## SECTION 1 INTRODUCTION

Independently reviewed, analyzed and exercised judgment in making the determination, by the Rialto Planning Division on (1-16-22), pursuant to Section 21082 of the California Environmental Quality Act (CEQA).

CEQA requires the preparation of an Initial Study when a proposal must obtain discretionary approval from a governmental agency and is not exempt from CEQA. The purpose of the Initial Study is to determine whether or not a proposal, not except from CEQA, qualifies for a Negative Declaration (ND) or whether or not an Environmental Impact Report (EIR) must be prepared.

- 1. Project Title: Locust Avenue Warehouse Building (CDP No. 2021-0035, PPD No. 2021-0046 & EAR NO. 2021-0046)
- 2. Lead Agency Name: City of Rialto Planning Division 150 South Palm Avenue Rialto, CA 92376
- 3. Contact Person: Daniel Rosas, Associate Planner Phone Number: (909) 820-8047
- Project Location: 2889 North Locust Avenue; East side of Locust Avenue approximately 650 feet north of Persimmon Avenue within the Airport Specific Plan, City of Rialto.
- 5. Geographic Coordinates of Project Site: 34° 08' 13.66" N, 117° 24' 12.61" W
- 6: USGS Topographic Map: Devore 7.5-Minute USGS Topographic Quadrangle
- 7: Public Land Survey System: Township 1 North, Range 5 West, Section 21
- 8. Thomas Guide Location: Map 575, Grid C2, 2013 San Bernardino & Riverside Counties
- 9. Assessor Parcel Number: 0239-193-11

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- 10. General Plan and Zoning Designations: Airport Specific Plan Planned Industrial Development (I-PID)
- 11. Description of Project: Locust XC, LLC is proposing the development of 4.81 gross acres as a 99,636 square-foot speculative warehouse distribution building with office space. The building is designed as 97,636 square-feet for warehousing and a 2,000 square-foot office on a mezzanine level. The Proposed Project will include approximately 29,227 square-feet of landscaping (14.25% of net area developed), 10 dock high doors, 2 trailer parking spaces, and 69 auto parking spaces to include 3 handicap accessible. Parking will be

designed to provide for the future addition of four Electric Vehicle Charging Stations and two Carpool Parking spaces.

Other proposed on-site improvements include paving, fencing, drainage, streetlights, and access improvement. Access to the Project Site will be provided by two driveways along Locust Avenue. The northwestern driveway will be approximately 26-foot wide designated for only passenger cars. The southwestern driveway will be approximately 32-foot wide designated for both passenger cars and trucks. Additional improvements include new curb, gutter, sidewalk, and parkway improvements across the frontage of Locust Avenue. Eightfoot high tubular steel fencing painted black will be installed along the north and south perimeters. Existing block wall fencing along the east perimeter at residential uses will remain.

The proposed building setback from the east property line is 43 feet. To meet the requirement of a 1:1 ratio, the maximum height of the building (adjacent finish grade to top of parapet) will be 43 feet. At no point shall the height of the building exceed the proposed 43-foot setback. For every one-foot of property height, the property will have a minimum one-foot set back from neighboring residential zone, therefore the parapet will be reduced to maintain a minimum 1:1 ratio. Discretionary actions by the City of Rialto include approval of the Project's Precise Plan of Design application and approval of a Conditional use Permit application.

This Initial Study addresses the potential impacts of the Proposed Project including all associated discretionary actions and approvals required to implement the Proposed Project, as well as all construction and operational activities.

	ZONING	EXISTING
PROJECT SITE	Airport Specific Plan – Planned Industrial Development (I-PID)	Vacant
NORTH	Airport Specific Plan – Planned Industrial Development (I-PID)	Industrial Building and Vacant
EAST	Single Family Residential (R- 1A)	Residential
SOUTH	Airport Specific Plan – Planned Industrial Development (I-PID)	Industrial Building and Vacant
WEST	Airport Specific Plan – General Manufacturing (I-GM)	Vacant

## **12.** Surrounding Land Uses and Setting:

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

• California Regional Water Quality Control Board, Santa Ana Region (RWQCB – Santa Ana Region, General Construction Permit, Storm Water Pollution Prevention Plan (SWPPP) and National Pollutant Discharge Elimination System (NPDES)

- City of Rialto discretionary actions:
  - Approval of a Precise Plan of Design application
  - Approval of a Conditional Development Permit

## 1.1 EVALUATION FORMAT

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. This format of the study is presented as follows. The project is evaluated based upon its effect on twenty-one (21) major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

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Potentially SignificantLess than SignificantLess than SignificantNo ImpactImpactwith Mitigation
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

- 1. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.
- 2. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- 3. Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List mitigation measures)
- 4. Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are: (List the impacts requiring analysis within the EIR).

At the end of the analysis the required mitigation measures are restated and categorized as being either self-monitoring or as requiring a Mitigation Monitoring and Reporting Program.

#### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED 1.2

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Agriculture & Forestry Resources		Air Quality
$\boxtimes$	<b>Biological Resources</b>	$\boxtimes$	Cultural Resources		Energy
$\boxtimes$	Geology / Soils		Greenhouse Gas Emissions		Hazards & Hazardous Materials
	Hydrology / Water Quality		Land Use / Planning		Mineral Resources
$\boxtimes$	Noise		Populations / Housing		Public Services
	Recreation		Transportation	$\square$	Tribal Cultural Resources
	Utilities / Service Systems		Wildfire	$\boxtimes$	Mandatory Findings of Significance

#### 1.3 ENVIRONMENTAL DETERMINATION

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

- I find that the Proposed Project COULD NOT have a significant effect on the environment, and a  $\Box$ NEGATIVE DECLARATION will be prepared.
- I find that although the Proposed Project would have a significant effect on the environment, there  $\boxtimes$ 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.
- I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find 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.
- I find 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 EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.

Signature

Printed Name

Date Cry of Ridiro

# SECTION 2 PROJECT DESCRIPTION

#### 2.1 PURPOSE OF THIS DOCUMENT

The purpose of this Initial Study is to identify potential environmental impacts associated with a Proposed Project being the development of a warehousing facility on approximately 4.81 acres located within the Rialto Airport Specific Plan and with an address of 2889 North Locust Avenue. The Project Site is located on the east side of Locust Avenue and north of Persimmon Avenue in the City of Rialto. This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.

Pursuant to Section 15367 of the State CEQA Guidelines, the City of Rialto is the Lead Agency in the preparation of this Initial Study. The City has primary responsibility for approval or denial of this project. The intended use of this Initial Study is to provide adequate environmental analysis related to project construction and operational activities of the Proposed Project.

### 2.2 **PROJECT LOCATION**

The Project Site is located in the northern portion of the City of Rialto adjacent to the north side of Interstate-210 (I-210). Figure 1, Regional Location, depicts the location of the Project Site in context to its regional setting. As shown on Figure 2, Project Vicinity, the Project Site is located on the east side of Locust Avenue and north of Persimmon Avenue. The address is at 2889 North Locust Avenue and the Assessor's Parcel Number is 0239-193-11. The Project Site is located in the SW ¼ of Section 21, Township 1 North, Range 5 West on the Devore USGS 7.5-minute Quadrangle Map.

#### 2.3 **PROJECT DESCRIPTION**

Locust XC, LLC is proposing the development of 4.81 gross acres as a 99,636 square-foot speculative warehouse distribution building with office space. The building is designed as 97,636 square-feet for warehousing and a 2,000 square-foot office on a mezzanine level (See, Figure 3, Site Plan). The Proposed Project will include approximately 29,227 square-feet of landscaping (14.25% of net area developed), 10 dock high doors, 2 trailer parking spaces, and 69 auto parking spaces to include 3 handicap accessible. Parking will be designed to provide for the future addition of four Electric Vehicle Charging Stations and two Carpool Parking spaces.

Other proposed on-site improvements include paving, fencing, drainage, streetlights, and access improvement. Access to the Project Site will be provided by two driveways along Locust Avenue. The northwestern driveway will be approximately 26 foot wide designated for only passenger cars. The southwestern driveway will be approximately 32 foot wide designated for both passenger cars and trucks. Additional improvements include new curb, gutter, sidewalk, and parkway improvements across the frontage of Locust Avenue. Eight-foot high tubular steel fencing painted black will be installed along the north and south perimeters. Existing block wall fencing along the east perimeter at residential uses will remain.



CORPORATION



**PROJECT VICINITY** Locust Avenue Development - XEBEC City of Rialto, California





# **SITE PLAN**

Locust Avenue Development - XEBEC City of Rialto, California FIGURE 3



The proposed building setback from the east property line is 43 feet. To meet the requirement of a 1:1 ratio, the maximum height of the building (adjacent finish grade to top of parapet) will be 43 feet. At no point shall the height of the building exceed the proposed 43-foot setback. For every one-foot of property height, the property will have a minimum 1 foot set back from neighboring residential zone, therefore the parapet will be reduced to maintain a minimum 1:1 ratio. Discretionary actions by the City of Rialto include approval of the Project's Precise Plan of Design application and approval of a Conditional use Permit Application.

#### General Plan Designation and Zoning

The Rialto Airport Specific Plan: Land Use Map shows that the Project Site is located within the Planned Industrial Development (I-PID) land use category. According to the Rialto Airport Specific Plan, 588 acres are designated for the I-PID land use category for light industrial and industrial/business park uses. I-PID requires a minimum lot size 20,000 square-feet and planned uses include light manufacturing with attendant office and administration areas. As shown on the Rialto Airport Specific Plan Table 8: Permitted Uses, Non-Residential Designations, General Permitted Uses, warehousing is a permitted use within the I-PID land use category. Additionally, according to the Rialto Municipal Code Chapter 18.112 (Indoor Storage Uses), a warehouse facility may be established with a conditional development permit approval.

### 2.4 EXISTING CONDITIONS AND SURROUNDING LAND USES

The Project Site consists of APN 0239-193-11. The Project Site is undeveloped and consists primarily of ruderal vegetation. Residential uses occur to the east, warehouses occur to the north and south. Vacant parcels are adjacent to the north and the west. To the south is property partially developed for industrial uses.

## 2.5 INTENDED USE OF THIS DOCUMENT

This Initial Study addresses the potential impacts of the Proposed Project, as well as those of the associated discretionary actions and approvals required to implement the Proposed Project, and those of subsequent construction and operational activities.

Less than

Significant

No

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# SECTION 3 ENVIRONMENTAL CHECKLIST FORM

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#### **I. AESTHETICS** – Would the project:

- Mitigation Impact Have a substantial adverse effect on a scenic vista?  $\boxtimes$ a) b) Substantially damage scenic resources, including but  $\square$ not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? c) Substantially degrade the existing visual character or quality of the site and its surroundings? If the project  $\boxtimes$ 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  $\boxtimes$ would adversely affect day or nighttime views in the area?
  - a) Less than Significant. The City of Rialto General Plan identifies the views of the San Gabriel and San Bernardino Mountains as backdrops for creating scenic vistas throughout the City. The San Bernardino Mountains are located to the northeast of the Project Site and the San Gabriel Mountains are located to the northwest. In accordance with City of Rialto General Plan Goal 2-14: Protect scenic vistas and scenic resources, the City recognizes the following policies:
    - Policy 2-14.1: Protect views of the San Gabriel and San Bernardino Mountains by ensuring that building heights are consistent with the scale of surrounding, existing development.
    - Policy 2-14.2: Protect views of the La Loma Hills, Jurupa Hills, Box Spring Mountains, Moreno Valley, and Riverside by ensuring that building heights are consistent with the scale of surrounding, existing development.
    - Policy 2-14.3: Ensure use of building materials that do not produce glare, such as polished metals or reflective windows.

Rialto Specific Plan: Land Us Map shows that the Project Site is located within the Planned Industrial Development (I-PID).<sup>1</sup> The maximum allowed building height in the I-PID land

<sup>&</sup>lt;sup>1</sup> Rialto Airport Specific Plan, Exhibit 3: Land Use Plan. Page I-9.

use category as 75 feet. The proposed building setback from the east property line is 43 feet. To meet the requirement of a 1:1 ratio, the maximum height of the building (adjacent finish grade to top of parapet) will be 43 feet. At no point shall the height of the building exceed the proposed 43-foot setback. Therefore, the proposed warehousing facility will be developed in accordance with the applicable maximum building height requirement. Additionally, discretionary actions for the Proposed Project by the City of Rialto includes approval of a Precise Plan of Design. With adherence to the maximum building height requirement and City approval of the Precise Plan of Design, the Proposed Project is not anticipated to have a substantial adverse effect on a scenic vista. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- b) No Impact. No known significant scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings exist on or within the vicinity of the Project Site. The Project Site is not located adjacent to or within the vicinity of a designated State Scenic Highway. The nearest officially designated State Scenic Route as identified by the San Bernardino Countywide Plan: NR-3 Scenic Routes & Highways Map is Lytle Creek Canyon Drive, located approximately 3.0 miles to the northwest of the Project Site.<sup>2</sup> Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.
- c) Less than Significant. The Project Site is currently vacant and located within a predominantly developed region. The Proposed Project is a permitted use within the Planned Industrial Development (I-PID) land use designation and includes both on-site and off-site improvements which are anticipated to enhance the visual character of the Project Site. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.
- d) **Less than Significant.** Operation of the proposed warehousing facility would result in an increase in indoor and outdoor illumination when compared to the current use of the site, which is vacant. The lighting, however, would be designed in accordance with the lighting requirements listed within the Planned Industrial Development (I-PID) Guidelines of the Rialto Specific Plan.<sup>3</sup> In addition, discretionary actions for the Proposed Project by the City of Rialto includes approval of a Precise Plan of Design. With adherence to the Planned Industrial Development (I-PID) Guidelines and City approval of the Precise Plan of Design, the Proposed Project is not anticipated to have a substantial adverse effect on a scenic vista. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<sup>&</sup>lt;sup>2</sup> San Bernardino Countywide Plan: NR-3 Scenic Routes & Highways Map. Access 4/14/2022.

<sup>&</sup>lt;sup>3</sup> Rialto Airport Specific Plan. Page VI-59

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#### II. AGRICULTURE AND FORESTRY RESOURCES

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Īr	npact	Mitigation		

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California 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. Will 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 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

Potentially	Less than	Less than	No
Significant	Significant with	Significant	Impact
Impact	Mitigation		

in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

- a) **No Impact**. The Department of Conservation's Farmland Mapping and Monitoring Program identifies the Project Site as "Urban and Built-Up Land" in its California Important Farmland Finder.<sup>4</sup> Urban and Built-Up land is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures. No prime farmland, unique farmland, or farmland of statewide importance occurs at the Project Site or in its immediate vicinity. Development of the Project Site would not convert farmland to a non-agricultural use. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.
- b) No Impact. According to the San Bernardino Countywide Plan: NR-5 Agricultural Map, no Williamson Acts are located within the Project Site.<sup>5</sup> The City of Rialto General Plan and Rialto Airport Specific Plan do not designate any of the land on or within the vicinity of the Project Site for agricultural use. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.
- c) **No Impact.** The Proposed Project is consistent with the Rialto Airport Specific Plan land use category of I-PID. Implementation of the Proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production because the Project Site is within a predominantly urbanized area and these designations do not occur in the vicinity. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.
- d) **No Impact.** The Project Site is in an urbanized area and does not support forest land. Implementation of the Proposed Project would not convert forest land to non-forest use. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.
- e) **No Impact.** The Project Site does not support agricultural or forest land uses that would be lost as a result of the Proposed Project implementation. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

<sup>&</sup>lt;sup>4</sup> California Department of Conservation. California Important Farmland Finder. Accessed on 4/20/2022.

<sup>&</sup>lt;sup>5</sup> San Bernardino Countywide Plan: NR-5 Agricultural Map, 2020. Accessed on 4/20/2022.

#### III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Will the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- c) Expose sensitive receptors to substantial pollutant concentrations?
- d) Result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people?

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a) Less than Significant. The Project Site is located in the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) has jurisdiction over air quality issues and regulations within the SCAB. The Air Quality Management Plan (AQMP) for the basin establishes a program of rules and regulations administered by SCAQMD to obtain attainment of the state and federal air quality standards. The most recent AQMP (AQMP 2016) was adopted by the SCAQMD on March 3, 2017. The 2016 AQMP incorporates the latest scientific and technological information and planning assumptions, including transportation control measures developed by the Southern California Association of Governments (SCAG) from the 2016 Regional Transportation Plan/Sustainable Communities Strategy, any updated emission inventory methodologies for various source categories.

The Proposed Project is located within the I-PID land use land use category of the Rialto Airport Specific Plan area. Table 8, Permitted Uses, of the Rialto Airport Specific Plan, demonstrates that warehousing is a permitted use within the Planned Industrial Development (I-PID) land use category. As such, the Proposed Project includes uses which are permitted within the I-PID land use category and therefore the emissions associated with the Proposed Project have already been accounted for in the AQMP. Approval of the Proposed Project would not conflict with the AQMP. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

b) **Less than Significant.** The Proposed Project's construction and operational emissions were screened using California Emissions Estimator Model (CalEEMod) version 2022.1

prepared by the SCAQMD (available at the City offices for review). CalEEMod was utilized to estimate the on-site and off-site emissions. The emissions incorporate Rule 402 and 403 by default as required during construction. The criteria pollutants screened for include reactive organic gases (ROG), nitrous oxides (NOx), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), and particulates ( $PM_{10}$  and  $PM_{2.5}$ ). Two of the analyzed pollutants, ROG and NO<sub>x</sub>, are ozone precursors. Both summer and winter season emission levels were estimated.

#### Construction Emissions

Construction emissions are considered short-term, temporary emissions and were modeled with the following construction parameters: site preparation, site grading (fine and mass grading), building construction, paving, and architectural coating. The resulting emissions generated by construction of the Proposed Project are shown in Table 1 and Table 2, which represent summer and winter construction emissions, respectively.

(Pounds per Day)						
Source/Phase	ROG	NOx	CO	SO <sub>2</sub>	<b>PM10</b>	PM2.5
2023	4.0	39.8	37.1	0.1	9.7	5.7
2024	5.4	12.0	17.0	0.0	1.2	0.6
SCAQMD Threshold	75	100	550	150	150	55
Significant	No	No	No	No	No	No

#### Table 1 Maximum Summer Construction Emissions (Pounds per Day)

Source: CalEEMod.2022.1 Summer Emissions.

Phases do not overlap and represent the highest concentration.

#### Table 2 Maximum Winter Construction Emissions (Pounds per Day)

(I builds per Duy)						
Source/Phase	ROG	NOx	CO	SO <sub>2</sub>	<b>PM</b> <sub>10</sub>	PM <sub>2.5</sub>
2023	1.5	12.7	16.4	0.0	1.3	0.7
2024	1.4	12.1	16.1	0.0	1.2	0.6
SCAQMD Threshold	75	100	550	150	150	55
Significant	No	No	No	No	No	No

Source: CalEEMod.2022.1 Winter Emissions.

Phases do not overlap and represent the highest concentration.

As shown in Table 1 and Table 2, construction emissions during either summer or winter seasonal conditions would not exceed SCAQMD thresholds. Impacts would be less than significant, and no mitigation measures would be required.

#### Compliance with SCAQMD Rules 402 and 403

Although the Proposed Project does not exceed SCAQMD thresholds for construction emissions, the Project Proponent would be required to comply with all applicable SCAQMD rules and regulations as the SCAB is in non-attainment status for ozone and suspended particulates ( $PM_{10}$  and  $PM_{2.5}$ ).

The Project Proponent would be required to comply with Rules 402 nuisance, and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACMs) for each fugitive dust source, and the AQMP, which identifies Best Available Control Technologies (BACTs) for area sources and point sources. The BACMs and BACTs would include, but not be limited to the following:

- 1. The Project Proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.
  - (a) The Project Proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading activity on the site. Portions of the site that are actively being graded shall be watered regularly (2x daily) to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.
  - (b) The Project Proponent shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.
  - (c) The Project Proponent shall ensure that landscaped areas are installed as soon as possible to reduce the potential for wind erosion.
  - (d) The Project Proponent shall ensure that all grading activities are suspended during first and second stage ozone episodes or when winds exceed 25 miles per hour.

During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase  $NO_X$  and  $PM_{10}$  levels in the Applicant/Contractor would be required to implement the following conditions as required by SCAQMD:

- 2. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
- 3. The Project Proponent shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site power generation during construction.
- 4. The Project Proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.
- 5. All buildings on the Project Site shall conform to energy use guidelines in Title 24 of the California Administrative Code.
- 6. The operator shall maintain and effectively utilize and schedule on-site equipment in order to minimize exhaust emissions from truck idling.

7. The operator shall comply with all existing and future California Air Resources Board (CARB) and SCAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.

#### **Operational Emissions**

Operational emissions are categorized as area (operational use of the project), energy (generation and distribution of energy to the end use), and mobile (vehicle trips). The operational mobile source emissions were calculated in accordance with the Project Level of Service and Vehicle Miles Traveled Screening Assessment prepared for the Proposed Project by Gandini Group Inc. in August 2022. The Proposed Project is anticipated to generate approximatively 170 total daily trips, of which 102 vehicle trips would be produced by passenger cars, while 68 vehicle trips would be produced by a combination of medium heavy-duty vehicles including 2-axle, 3-axle, and 4+-axle trucks.

The anticipated total daily trips were input into the CalEEMod Version 2022.1 model to estimate the operational mobile source emissions. Emissions associated with the Proposed Project's estimated vehicle trips were modeled and are listed in Table 3 and Table 4, which represent summer and winter operational emissions, respectively.

(I bunds per Day)							
Source	ROG	NOx	CO	SO <sub>2</sub>	<b>PM</b> <sub>10</sub>	PM2.5	
Area	3.1	0.4	4.4	0.0	0.0	0.0	
Energy	0.0	0.5	0.4	0.0	0.0	0.0	
Mobile	0.0	0.0	0.1	0.0	0.0	0.0	
Totals (lbs/day)	3.2	0.6	4.8	0.0	0.1	0.1	
SCAQMD Threshold	55	55	550	150	150	55	
Significant	No	No	No	No	No	No	

#### Table 3 Summer Operational Emissions (Pounds per Day)

Source: CalEEMod.2022.1. Summer Emissions.

#### Table 4 Winter Operational Emissions (Pounds per Day)

(I builds per Day)							
Source	ROG	NOx	СО	SO <sub>2</sub>	<b>PM</b> <sub>10</sub>	PM2.5	
Area	2.4	-	-	-	-	-	
Energy	0.0	0.5	0.4	0.0	0.0	0.0	
Mobile	0.0	0.0	0.1	0.0	0.0	0.0	
Totals (lbs/day)	2.4	0.6	0.5	0.0	0.1	0.0	
SCAQMD Threshold	55	55	550	150	150	55	
Significant	No	No	No	No	No	No	

Source: CalEEMod.2022.1. Winter Emissions.

As shown, both summer and winter season operational emissions are below SCAQMD thresholds. Impacts are anticipated to be less than significant, and no mitigation measures would be required.

The Proposed Project does not exceed applicable SCAQMD regional thresholds either during construction or operational activities. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

d) **Less than Significant.** A Mobile Health Risk Assessment Analysis (HRA) dated February 10, 2022 was completed for the Proposed Project by Ganddini Group, Inc. The HRA was performed to address the possibility of cancer and non-cancer risk for nearby sensitive receptors from project-related diesel emissions.

The on-going operation of the Proposed Project would generate toxic air contaminant emissions from diesel trucks utilizing the site. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk which is the likelihood that a person exposed to concentrations of toxic air contaminants over a 30-year lifetime will contract cancer. The risk assessment methodology used is developed by the California Office of Environmental Health Hazard Assessment (OEHHA) as updated in February 2015 and utilized by SCAQMD.

As shown in Figure 4: "Noise Measurement Location Map", the nearest sensitive receptors are the residential neighborhoods located directly adjacent to the eastern boundary of the Project site, Wilmer Amina Carter High School which is located approximately 0.25 miles southeast of the Project Site, residential uses located approximately 0.4 miles northwest of the Project Site, north of W. Casa Grande Drive and west of N. Locust Avenue. Sensitive receptors at residential locations are shown as orange triangles labeled 1 through 8, the receptor at Wilmer Amina Carter High school is labeled as "School\_9".

The highest cancer risk corresponds to infant (0-2 years) cancer risk, and is at Receptor 1, with a maximum risk of 0.512 in one million. The maximum 3rd trimester (0.25-year) cancer risk is at Receptor 1; with a maximum cancer risk of 0.022 in a million. The highest child (2-16 years) cancer risk is at Receptor 1; with a maximum risk of 0.333 in one million and the highest adult (16-30 years) cancer risk is at Receptors 1, 3 and 5; with a maximum risk of 0.027 in one million. Therefore, no children, infants, or adults are exposed to cancer risks in excess of 10 in a million.



Legend ↔ Noise Measurement Location NM 1

**ST NM** Short-Term Noise Measurement **LT NM** Long-Term Noise Measurement

# NOISE MEASUREMENT LOCATION MAP

Locust Avenue Development - XEBEC City of Rialto, California FIGURE 4



The assessment of cumulative cancer-related health risk to sensitive Receptors within the project vicinity is based on the following most-conservative scenario: an unborn child in its 3rd trimester is potentially exposed to DPM emissions (via exposure of the mother) during the opening year. That child is born opening year and then from age 2 to 16, the child remains at home 100 percent of the time. From age 16 to 30, the child continues to live at home, growing into an adult that spends 73 percent of its time at home and lives there until age 30.

According to the HRA, the cumulative carcinogenic health risk 3rd trimester (-0.25 to 0 years) + infant (0-2 years) + child (2-16 years) + adult (16-30 years) to an individual born during the opening year of the project and located in the project vicinity for the entire 30-year duration, is a maximum of 0.89 in a million at the location of Receptor 1. Therefore, as the maximum incremental cancer risk (MICR) does not exceed 10 in a million at any sensitive receptor location, the on-going operations of the proposed project would result in a less than significant impact due to the cancer risk from diesel emissions created by the proposed project. Therefore, the Proposed Project is not anticipated to expose sensitive receptors to substantial pollutant concentrations. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

d) Less than Significant. The Proposed Project does not contain land uses typically associated with the emission of objectionable odors. Potential odor sources associated with the Proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities; and the temporary storage of domestic solid waste (refuse) associated with the Proposed Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts resulting from construction activity. It should be noted that any construction odor emissions generated would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction activity. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City of Rialto's solid waste regulations. The Proposed Project would be also required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

#### IV. BIOLOGICAL RESOURCES

Would the project:

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

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
	$\boxtimes$		

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- c) Have a substantial adverse effect on 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?
- a) Less than Significant with Mitigation. In December 2021, Jennings Environmental (Jennings), LCC prepared a Biological Resources Assessment (BRA) including a jurisdictional delineation for the Proposed Project (available at the City offices for review). Data regarding biological resources was obtained through field investigations and review of the California Natural Diversity Database (CNDDB), California Native Plant Society Electronic Inventory (CNPSEI) databases, and the Califlora Database, among others. According to the CNDDB, CNPSEI, and other relevant literature and databases, 90 sensitive species, 21 of which are listed as threatened or endangered, and 5 sensitive habitats have been documented in the Devore, San Bernardino North, San Bernardino South, and Fontana quads. However, no sensitive habitat, including USFWS designated critical habitat, occurs within or adjacent to the Project Site.

A field survey of the Project Site was conducted on December 31, 2021. The habitat onsite consists of bare ground that has been heavily disturbed from grading and moving of piled materials. The site has ruderal vegetation along with some invasive species from the surrounding neighborhoods.

The Project Site is heavily disturbed and does contain habitat suitable for special status species. However, several birds were seen or heard during the survey. Species observed or

22

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
			$\boxtimes$
			$\boxtimes$
			$\boxtimes$

Environmental Checklist Form

otherwise detected on or in the vicinity of the project site during the surveys included; house sparrow (*Passer domesticus*) and American Anna's hummingbird (*Calypte anna*).

Jennings concludes that vegetation that occur on the Project Site and immediate surrounding area contains habitat suitable for nesting birds. As such, pre-construction surveys are warranted and recommended to reduce the potential impacts to nesting birds, should project construction occur during the bird nesting season. Therefore, possible significant adverse impacts have been identified or are anticipated and the following mitigation measure is required as a condition of project approval, in accordance with the recommendations provided by Jennings, to reduce these impacts to a level below significant. The required mitigation measure is:

#### Mitigation Measure BIO-1:

Nesting bird surveys should be conducted prior to any construction activities taking place during the nesting season to avoid potentially taking any birds or active nests. In general, impacts to all bird species (common and special status) can be avoided by conducting work outside of the nesting season (generally March 15<sup>th</sup> to September 15th), and conducting a worker awareness training. However, if all work cannot be conducted outside of the nesting season, a project-specific Nesting Bird Management Plan will be prepared to determine suitable buffers.

- b, c) **No Impact.** The Project Site does not contain any wetlands, Waters of the U.S., or Waters of the State. The Proposed Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. Furthermore, the Proposed Project would not have a substantial adverse effect on federally protected wetlands as none occur on-site. No impacts are identified, and no mitigation measures are required.
- d) **No Impact.** The Project Site does not contain any habitat that would support fish and does not provide wildlife corridors due the urbanized nature of the immediately surrounding area. Therefore, the Proposed Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors. No impacts are identified or are anticipated, and no mitigation measures are required.
- e) **No Impact.** The habitat on-site consists primarily of non-native, ruderal vegetation with some native annuals and perennials. The site has ruderal vegetation along with some invasive species from the surrounding neighborhoods. No trees are located on-site; therefore, no impacts are identified, and no mitigation measures are required.
- f) **No Impact.** The Project Site is not located within the planning area of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan as identified in the CDFW California Natural Community Conservation Plans (April 2019), in the City of Rialto General Plan, or in the Rialto Airport

Specific Plan. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

#### V. **CULTURAL RECOURES**

Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
- c) Disturb any human remains, including those interred outside of formal cemeteries?
- Potentially Less than Less than No Significant Significant with Significant Impact Impact Mitigation  $\square$  $\mathbb{N}$  $\square$
- Less than Significant with Mitigation. In January 2022, Brian F. Smith and Associates a, b) (BFSA), Inc prepared a Cultural Resources Report for the Proposed Project (available at the City offices for review). An archaeological records search for a one-mile radius around the project was requested by BFSA from the SCCIC at CSU Fullerton. However, due to the limitations imposed by the evolving circumstances related to the COVID-19 pandemic, records search access has become limited with delays for the foreseeable future. As such, as of the date of this report, the archaeological records search results are pending from the SCCIC at CSU Fullerton and no records search data was available at the time of the completion of the report. BFSA also reviewed the following historic sources:
  - The National Register of Historic Places Index
  - The Office of Historic Preservation, Archaeological Determinations of Eligibility
  - The Office of Historic Preservation, Built Environment Resources Directory
  - Historic USGS maps
  - Historic aerial photographs

These sources did not indicate the presence of any additional archaeological resources within the project. According to the aerial photographs, the property and surrounding areas have been vacant and cleared for development since at least 1930. Disturbances to the property throughout the twentieth century include clearing, discing, and the creation of a drainage through the center of the property in the 1950s. The aerial photographs further indicate that the surrounding area was primarily residential and minimally agricultural since the 1930s. The aerial photographs showed that the Project Site was absent of potential cultural resources; however, does not necessarily indicate the absence of historic resources and the records search results may indicate the presence of previously recorded sites.

BFSA also requested a Sacred Lands File search from the NAHC to search for the presence of any recorded Native American sacred sites or locations of religious or ceremonial importance within one mile of the project. As of the date of this report, no response has been received.

An archaeological survey of the Project Site was conducted December 29, 2021 by walking parallel transects at approximately 10-meter intervals across the parcel. The parcel is characterized as vacant and covered in grasses, weeds, and transplanted cobbles, demolition debris, and soils. The parcel is completely disturbed by episodes of dumping. During the survey, ground visibility was excellent, and no evidence of any cultural resources was observed. While the property was negative for cultural resources, the history of the area in relation to residential development and the close proximity of the property to Lytle Creek indicate that there is the possibility for the discovery of previously unrecorded prehistoric or historic cultural resources. Further, the surrounding area has been developed residentially since 1930 and buried historic resources associated with this development could be located within the Project Site. Therefore, possible significant adverse impacts have been identified or are anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant.

#### **Mitigation Measure CR-1:**

An archaeological monitor shall be present for the initial clearing of the property and then periodically as determined by the project archaeologist. Notification to the City of Rialto shall be made by the Principal Investigator to inform the City of a modification to the monitoring program when field conditions require a chance in monitoring status, including suspension of monitoring if it is determined that no further monitoring is needed.

#### Mitigation Measure CR-2:

In the event of an archaeological discovery, either historic or prehistoric, the archaeological monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to, digging, trenching, excavating, or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources. If the discovered resource is associated with the prehistoric Native American occupation of this area, a Native American representative from a local tribe should be contacted to review and participate in the evolution of the discovered resource. The monitor shall immediately notify the Principal Investigator (PI) of the discovery, and subsequently the property owner shall be notified of the discovery.

If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) to the lead agency to review and approve. Impacts to significant resources must be mitigated by the implementation of the ADRP before ground disturbing activities in the area of discovery will be allowed to resume. If the resource is not significant, the PI shall submit a letter to the County of San Bernardino indicating that artifacts will be collected, curated, and documented in the final monitoring report. The letter shall also indicate that no further work is required.

c) Less than Significant with Mitigation. Construction activities, particularly grading, could potentially disturb human remains interred outside of a formal cemetery. Thus, the potential exists that human remains may be unearthed during grading and excavation activities associated with project construction. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant.

### Mitigation Measure CR-3:

If human remains are discovered, work shall halt in that area until a determination can be made regarding the provenance of the human remains, and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98), and the State Health and Safety Code (Sec. 7050.5) shall be undertaken:

The archaeological monitor shall notify the PI and the PI shall notify the medical examiner after consultation with the lead agency, either in person or via telephone. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the medical examiner in consultation with the PI concerning the provenance of the remains. The medical examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.

If a field examination is not warranted, the medical examiner will determine, with input from the PI, if the remains are or are most likely to be of Native American origin.

If human remains ARE determined to be Native American, the medical examiner will notify the NAHC within 24 hours. By law, only the medical examiner can make this call. The NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information. The MLD will contact the PI within 24 hours or sooner after the medical examiner has completed coordination to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources, and the State Health and Safety Code. The MLD will have 48 hours to make recommendations to the property owner or representative for the treatment or disposition with proper dignity of the human remains and associated grave goods. Disposition of Native American human remains will be determined between the MLD and the PI.

#### VI. ENERGY

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
a)	Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?			$\boxtimes$	
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			$\boxtimes$	

#### a) Less than Significant Impact.

#### Electricity

Southern California Edison (SCE) currently provides electrical service to the project area. The demand for electricity associated with the Proposed Project would be for operation of the warehouse. In 2020, the Industry sector of the Southern California Edison planning area consumed 17133.939782 GWh of electricity.<sup>6</sup> Based on the CalEEMod emission output tables for the Proposed Project, the estimated electricity demand is 0.532826 GWH (refer Air Quality Report). The Proposed Project's estimated annual electricity consumption compared to the 2020 annual electricity consumption of the overall Industry Sector in the SCE Planning Area would account for approximately 0.0031098 percent of total electricity consumption. Total electricity demand in SCE's service area is estimated to increase by approximately 12,000 GWh between the years 2015 and 2026. The increase in electricity demand from the Proposed Project is insignificant compared to the projected electricity demand for SCE's Industry sector demand and SCE's estimated increase in demand between 2015 and 2026. Furthermore, the project design and materials would comply with the applicable Building Energy Efficiency Standards. Prior to issuance of a building permit, the City of Rialto shall review and verify that the project plans demonstrate compliance with the current version of the Building Energy Efficiency Standards. The Proposed Project would also be required adhere to CALGreen, which establishes planning and design standards for sustainable site development, and energy efficiency. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

<sup>&</sup>lt;sup>6</sup> https://ecdms.energy.ca.gov/Default.aspx. Accessed April 2022.

 $\square$ 

### **Natural Gas**

Southern California Gas Company currently provides natural gas service to the project area. In 2020, the Industry sector of the Southern California Gas Company planning area consumed 1655.565375 million therms of natural gas.<sup>7</sup> Based on the CalEEMod emission output tables for the Proposed Project, the estimated electricity demand is 19,010.68 therms of natural gas (refer to Air Quality Report). The Proposed Project's estimated annual electricity consumption compared to the 2020 annual natural gas consumption of the overall Industry Sector in the Southern California Gas Company Planning Area would account for approximately 0.0011483 percent of total electricity consumption. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

b) Less than Significant. Project design and operation would comply with the County of San Bernardino Greenhouse Gas Emissions Reduction Plan and the State Building Energy Efficiency Standards related to appliance efficiency regulations, and green building standards. Project development would not cause inefficient, wasteful and unnecessary energy consumption, and no adverse impact would occur.

The Proposed Project would be required to adhere to the County of San Bernardino Greenhouse Gas Emissions Reduction Plan and to Title 24 to help decrease energy consumption and GHG emissions, to become a more sustainable community, and to meet the goals of AB 32. The Proposed Project would not conflict with any applicable plan, policy or regulation adopted to reduce GHG emissions, including Title 24, AB 32, and SB 32. The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and therefore no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

#### VII. GEOLOGY AND SOILS

Publication 42.

			Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact	
	W	ould the project:					
a)	Di ad or	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
	i.	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the					

State Geologist for the area or based on other

substantial evidence of a known fault? Refer to Division of Mines and Geology Special

<sup>&</sup>lt;sup>7</sup> https://ecdms.energy.ca.gov/Default.aspx. Accessed April 2022.

b)

c)

d)

e)

f)

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
ii. Strong seismic ground shaking?			$\boxtimes$	
iii. Seismic-related ground failure, including liquefaction?			$\boxtimes$	
iv. Landslides?				$\boxtimes$
Result in substantial soil erosion or the loss of topsoil?			$\boxtimes$	
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?				
Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (1994) creating substantial direct or indirect risks to life or property?				$\boxtimes$
Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		$\boxtimes$		

a)

i) **Less than Significant.** A Geotechnical Investigation Report dated March 10, 2020 by TGR Geotechnical, Inc. (TGR) was conducted for the Proposed Project. The Project Site is located in seismically active southern California with numerous fault systems in the region. The geotechnical investigation states no known faults passing through or adjacent to the Project Site. The Project Site is not located within an Alquist-Priolo Earthquake Fault Zone. The nearest faults to the Project Site are the Lytle Creek Fault mapped approximately 1.1 miles to the northeast of the site, the San Jacinto Fault mapped 1.6 miles south of the site, the Cucamonga Fault mapped approximately 3.0 miles northwest of the site, the Rialto Colton Fault mapped 3.9 miles southeast of the subject site and the Etiwanda Avenue Fault mapped 6.0 miles west of the Project Site. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

 i) ii) Less than Significant. The City of Rialto, as is the case for most of southern California, is located within a seismically active region. Faults and earthquakes present direct hazards from fault rupture and ground shaking as well as indirect hazards. The effect of seismic shaking on future structures and land development projects within the City may be mitigated by adhering to adopted building code standards. The California Building Standards Code regulates the design and construction of foundations, building frames, retaining walls, excavations, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions.

The Project Site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone. During its design life, the site is expected to experience moderate to strong ground motions from earthquakes on regional and/or nearby causative faults. With adherence to City/County local codes, California Building Code (CBC), the latest requirements of the Structural Engineers Association of Southern California, and any other standards pertinent to gas station design, the Proposed Project would not cause adverse effects relating to seismic-related ground failure.

- iii) **Less than Significant.** Liquefaction is a phenomenon in which cohesion-less, saturated, fine-grained sand and silt soils loose shear strength due to ground shaking. As stated in the Geotechnical Engineering Investigation, the Project Site is expected to experience ground shaking and earthquake activity that is typical of the southern California area. It is during severe ground shaking that loose, granular soils below the groundwater table can liquefy. The geotechnical study indicates that the potential for liquefaction at the Project Site is considered to be very low due to the depth of groundwater in the area being in excess of 200 feet. Thus, the design of the proposed development in conformance with the latest Building Code provisions for earthquake design is expected to provide mitigation of ground shaking hazards that are typical to southern California. Furthermore, development of the Project Site would take place in accordance with the applicable requirements listed in the California Building Standards Code and the Buildings and construction requirements of the City of Rialto Municipal Code. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.
- iv) **No Impact.** As identified in the geotechnical investigation, the Project Site is not located within a mapped zone of an earthquake induced landslide and is located in a relatively flat area. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.
- b) **Less than Significant.** During the development of the Project Site, which would include disturbance of approximately 4.81 acres, project-related dust may be generated due to the

operation of machinery on-site or due to high winds. Additionally, erosion of soils could occur due to a storm event. Development of the Proposed Project would disturb more than one acre of soil; therefore, the Proposed Project is subject to the requirements of the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-2009-DWQ). Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation. The Construction General Permit requires the development and implementation of a Storm Water Pollution and Prevention Plan (SWPPP). The SWPPP must list Best Management Practices (BMPs) to avoid and minimize soil erosion. Adherence to BMPs is anticipated to ensure that the Proposed Project does not result in substantial soil erosion or the loss of topsoil. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- c) Less than Significant. A site visit performed by Lilburn Corporation in February 2022 found the Project Site to be relatively flat with no prominent geologic features occurring on or within the vicinity of the Project Site. As identified in the geotechnical investigation, the Project Site is not located within a mapped zone of earthquake induced landslide and is located in a relatively flat area, and development on the subject property would not be exposed to risk of landslide. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- d) **No Impact.** Expansive soils are fine-grained silts and clays which are subject to swelling and contracting. The amount of this swelling and contracting is subject to the amount of fine-grained clay materials present in the soils and the amount of moisture either introduced or extracted from the soils. The subject area is underlain by approximately 5 to 10 feet of light brown silty sand and gravel in a dry to slightly moist condition. The silty sand and gravel is underlain by brown to yellow brown gravelly sand a moist condition to 17 feet below existing grade, the maximum depth explored. The geotechnical investigation states that onsite soils are granular in nature, correlating to a "very low" expansion potential. No impacts are identified or are anticipated, and no mitigation measures are required.
- e) **No Impact.** The Proposed Project would connect to the existing sewer system. No septic tanks or alternative wastewater disposal is proposed. No impacts are identified or are anticipated, and no mitigation measures are required.
- f) Less than Significant with Mitigation. The General Plan and Rialto Airport Specific Plan does not identify the Project Site as an area including paleontological resources. However, earthmoving activities may uncover resources. To ensure that the construction and operation of the Proposed Project does not destroy a unique paleontological resource or site or unique geologic feature the following mitigation measure shall be implemented:

#### Mitigation Measure GEO-1:

In the event fossil specimens are unearthed, the Project Proponent shall have a paleontological consultant assess the specimens and report to the City of Rialto. If the

Less than

Significant

No

Impact

consultant and City concur, a paleontological monitoring program shall be implemented for the remainder of earth moving activities.

Potentially

Significant

#### 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 purposes of reducing the emissions of greenhouse gases?
- Impact
   Mitigation

Less than

Significant with

a) **Less than Significant.** Emissions were estimated using the CalEEMod version 2022.1 Parameters used to estimate construction emissions, such as the worker and vendor trips and trip lengths, utilized the CalEEMod defaults for industrial warehouse land uses. Operational emissions are categorized as area (operational use of the project), energy (generation and distribution of energy to the end use), mobile (vehicle trips), waste (landfill), and water. The operational mobile source emissions were calculated in accordance with the Project Level of Service and Vehicle Miles Traveled Screening Assessment prepared for the Proposed Project by Gandini Group Inc. in August 2022. The Proposed Project is anticipated to generate approximatively 170 total daily trips, of which 102 vehicle trips would be produced by passenger cars, while 67 vehicle trips would be produced by a combination of medium heavy-duty vehicles including 2-axle, 3-axle, and 4+-axle trucks.

Many gases make up the group of pollutants that contribute to global climate change and are classified as Greenhouse Gases (GHGs). However, three gases are currently evaluated and represent the highest concertation of GHG: Carbon dioxide (CO<sub>2</sub>), Methane (CH<sub>4</sub>), and Nitrous oxide (N<sub>2</sub>O). SCAQMD provides guidance methods and/or Emission Factors that are used for evaluating a project's emissions in relation to the thresholds. A threshold of 10,000 MTCO<sub>2</sub>E per year has been adopted by SCAQMD for industrial uses. The modeled emissions anticipated from the Proposed Project compared to the SCAQMD threshold are shown below in Table 5 and Table 6.

(Mietric Tons per Year)					
Source/Phase	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> 0		
2023	212.0	0.0	0.0		
2024	192.0	0.0	0.0		
Total MTCO2e	404				
SCAQMD Threshold	10,000				
Significant No					

Table 5
<b>Greenhouse Gas Construction Emissions</b>
(Metric Tons per Year)

Source: CalEEMod.2022.1 Annual Emissions.

Greenhouse Gas Operational Emissions (Metric Tons per Year)						
Source/Phase CO <sub>2</sub> CH <sub>4</sub> N <sub>2</sub> 0						
Area	185	0.0	0.0			
Energy	2.0	0.0	0.0			
Mobile	7.1	0.0	0.0			
Water	32.6	0.8	0.0			
Waste	8.4	0.8	0.0			
MTCO2e 723.0						
SCAQMD Threshold 10,000						
Significant No						

Table 6
<b>Greenhouse Gas Operational Emissions</b>
(Metric Tons per Year)

Source: CalEEMod.2022.1 Annual Emissions.

As shown in Table 5 and Table 6, the Proposed Project's emissions would not exceed the SCAQMD's 10,000 MTCO<sub>2</sub>e threshold of significance. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less than Significant. There are no existing GHG plans, policies, or regulations that have b) been adopted by CARB or SCAQMD that would apply to this type of emissions source. However, the operator would be required to comply with CARB and SCAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.

It is possible that CARB may develop performance standards for project-related activities prior to construction of the Proposed Project. In this event, these performance standards would be implemented and adhered to, and there would be no conflict with any applicable plan, policy, or regulations. The Proposed Project is consistent with CARB scoping measures and therefore does not conflict with local or regional greenhouse gas plans. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

#### 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 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 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 to a significant risk of loss, injury or death involving wildland fires?
- a, b) Less than Significant. Potential hazardous materials used by the future tenant of the Project Site could include chemical reagents, solvents, fuels, paints, and cleansers. Potential on-site uses also could generate hazardous byproducts that eventually must be handled and disposed of as hazardous materials. If businesses that use or store hazardous materials occupy the Project Site, the business owner and operator would be required to comply with all applicable federal, state, and local regulations including cooperation with the Certified Unified Program Agency (CUPA) with Hazardous Materials Division of the San Bernardino County Fire Department. Hazardous or toxic materials transported in association with construction of the Proposed Project may include items such as oils,

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
		$\boxtimes$	
		$\boxtimes$	
			$\boxtimes$
			$\boxtimes$
			$\bowtie$

paints, and fuels. All materials required during construction will be kept in compliance with State and local regulations. With implementation of BMPs and compliance with all applicable regulations, potential impacts from the use of hazardous materials during construction is considered to be less than significant. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- No Impact. The nearest school is Wilmer Amina Carter High School, located c) approximately 0.25-mile southeast of the Project Site. If businesses that use or store hazardous materials occupy the Project Site, the business owner and operator would be required to comply with all applicable federal, state, and local regulations including cooperation with the Certified Unified Program Agency (CUPA) with Hazardous Materials Division of the San Bernardino County Fire Department. All materials required during construction will be kept in compliance with State and local regulations. With implementation of BMPs and compliance with all applicable regulations, potential impacts from the use of hazardous materials during construction is considered to be less than significant. Additionally, the Project List is not listed as a hazardous waste site on the California Department of Toxic Substances Control's EnviroStor data management system. Therefore, the Proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or known proposed school. No impacts are identified or are anticipated, and no mitigation measures are required.
- d) Less than Significant. The Project Site was not found on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system as reviewed on March 31, 2021. Therefore, the Proposed Project would not create a significant hazard to the public or the environment. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- e) **No Impact.** The Project Site is located approximately 1.2-mile northwest of the former Rialto Municipal Airport which was officially closed in September 2014. The nearest airport is the San Bernardino International Airport, located approximately 9.5 miles southeast of the Project Site. Implementation of the Proposed Project would not result in a safety hazard related to airport land uses for people residing or working in the area. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.
- f) No Impact. The Project Site does not contain any emergency facilities, nor does it serve as an emergency evacuation route. During construction and long-term operation, the contractor would be required to maintain adequate access for emergency vehicles as required by the City. The Proposed Project would not interfere with an adopted emergency response or evacuation plan; therefore, no impacts are identified or are anticipated, and no mitigation measures are required.
- g) **No Impact.** As shown in Exhibit 5.3 of the City of Rialto General Plan, the Project Site is not identified in an area associated with risk of wildland fire. The Project Site is located in

predominantly developed area and no wildlands are located on or adjacent to the Project Site. The Proposed Project would not expose people or structures to significant risk or loss, injury, or death involving wildland fires. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

#### X. HYDROLOGY AND WATER QUALITY

Would the project:

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede substantial 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 erosion or siltation on- or off-site;

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 substantial groundwater management plan?

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
			$\boxtimes$	
e t			$\boxtimes$	
			$\boxtimes$	
•			$\boxtimes$	

a) Less than Significant. The Proposed Project would be subject to the National Pollution Discharge Elimination System (NPDES) permit requirements. Construction activities covered under the State of California's General Construction permit include removal of vegetation, grading, excavating, or any other activities that causes the disturbance of one acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a Storm Water Pollution Prevention Plan (SWPPP). The purpose of the SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of stormwater associated with construction activities; and 2) identify, construct, and implement stormwater pollution control measures to reduce pollutants in stormwater discharges from the construction site during and after construction.

The NPDES also requires a Water Quality Management Plan (WQMP). In December 21, 2021 a Preliminary WQMP for the Proposed Project was prepared by CA Engineering, Inc. (available at the City offices for review) to comply with the requirements of the City of Rialto and the NPDES Areawide Stormwater Program. Mandatory compliance with the Proposed Project's WQMP, in addition to compliance with NPDES Permit requirements, would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site. The WQMP includes design of an infiltration system with catch basins that will have filter inserts installed to remove sediment, debris, and other pollutants of concern from any on-site storm flows prior to the flows being infiltrated into the groundwater. Therefore, implementation of the Proposed Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

b) Less than Significant. The Project Site is located within the service area of the West Valley Water District (WVWD). As stated in the 2020 Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan (UWMP), groundwater currently supplies the majority of Rialto's total supply, and the District will continue to rely on groundwater as its preferred source of supply, augmented with surface supplies when available. The District produces water from four different adjudicated groundwater basins: the Rialto Basin, Lytle Creek Basin, Riverside North Basin and the Bunker Hill Basin. The District participates in several ongoing water conservation measures and contributes to regional recharge projects through the San Bernardino Basin (SBB) Groundwater Council and Rialto Basin Groundwater Council to optimize and enhance the use and reliability of local groundwater water resources. According to the UWMP, during a multiple dry-year period, the total water supply for the District is projected to be 14,691 acre-feet (AF) by 2045, while the total water demand is projected to be 12,775 AF in the same year, resulting in a projected surplus of 1,916 AF.<sup>8</sup> Furthermore, the Proposed Project is an acceptable use within the Rialto Airport Specific Plan – Planned Industrial Development (I-PID) land use land use category and therefore would result in the requirement of water supply that is already anticipated by the Rialto Airport Specific Plan and therefore evaluated in the

<sup>&</sup>lt;sup>8</sup>2020 Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan, Table 5-16. DWR 7-4R Multiple Dry Years Supply and Demand Comparison. Page 5-25

UWMP. There are no groundwater recharge facilities in the area; the Proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede substantial groundwater management of the basin. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

c)

- i) Less than Significant. As stated in Section VII(b), during development of the Project Site, erosion of soils could occur due to a storm event. Development of the Proposed Project would disturb more than one acre of soil; therefore, the Proposed Project is subject to the requirements of the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-2009-DWQ). Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation. The Construction General Permit requires the development and implementation of a SWPPP. The SWPPP must list BMPs to avoid and minimize soil erosion. Adherence to BMPs is anticipated to ensure that the Proposed Project does not result in substantial erosion or siltation on- or off-site. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- ii, iii) Less than Significant. As described by the Preliminary WQMP and the Hydrology Study prepared by CA Engineering Inc. in December 2021 (available at the City offices for review), The Project Site currently drains from the north to the south and somewhat to the east. The northern portion of the Project Site drains onto the proposed project and our property drains onto the property to the south.

During operations of the Proposed Project, surface drainage for the site will be conveyed via sheet flow and gutters to three catch basins, with filters, which connect to storage pipes located along the southern portion of the site. The storage pipes will collect the drainage and allow it to infiltrate. The project proposes to install a bypass storm drain that will collect the off-site flows coming from the north and outlet them at the low point along the southerly boundary which will mimic the historic flow pattern.

According to the WQMP, the Proposed Project has a drainage area of 205,044 sf. The proposed infiltration system will retain and infiltrate on-site storm water flows, and it will be located under the truck dock area to the south of the proposed building. The flows will be collected by catch basins and conveyed, via the on-site storm drain, to the underground infiltration system. The catch basins will have filter inserts installed to remove sediment, debris, and other pollutants of concern from the storm flows prior to the flows being infiltrated. The infiltration system will be sized to retain the 100-year storm runoff.

Furthermore, there are no streams or rivers on, or in the immediate vicinity of the Project Site. With adherence to the City-approved WQMP, the Proposed Project is

not anticipated to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, or 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. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- iv) Less than Significant. According to the Hydrology Study, the site falls within a Zone "X" designation under the FEMA Map 06071C7920H dated August 28, 2008. Zone X represents the 500-year flood zone areas determined to be outside the 0.2% annual chance floodplain and outside a 100-year flood zone area. The proposed infiltration system will retain and infiltrate on-site storm water flows, and it will be located under the truck dock area to the south of the proposed building. The flows will be collected by catch basins and conveyed, via the on-site storm drain, to the underground infiltration system. The catch basins will have filter inserts installed to remove sediment, debris, and other pollutants of concern from storm flows prior to the flows being infiltrated. The infiltration system will be sized to retain the 100-year storm runoff. Therefore, the Proposed Project is not anticipated to impede or redirect potential flood flows. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- d) Less than Significant. Seiches are standing waves generated in enclosed bodies of water in response to ground shaking. The Project Site is not located in the immediate vicinity of a known large body of water or water storage facility and therefore impacts from potential seiches are not anticipated. Tsunamis are large waves generated in open bodies of water by fault displacement of major ground movement. Due to the inland location of the Project Site, tsunamis are not considered to be a risk. Dams or other water-retaining structures may fail as a result of large earthquakes, resulting in flooding and mudflow production. As stated in the Hydrology Study, the Project Site is not located within a 100-year FEMA Flood Zone Area and there are no dams or reservoirs near the Project Site. Therefore, the Proposed Project is not anticipated to risk release of pollutants due to project inundation. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.
- e) Less than Significant. Mandatory compliance with the Proposed Project's WQMP, in addition to compliance with NPDES Permit requirements, would ensure that the Proposed Project does not conflict with or obstruct implementation of a water quality control plan. As discussed in item X(b) above, the Proposed Project would not exceed the available supply of water or obstruct with implementation of a substantial groundwater management plan. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

a)

b)

#### XI. LAND USE AND PLANNING

mitigating an environmental effect?

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
Physically divide an established community?			$\boxtimes$	
Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or				$\boxtimes$

- a) Less than Significant. Rialto Airport Specific Plan: Land Us Map shows that the Project Site is located within the Planned Industrial Development (I-PID) land use category. According to the Rialto Airport Specific Plan, 588 acres are designated for the I-PID land use category for light industrial and industrial/business park uses. The I-PID designation requires a minimum lot size of 20,000 sf and allowable uses include light manufacturing with attendant office and administration areas with Floor Area Ratio (FAR) of 0:7:1. As shown on the Rialto Airport Specific Plan Table 8: Permitted Uses, Non-Residential Designations, General Permitted Uses, warehousing is a permitted use within the I-PID land use category. As such, the Proposed Project includes uses which are permitted in the Specific Plan and therefore the Proposed Project would not physically divide an established community. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- b) **No Impact.** The Project Site is not located within the planning area of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan as identified in the CDFW California Natural Community Conservation Plans (April 2019). Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

#### 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?

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
		$\boxtimes$	
		$\boxtimes$	

- Less than Significant. As identified in Exhibit 2.7, Mineral Resource Zones, of the City a) of Rialto General Plan, the Project Site is not located in an area designated as Mineral Resource Zone.<sup>9</sup> The General Plan Exhibit 2.6, Aggregate Resources identifies aggregate resource areas designated by the City. As shown Exhibit 2.7 of the General Plan, the majority of designated aggregate resources occur in the northern part of the City. These areas have a land use designation of Open Space to protect aggregate resources as long as mining activity is feasible. Two aggregate mining operations exists within Lytle Creek, two miles north and east of the Project Site. The Project Site is not located within an area protected by the City for mining development and therefore the Proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. Therefore, no significant adverse impacts have been identified or anticipated, and no mitigation measures are required.
- b) Less than Significant. As identified in the City's General Plan, the Project Site is not located in an area designated as Mineral Resource Zone. As shown Exhibit 2.7 of the General Plan, the majority of designated aggregate resources occur in the northern part of the City. These areas have a land use designation of Open Space to protect aggregate resources as long as mining activity is feasible. Two aggregate mining operations exists within Lytle Creek, two miles north and east of the Project Site. The Project Site is not located within an area protected by the City for mining development and therefore the Proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. The Project Site is not located within an area protected by the City for mining development and therefore the Proposed Project would not result in the loss of a known mineral resource or locally important mineral resource recovery site. Therefore, no significant adverse impacts have been identified or anticipated, and no mitigation measures are required.

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#### XIII. NOISE

Would the project result in:

- Exposure of persons to or generation of noise levels a) in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Potentially Significant Impact	tentially Less than L nificant Significant with Si mpact Mitigation		No Impact	
	$\boxtimes$			
	$\boxtimes$			

<sup>&</sup>lt;sup>9</sup> Rialto General Plan, 2010. Page 2-38.

Less than Significant with Mitigation. A Noise Impact Analysis dated March 8, 2022 a) was prepared for the Proposed Project by Ganddini Group, Inc. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). The predominant rating scales for noise in the State of California are the Equivalent-Continuous Sound Level (L<sub>eq</sub>) and the Community Noise Equivalent Level (CNEL). Both are based on the A-weighted decibel (dBA) which approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. The Leq is defined as the total sound energy of time-varying noise over a sample period. The CNEL is defined as time-varying noise over a 24-hour period with a weighted factor of 5 dBA applied to the hourly  $L_{eq}$  for noise occurring form 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and 10 dBA applied to events occurring between (10:00 p.m. and 7:00 a.m. defined as sleeping hours). The State of California's Office of Noise Control has established standards and guidelines for acceptable community noise levels based on the CNEL and day-night average sound level (L<sub>dn</sub>) rating scales. The purpose of these standards and guidelines is to provide a framework for setting local standards for human exposure to noise.

The Project Site is bordered by an industrial use and vacant land to the north; single-family residential uses to the east; industrial uses to the south; and Locust Avenue and vacant land to the west. The State of California defines sensitive receptors as those land uses that require serenity or are otherwise adversely affected by noise events or conditions. Schools, libraries, churches, hospitals, single and multiple-family residential, including transient lodging, motels and hotel uses make up the majority of these areas. Sensitive land uses that may be affected by project noise include the existing single-family residential uses located adjacent to the east. As such, noise meters were placed at the following locations:

- STNM1: represents the noise meter located at the single-family residential use along Lowell Street to the northeast of the boundaries of the project site (1796 W Lowell Street, Rialto). The noise meter was placed just west of Lowell Street near the single-family residence.
- STNM2: represents the noise meter located at the single-family residential use along Carpenter Street to the east of the boundaries of the project site (1796 Carpenter Street, Rialto). The noise meter was placed just west of Carpenter Street near the single-family residence.
- STNM3: represents the noise meter located at the single-family residential use along Summit Avenue to the east of the boundaries of the project site (1794 Summit Avenue, Rialto). The noise meter was placed just west of Summit Avenue near the single-family residence.
- LTNM1: represents the noise meter located on the project site; near the northern project boundary.

#### Construction

According to the Noise Study, noise levels were compared between existing noise levels and project construction noise levels. STNM2 was chosen to represent noise levels at the property line of the single-family residential uses located east of the project site where modeled construction noise levels are expected to reach up to 72 dBA Leq. The singlefamily homes located immediately east of the project site will be exposed to short-term increases in ambient noise levels of up to 26 dB Leq. However, project construction will not occur outside of the hours outlined as "exempt" in City of Rialto Municipal Code Section 9.50.070 (as follows) and therefore, will not result in a generate 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.

October 1st through April 30th.

- Monday Friday: 7:00 AM to 5:30 PM
- Saturday: 8:00 AM to 5:00 PM
- Sunday: No permissible hours
- State holidays: No permissible hours

May 1st through September 30th.

- Monday- Friday: 6:00 AM to 7:00 PM
- Saturday: 8:00 AM to 5:00 PM
- Sunday: No permissible hours
- State holidays: No permissible hours

#### Operation

During operation, the proposed project is expected to generate approximately 169 average daily trips with 16 trips during the AM peak-hour and 17 trips during the PM peak-hour. Existing traffic noise level along Locust Avenue is 71 dBA CNEL at the right-of-way of each modeled roadway segment; and the modeled Existing Plus Project traffic noise level is 71 dBA CNEL at the right-of-way of each modeled roadway segment. Project generated vehicle traffic is anticipated to change the noise a by approximately 0.48 dBA CNEL. increases in ambient noise are considered substantial if they result in an increase of 3 dBA CNEL and if: (1) the existing noise levels already exceed the land use compatibility standard for "normally acceptable", or (2) the project increases noise levels from below the standard to above the standard.

According to the Noise Study, project-generated operational vehicle traffic will not result in substantial increases in ambient noise levels. Operational noise will be shielded by the proposed building and peak hour project operation is expected to range between 21 and 46 dBA Leq at the nearest sensitive receptors. Existing measured ambient noise levels at the sensitive receptor locations ranged between 45 and 50 dBA Leq. At the most, project generated ambient noise levels may result in an increase of 1 dB at existing sensitive receptors. This increase would not be readily noticeable. Operational noise is not expected to exceed 46 dBA Leq at nearby residences, it is not likely that project operations would cause interior noise levels at nearby residences to exceed the State of California interior noise level standard of 45 dBA CNEL.

To ensure less than significant impacts occur, the Proposed Project will adherence to the City of Rialto Municipal Code which limits the construction hours of operation, and the following Noise Mitigation Measures will reduce construction noise:

#### Mitigation Measure N-1:

Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

#### Mitigation Measure N-2:

Place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

#### Mitigation Measure N-3:

As applicable, shut off all equipment when not in use.

#### Mitigation Measure N-4:

Locate equipment staging in areas that create the greatest distance between construction-related noise/vibration sources and sensitive receptors located east of the project site.

#### Mitigation Measure N-5:

Direct away and shield jackhammers, pneumatic equipment, and all other portable stationary noise sources from existing residences east of the project site. Either oneinch plywood or sound blankets can be utilized for this purpose. They should reach up from the ground and block the line of sight between equipment and the residences located to the east. The shielding should be without holes and cracks. Entryways should be located on the west side.

#### Mitigation Measure N-6:

Amplified music and/or voice will not be allowed on the project site.

#### Mitigation Measure N-7:

Haul truck deliveries will not occur outside of the hours presented as exempt for construction per City of Rialto Municipal Code Section 9.50.070.

b) Less than Significant with Mitigation. Construction activity has the potential to result in cracking of floor slabs, foundations, columns, beams, or wells, or cosmetic architectural damage, such as cracked plaster, stucco, or tile. Land uses adjacent to the proposed construction are industrial and residential. The nearest off-site structure is the industrial building located approximately 3 feet to the north of the northern project property line. At 3 feet, the use of a vibratory roller would be expected to generate a PPV of 5.052 in/sec and a bulldozer would be expected to generate a PPV of 2.141 in/sec. Therefore, temporary vibration levels associated with project construction could exceed the threshold at which there is a risk to "architectural" damage to modern industrial/commercial buildings of 0.5 in/sec PPV.

Buildings associated with the residential uses to the east are located as close as approximately 28 feet from the Project Site's eastern property line. At 28 feet, use of a vibratory roller would be expected to generate a PPV of 0.177 in/sec and a bulldozer would be expected to generate a PPV of 0.075 in/sec. Temporary vibration levels associated with project construction would not exceed the threshold at which there is a risk to "architectural" damage to older residential structures PPV of 0.3 in/sec PPV. Impacts would be less than significant at the residential uses to the east.

An industrial building is located as close as approximately 204 feet from the project's southern property line. At 204 feet, use of a vibratory roller would be expected to generate a PPV of 0.009 in/sec and a bulldozer would be expected to generate a PPV of 0.004 in/sec. Temporary vibration levels associated with project construction would not exceed the threshold at which there is a risk to "architectural" damage to modern industrial/commercial buildings of 0.5 in/sec PPV. Impacts would be less than significant at the industrial use to the south. To ensure less than significant impacts occur, the Proposed Project will adherence to the City of Rialto Municipal Code which limits the construction hours of operation and the following Mitigation Measure is required to reduce construction vibration impacts:

#### Mitigation Measure N-8:

Vibratory rollers, or other similar vibratory equipment will not be used within 15 feet of the existing industrial structure located north of the project site and large bulldozers will not be used within 8 feet of the existing industrial structure located north of the project site. If construction activity must occur within these distances, it will be performed with smaller equipment types that do not exceed the vibration thresholds applied herein. a)

b)

#### XIV. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
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)?			$\boxtimes$	
Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				$\boxtimes$

- a) **Less than Significant.** Although the specific business(es) or tenant(s) that will occupy the proposed facility is not known at this time, future use of the industrial building would be consistent with the allowed uses of the I-PID land use category of the Rialto Airport Specific Plan. Employees are anticipated to be local residences and the Proposed Project's employment would not result in substantial growth that was not already anticipated by the Rialto Airport Specific Plan and the City's General Plan. The Project Site is served by existing public roadways, and utility infrastructure exists to serve the property. As such, implementation of the Proposed Project would not result in significant direct or indirect growth in the area. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.
- b) **No Impact.** The Project Site consists of one vacant undeveloped parcel. No residences or other uses exist on-site. Therefore, the Proposed Project would not reduce the number of existing housing units, displace people, or necessitate the construction of replacement housing elsewhere. No impacts are identified or are anticipated, and no mitigation measures are required.

#### XV. PUBLIC SERVICES

		Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	Fire Protection?			$\boxtimes$	
	Police Protection?			$\boxtimes$	
	Schools?			$\boxtimes$	
	Parks?			$\boxtimes$	
	Other Public Facilities?			$\boxtimes$	

a)

#### Fire Protection

Less than Significant. Fire emergency response at the Project Site would be provided by the City of Rialto Fire Department. The Rialto Fire Department is an all-risk fire agency; services include fire suppression, emergency medical, technical rescue, hazardous material, and other related emergency services. Firefighting resources in Rialto include four fire stations, emergency response personnel, firefighters/paramedics, and a Hazardous Materials Response Team. The closest City of Rialto Fire Station to the Project Site is Fire Station 204 located at 3288 Alder Avenue, approximately one mile northwest of the Project Site. The Proposed Project is required to provide a minimum of fire safety and support fire suppression activities, including type and building construction, fire sprinklers, and paved fire access. Furthermore, the Proposed Project is an acceptable use within the I-PID land use category and therefore would result in the requirement of fire protection services that is already anticipated by the Rialto Airport Specific Plan and evaluated in the Rialto Specific Plan EIR. As such, the Proposed Project is expected to receive adequate fire protection services and would not result in the need for new or physically altered fire protection facilities. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

#### Police Protection

**Less than Significant.** The Project Site is located in the service area of the Rialto Police Department. The Rialto Police Department Station is located at 128 Willow Avenue,

approximately 4.0 miles southeast of the Project Site. The Rialto Police Department provides a full range of law enforcement and community programs. The Proposed Project is anticipated to require minimal police protection services and would not result in the need for new or physically altered police protection facilities. Furthermore, the Proposed Project is an acceptable use within the I-PID land use category and therefore would not change the requirement of fire protection services that has already been anticipated by the Rialto Airport Specific Plan and evaluated in the Rialto Airport Specific Plan EIR. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

#### Schools

**Less than Significant.** The Proposed Project would not create a direct demand for public school services as the subject property would be developed with a warehousing facility. It is expected that the employment generated by the future tenant of the facility would be filled from the local area and would not result in substantial growth that was not already anticipated by the Rialto Airport Specific Plan and the City's General Plan. As such, the development would not generate any new school-aged children requiring public education. Furthermore, the Proposed Project is an acceptable use within the I-PID land use category and therefore would not change the requirement of public schools that is already anticipated by the Rialto Airport Specific Plan and evaluated in the Rialto Airport Specific Plan EIR. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

#### Parks

**Less than Significant**. The Proposed Project does not include any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity. Employees are anticipated to come from the local labor pool and implementation of the Proposed Project would not result in an increased use or substantial physical deterioration of an existing neighborhood or regional park. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

#### Other Public Facilities

**Less than Significant.** The Proposed Project is not expected to result in a demand for other public facilities/services, such as libraries, community recreation centers, and/or animal shelters. Implementation of the Proposed Project would not adversely affect other public facilities or require the construction of new or modified facilities. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

#### XVI. RECREATION

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?



- a) **No Impact.** No residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity is proposed. Accordingly, implementation of the Proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.
- b) **No Impact.** The Proposed Project does not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Potentially

Less than

Less than

No

#### XVII. TRANSPORATION

Significant Significant Significant Impact Impact with Mitigation Would the project: a) Conflict with a plan, ordinance or policy addressing circulation system, including transit,  $\square$ roadways, bicycle lanes and pedestrian paths? b) For a land use project, would the project conflict  $\square$ or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(1)? c) For a transportation project, would the project conflict or be consistent with CEQA Guidelines  $\mathbb{N}$ section 15064.3, subdivision (b)(2)?

		Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				
e)	Result in inadequate emergency access?				$\boxtimes$

a,b) **Less than Significant.** A Level of Service and Vehicle Miles Traveled Screening Assessment dated August 15, 2022 and Site Access Memorandum dated August 15, 2022 were prepared by Gandini Group Inc. (available at the City for review) to provide an assessment of potential traffic impacts resulting from a proposed warehousing facility.

Access to the Project Site will be provided by two driveways along Locust Avenue. The northwestern driveway will be approximately 26 foot wide designated for only passenger cars. The southwestern driveway will be approximately 32 foot wide designated for both passenger cars and trucks.

The proposed project trip generation based on trip generation rates obtained from the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (11th Edition, 2021), and the City of Rialto *Traffic Impact Analysis Guidelines* (December 2013) for truck mix by axle breakdown. Trip generation rates for ITE Land Use Code 150 (Warehouse) per thousand square feet were used for the building development. The Proposed Project is forecast to generate a total of approximately 170 daily vehicle trips, including 17 vehicle trips during the AM peak hour and 17 vehicle trips during the PM peak hour. In passenger car equivalent (PCE) trips, the project is forecast to generate approximately 286 daily PCE trips, including 21 PCE trips during the AM peak hour and 21 PCE trips during the PM peak hour. The Proposed Project is forecast to generate fewer than 50 peak hour trips. Assuming the project shall construct all on-site and off-site improvements (if any) in accordance with City design standards, the project would not create any new safety or operational concerns.

As shown on Exhibit 4.2 – Transit and Rail Routes, a local bus route occurs along Locust Avenue; however, development and operation the of the Proposed Project is not anticipated to impact bus routes. According to the General Plan Exhibit 4.4 – Bicycle Route, no bike trails occur near or adjacent to the Project Site.<sup>10</sup>

c) Less than Significant. The VMT screening assessment has been prepared in accordance with the San Bernardino County guidelines, which were developed based on guidance from the Office of Planning and Research (OPR) *Technical Advisory on Evaluating Transportation Impacts in CEQA* (State of California, December 2018) ["OPR Technical Advisory"], as the City of Rialto has not adopted Guidelines. The San Bernardino County

<sup>&</sup>lt;sup>10</sup> Rialto General Plan, Exhibit 4.4 – Bicycle Route. Page 4-14

guidelines identify screening criteria for certain types of projects that typically reduce VMT and may be presumed to result in a less than significant VMT impact. A presumption of less than significant VMT impact for the following activities is based on substantial evidence provided in the OPR Technical Advisory, or is related to projects that are local serving, thus reducing the number of trips/trip lengths and VMT:

- Transit Priority Area (TPA) Screening
- Project Type Screening
- Low VMT Area Screening

### TPA Screening

Projects located within a TPA, defined as within one-half mile of major transit stop or highquality transit corridor, may be presumed to result in a less than significant VMT impact absent substantial evidence to the contrary. This presumption may not apply, however, if the project:

- 1. Has a Floor Area Ratio (FAR) of less than 0.75;
- 2. Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking)
- 3. Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the SBCTA with input from the SCAG): or
- 4. Replaces affordable residential units with a smaller number of moderate or highincome residential units.

Based on review the of the San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool, the proposed project is not located within a TPA; therefore, the project does not satisfy the TPA screening criteria.

#### Project Type Screening

The County TIA Guidelines identify the following types of projects that may be presumed to have a less than significant VMT impact as they are local serving and thus can be expected to reduce VMT or they are small enough to have a negligible impact:

- Local parks
- Day care centers
- Local-serving retail uses less than 50,000 square feet, including:
- Gas stations
- Banks
- Student housing projects

- Local serving community colleges that are consistent with the assumptions noted in the RTP/SCS
- Existing projects or redevelopment of up to 10,000 additional square feet3
- Projects generating less than 110 daily vehicle4
- trips. This generally corresponds to the following "typical"
- development potentials:
- 11 single family housing units
- 16 multi-family, condominiums, or townhouse housing units
- 10,000 sq. ft. of office
- 15,000 sq. ft. of light industrial
- 63,000 sq. ft. of warehousing
- 79,000 sq. ft. of high cube transload and short-term storage warehouse

The OPR Technical Advisory guidance on the reduction of VMT for residential and employee related on-road passenger vehicles, specifically cars and light trucks. Heavyduty trucks should only be included in a traffic impact analysis for modeling convenience and ease of calculation (e.g., where data provided combine auto and heavy freight VMT), but should not contribute to a finding of significant traffic (VMT) impact under any circumstances. As previously noted, proposed development project is forecast to generate a total of approximately 170 daily vehicle trips of which 102 are passenger vehicles (cars/light trucks). Consequently, the proposed project satisfies the project type screening criteria for low vehicle trip generation (excluding trucks), such that it would result in a less than significant VMT impact in accordance with VMT established by the County of San Bernardino and OPR.

#### Low VMT Area Screening

Residential and office projects located within a low VMT generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. In addition, other employment-related and mixed-use land use projects may qualify for the use of screening if the project can reasonably be expected to generate VMT per resident, per worker, or per service population that is similar to the existing land uses in the low VMT area. Based on the County-established thresholds, a project would satisfy the low VMT screening criteria if it is located in a traffic analysis zone (TAZ) that does not exceed four percent below the existing County of San Bernardino baseline VMT per service population.

The Proposed Project is consistent with existing land uses in the project TAZ and there does not appear to be anything unique about the project that would otherwise be misrepresented utilizing the data from the SBCTA VMT Screening Tool. Based on the SBCTA VMT Screening Tool assessment, the proposed project is located within TAZ 53741101. According the Level of Service and Vehicle Miles Traveled Screening Assessment the baseline year (2021) VMT per service population for the project TAZ is equal to 37 and the County-established threshold is equal to 28.3. Therefore, the proposed project does not satisfy the County-established screening criteria for projects located in low VMT areas without implementation of any project design features or mitigation measures that would reduce the project's baseline VMT.

The Proposed Project satisfies the project type screening criteria for low vehicle trip generation (excluding trucks), such that it would result in a less than significant VMT impact in accordance with VMT established by the County of San Bernardino and OPR. No significant adverse impacts are identified or anticipated and no mitigation measures are required.

- d) **Less than Significant.** The Proposed Project would not create substantial hazard due to a design feature or incompatible uses. The Site Plan shows access to the Project Site via two 26-foot driveway along Locust Avenue. The northwestern driveway will be designated for passenger cars only. The southwestern driveway will be designated for both passenger cars and trucks. Discretionary actions for the Proposed Project by the City of Rialto includes review and approval of Site Plan. With City approval of the Site Plan, the Proposed Project would not substantially increase hazards due to a design feature or incompatible uses and would not result in inadequate emergency access. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
- e) **No Impact.** During construction and long-term operation, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the City of Rialto. Therefore, the Proposed Project would not result in inadequate emergency access. No impacts are identified or are anticipated, and no mitigation measures are required.

#### XVIII. TRIBAL CULTURAL RESOURCES

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

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

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	NO Impact
	$\boxtimes$		
	$\boxtimes$		

No Impact

Potentially	Less than	Less than
Significant	Significant with	Significant
Impact	Mitigation	

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.

a) Less than Significant with Mitigation. California Assembly Bill 52 (AB52) was approved by Governor Brown on September 25, 2014. AB52 specifies that CEQA projects with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource may have a significant effect on the environment. As such, the bill requires lead agency consultation with California Native American tribes traditionally and culturally affiliated with the geographic area of a proposed project, if the tribe requested to the lead agency, in writing, to be informed of proposed projects in that geographic area. The legislation further requires that the tribe-requested consultation be completed prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.

Brian F. Smith and Associates, Inc prepared a Cultural Resources for the Proposed Project in January 2022 which included communication with Native American tribes. On December 28, 2021, Brian F. Smith and Associates submitted a request to the State of California Native American Heritage Commission (NAHC) for a records search in the commission's Sacred Lands File. However, no response has been received.

The Project Site was negative for cultural resources, the history of the area in relation to residential development and the close proximity of the property to Lytle Creek indicate that there is the possibility for the discovery of previously unrecorded prehistoric or historic cultural resources. Further, the surrounding area has been developed residentially since 1930 and buried historic resources associated with this development could be located within the Project Site. Given that the possibility of discovering a significant unanticipated tribal cultural resource remains, Mitigation Measure CR-1 and Mitigation Measure CR-2, listed in Section V, shall be implemented to ensure that less than significant impacts occur. No additional mitigation measures are required.

b) Less than Significant with Mitigation. As stated above, Brian F. Smith and Associates, Inc prepared a Cultural Resources for the Proposed Project in January 2022 which included communication with Native American tribes. On December 28, 2021, Brian F. Smith and Associates submitted a request to the State of California Native American Heritage Commission (NAHC) for a records search in the commission's Sacred Lands File. However, no response has been received.

On January 31, 2022, the City of Rialto mailed AB52 Notices to the Gabrieleno-Tongva Nation, Gabrieleno-Tongva Nation San Gabriel Band of Mission Indians, Morongo Band of Mission Indians, Gabrieleno Band of Mission Indians – Kizh Nation and San Manuel Band of Mission Indian; However, only the Gabrieleno Band of Mission - Kizh Nation requested consultation. As such, Mitigation Measure TCR-1 through Mitigation Measure

TCR-3 provided by the Gabrieleno Band of Mission - Kizh Nation shall be implemented to ensure that less than significant impacts occur:

#### Mitigation Measure TCR-1:

Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities

A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.

D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

*E.* Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

#### Mitigation Measure TCR-2:

#### Unanticipated Discovery of Human Remains and Associated Funerary Objects

A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

B. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.

C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)

E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

#### Mitigation Measure TCR-3:

Procedures for Burials and Funerary Remains

A. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term "human remains" encompasses more than human

bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.

*B.* If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.

C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.

D. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.

*E.* In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.

F. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

G. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

#### XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications, 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, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure?
- e) Negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals?
- f) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?
- a) Less than Significant. The Project Site is located within the service area of the West Valley Water District (WVWD). As stated in the 2020 Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan (UWMP), groundwater currently supplies the majority of Rialto's total supply, and the District will continue to rely on groundwater as its preferred source of supply, augmented with surface supplies when available. The District is projected to have a surplus of water supplies in the UWMP. A Water Master Plan provides the long-term plan for construction of infrastructure needs that are met by customer rates or other available financing options. The Proposed Project will connect to an existing water line along Locust Avenue.

The City of Rialto Water Resources Division manages the City's wastewater collection system. All of the wastewater flows from the City are collected by the City's local sewer

Significant Impact	Significant with Mitigation	Significant	Impact
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mains and delivered to the City's Wastewater Treatment Plant that provides tertiary treatment prior to discharge to the Santa Ana River. The City of Rialto would provide sewer service to the Project Site. The Proposed Project will be connected to the existing sewage line along Locust Avenue.

Southern California Edison (SCE) provides electrical service to the project area. The Proposed Project will receive electrical power by connecting to SCE's existing underground power lines along Locust Avenue, west of the Project Site. The increased demand is expected to be sufficiently served by the existing SCE electrical facilities. Total electricity demand in SCE's service area is estimated to increase by approximately 12,000 Gigawatt hours between the years 2015 and 2026. The increase in electricity demand in SCE's service area in insignificant percent of the overall demand in SCE's service area. The Proposed Project would not require the expansion or construction of new electrical facilities.

Southern California Gas Company (SoCalGas) provides natural gas service to the vicinity and the Project Site. The Proposed Project will receive natural gas from the Southern California Gas Company by connecting to the existing line within Locust Avenue. The Proposed Project would not require the expansion or construction of new natural gas facilities.

Spectrum and AT&T provides telecommunication services to the Project Area will be connected by underground connections from existing underground lines along Locust Avenue. The Proposed Project would not require the expansion or construction of new communication facilities.

The Proposed Project is an acceptable use within the I-PID land use category and therefore would result in a demand for utilities and service systems already anticipated by the Rialto Airport Specific Plan and evaluated in the Rialto Airport Specific Plan EIR. Therefore, the Proposed Project is not anticipated to require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

b) Less than Significant. The Project Site is located within the service area of the West Valley Water District (WVWD). As stated in the 2020 Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan (UWMP), groundwater currently supplies the majority of Rialto's total supply, and the District will continue to rely on groundwater as its preferred source of supply, augmented with surface supplies when available. The District produces water from four different adjudicated groundwater basins: the Rialto Basin, Lytle Creek Basin, Riverside North Basin and the Bunker Hill Basin. Rialto and participates in several ongoing water conservation measures and contributes to regional recharge projects through the San Bernardino Basin (SBB) Groundwater Council and Rialto Basin Groundwater Council to optimize and enhance the use and reliability of local groundwater water resources.

According to the UWMP, during a multiple dry-year period, the total water supply is projected to be 14,691 acre-feet (AF) by 2045, while the total water demand is projected to be 12,775 AF in the same year, resulting in a projected surplus of 1,916 AF.<sup>11</sup> Furthermore, the Proposed Project is an acceptable use within the Rialto Airport Specific Plan – Planned Industrial Development (I-PID) land use land use category and therefore would result in the requirement of water supply that is already anticipated by the Rialto Airport Specific Plan and therefore evaluated in the UWMP. There are no groundwater recharge facilities in the area; the Proposed Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede substantial groundwater management of the basin. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- c) Less than Significant. Wastewater collected in the City of Rialto is treated at the Rialto WWTP. Constructed originally in 1956, the WWTP treats domestic and commercial/industrial wastewater generated within the City of Rialto and portions of the City of Fontana. The facility consists of the original plant and four independent treatment plants built successively in 1965, 1981, 1994, and 1998 to accommodate Rialto's growth. The combined total treatment design capacity of the plants is over 12 MGD. The City of Rialto would provide sewer service to the Project Site with sewer being collected in lines along Locust Avenue. Furthermore, the Proposed Project is an acceptable use within the I-PID land use category and therefore would result in the requirement of wastewater facilities that is already anticipated by the Rialto Airport Specific Plan and evaluated in the Rialto Airport Specific Plan EIR. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.
- d) Less than Significant. Solid waste from the City of Rialto is transported to and disposed of at the Mid-Valley Sanitary Landfill located in the northern portion of the City. The landfill has a maximum throughput of 7,500 tons per day and has an expected operational life through 2033. According to CalRecycle's Estimated Solid Waste Generation Rates, "Manufacturing/Warehouse" land uses are estimated to generate approximately 1.42 pounds of solid waste daily per 100 square-feet of building space. Therefore, the proposed warehousing facility, with a total building area of 99,636 square-feet, would generate approximately 0.70 tons of solid waste per day; approximately .009% of the landfill's maximum permitted throughput of 7,500 tons per day. Furthermore, the Proposed Project is an acceptable use within the I-PID land use category and therefore would result in a need for landfill capacity that is already anticipated by the Rialto Airport Specific Plan and evaluated in the Rialto Airport Specific Plan EIR. Therefore, the Proposed Project is anticipated to be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.
- e, f) **Less than Significant.** The Proposed Project will be required to comply with the City of Rialto waste reduction programs, including recycling and other diversion programs to

<sup>&</sup>lt;sup>11</sup>2020 Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan, Table 5-16. DWR 7-4R Multiple Dry Years Supply and Demand Comparison. Page 5-25

divert the amount of solid waste disposed of in landfills. Therefore, the Project Applicant will be required to work with the local refuse hauler to develop and implement feasible waste reduction programs, including source reduction, recycling, and composting. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (CA Pub Res. Code § 42911), the Proposed Project is required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued. Implementation of these programs would reduce the amount of solid waste generated by the Proposed Project and diverted to landfills. The Proposed Project would comply with all applicable solid waste statutes and regulations. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

#### XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- a) 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?
- Potentially Less than Less than No Significant Significant with Significant Impact Impact Mitigation  $\square$  $\square$  $\square$  $\square$  $\square$  $\square$  $\square$
- a) **No Impact.** The Project Site does not contain any emergency facilities, nor does it serve as an emergency evacuation route. During construction and long-term operation, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the City. The Proposed Project would not impair an adopted

emergency response plan or emergency evacuation plan; therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

- b) **No Impact.** Under existing conditions, the Project Site is primarily flat and preconstruction grading is proposed to further prepare the site for the proposed development. Additionally, the Project Site is located within a predominantly developed region with no wildlands located on or adjacent to the Project Site. 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 shown in Exhibit 5.3 of the City of Rialto General Plan, the Project Site is not identified in an area associated with risk of wildland fire. Therefore, the Proposed Project is not anticipated to exacerbate wildfire risks, thereby exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.
- c) Less than Significant. The Project Site is located on the north of Persimmon Avenue and south of Casa Grande Drive along Locust Avenue. Proposed on-site and off-site improvements include extending sidewalks and signage along the western frontage. As stated in Section XIX(a), the Proposed Project will connect to existing utilities and service system infrastructure. Therefore, the Proposed Project is not anticipated to require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary ongoing impacts to the environment. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.
- d) No Impact. Under existing conditions, the Project Site is primarily flat and preconstruction grading is proposed to further prepare the site for the proposed development. The Project Site is not located in an area likely to become unstable as a result of on- or offsite landslide. Additionally, as shown in Exhibit 5.3 of the City of Rialto General Plan, the Project Site is not identified in an area associated with risk of wildland fire. The Project Site is not located within a 100-year FEMA Flood Zone Area. There are no dams, reservoirs, or large water bodies near the Project Site. As stated in Section X(c) herein, the Proposed Project is not anticipated to substantially alter the existing drainage pattern of the site or area, substantially increase the rate or amount of surface runoff, or impede or redirect potential flood flows. Therefore, the Proposed Project would not 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.

#### 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

Potentially Significant	Less than Significant with Mitigation	Less than Significant	No Impact	
mpact	with whitgation			
	$\boxtimes$			

		Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
	below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
b)	Does the project have impacts that are individually limited, but cumulatively considerable?				

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- 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, which will cause Substantial adverse effects on human beings, either directly or indirectly?
- Less than Significant with Mitigation. Jennings Environmental (Jennings), LCC a) prepared a Biological Resources Assessment (BRA) including a jurisdictional delineation for the Proposed Project. Jennings concludes that vegetation that occur on the Project Site and immediate surrounding area does contain habitat suitable for nesting birds. As such, pre-construction surveys are warranted and recommended to reduce the potential impacts to nesting birds, should project construction occur during the bird nesting season. Therefore, possible significant adverse impacts have been identified or are anticipated and Mitigation Measure BIO-1 is required as a condition of project approval, in accordance with the recommendations provided by Jennings, to reduce these impacts to a level below significant. The Proposed Project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or a wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, and reduce the number or restrict the range of a rare or endangered plant or animal with implementation of Mitigation Measure BIO-1. No additional mitigation is warranted.

In January 2022, Brian F. Smith and Associates (BFSA), Inc prepared a Cultural Resources Report for the Proposed Project. The parcel is completely disturbed by these episodes of dumping. During the survey, ground visibility was excellent, and no evidence of any cultural resources was observed. While the property was negative for cultural resources, the history of the area in relation to residential development and the close proximity of the property to Lytle Creek indicate that there is the possibility for the discovery of previously unrecorded prehistoric or historic cultural resources. Further, the surrounding area has been developed residentially since 1930 and buried historic resources associated with this development could be located within the Project Site. However, the possibility of discovering significant examples of the major periods of California history or prehistory

remains. Therefore, possible significant adverse impacts have been identified or anticipated and Mitigation Measure CR-1 through Mitigation Measure CR-3, listed in Section V, are required as a condition of project approval to reduce these impacts to a level below significant; no additional mitigation is warranted.

- b) Less than Significant. Cumulative impacts are defined as two or more individual affects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), states:
  - (a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.
  - (b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

The City's long-term goal of the area to primarily consist of industrial development, including warehousing, to attract employment opportunity, and to increase the jobs/housing ratio. As such, construction and operation of the Proposed Project is anticipated to occur simultaneously with other, similar developments within the Rialto Airport Specific Plan.

No potential impacts associated with the Proposed Project would be considered individually adverse or unfavorable. The Proposed Project is a compatible use identified in and previously evaluated as part of the Rialto Airport Specific Plan. An EIR was prepared and certified by the City of Rialto for the area plan. No additional potential cumulative adverse impacts are identified or are anticipated, and no additional mitigation measures are required.

c) **No Impact**. Incorporation of mitigation measures, City of Rialto policies, standards, and guidelines would ensure that the Proposed Project would have no substantial adverse effects on human beings, either directly or indirectly on an individual or cumulative basis. No impact is anticipated.

# SECTION 4 REFERENCES

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