and state funding for the proposed Rialto Habitat Nature Center (Project) under, and projects seeking federal and state funding are subject to federal laws and regulations (e.g., federal *cross-cutters*). The SWRCB uses a Project's CEQA document along with federal cross-cutting documentation in place of a NEPA document; this document is termed a *CEQA-Plus* document. This chapter summarizes the federal environmental laws and regulations that apply to the Project and describes the Project's compliance with those laws and regulations. The federal regulations addressed in this section are based on guidance from the SWRCB for CEQA-Plus environmental review.

4.1 ENDANGERED SPECIES ACT (ESA), SECTION 7

The federal ESA (16 USC 1531 et seq.) and subsequent amendments establish legal requirements for the conservation of endangered and threatened species and the ecosystems upon which they depend. The ESA is administered by the United States Fish & Wildlife Service (USFWS) for terrestrial species, and by the National Marine Fisheries Service (NMFS) for marine species and anadromous fish. Under the ESA, the USFWS or NMFS may designate critical habitat for listed species. Section 7 of the ESA requires federal agencies to consult with USFWS or NMFS to ensure that their actions are not likely to jeopardize listed threatened or endangered species, or cause destruction or adverse modification of critical habitat. Section 10 of the ESA requires similar consultation for non-federal applicants.

As discussed in Section 3.4, Biological Resources, the Project site is within the existing WWTP boundary owned by the City and does not contain habitat for federally listed species. Although the closest designated Critical Habitat is located approximately 0.50 miles south of the Project site for the Santa Ana Sucker (*Catostomus santaanae*), the Project site and surrounding buffer area are not located within any designated Critical Habitat overlay. Therefore, the Project would not directly or indirectly affect federally listed species and no consultation with USFWS or NMFS is needed.

4.2 MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT, ESSENTIAL FISH HABITAT (EFH)

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) (Public Law 104-267) passed in 1976 and was amended by the Sustainable Fisheries Act of 1996 (Public Law 104-297) and the Magnuson- Stevens Fishery Conservation and Management Reauthorization Act in 2007. The MSA, as amended, governs marine fisheries management in U.S. federal waters out to 200 nautical miles from shore and encourages "long-term biological and economic sustainability of our nation's marine fisheries." The goals of the MSA are to prevent overfishing, to rebuild overfished stocks, to increase long-term economic and social benefits, and to ensure a safe and sustainable supply of seafood. The act is in place to protect our natural resources, to maximize the possible use of these resources, and to make sure the use of marine resources is done in a safe manner. Amendments to the 1996 MSA require the identification of Essential Fish Habitat (EFH) for federally managed species and the implementation of measures to conserve and enhance this habitat. Any project requiring federal authorization is required to complete and submit an EFH Assessment with the application and either show that no significant impacts to the essential habitat of managed species are expected or identify mitigations to reduce those impacts. Under the MSA, Congress defined EFH as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity" (16 USC Section 1802(10)). The EFH provisions of the MSA offer resource managers a means to heighten consideration

of fish habitat in resource management. Pursuant to Section 305(b)(2), federal agencies shall consult with the NMFS regarding any action they authorize, fund, or undertake that might adversely affect EFH.

The proposed Project is adjacent to the Rialto Channel, a concrete lined storm drain channel and unlined channel, which conveys stormwater as well as treated effluent from the WWTP into the Santa Ana River approximately 0.60 mile to the south and downstream from the Project site. As a result of the Rialto Channel used to convey treated effluent, the channel functions as a perennial waterway south and downstream of the Project site. Although the Rialto Channel flows provide habitat for the federally threatened Santa Ana sucker, the Rialto Channel does not support a marine fishery. Therefore, implementation of the proposed Project would not affect marine fisheries or waters nor the substrates necessary for marine fisheries.

4.3 NATIONAL HISTORIC PRESERVATION ACT (NHPA), SECTION 106

Federal protection of resources is legislated by (a) the NHPA of 1966 as amended by 16 U.S. Code 470, (b) the Archaeological Resource Protection Act of 1979, and (c) the Advisory Council on Historical Preservation. These laws and organizations maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Federal and federally-sponsored programs and projects are reviewed pursuant to Section 106 of the NHPA. Section 106 of the NHPA requires federal agencies to consider the effects of proposed federal undertakings on historic properties. NHPA requires federal agencies to initiate consultation with the State Historic Preservation Officer as part of the Section 106 review process.

The Project site, or the area of potential effects (APE), is within a vacant portion of WWTP boundary owned by the City and within San Bernardino County right of way. The lake portion of the Project within the APE is and unused dry pit, heavily disturbed, and void of any structures and the southernly parking lot portion of the APE is a vacant piece of land void of any structures. Due to the nature of the Project, construction activities would be minimal as the most significant activity would be excavation of the lake which is proposed to balance onsite. In addition, construction and operation of the Project would be limited to areas of disturbed APE. As discussed in Section 3.5, Cultural Resources, the APE is determined to have a very low sensitivity for discovery of buried archaeological deposits. In addition, mitigation measure would be implemented to reduce the potential to damage unknown historic resources if uncovered during grading activities. Therefore, there are no historic properties within the APE and the Project would have No Effect on Historic Properties (NIC 2020).

4.4 CLEAN AIR ACT (CAA)

The proposed Project area is located in the City of Rialto, within the South Coast Air Basin (SCAB). Air quality within the Project area is regulated by the U.S. Environmental Protection Agency (EPA) and the California Air Resources board (CARB) at the federal and state levels, respectively, and locally by the South Coast Air Quality Management District (SCAQMD) which has jurisdiction of the SCAB. The proposed Project is within the Central San Bernardino Valley General Forecast Area (GFA) and the Air Monitoring Area (AMA) 34.

Federal General Conformity ensures that the actions taken by federal agencies do not interfere with a state's plans to attain and maintain national standards for air quality. Established under the federal Clean Air Act (CAA) (Section 176(c)(4)), the General Conformity rule plays an important role in helping states improve air quality in those areas that do not meet National Ambient Air Quality Standards (NAAQS). Under the General Conformity rule, federal agencies must work with state and local governments in a nonattainment or maintenance area to ensure that federal actions conform to the air quality plans established in the applicable state or Tribal implementation plan. The overall purpose of the General Conformity rule is to ensure that:

Federal activities do not cause or contribute to new violations of NAAQS;

actions do not worsen existing violations of the NAAQS; and
attainment of the NAAQS is not delayed.

As mentioned above, a General Conformity determination is required if federal activities cause or contribute to new violations of NAAQS. Due to the nature of operations of the lake, the proposed Project would result in equal air pollution emissions as it relates to the existing conditions. The Project site is an unused dry pit that is heavily disturbed due to human and vehicular disturbance. Although the lake would operate a pump to convey treated water into the Rialto Channel, emissions from operation of the pump would be nearly undetectable similar to the vehicular use within the dry pit. In addition, the parking lot would have similar impacts as the area is within the right of way along the heavily driven Agua Mansa Road. The Project would introduce a negligible amount of traffic in the area, therefore air emission impacts would be nearly undetectable. Consequently, the proposed Project would not cause or contribute to new violations of NAAQS due to the minimal size and nature of the Project.

Project construction would be temporary and construction activities would occur in phases to clear the site of vegetation and debris, excavate and grade the lake and parking lot site, landscaping of the lake, and paving of the parking lot site. As a result of construction activities not overlapping, construction pollutant emissions would also not overlap. Furthermore, because the lake site is already a dry pit, it is anticipated grading operations would be minimal in terms of duration and the amount of equipment needed to complete excavation. Similarly, impacts from construction of the parking lot would be minimal as the lot is 11 spaces and the site is currently graded. Therefore, operations of the Project would result in equal air pollution emissions from the existing site and a detailed General Conformity analysis pursuant to the CAA is not required.

4.5 COASTAL ZONE MANAGEMENT ACT

The Coastal Zone Management Act (CZMA) was passed by Congress to encourage coastal states to develop and implement a Coastal Zone Management Plan, or Program (CZMP). The intents of CZMPs are to protect natural resources, manage development in high hazard areas, give development priority to coastal dependent uses, provide public access for recreation, and coordinate state and federal actions. In 1978, the federal government certified the California Coastal Management Plan, the enforceable policies of which are found in Chapter 3 of the California Coastal Act of 1976, as amended.

The Project would be located in the City of Rialto, approximately 45 miles northeast of the Pacific coast. None of the Project's components would be located within the coastal zone, and the CZMA does not apply to the Project.

4.6 COASTAL BARRIERS RESOURCES ACT

The Coastal Barrier Resources Act of 1982 designated various undeveloped coastal barriers for inclusion in the Coastal Barrier Resources System (System). Areas so designated were made ineligible for direct or indirect federal financial assistance that might support development, including flood insurance, except for emergency life-saving activities. Exceptions for certain activities, such as fish and wildlife research, are provided, and National Wildlife Refuges and other, otherwise protected areas are excluded from the System. The System includes relatively undeveloped coastal barriers along the Atlantic and Gulf coasts, as well as the Great Lakes, Puerto Rico, and the Virgin Islands.

The proposed Project is not within the System, as it is in the State of California and the System encompasses areas within the Gulf Coast, Atlantic Ocean, and the Great Lakes but not the Pacific Coast. Therefore, the Coastal Barriers Resources Act does not apply to the Project.

4.7 FARMLAND PROTECTION POLICY ACT

The Farmland Protection Policy Act (FPPA) is intended to minimize the contribution of federal programs to the unnecessary and irreversible conversion of farmland to nonagricultural uses. It does not authorize the federal government to regulate the use of private land or lands not under federal jurisdiction, or in any way affect the rights of property owners. Under the FPPA, farmland includes Prime Farmland, Unique Farmland, and Land of Statewide or Local Importance. Farmland subject to FPPA requirements does not have to be currently used for cropland; however, it cannot be open water or urban built-up land.

The California Department of Conservation (DOC) identifies the Project site as Urban and Built-Up Land. Therefore, the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

4.8 FLOODPLAIN MANAGEMENT – EXECUTIVE ORDER (EO) 11988

EO 13690, "The Federal Flood Risk Management Standard" (January 30, 2015) revises EO 11988, "Floodplain Management" (May 24, 1977), and directs federal agencies to take the appropriate actions to reduce risk to federal investments, specifically to "update their flood-risk reduction standards." The goal of this directive is to improve the resilience of communities and federal assets against the impacts of flooding and recognizes the risks and losses due to climate change and other threats.

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRMs) are used to determine if properties are located within Special Flood Hazard Areas. As explained in Section 3.10, "Hydrology and Water Quality," of this Initial Study, the Project area is within the reduced flood risk (Zone X) as designated by FEMA. In addition, the Project area is not located in a Special Flood Hazard Area, as identified on FIRM panel 06067C0177, dated June 16, 2015 (FEMA 2015). Furthermore, the Project would include reconstruction of an existing pump station and construction of a microwave tower and would not include any new residences. Therefore, the Project would not result in any additional exposure of people or structures to risk of flooding, and the Project would have no impact related to a 100-year flood hazard area or risk of flooding.

4.9 MIGRATORY BIRD TREATY ACT (MBTA)

The MBTA of 1918 (16 USC 703-711) prohibits take of any migratory bird, including eggs or active nests, except as permitted by regulation (e.g., licensed hunting of waterfowl or upland game species). Under the MBTA, "migratory bird" is broadly defined as "any species or family of birds that live, reproduce or migrate within or across international borders at some point during their annual life cycle" and thus applies to most native bird species.

As discussed in Section 3.4, Biological Resources, of this IS/MND, the RHNC area provides limited nesting and foraging habitat for special status wildlife due to the location and surrounding land uses and the built nature of the Project site. As determined in the Biological Resources Assessment (BRA), habitat found onsite does not provide suitable habitat for sensitive wildlife species. However, direct impacts associated with vegetation removal may occur to all avian species covered under the MBTA with the removal of potential nesting and foraging habitat. Under **Mitigation Measure BIO-1**, if Project construction is scheduled to occur during the typical breeding bird season (January 1 through August 15 for raptors and February 15 through August 31 for all other avian species), direct removal of vegetation and indirect short-term noise effects to birds that may forage or nest onsite or within the buffer area may occur. As stated in the BRA, to reduce potential impacts on nesting birds, if vegetation removal and/or construction activities were to occur during nesting bird season, a pre-construction nesting bird survey would be required within five (5) days of ground disturbances during typical nesting bird season to delineate any active nests found within the Study Area. Should an active nest be observed, a no-work buffer shall occur surrounding the active nest, until determined by the Project Biologist it has become inactive. As concluded in Section 3.4, Biological

Resources, implementation of the pre-construction nesting bird survey would prevent any direct or indirect impacts due to the removal of vegetation and construction-related noise on species covered under the MBTA. Therefore, the Project would not impact migratory birds.

4.10 PROTECTION OF WETLANDS – EXECUTIVE ORDER 11990

The purpose of EO 11990 (May 24, 1977) is to "minimize the destruction, loss or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands." To meet these objectives, EO 11990 requires federal agencies, in planning their actions, to consider alternatives to wetland sites and limit potential damage if an activity affecting a wetland cannot be avoided. EO 11990 applies to: Acquisition, management, and disposition of federal lands and facilities construction and improvement projects which are undertaken, financed, or assisted by federal agencies; and federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulation, and licensing activities.

The Project would be constructed and operated within the existing WWTP property owned by the City. The WWTP and its structures are not considered Waters of the U.S. or Waters of the State. As determined in the BRA and discussed in Section 3.4, Biological Resources, the Project site contains no wetlands nor any jurisdictional features. Furthermore, the Rialto Channel located adjacent to the Project site would not be impacted as part of Project implementation. Therefore, no impacts are expected to occur to protected wetlands.

4.11 WILD AND SCENIC RIVERS ACT

The Wild and Scenic Rivers Act (16 USC Section 1271 et seq.) establishes a National Wild and Scenic Rivers System (NWSRS) for the protection of rivers with important scenic, recreational, fish and wildlife, and other values. Rivers are classified as wild, scenic, or recreational. The Act designates specific rivers for inclusion in the System and prescribes the methods and standards by which additional rivers may be added.

Although the Project site is adjacent to the Rialto Channel, the nearest designated wild and scenic river in the National Wild and Scenic Rivers System is Deep Creek located more than 20 miles northeast of the City (NWSRS n.d.). Therefore, no portion of the Project is located within or near a designated wild and scenic river. As a result, the Project would not impact wild and scenic rivers.

4.12 SAFE DRINKING WATER ACT, SOURCE WATER PROTECTION

The Safe Drinking Water Act of 1974 (SDWA) was established to protect the quality of drinking water in the U.S. This law focuses on all waters actually or potentially designed for drinking use, whether from above ground or underground sources. The SDWA authorizes USEPA to establish minimum standards to protect tap water and requires all owners or operators of public water systems to comply with these primary (health-related) standards. Under the SDWA, the USEPA also establishes minimum standards for state programs to protect underground sources of drinking water from endangerment by underground injection of fluids.

The proposed Project is located in the City of Rialto within San Bernardino County, California. Designated sole source aquifers in California are located in Fresno County, Scotts Valley, and on the California/Mexico border, none of which would be in the vicinity of the proposed Project (USEPA 2022). Therefore, the SDWA as it pertains to underground water sources does not apply to the Project.

According to the City's General Plan (GP), nearly all of the City's water sources come from local surface water and groundwater supplies directly beneath Rialto. As stated in the City's GP, water is pumped from many wells that tap into the Lytle, Rialto, Bunkerhill, and North Riverside aquifers, and surface water is available from treated water coming from Lytle Creek in the San Bernardino Mountains and Lake Silverwood, a California State Water Project

facility. In addition, open space areas along Cajon Wash, Lytle Creek Wash, and the Santa Ana River allow for recharge of the groundwater basins.

The City is served by three water agencies: the City of Rialto Department of Public Works Water Division (RPWDWD), the West Valley Water District (WVWD), and the Fontana Water Company (FWC). The WVWD is responsible for supplying potable water to the existing WWTP site and surrounding area. The WVWD services the northern and southern portions of the City, from Baseline Avenue to I-15, with a narrow extension in the south from Merrill Avenue south beyond Agua Mansa Road to the Santa Ana River. WVWD's primary source of water is WVWD-owned water wells. These wells draw water from four water basins: Lytle Creek Surface Water Basin, Rialto Ground Water Basin, Bunkerhill Ground Water Basin, and Chino Hill Ground Water Basin.

Because construction of the proposed Project does not include heavy grading activities and operation of the proposed Project would be within the existing WWTP site boundary, no WVWD infrastructure supplying potable water to the site and surrounding area would be impacted. Therefore, the SDWA as it pertains to aboveground water sources does not apply to the Project.

4.13 ENVIRONMENTAL JUSTICE– EXECUTIVE ORDER 12898

In 1994, President Bill Clinton issued the EO 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," to focus federal attention on environmental and human health conditions in minority and low-income communities. EO 12898 promotes nondiscrimination in federal programs that substantially affect human health and the environment, and it provides information access and public participation relating to these matters. This order requires federal agencies (and state agencies receiving federal funds) to identify and address any disproportionately high or adverse human health or environmental effects of their programs, policies, and activities on minority and/or low-income populations. The Council on Environmental Quality (CEQ) oversees federal compliance with EO 12898. According to the CEQ environmental justice guidelines, minority populations should be identified if:

- A minority population percentage either exceeds 50 percent of the population of the affected area, or
- If the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis (e.g., a governing body's jurisdiction, neighborhood census tract, or other similar unit).

The City's 2021-2029 Housing Element Update (Housing Element) provides race/ethnicity information in the City based on the U.S. Census 2019 American Community Survey and income information based on 2013-2017 Department of Housing and Urban Development Comprehensive Housing Affordability Strategy. According to the updated Housing Element in the Rialto General Plan, approximately 41% of all Rialto households qualify as lower income. Because the Rialto Habitat Nature Center location is surrounded by Disadvantaged Communities (DAC) or Severely Disadvantaged Communities (SDAC) as identified by the California Department of Water Resources DAC Mapping Tool (https://gis.water.ca.gov/app/dacs/), these nearby underserved DAC and SDAC communities would benefit from the Project. The proposed Project presents an opportunity for the City to provide these surrounding underserved communities and all City and nearby residents with additional public open space, passive recreational areas, and environmental education programs.

.

Potential adverse impacts of the Project are limited to short-term, construction-related nuisance effects. Once Project construction is completed, the Project would be beneficial to the environment, the City and its residents by creating an outdoor, passive recreational park with environmental education opportunities for Rialto residents and neighboring community residents in an abandoned pit located on the City-owned WWTP. Therefore, the Project does not involve any activity that is likely to be of interest to or could have a disproportionate impact upon minority or low-income populations.

4.14 FISH AND WILDLIFE CONSERVATION ACT

The Fish and Wildlife Conservation Act of 1980 (16 USC 2901 et seq.) encourages federal agencies to conserve and promote conservation of non-game fish and wildlife species and their habitats. In addition, the Fish and Wildlife Conservation Act (16 USC 661 et seq.) requires federal agencies undertaking projects affecting water resources to consult with the USFWS and the state agency responsible for fish and wildlife resources whenever the waters of any stream or other body of water are proposed or authorized to be impounded, diverted, the channel deepened, or the stream or other body of water will otherwise be controlled or modified for any purpose whatsoever, including navigation and drainages. The 1988 amendment (Public Law 100-653, Title VIII) to the Fish and Wildlife Conservation Act requires the Secretary of the Interior, through the USFWS, to "identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act of 1973."

A determined in Section 3.4, Biological Resources, no special status wildlife species or evidence of their presence were observed or heard during the field survey conducted. Given the Project site's disturbed environment, proximity to the WWTP, and lack of suitable habitat for the sensitive species, there is no opportunity sensitive wildlife species to occur within the Project site. Furthermore, implementation of the Project would not affect or modify any stream or water body. Therefore, the Project would have no effect with compliance with this Act.

4.15 CLIMATE CHANGE

Increases in greenhouse gas (GHG) concentrations in the atmosphere have led to increased global average temperatures (climate change) through the intensification of the greenhouse effect, and associated changes in local, regional, and global average climatic conditions. These changes may translate into a variety of issues and concerns that may affect the project facilities, including but not limited to:

- increased frequency of droughts associated with changes to precipitation patterns,
- increased stormwater runoff associated with changes to precipitation patterns, and
- increased risk of flooding associated with changes to precipitation patterns.

Although uncertainty exists as to the precise levels of these impacts, there is consensus regarding the range, frequency, or intensity of these impacts that can be expected. The proposed Project could be subject to potential hazards that could be exacerbated by climate change, such as changes in the amount of wastewater, timing and amount of runoff, and the increased risk of flooding associated with changes to precipitation.

Increases in intense storm events could result increases in effluent related to stormwater runoff. However, as discussed in Section 3.9, "Hydrology and Water Quality," the City has ordinances to address stormwater runoff throughout the city that would reduce the extent and severity of climate change-related impacts related to stormwater. As determined in this section, the Project area is not within a 100-year floodplain, nor within a Special Flood Hazard Area. Therefore, the potential for climate change-related impacts from increased risk of flooding associated with changes to precipitation patterns to affect the project facilities is low.

Adaptation measures are measures taken in direct response to vulnerabilities to climate change. Although, the new RHNC would increase energy usage when compared to the Project site's existing unused pit condition, the new pump and required infrastructure systems designed to maintain lake water levels would be in accordance with the Titles 20 and 24 of the California Code of Regulations, which reduce demand for electrical energy. In addition, design of the proposed Project would construct a lake that has the capability of regulating flows into the Rialto Channel. Due to the nature of the lake and its capabilities of regulating flows, by nature the Project would provide adequate stormwater facilities in the event of storms.

Although the effects of climate change on the Project facilities is considered less than significant, the Project would include measures that would reduce the City's overall contribution to climate change including improved energy efficiency and reduced facility maintenance requirements.

5.0 ALTERNATIVES

This chapter includes a discussion of alternatives to the proposed project in compliance with State Water Resources Control Board CEQA-Plus requirements related to State Revolving Fund loans and per U.S. Environmental Protection Agency guidance for environmental information documents related to Special Appropriation Fund Grants. These alternatives are provided to meet the CEQA-Plus requirements and are not required for compliance with CEQA. The proposed Project is described in Chapter 2, "Project Description," and evaluated throughout this IS/MND and therefore is not discussed below.

5.1 ALTERNATIVE 1: NO PROJECT ALTERNATIVE

Under the No Project Alternative, the City would continue to own the existing unused dry pit at the existing location. No clearing or site preparation would occur at the existing pump station site. A new lake and parking lot would not be constructed and the site and would remain vacant. With this alternative, no construction-related impacts would occur and the proposed lake and parking lot would not be installed. The current impacts to the threatened Santa Ana Sucker and Arroyo Chub would continue to increase resulting in further impacts from the current warm flows into the Rialto Channel form the WWTP. In addition, although does not contain habitat for federally listed species, mitigation would not be required under this alternative as potentially suitable nesting habitat for avian species would not be impacted.

The No Project Alternative would not achieve any of the project objectives, would result in greater long-term operational impacts, greater potential for service interruptions, and would result in increased operations and maintenance costs.

5.2 ALTERNATIVE 2: NO RECREATION ALTERNATIVE

Under Alternative 2, the City would develop a redesigned lake site with a greater capacity by maximizing the acreage of existing dry pit site. Under this alternative, the larger water holding capacity of the lake would increase the biological benefits from increase. This would reduce inspection and maintenance needs of the recreational trails as a result of eliminating the recreational use per the proposed Project's objective. With this alternative, associated parking may be eliminated as its objective to provide parking for recreational lake guests would cease. The recreational trail also provides a pathway around the lake for educational purposes and as a result, this alternative would also eliminate the proposed Project's educational objective.

This alternative would meet some of the project objectives; however, *would eliminate the benefits of the proposed public open space and passive recreation opportunities to the surrounding Disadvantaged Communities (DAC) and Severely Disadvantaged Communities (SDAC).* This alternative may also impact funding as a result of the elimination of the proposed Project's recreational and educational uses.

5.3 ALTERNATIVE 3: NEW LAKE LOCATION ALTERNATIVE

Under Alternative 3, the City would construct the new lake with adjacent parking west the existing proposed Project site. This site is approximately 4.5 acres on two parcels, although a smaller lake size, this alternative would include a adjacent parking lot for guests. Although minor, construction-related impacts for the pathway would also not occur with this alternative. However, impacts associated with the lake and parking lot would still occur under this alternative albeit to a smaller magnitude as the lake would be smaller. In addition, this alternative would require

underground infrastructure improvements to make the existing connection into the Rialto Channel approximately three-tenths mile east under this alternative.

This alternative would meet all of the project objectives; however, this location is owned by EMWD of which may cause further approvals. In addition, construction-related impacts such as air quality impacts would be greater under this alternative compared to the proposed project because of the additional construction required due to the increase in distance to make the connection between the WWTP ant lake and then back to the Rialto Channel. This alternative would also decrease the effluent benefits as the lake capacity would be significantly reduced. Furthermore, under this alternative, this alternative site and the property between the existing proposed Project site is within a protected habitat for the Delhi Sands Fly, thereby could cause a potentially significant biological resource impact.

5.4 ALTERNATIVE 4: NO PARKING ALTERNATIVE

Under Alternative 4, the City would eliminate on-site parking for lake guests. The parking lot site is within the right of way of San Bernardino County in the City of Colton. The existing parking lot area would remain vacant and lake guests would have to use other nondescript off-site parking locations. Access into the lake would remain along the western trail along the Rialto Channel under this alternative.

This alternative would meet most of project objectives; however, it would have greater impacts related to emergency access and vehicular circulation as the lake would not have a designated location for a point of access to the lake site. In addition, this alternative would result in less impacts compared to the proposed project due to the elimination of some of the proposed Project's construction- and paving -related activities.

5.5 SUMMARY

In summary, the proposed Lake Rialto would achieve all of the Project Objectives and all potentially significant impacts would be reduced to less than significant with mitigation. Because all of the alternatives discussed above either do not meet all of the Project Objectives or result in greater environmental impacts compared to the proposed Project, the proposed Project as described in Chapter 2, "Project Description," was selected as the preferred alternative.

6.0 MITIGATION MONITORING REPORT PLAN

Mitigation Measures	Responsible Party	Monitoring Party	Implementation Timing	Compliance Verification		
				Initial	Date	Comments
BIOLOGICAL RESOURCES						
MM BIO-1: If grading, site disturbance, or operational vegetation maintenance is to occur between January 1 through August 15 for raptors and February 15 through August 31 for all other avian species, a nesting bird survey shall be conducted within all suitable habitat, on-site and within 300-feet surrounding the site (as feasible), by a qualified biologist within no more than 5 days of scheduled vegetation removal or start of ground disturbing activities, to determine the presence of nests or nesting birds. If active nests are identified, the biologist shall establish buffers around the vegetation (500 feet for raptors and sensitive species, 200 feet for non-raptors/non-sensitive species). All work within these buffers shall be halted until the nesting effort is finished (i.e. the juveniles are surviving independent from the nest). The on-site biologist shall review and verify compliance with the no-work buffers and verify the nesting effort has finished. Work can resume when no other active nests are found on-site or within the surrounding buffer area. Alternatively, a qualified biologist may determine that construction can be permitted within the buffer areas of an active nest with preparation and implementation of a monitoring plan to prevent any impacts while the nest continues to be active (eggs, chicks, etc.). Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared documenting mitigation monitoring compliance. If ground disturbances have not commenced within 5 days of a negative survey or if construction activities have stopped for 5 days or longer, the nesting survey must be repeated to confirm the absence of nesting birds.	City of Rialto; Project contractor; Project Biologist	City of Rialto Community Development Department (Planning and Building & Safety Divisions)	Prior to all grading and construction activities.			
CULTURAL RESOURCES						
MM CUL-1: Prior to grading activities and in consultation with the City, a qualified archaeologist shall develop a treatment plan. The treatment plan shall include protocols for the treatment of inadvertent discoveries of cultural or tribal resources during ground disturbances that would include evaluation of the resource(s) for CRHR-eligibility and further treatment to reduce impacts to the resource(s) through treatment that may include salvage excavation, laboratory analysis and processing, research, curation of the find in a local museum or repository, and preparation of a report summarizing the find(s). If the discovery is prehistoric in nature, local Native Americans shall be consulted.	City of Rialto; Project contractor; Project archaeologist.	City of Rialto Community Development Department (Planning and Building & Safety Divisions)	Prior and during all grading and construction activities.			

Mitigation Measures	Responsible Party	Monitoring Party	Implementation Timing	Compliance Verification		
				Initial	Date	Comments
If cultural resources or tribal cultural resources (such as structural features, unusual amounts of bone or shell, artifacts, or human remains) are encountered in the Project area during construction, the Project contractor shall stop work within 100 feet of the find(s) and the construction contractor shall immediately notify the project's City representative. The City representative in coordination with the Project contractor shall implement the evaluation and treatment protocols contained in the treatment plan.						
MM CUL-2: If human remains are encountered in the Project area during construction, the Project contractor shall stop work in accordance with State Health and Safety Code Section 7050.5. No further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). With the permission of the City or authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. In addition, according to the California Health and Safety Code, a cemetery is place where six (6) or more human bodies are buried (Section 8100), and unauthorized disturbance of Native American cemeteries is a felony (Section 7052.	City of Rialto; Project contractor; Project archaeologist.	City of Rialto Community Development Department (Planning and Building & Safety Divisions)	Prior and during all grading and construction activities.			
GEOLOGY AND SOILS						
MM GEO-1: If paleontological resources are encountered in the Project area during construction, work shall be suspended within 100 feet of the find (based on the apparent distribution of paleontological materials), and the construction contractor shall immediately notify the Project's City representative. The City shall contact a qualified paleontologist to evaluate the finds and the paleontologist shall: 1) implement avoidance and minimization measures if necessary; 2) identify the need for off-site lab evaluation requirements if necessary; and 3) define the steps needed for final disposition of the finds if necessary.	City of Rialto; Project contractor; Project paleontologist.	City of Rialto Community Development Department (Planning and Building & Safety Divisions)	Prior and during all grading and construction activities.			

7.0 REFERENCES

1.0 INTRODUCTION

No citations were used in this chapter.

2.0 PROJECT DESCRIPTION

No citations were used in this chapter.

3.0 ENVIRONMENTAL CHECKLIST

Air Quality and Greenhouse Gas Impact Assessment. Prepared by Urban Crossroads (UC 2023). Appendix A.

Biological Resource Assessment. Prepared by Carlson Strategic Land Solutions (CSLS 2023). Appendix B.

Calabasas Landfill. CalRecycle (2022). Available:
https://www2.calrecycle.ca.gov/SolidWaste/Site/Details/1041. Accessed February 17, 2022.

CalRecycle Solid Waste Information System Facility/Site Search. Available:
https://www2.calrecycle.ca.gov/SWFacilities/Directory/. Accessed February 17, 2022.

CalRecycle Jurisdiction Disposal and Alternative Daily Cover. Available:
https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility

California Fire Hazard Severity Zone Viewer. Cal FIRE (2022).
Available: https://egis.fire.ca.gov/FHSZ/. Accessed February 17, 2022.

California Important Farmland Finder. California Department of Conservation. Available:
https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed February 17, 2022.

California State Scenic Highway System Map. Available:
https://www.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983]

City of Rialto. General Plan. December 2010.

City of Rialto. General Plan EIR. Available:
https://yourrialto.com/DocumentCenter/View/1494/2010-General-Plan. Accessed February 17, 2022.

City of Rialto. Official City Zoning Map. Updated July 8, 2013.

City of Rialto. Rialto Airport Specific Plan. November 18, 1997.

County of San Bernardino. Countywide Plan. November 27, 2020.

City of Rialto Municipal Code. Available:
https://library.municode.com/ca/rialto/codes/codeofordinances?nodeId=RIALTOCALIFORNIAMUCO.
Accessed February 17, 2022.

Cultural Resources Assessment. Prepared by Brian F. Smith and Associates, Inc. (BFSA 2023). Appendix C.

EnviroStor. Department of Toxic Substances Control.
Available: https://www.envirostor.dtsc.ca.gov/public/. Accessed February 17, 2022.

Estimated Solid Waste Generation Rates. CalRecycle.
Available: https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates.
Accessed February 17, 2022.

Fault Activity Map of California. California Department of Conservation.
Available: https://maps.conservation.ca.gov/cgs/fam/. Accessed February 17, 2022.

FEMA Flood Map Center.
Available:https://msc.fema.gov/portal/search?AddressQuery=16323%20shoemaker%20avenue%20Cerritos%20#searchresultsanchor. Accessed February 17, 2022.

Geotechnical Exploration. Prepared by NMG Geotechnical (NMG 2023). Appendix D.

Scholl Canyon Landfill. CalRecycle (2022).
Available: https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/1000. Accessed February 17, 2022.

4.0 COMPLIANCE WITH FEDERAL LAWS AND REGULATIONS

Federal Emergency Management Agency. 2015 (June 16). Flood Insurance Rate Map.
Available: https://msc.fema.gov/portal. Accessed November 2, 2022.

U.S. Bureau of Land Management, National Park Service, U.S. Fish and Wildlife Service, and U.S. Forest Service. 2020. National Wild and Scenic Rivers System.
Available: https://www.rivers.gov/rivers/deep-creek.php. Accessed January 10, 2023.

U.S. Census Bureau. 2021. 2021-2016 American Community Survey 5-Year. Demographic and Housing Estimates. City of Sacramento Rialto. Available:https://data.census.gov/all?g=040XX00US06_160XX00US0660466&d=ACS+5-Year+Estimates+Data+Profiles. Accessed February 17, 2022.

U.S. Environmental Protection Agency. 2021. Sole Source Aquifer.
Available: https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b. Accessed February 17, 2022.

5.0 ALTERNATIVES

No citations were used in this chapter.

8.0 REPORT PREPARERS

CITY OF RIALTO (LEAD AGENCY)

Aaron Brown	Assistant City Manager, City Manager's Office

ENPLANNERS INC (CEQA CONSULTANT)

Raymond Hussey, AICP	Principal/Project Manager
Noah Ridlon	Environmental Planner

Appendix A: Air Quality and Greenhouse Gas Assessment

Appendix B: Biological Resource Assessment

Appendix C: Cultural Resources Assessment

Appendix D: Geotechnical Exploration and Review of Grading and Improvement Plan