

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

**FOR THE**

**HARIKRISHNA COMMERCIAL/RETAIL  
DEVELOPMENT PROJECT**

---

Prepared for:

**City of Highland**  
27215 Base Line  
Highland, California 92346

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**LIST OF ABBREVIATIONS AND ACROYNMS**

AAQS	Ambient Air Quality Standards
AB	Assembly Bill
AF	acre-feet
AFD	acre-feet per day
AFY or afy	acre-feet per year
ADT	Average Daily Traffic
AGSP	Airport Gateway Specific Plan
AIA	Airport Influence Area
amsl	above mean sea level
APE	Area of Potential Effect
APN	Assessor Parcel Number
AQMD	Air Quality Management District
AQMP	Air Quality Management Plan
BCC	Birds of Conservation Concern
BMPs	Best Management Practices
BP	Business Park
BUOW	burrowing owl
C&D	construction and demolition
CAA	Clean Air Act
CAAQS	Clean Air Act Quality Standards
CAGN	California gnatcatcher
CalEEMod	California Emissions Estimator Model
CALFIRE	California Department of Forestry and Fire Protection
CALGreen	California Green Building Standards Code
CalRecycle	California Department of Resources Recycling and Recovery
CalSTA	California State Transportation Authority
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBB	Crotch's bumble bee
CBC	California Building Code
CCAA	California Clean Air Act
CCAR	California Climate Action Reserve
CCR	California Code of Regulation
CDF	California Department of Forestry & Fire Protection
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response Compensation and Liability Act
CESA	California Environmental Site Assessment
CFR	Code of Federal Regulation
CH	Critical Habitat
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level

CO	Carbon Monoxide
CPUC	California Public Utility Commission
CRECs	controlled-recognized environmental conditions
CUP	Conditional Use Permit
dB	decibel
dba	A-weighted decibel
DPM	diesel particulate matter
DRA	Design Review Application
EIR	Environmental Impact Report
EMFAC	EMissions FACtor model
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
EV	Electric Vehicle
EVWD	East Valley Water District
FAA	Federal Aviation Administration
FTA	Federal Transit Administration
GCC	Global Climate Change
GHG	Greenhouse Gas
GP	General Plan
GPA	General Plan Amendment
GSA	Groundwater Sustainability Agencies
HAP	hazardous air pollutants
HRA	Health Risk Assessment
HRECs	historical-recognized environmental conditions
IEPR	Integrated Energy Policy Report
IPaC	Information Planning and Consultation System
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IVDA	Inland Valley Development Agency
LBP	lead-based paint
LBVI	least Bell's vireo
LID	Low Impact Development
LOS	Level of Service
LRA	Local Responsibility Area
LST	Localized Significance Threshold
LUST	Leading Underground Storage Tank
MBTA	Migratory Bird Treaty Act
MCLs	maximum contaminant levels
MMRP	Mitigation Monitoring and Reporting Program
MRZ	Mineral Resources Zone
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NO <sub>2</sub>	Nitrogen Dioxide
NO <sub>x</sub>	Nitrogen Oxide
NPDES	National Pollution Discharged Elimination System
O <sub>3</sub>	Ozone

OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PM	Particulate Matter
Pb	Lead
PCE	primary constituent elements
PM <sub>10</sub>	particulate matter less than 10 microns
PM <sub>2.5</sub>	particulate matter less than 2.5 microns
PPV	peak particle velocity
RAFSS	Riversidean alluvial fan sage scrub
RCRA	Resource Conservation and Recovery Act
RECs	recognized environmental conditions
ROG	Reactive Organic Gases
ROW	Right-of-Way
RPS	California's Renewable Portfolio Standard
RWQCB	Regional Water Quality Control Board
SASU	Santa Ana sucker
SB	Senate Bill
SBBM	San Bernardino Base Meridian
SBCTA	San Bernardino County Transit Authority
SBIA	San Bernardino International Airport
SBKR	San Bernardino kangaroo rat
SBCTA	San Bernardino County Transportation Authority
SBCUSD	San Bernardino City Unified School District
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SGMA	Sustainable Groundwater Management Act
SNRC	Sterling Natural Resource Center
SO <sub>2</sub>	Sulfur Dioxide
SR	State Route
SRA	State Responsibility Area
SSC	Species of Special Concern
SSMP	Sewer System Master Plan
SWP	State Water Project
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
SWWF	southwestern willow flycatcher
TACs	Toxic Air Contaminants
TCR	Tribal Cultural Resources
TEA-21	The Transportation Equity Act for the 21st Century
TG	Trip Generation
TPA	Transit Priority Area
TPM	Tentative Parcel Map
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey

UST	Underground Storage Tank
UWMP	Urban Water Management Plan
VdB	vibration decibel
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compounds
WQMP	Water Quality Management Plan
WSMP	Water Supply Master Plan
WRP	Water Reclamation Plant
YBCU	yellow-billed cuckoo
YSMN	Yuhaaviatam of San Manuel Nation
ZC	Zone Change

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## ENVIRONMENTAL CHECKLIST FORM

### INTRODUCTION

1. Project Title: Harikrishna Commercial/Retail Development Project
2. Lead Agency Name: City of Highland  
Address: 27215 Base Line, Highland, CA 92346
3. Contact Person: Kim Stater, Assistant Community Development Director  
Phone Number: (909) 864-8732, x 204  
Email: [kstater@cityofhighland.org](mailto:kstater@cityofhighland.org)
4. Project Location: The project site is located at the northeast corner of Palm Avenue and West 5th Street in the City of Highland. The project is located within the USGS Topo 7.5-minute map for Redlands, San Bernardino Meridian (SBBM), and is located in Section 4, Township 1 South and Range 2 West. The approximate GPS coordinates of the project site are 34.108397, -117.208315. Refer to Figures 1 and 2 for the regional and site location maps.
5. Project Sponsor Name: Harikrishna Gas, Inc.  
Address: 8202 Bella Vista Drive, Rancho Cucamonga, CA 91701
6. General Plan Designation: I – Industrial; Proposed: BP – Business Park
7. Zoning: I – Industrial; Proposed: BP – Business Park
8. Project Description:

### Introduction

Harikrishna Gas, Inc. proposes to develop the Harikrishna Commercial/Retail Development Project (“project”) and the City of Highland (City) will consider entitlements for the development of a gas station, carwash, and convenience store on the northeast corner of Palm Avenue and 5th Street in the City of Highland. The purpose of the project is to provide additional options for car and truck fueling, convenience shopping, sundry items, car wash facility, as well as a variety of household products to an underserved area that experiences a high volume of traffic from employees working in the area, as well as truck traffic generated by nearby logistics centers.

### Project Entitlements

The following entitlements from the City of Highland are required to facilitate development of the Harikrishna Commercial/Retail Development Project:

- Conditional Use Permit (CUP 22-008)
- Design Review Application (DRA 22-010)
- General Plan Amendment (GPA 22-001)
- Tentative Parcel Map No. 19209 (TPM 22-006)
- Zone Change (ZC 22-001)

The project also requires the consolidation of the following assessor's parcel numbers (APNs): 1201-311-02, 1201-311-03, 1201-311-04, 1201-311-05, 1201-301-14, 1201-301-15, and 1201-301-19.

Existing Setting

The property has been previously cleared and appears to have been graded. Thus, the project site is mostly vacant, consisting of compacted dirt surface with scattered trash and debris throughout the site. There is a fenced storage yard noted in the northeastern corner of the property, on one of the seven parcels within which the project is proposed that has been in place since 2007. This fenced in area remains on the property. However, the area is no longer being utilized for the storage or parking of equipment. Please refer to the Photos shown below.



**Photo 1: OVERVIEW OF THE PROJECT, FACING SOUTHEAST**



**Photo 2: OVERVIEW OF THE PROJECT, FACING NORTHWEST**





**Photo 3: OVERVIEW OF THE PROJECT AND FENCED YARD, FACING SOUTHWEST**



**Photo 4: OVERVIEW OF THE FENCED YARD IN THE NORTHEAST PORTION OF PROJECT, FACING NORTHWEST**

### Project Description

The approximately 1.9-acre site is located in Highland, California, which is located within San Bernardino County. It is comprised of seven parcels, listed under Project Entitlements, above, and the site is located on northeast corner of Palm Avenue and 5th Street in the City of Highland.

The proposed site will be developed with a 6-fuel pump canopy, 4,042 square feet (SF) in size, a 3 high speed diesel fuel pump canopy 2,520 SF in size, a 1,387 SF car wash adjacent to a 4,620 SF convenience store, with an additional 176 SF trash enclosure as shown on the site plan provided as Figure 3, which will make up the Harikrishna Commercial/Retail Development Project. The site plan is provided as Figure 3 to this Initial Study. A convenience store and car wash floor



plan is provided as Figure 4. The entire plan set for the project, which depicts the elevations and floor plans for the fuel pumps, trash enclosure, and convenience store and car wash is provided as Appendix 1 to this Initial Study.

The entrances to the site will be located at 5<sup>th</sup> Street, Palm Avenue, and through the cul-de-sac at Meines Court as shown on Figure 3. It is anticipated that the gas station, convenience store, and carwash will employ a total of about 15 persons.

A summary of the parking for the entire site is shown in Table 1 below:

**Table 1  
PARKING SUMMARY**

<b>Project Component</b>	<b>Building SF</b>	<b>Ratio of Parking Required</b>	<b>Required by the Project</b>	<b>Provided</b>
Convenience Store	4,620 SF	4 Space per 1,000 SF	19	23

The project will provide various types of parking stalls as follows in Table 2:

**Table 2  
PARKING STALL SUMMARY**

<b>Stall Type</b>	<b>Stall Size</b>	<b>Stalls Provided</b>
Regular Stall	9 x 19	18 Stalls
Accessible Stall	14x19	1 Stall
Electric Vehicle Stall	10 x 22	2 Stalls
Vacuum (for Car Wash use)	-	2 Stalls
Bicycle Stalls	-	5 Proposed

As demonstrated in Tables 1 and 2 above, the proposed Harikrishna Commercial/Retail Development Project will have ample parking above and beyond the amount of parking required by the City.

The Landscape Plan for the proposed project is provided as Appendix 2 to this Initial Study. and includes a mixture of trees, shrubs, and ground cover that are drought resistant and meet the City of Highland standards. The project site will have landscaping around the perimeter that will screen the site from the surrounding roadways and development. Landscaping will account for about 29% of the entire site, which is greater than that which is required by the City of Highland Municipal Code.

Utilities will be provided as follows:

- Water: East Valley Water District
- Gas: Southern California Gas Company
- Electric: Southern California Edison
- Sewer: East Valley Water District
- Trash: Burrtec

### Construction Scenario

Construction of the proposed Harikrishna Commercial/Retail Development Project is anticipated to require approximately 10 to 11 months, with the anticipated start date of construction in Spring of 2023 and the completion date by the Winter of 2024. The project site is mostly vacant, and development of the site would require demolition and removal of the fencing that formerly enclosed the equipment storage use contained within one of the 7 parcels that make up the site (refer to Figure 2, which depicts the aerial of the project site). Demolition and site clearing is anticipated to require less than a week. The remainder of construction will entail site preparation (for a duration of less than a week), paving (for a duration of less than a week), construction of buildings (for a duration of about 200 days), paving (for a duration of about 10 days), and architectural coatings (for a duration of about 10 days). The project is anticipated to require minimal cut and fill with any cut being reused to balance of the site through grading, which will minimize import/export of material. The proposed project will install underground storage tanks to support the fueling stations, which will require some excavation, but it is anticipated that the site will balance. Development of the Harikrishna Commercial/Retail Development Project will require installation of pavement, curbing and sidewalk throughout the site as shown on the Preliminary Grading Plans (Appendix 3). Additionally, the project will require installation of water quality management basins at several locations within the project site, in addition to other water quality control measures (Figure 3). Delivery of construction supplies and removal of any excavated materials, if necessary, will be accomplished using trucks during normal working hours, with a maximum of 45 round trips per day. It is anticipated that a maximum number of 32 employees will be required to support the construction of the project each day. Grading will be by traditional mechanized grading and compaction equipment. Equipment utilized will be traditional site development equipment of front-end graders, vibratory compactors, petroleum powered fork lifts, and various hand tools traditional to commercial construction.

#### 9. Surrounding land uses and setting: (Briefly describe the project's surroundings)

The project site is located within an industrial corridor within the City of Highland. Due to the small size of nearby parcels, many small industrial and commercial serving uses are located in the area surrounding the project site.

- Immediately to the west of the site, the land use is Business Park, and the site hosts a Farmer Boys drive-thru. Further west, the land use is Industrial.
- Immediately to the north of the site, the land use is Industrial and is partially vacant with the site partially serving a manufacturing use. Further north, the land use is also Industrial, in addition to the City Creek Bypass channel.
- Immediately to the east of the site, the land use is Industrial and serves as Matheson Trucking. Further east, the land use is Industrial and the State Route (SR) 210.
- Immediately to the south of the site, the land use is Business Park, and the site presently serves as an Arco gas station facility with a car wash, convenience store, and restaurant. Further south, the land use is Industrial, in addition to the City Creek.

10. Other agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)
- State Water Resource Control Board
  - South Coast Air Quality Management District
  - Santa Ana Regional Water Quality Control Board
  - San Bernardino County Fire Department,
  - City of Highland Code Enforcement and Department of Public Works, and
  - Any other responsible agency that may have discretionary authority over all or a portion of the project.
11. Have California Native American tribes traditionally and cultural affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

AB 52 has been conducted. Consultation was requested by the Yuhaaviatam of San Manuel Nation (YSMN or Nation) (formerly known as the San Manuel Band of Mission Indians) on December 7, 2022. The Nation has requested that several mitigation measures intended to protect tribal cultural resources be adopted as part of the proposed project. These are included under Subchapters V, Cultural Resources, and XVIII, Tribal Cultural Resources.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

## **ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

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

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

**DETERMINATION** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the following finding is made:

<input type="checkbox"/>	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	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.
<input type="checkbox"/>	Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
Prepared by

\_\_\_\_\_  
Date

\_\_\_\_\_  
Lead Agency (signature)

\_\_\_\_\_  
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>I. AESTHETICS:</b> Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning or other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### SUBSTANTIATION

- a. *Less Than Significant Impact* – Adverse impacts to scenic vistas can occur in one of two ways. First, an area itself may contain existing scenic vistas that would be altered by new development. A field review of the project area determined that there are no scenic vistas located internally within the area proposed for the development of the Harikrishna Commercial/Retail Development Project. Refer to Photos 1 through 4 in the project description that substantiate this finding. Therefore, the development of the project is not expected to impact any important scenic vistas within the project area. A review of the project site clearly indicates that it is not protected by General Plan Goal 2.7 or Policy 4 as the site does not contain any of the scenic values identified in this goal or policy.

A scenic vista impact can also occur when a scenic vista can be viewed from the project area or immediate vicinity and a proposed development may interfere with the view to a scenic vista. To the north of the project area the main ridge of the San Bernardino Mountains extends generally from Cajon Pass on the west to Running Springs on the east. To the east is the continuation of the San Bernardino Mountains that extend from Running Springs to Mt. San Bernardino and Mt. San Geronio. Only minimal views exist to the Santa Ana River floodplain and City Creek exist from the project area due to the level topography and lack of visual access from the project site. The City of Highland General Plan indicates that views of the San Bernardino Mountains and stretches of open space along City Creek and the Santa Ana River are very important to creating and maintaining a sense of community in Highland. The project is located north of the Santa Ana River and generally to the west of City Creek in an industrial/business park corridor along both Palm and 5<sup>th</sup> Streets. Furthermore, the project will develop one-story facilities, including a fuel and diesel station, convenience store, and car wash structures on the project site that will not cause any significant adverse impacts to views of the areas identified above. The project site is currently vacant, containing compacted dirt, and a fenced area containing no weeds and grass due to past clearing. The proposed use of this site would be similar to the adjacent gas station to the south of the project at the same intersection. Given that no identified significant scenic vistas occur across the projects—as the project location and height of the proposed new structures are outside of roadway alignments (which provide some north-south and east-west views of the San Bernardino Mountains and various hills that surround the City), implementation of the proposed development is not expected to cause any substantial effects on any important scenic vistas. With implementation of the proposed landscape

plan to soften the views to the site, this potential impact is considered a less than significant adverse aesthetic impact. No mitigation is required.

- b. *Less Than Significant With Mitigation Incorporated* – The project site does not contain any scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway corridor. According to the City of Highland General Plan, the majority of designated scenic highways are located in the mountain region to the north and east of the City. The project footprint includes several trees, which will require removal as a result of the proposed project. The City of Highland does have a tree ordinance that protects trees. This ordinance—19.28.100—states that “In the event that more than 5 trees are to be cut down, uprooted, destroyed, or removed within a 36-month period, a permit shall first be issued by the Department” (Community Development). The proposed project may remove more than 5 trees, and should this occur, the City will require a permit to remove these trees. The following mitigation measure will ensure that a permit is received prior to the commencement of construction:

**AES-1    *The Applicant shall obtain a tree removal permit from the Highland Community Development Department should development of the project site require the removal of 5 or more trees. Construction shall not commence until this permit is obtained from the City.***

No other scenic resources have been identified on the site. Therefore, with the implementation of mitigation to ensure that visual impacts to trees on site are minimized and the landscape plan is fully implemented, the project would have a less than significant potential to substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

- c. *Less Than Significant Impact* – The proposed Harikrishna Commercial/Retail Development Project is located within an urbanized area. The project site is an undeveloped lot at a major intersection located in a developed area. However, as previously stated, the adjacent property to the south, is a similar use—a gas station and convenience store, and as such, the visual character of the proposed development would be similar to surrounding uses. The project will include landscaping as required by the City for Business Park uses, which will ensure that the site development does not degrade the visual character of the site or the area. Furthermore, the project would not develop structures greater than 22 feet in height, and as such, public views of the site to surrounding vistas would be limited, and as previously stated, development of the site would be consistent with the character of the corridor within which the project will be developed. By developing this vacant site in accordance with City design guidelines for Business Park uses and in accordance with site development plans, the visual character of this site and its surroundings will be enhanced. Thus, with the design elements incorporated into the project, implementation of the City’s design standards will mitigate the potential aesthetic impacts to a less than significant level.
- d. *Less Than Significant With Mitigation Incorporated* – The implementation of the proposed project will create new sources of light during the operational phases of the project. Existing sources of light in the project area include streetlights, headlights and lighting from the adjacent roadways, lighting from the nearby airport, and lighting from adjacent industrial, commercial, and limited local residential uses. Light and glare from interior and exterior building lighting, safety and security lighting, and vehicular traffic accessing the site will occur once the site is in operation. The Harikrishna Commercial/Retail Development Project would be developed in accordance with City requirements for the Business Park zoning classification. Refer to the Photometric Graphic in Figure I-1. Adherence to the City’s Zoning Code would ensure that any building or parking lighting would not significantly impact adjacent uses which are all industrial or business park in use. The Harikrishna Commercial/Retail Development Project will require lighting, both exterior and interior; the greatest source of lighting within the project site would be the gas and truck fueling stations. This will introduce a new source of light and glare into the project area. To ensure that light or glare (particularly off of structures with glass exteriors) does not result in intrusive lighting or glare to existing structures or persons in the project area, the following mitigation measure will be implemented:



**AES-2** *Prior to approval of the Final Design, an analysis of potential glare from sunlight or exterior lighting to impact vehicles traveling on adjacent roadways shall be submitted to the City for review and approval. This analysis shall demonstrate that due to building orientation, light configuration, or exterior treatment, no significant glare may be caused that could negatively impact drivers on the local roadways or impact adjacent land uses. If potential glare impacts are identified, the building orientation, use of non-glare reflective materials or other design solutions acceptable to the City of Highland shall be implemented to eliminate glare impacts.*

With the implementation of mitigation measure **AES-2**, the proposed Harikrishna Commercial/Retail Development Project would have a less than significant potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>II. AGRICULTURE AND FORESTRY RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## SUBSTANTIATION

- a. *No Impact* – The Harikrishna Commercial/Retail Development Project is in an area that is urbanized. Neither the project site nor the adjacent and surrounding properties are designated for agricultural use; no agricultural activities exist in the project area; and there is no potential for impact to any agricultural uses or values as a result of project implementation. According to the maps prepared for the San Bernardino Countywide Plan pursuant to the California Department of Conservation's California Important Farmland Finder as Farmland of Local Importance, no prime farmland, unique farmland, or farmland of statewide importance exists within the vicinity of the proposed project (Figure II-1). No adverse impact to any agricultural resources would occur from implementing the proposed project. No mitigation is required.
- b. *No Impact* – There are no agricultural uses currently on the project site or on adjacent properties. The project site is zoned for I – Industrial and the proposed zoning is BP – Business Park and the

General Plan land use designation is I – Industrial and the proposed land use is BP – Business Park. No potential exists for a conflict between the proposed project and agricultural zoning or Williamson Act contracts within the project area. No mitigation is required.

- c. *No Impact* – Please refer to issues II(a) and II(b) above. The project site is in an urbanized area and neither the land use designation nor zoning classification supports forest land or timberland uses or designations. No potential exists for a conflict between the proposed project and forest/timberland zoning. No mitigation is required.
- d. *No Impact* – There are no forest lands within the project area, which is because the project area is urbanized. No potential for loss of forest land would occur if the project is implemented. No mitigation is required.
- e. *No Impact* – Because the project site and surrounding area do not support either agricultural or forestry uses and, furthermore, because the project site and environs are not designated for such uses, implementation of the proposed project would not cause or result in the conversion of farmland or forest land to alternative use. No adverse impact would occur. No mitigation is required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>III. AIR QUALITY:</b> 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. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: The following information utilized in this section was obtained from the technical study “Air Quality and Greenhouse Gas Study Harikrishna Gas Station and Carwash Project, City of Highland, CA” prepared by Entech Consulting Group dated November 2022, and provided as Appendix 4 to this document.

### Background

#### *Atmospheric Setting*

Regional: The project site is located within the southwestern portion of San Bernardino County, which is part of the South Coast Air Basin (Air Basin) that includes the non-desert portions of Riverside, San Bernardino, and Los Angeles Counties and all of all of Orange County. Temperature inversions are the prime factor in the accumulation of contaminants in the Air Basin. The mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, and Santa Ana winds. The topography and climate of Southern California combine to create an area of high air pollution potential in the Air Basin. During the summer months, a warm air mass frequently descends over the cool, moist marine layer produced by the interaction between the ocean’s surface and the lowest layer of the atmosphere. The warm upper layer forms a cup over the cool marine layer, which prevents pollution from dispersing upward. This inversion allows pollutants to accumulate within the lower layer. Light winds during the summer further limit ventilation from occurring. Due to the low average wind speeds in the summer and a persistent daytime temperature inversion, emissions of hydrocarbons and oxides of nitrogen have an opportunity to combine with sunlight in a complex series of reactions. These reactions produce a photochemical oxidant commonly known as smog. Since the Air Basin experiences more days of sunlight than any other major urban area in the United States, except Phoenix, the smog potential in the region is higher than in most other areas of the nation.

Local: The major factors affecting local air pollution conditions in the Highland planning area are the extent and types of both region-wide and local emissions, climate, and meteorology. The general climate of Highland is characterized by sparse winter rainfall and hot summers tempered by cool ocean breezes. The climate in and around Highland, as well as most of Southern California, is controlled largely by the strength and position of the subtropical high-pressure cell over the Pacific Ocean. This high-pressure cell produces a typical Mediterranean climate with warm summers, mild winters, and moderate rainfall. This pattern is infrequently interrupted by periods of extremely hot weather brought in by Santa Ana winds. Most of the area’s precipitation occurs intermittently between November and April; the area is still dominated by sunny

or partly sunny conditions during these months. Cyclic land and sea breezes are the primary factors affecting the region's mild climate. The daytime winds are normally sea breezes, predominantly from the west, that flow at relatively low velocities.

*Air Quality Standards*

Existing air quality is measured at established Southern California Air Quality Management District (SCAQMD) air quality monitoring stations. Monitored air quality is evaluated and in the context of ambient air quality standards. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare. National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) currently in effect are shown in Table III-1. Because the State of California had established Ambient Air Quality Standards (AAQS) several years before the federal action and because of unique air quality problems introduced by the restrictive dispersion meteorology, there is considerable difference between state and national clean air standards. Those standards currently in effect in California are shown in Table III-1. Sources and health effects of various pollutants are shown in Table III-2.

**Table III-1  
AMBIENT AIR QUALITY STANDARDS**

Pollutant	Average Time	California Standards <sup>1</sup>		National Standards <sup>2</sup>		
		Concentration <sup>3</sup>	Method <sup>4</sup>	Primary <sup>3,5</sup>	Secondary <sup>3,6</sup>	Method <sup>7</sup>
Ozone (O3) <sup>8</sup>	1 Hour	0.09 ppm (180 µg/m³)	Ultraviolet Photometry	–	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m³)		0.070 ppm (137 µg/m³)		
Respirable Particulate Matter (PM10) <sup>9</sup>	24 Hour	50 µg/m³	Gravimetric or Beta Attenuation	150 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m³		–		
Fine Particulate Matter (PM2.5) <sup>9</sup>	24 Hour	–	–	35 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m³	Gravimetric or Beta Attenuation	12.0 µg/m³	15.0 µg/m³	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m³)	–	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9 ppm (10 mg/m³)		9 ppm (10 mg/m³)	–	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m³)		–	–	
Nitrogen Dioxide (NO2) <sup>10</sup>	1 Hour	0.18 ppm (339 µg/m³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m³)	–	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m³)		0.053 ppm (100 µg/m³)	Same as Primary Standard	
Sulfur Dioxide (SO2) <sup>11</sup>	1 Hour	0.25 ppm (655 µg/m³)	Ultraviolet Fluorescence	75 ppb (196 µg/m³)	–	Ultraviolet Flourescence; Spectrophotometry (Paraosaniline Method)
	3 Hour	–		–	0.5 ppm (1300 µg/m³)	
	24 Hour	0.04 ppm (105 µg/m³)		0.14 ppm (for certain areas) <sup>11</sup>	–	
	Annual Arithmetic Mean	–		0.030 ppm (for certain areas) <sup>11</sup>	–	
Lead 8 <sup>12,13</sup>	30-Day Average	1.5 µg/m³	Atomic Absorption	–	–	–
	Calendar Quarter	–		1.5 µg/m³ (for certain areas) <sup>12</sup>	Same as Primary Standard	High Volume Sampler and Atomic Absorption
	Rolling 3-Month Avg	–		0.15 µg/m³		
Visibility Reducing Particles <sup>14</sup>	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No  Federal  Standards		
Sulfates	24 Hour	25 µg/m³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m³)	Ultraviolet Fluorescence			
Vinyl Chloride <sup>12</sup>	24 Hour	0.01 ppm (26 µa/m³)	Gas Chromatography			

Source: California Air Resources Board 5/4/16

Footnotes:

- 1 California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter – PM10, PM2.5, and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
- 2 National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest eight hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24-hour standard is attained when the expected number of days per calendar year, with a 24-hour average concentration above  $150 \mu\text{g}/\text{m}^3$ , is equal to or less than one. For PM2.5, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over 3 years, are equal to or less than the standard. Contact U.S. EPA for further clarification and current federal policies.
- 3 Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
- 4 Any equivalent procedure which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
- 5 National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
- 6 National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
- 7 Reference method as described by the EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the EPA.
- 8 On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
- 9 On December 14, 2012, the national PM2.5 primary standard was lowered from  $15 \mu\text{g}/\text{m}^3$  to  $12.0 \mu\text{g}/\text{m}^3$ . The existing national 24-hour PM2.5 standards (primary and secondary) were retained at  $35 \mu\text{g}/\text{m}^3$ , as was the annual secondary standard of  $15 \mu\text{g}/\text{m}^3$ . The existing 24-hour PM10 standards (primary and secondary) of  $150 \mu\text{g}/\text{m}^3$  also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
- 10 To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
- 11 On June 2, 2010, a new 1-hour SO2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved. Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
- 12 The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
- 13 The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard ( $1.5 \mu\text{g}/\text{m}^3$  as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
- 14 In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

**Table III-2  
HEALTH EFFECTS OF MAJOR CRITERIA POLLUTANTS**

<b>Pollutants</b>	<b>Sources</b>	<b>Primary Effects</b>
Carbon Monoxide (CO)	<ul style="list-style-type: none"> <li>• Incomplete combustion of fuels and other carbon-containing substances, such as motor exhaust.</li> <li>• Natural events, such as decomposition of organic matter.</li> </ul>	<ul style="list-style-type: none"> <li>• Reduced tolerance for exercise.</li> <li>• Impairment of mental function.</li> <li>• Impairment of fetal development.</li> <li>• Death at high levels of exposure.</li> <li>• Aggravation of some heart diseases (angina).</li> </ul>
Nitrogen Dioxide (NO <sub>2</sub> )	<ul style="list-style-type: none"> <li>• Motor vehicle exhaust.</li> <li>• High temperature stationary combustion.</li> <li>• Atmospheric reactions.</li> </ul>	<ul style="list-style-type: none"> <li>• Aggravation of respiratory illness.</li> <li>• Reduced visibility.</li> <li>• Reduced plant growth.</li> <li>• Formation of acid rain.</li> </ul>
Ozone (O <sub>3</sub> )	<ul style="list-style-type: none"> <li>• Atmospheric reaction of organic gases with nitrogen oxides in sunlight.</li> </ul>	<ul style="list-style-type: none"> <li>• Aggravation of respiratory and cardiovascular diseases.</li> <li>• Irritation of eyes.</li> <li>• Impairment of cardiopulmonary function.</li> <li>• Plant leaf injury.</li> </ul>
Lead (Pb)	<ul style="list-style-type: none"> <li>• Contaminated soil.</li> </ul>	<ul style="list-style-type: none"> <li>• Impairment of blood function and nerve construction.</li> <li>• Behavioral and hearing problems in children.</li> </ul>
Fine Particulate Matter (PM-10)	<ul style="list-style-type: none"> <li>• Stationary combustion of solid fuels.</li> <li>• Construction activities.</li> <li>• Industrial processes.</li> <li>• Atmospheric chemical reactions.</li> </ul>	<ul style="list-style-type: none"> <li>• Reduced lung function.</li> <li>• Aggravation of the effects of gaseous pollutants.</li> <li>• Aggravation of respiratory and cardio respiratory diseases.</li> <li>• Increased cough and chest discomfort.</li> <li>• Soiling.</li> <li>• Reduced visibility.</li> </ul>
Fine Particulate Matter (PM-2.5)	<ul style="list-style-type: none"> <li>• Fuel combustion in motor vehicles, equipment, and industrial sources.</li> <li>• Residential and agricultural burning.</li> <li>• Industrial processes.</li> <li>• Also, formed from photochemical reactions of other pollutants, including NO<sub>x</sub>, sulfur oxides, and organics.</li> </ul>	<ul style="list-style-type: none"> <li>• Increases respiratory disease.</li> <li>• Lung damage.</li> <li>• Cancer and premature death.</li> <li>• Reduces visibility and results in surface soiling.</li> </ul>
Sulfur Dioxide (SO <sub>2</sub> )	<ul style="list-style-type: none"> <li>• Combustion of sulfur-containing fossil fuels.</li> <li>• Smelting of sulfur-bearing metal ores.</li> <li>• Industrial processes.</li> </ul>	<ul style="list-style-type: none"> <li>• Aggravation of respiratory diseases (asthma, emphysema).</li> <li>• Reduced lung function.</li> <li>• Irritation of eyes.</li> <li>• Reduced visibility.</li> <li>• Plant injury.</li> <li>• Deterioration of metals, textiles, leather, finishes, coatings, etc.</li> </ul>

Source: California Air Resources Board, 2002.

### Baseline Air Quality

The air quality at any site is dependent on the regional air quality and local pollutant sources. Regional air quality is determined by the release of pollutants throughout the Air Basin. Estimates of the existing emissions in the Air Basin provided in the 2012 AQMP, indicate that collectively, mobile sources account



for 59 percent of the VOC, 88 percent of the NO<sub>x</sub> emissions and 40 percent of directly emitted PM<sub>2.5</sub>, with another 10 percent of PM<sub>2.5</sub> from road dust.

SCAQMD has divided the Air Basin into 38 air-monitoring areas. The project site is located in Air Monitoring Area 34, Central San Bernardino Valley. The nearest air monitoring station to the project site is the San Bernardino Monitoring Station located approximately 3.5 miles west of the project site at 24302 E. 4th Street, San Bernardino. However, it should be noted that due to the air monitoring station's distance from the project site, recorded air pollution levels at the San Bernardino Station reflect with varying degrees of accuracy, local air quality conditions at the project site. It should also be noted that CO measurements have not been provided, since CO is currently in attainment in the Air Basin and monitoring of CO within the Air Basin ended on March 31, 2013.

The monitoring data from the San Bernardino Station is presented in Table III-3 and shows the most recent three years of monitoring data from CARB. Table III-3 shows that ozone and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) are the air pollutants of primary concern in the project area, which are detailed below:

**Table III-3  
AIR QUALITY MONITORING SUMMARY (2019-2021)  
(ESTIMATED NUMBER OF DAYS STANDARDS WERE EXCEEDED)**

Pollutant/Standard	2019	2020	2021
<b>Ozone</b>			
Max. 1-Hour Conc. (ppm)	0.127	0.162	0.142
Max. 8-Hour Conc. (ppm)	<b>63</b>	<b>89</b>	<b>66</b>
Max. 8-Hour Conc. (ppm)	0.114	0.128	0.112
Max. 8-Hour Conc. (ppm)	<b>96</b>	<b>130</b>	<b>98</b>
Max. 8-Hour Conc. (ppm)	<b>96</b>	<b>132</b>	<b>101</b>
<b>Respirable Particulates (PM-10)</b>			
Maximum 24-Hour Concentration (ug/m <sup>3</sup> )	112.7	178.8	182.4
Days > NAAQS (150 ug/m <sup>3</sup> )	No Data	<b>1</b>	<b>1</b>
Days > CAAQS (50 ug/m <sup>3</sup> )	<b>24.9</b>	No Data	<b>25.8</b>
Annual Arithmetic Mean (AAM) (15 ug/m <sup>3</sup> )	30.4	41.1	40.5
<b>Fine Particulates (PM-2.5)</b>			
Maximum 24-Hour National Measurement (ug/m <sup>3</sup> )	60.5	56.6	57.9
Days > NAAQS (35 ug/m <sup>3</sup> )	No Data	<b>6.1</b>	<b>3</b>
Annual Arithmetic Mean (AAM) (ug/m <sup>3</sup> )	No Data	12.2	11.8

Notes: Exceedances are listed in **bold**. CAAQS = California Ambient Air Quality Standard; NAAQS = National Ambient Air Quality Standard; ppm = parts per million; ppb = parts per billion; ND = no data available.

1 Data obtained from the San Bernardino Station.

Source: <http://www.arb.ca.gov/adam/>

### Air Quality Planning and Regulatory Setting

#### *Federal Regulations*

The EPA is responsible for setting and enforcing the National Ambient Air Quality Standards (NAAQS) for O<sub>3</sub>, CO, NO<sub>x</sub>, SO<sub>2</sub>, PM<sub>10</sub>, and Pb. The EPA has jurisdiction over emissions sources that are under the authority of the federal government including aircraft, locomotives, and emissions sources outside state waters (Outer Continental Shelf). The EPA also establishes emission standards for vehicles sold in states other than California. Automobiles sold in California must meet the stricter emission requirements of California Air Resources Board (CARB).

The Federal Clean Air Act (CAA) was first enacted in 1955 and has been amended numerous times in subsequent years (1963, 1965, 1967, 1970, 1977, and 1990). The CAA establishes the federal air quality standards, the NAAQS, and specifies future dates for achieving compliance. The CAA also mandates that states submit and implement SIPs for local areas not meeting these standards. These plans must include pollution control measures that demonstrate how the standards will be met.

The 1990 amendments to the CAA that identify specific emission reduction goals for areas not meeting the NAAQS require a demonstration of reasonable further progress toward attainment and incorporate additional sanctions for failure to attain or to meet interim milestones. The sections of the CAA most directly applicable to the development of the Project site include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions). Title I provisions were established with the goal of attaining the NAAQS for the following criteria pollutants O<sub>3</sub>, NO<sub>2</sub>, SO<sub>2</sub>, PM<sub>10</sub>, CO, PM<sub>2.5</sub>, and Pb. The NAAQS were amended in July 1997 to include an additional standard for O<sub>3</sub> and to adopt a NAAQS for PM<sub>2.5</sub>.

Mobile source emissions are regulated in accordance with Title II provisions. These provisions require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas, and ultimate transition to electric vehicles. Automobile manufacturers are also required to reduce tailpipe emissions of hydrocarbons and NO<sub>x</sub>. NO<sub>x</sub> is a collective term that includes all forms of NO<sub>x</sub> which are emitted as byproducts of the combustion process.

#### *California Regulations*

**CARB:** CARB, which became part of the CalEPA in 1991, is responsible for ensuring implementation of the California Clean Air Act (AB 2595), responding to the federal CAA, and for regulating emissions from consumer products and motor vehicles. AB 2595 mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the state ambient air quality standards by the earliest practical date. CARB established the California Ambient Air Quality Standards (CAAQS) for all pollutants for which the federal government has NAAQS and, in addition, establishes standards for SO<sub>4</sub>, visibility, hydrogen sulfide (H<sub>2</sub>S), and vinyl chloride (C<sub>2</sub>H<sub>3</sub>Cl). However, at this time, H<sub>2</sub>S and C<sub>2</sub>H<sub>3</sub>Cl are not measured at any monitoring stations in the SCAB because they are not considered to be a regional air quality problem. Generally, the CAAQS are more stringent than the NAAQS.

Local air quality management districts, such as the SCAQMD, regulate air emissions from stationary sources, such as commercial and industrial facilities. All air pollution control districts have been formally designated as attainment or non-attainment for each CAAQS.

Serious non-attainment areas are required to prepare Air Quality Management Plans (AQMP) that include specified emission reduction strategies in an effort to meet clean air goals. These plans are required to include:

- Application of Best Available Retrofit Control Technology to existing sources;
- Developing control programs for area sources (e.g., architectural coatings and solvents) and indirect sources (e.g., motor vehicle use generated by residential and commercial development);
- A District permitting system designed to allow no net increase in emissions from any new or modified permitted sources of emissions;
- Implementing reasonably available transportation control measures and assuring a substantial reduction in growth rate of vehicle trips and miles traveled;
- Significant use of low emissions vehicles by fleet operators;
- Sufficient control strategies to achieve a 5% or more annual reduction in emissions or 15% or more in a period of three years for ROG<sub>s</sub>, NO<sub>x</sub>, CO and PM<sub>10</sub>. However, air basins may use alternative emission reduction strategy that achieves a reduction of less than 5% per year under certain circumstances.

Title 24 Energy Efficiency Standards and California Green Building Standards: CCR Title 24 Part 6: The California Energy Code was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption.

The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2009, and is administered by the California Building Standards Commission.

CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2019 California Green Building Code Standards that became effective January 1, 2020.

Local jurisdictions are permitted to adopt more stringent requirements, as state law provides methods for local enhancements. CALGreen recognizes that many jurisdictions have developed existing construction waste and demolition ordinances and defers to them as the ruling guidance, provided they establish a minimum 65% diversion requirement.

The code also provides exemptions for areas not served by construction waste and demolition recycling infrastructure. The State Building Code provides the minimum standard that buildings must meet in order to be certified for occupancy, which is generally enforced by the local building official.

Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases greenhouse gas (GHG) emissions. The 2019 version of Title 24 was adopted by the California Energy Commission (CEC) and became effective on January 1, 2020.

The 2019 Title 24 standards will result in less energy use, thereby reducing air pollutant emissions associated with energy consumption in the SCAB and across the State of California. For example, the 2019 Title 24 standards require solar photovoltaic systems for new homes, establish requirements for newly constructed healthcare facilities, encourage demand responsive technologies for residential buildings, and update indoor and outdoor lighting requirements for nonresidential buildings.

The California Energy Commission (CEC) anticipates that single-family homes built with the 2019 standards will use approximately 7% less energy compared to the residential homes built under the 2016 standards. Additionally, after implementation of solar photovoltaic systems, homes built under the 2019 standards will use about 53% less energy than homes built under the 2016 standards. Nonresidential buildings (such as envisioned for the Project) will use approximately 30% less energy due to lighting upgrade requirements.

Because the Project will be constructed after January 1, 2019, the 2019 CALGreen standards are applicable to the Project and require, among other items:

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5% of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5% of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).
- Designated parking for clean air vehicles. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- Electric vehicle (EV) charging stations. New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load. The number of spaces to be provided for is contained in Table 5.106. 5.3.3 (5.106.5.3).
- Outdoor light pollution reduction. Outdoor lighting systems shall be designed to meet the backlight, uplight and glare ratings per Table 5.106.8 (5.106.8)
- Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1. 5.405.1.2,

or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).

- Excavated soil and land clearing debris. 100% of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).
- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).
- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:
  - Water Closets. The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1)
  - Urinals. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).
  - Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combine flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).
  - Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of not more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).
- Outdoor portable water use in landscaped areas. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient (MWELO), whichever is more stringent (5.304.1).
- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 sf or for excess consumption where any tenant within a new building or within an addition that is project to consume more than 1,000 gallons per day (5.303.1.1 and 5.303.1.2).
- Outdoor water use in rehabilitated landscape projects equal or greater than 2,500 sf. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 sf requiring a building or landscape permit (5.304.3).
- Commissioning. For new buildings 10,000 sf and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

### *Regional Regulations*

Air Quality Management Plan (AQMP): Currently, certain NAAQS and CAAQS are exceeded in most parts of the SCAB. In response, the SCAQMD has adopted a series of AQMPs to meet the state and federal ambient air quality standards. AQMPs are updated regularly in order to more effectively reduce emissions, accommodate growth, and to minimize any negative fiscal impacts of air pollution control on the economy. AQMPs are required to be updated at regular intervals. The 2012 AQMP was adopted in early 2013. An updated 2016 AQMP was adopted by the SCAQMD Board in March 2017. The 2016 AQMD demonstrated the emissions reductions shown in Table III-4 compared to the 2012 AQMP.

**Table III-4  
COMPARISON OF EMISSIONS BY MAJOR SOURCE CATEGORY FROM 2012 AQMP**

Pollutant	Stationary Sources	Mobile Sources
VOC	-12%	-3%
NOx	-13%	-1%
SOx	-34%	-23%
PM2.5	-9%	-7%

\*Source 2016 AQMP

SCAQMD has initiated the development of the 2022 AQMP to address the attainment of the 2015 8-hour ozone standard (70 ppb) for South Coast Air Basin and Coachella Valley which will focus on attaining the 70 ppb 8-hour ozone National Ambient Air Quality Standard (NAAQS) by 2037. On-road vehicles and off-road mobile sources represent the largest categories of NOx emissions. Accomplishment of attainment goals requires an approximate 70% reduction in NOx emissions. Large scale transition to zero emission technologies is a key strategy. To this end, Governor Executive Order N-79-20 requires 100 percent EV sales by 2035 for automobiles and short haul drayage trucks. A full transition to EV buses and heavy-duty long-haul trucks is required by 2045.

#### Thresholds of Significance

##### *Regional Air Quality*

Many air quality impacts that derive from dispersed mobile sources, which are the dominate pollution generators in the Air Basin, often occurs hours later and miles away after photochemical processes have converted primary exhaust pollutants into secondary contaminants such as ozone. The incremental regional air quality impact of an individual project is generally very small and difficult to measure. Therefore, SCAQMD has developed significance thresholds based on the volume of pollution emitted rather than on actual ambient air quality because the direct air quality impact of a project is not quantifiable on a regional scale. The SCAQMD CEQA Handbook states that any project in the Air Basin with daily emissions that exceed any of the identified significance thresholds should be considered as having an individually and cumulatively significant air quality impact. Projects with daily emissions that exceed any of the following emission thresholds are recommended by the SCAQMD to be considered significant under CEQA guidelines.

**Table III-5  
DAILY EMISSIONS THRESHOLDS**

Pollutant	Construction	Operations
ROG	75	55
NOx	100	55
CO	550	550
PM-10	150	150
PM-2.5	55	55
SOx	150	150
Lead	3	3

Source: SCAQMD CEQA Air Quality Handbook, November, 1993 Rev.

##### *Local Air Quality*

Project-related construction air emissions may have the potential to exceed the State and Federal air quality standards in the project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the Air Basin. In order to assess local air quality impacts the SCAQMD has

developed Localized Significant Thresholds (LSTs) to assess the project-related air emissions in the project vicinity. SCAQMD has also provided the *Final Localized Significance Threshold Methodology* (LST Methodology), July 2008, which details the methodology to analyze local air emission impacts. The LST Methodology found that the primary emissions of concern are NO<sub>2</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>.

The LST Methodology provides Look-Up Tables with different thresholds based on the location and size of the project site and distance to the nearest sensitive receptors. The project size of 1 acre disturbed per day was used based on the number and type of equipment utilized during each phase of construction.

The project site is located in Air Monitoring Area 34, Central San Bernardino Valley. The nearest sensitive receptors to the project site consist of the single-family residences approximately 0.175 miles (282 meters) north of the project site. According to LST Methodology, a distance of 200 meters was used for the threshold as a conservative measure. Table III-6 below shows the LSTs for CO, NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> for both construction and operational activities.

**Table III-6**  
**LST AND PROJECT EMISSIONS (POUNDS/DAY) – CONSTRUCTION & OPERATIONAL**

Activity	NOx	CO	PM-10	PM-2.5
Construction	334	5,356	74	23
Operation	334	5,356	18	6

Notes: <sup>1</sup> The nearest sensitive receptors are single-family homes located 0.175 miles (280 meters) north of the project site.  
Source: Calculated from SCAQMD's Mass Rate Look-up Tables for one acre in Air Monitoring Area 34, Central San Bernardino Valley.

#### *Toxic Air Contaminants*

According to the SCAQMD CEQA Handbook, any project that has the potential to expose the public to toxic air contaminants in excess of the following thresholds would be considered to have a significant air quality impact:

- If the Maximum Incremental Cancer Risk is 10 in one million or greater; or
- Toxic air contaminants from the project would result in a Hazard Index increase of 1 or greater.

In order to determine if the project may have a significant impact related to hazardous air pollutants (HAP), the *Health Risk Assessment Guidance for analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*, (Diesel Analysis) prepared by SCAQMD, August 2003, recommends that if the project is anticipated to create HAPs through stationary sources or regular operations of diesel trucks on the project site, then the proximity of the nearest receptors to the source of the HAP and the toxicity of the HAP should be analyzed through a comprehensive facility-wide health risk assessment (HRA).

#### *Odor Impacts*

The SCAQMD CEQA Handbook states that an odor impact would occur if the project created an odor nuisance pursuant to SCAQMD Rule 402, which states:

*"A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property."*

*The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals."*

If the project results in a violation of Rule 402 with regards to odor impacts, then the project would create a significant odor impact.

### Impact Analysis

- a. *Less Than Significant Impact* – Projects such as the proposed Harikrishna Commercial/Retail Development Project do not directly relate to the AQMP in that there are no specific air quality programs or regulations governing general development. Conformity with adopted plans, forecasts and programs relative to population, housing, employment and land use is the primary yardstick by which impact significance of planned growth is determined. The SCAQMD, however, while acknowledging that the AQMP is a growth-accommodating document, does not favor designating regional impacts as less than significant just because the proposed development is consistent with regional growth projections.

A project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

- (1) Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
- (2) Whether the project will exceed the assumptions in the AQMP or increments based on the year of project buildout and phase.

Both of these criteria are evaluated below.

#### Criterion 1 – Increase in the Frequency or Severity of Violations?

Based on the air quality modeling analysis contained in this report, short-term regional construction air emissions would not result in significant impacts based on SCAQMD regional or local thresholds of significance. The ongoing operation of the project would generate air pollutant emissions that are inconsequential on a regional basis and would not result in significant impacts based on SCAQMD thresholds of significance. The analysis for long-term local air quality impacts showed that local pollutant concentrations would not be projected to exceed the air quality standards. Therefore, a less than significant long-term impact would occur, and no mitigation would be required.

#### Criterion 2 - Exceed Assumptions in the AQMP?

The proposed uses are consistent with the zoning designation for the project site, which is consistent with the City General Plan. The City General Plan is consistent with the Southern California Association of Governments Regional Comprehensive Plan Guidelines and the SCAQMD AQMP. Pursuant to the methodology in Chapter 12 of the 1993 SCAQMD CEQA Air Quality Handbook, consistency with the Basin 2016 AQMP is affirmed when a project (1) does not increase the frequency or severity of an air quality standards violation or cause a new violation; and (2) is consistent with the growth assumptions in the AQMP. Consistency review is presented below.

The CEQA Air Quality Handbook indicates that consistency with AQMP growth assumptions must be analyzed for new or amended General Plan elements, Specific Plans, and significant projects. Significant projects include airports, electrical generating facilities, petroleum and gas refineries, designation of oil drilling districts, water ports, solid waste disposal sites, and offshore drilling facilities; therefore, the project is not defined as significant.

### Conclusion

Based on the consistency analysis presented above, the project is consistent with the General Plans and the regional AQMP.

- b. *Less Than Significant Impact With Mitigation Incorporated* – Air pollution emissions associated with the proposed project would occur over both a short and long-term time period. Short-term emissions include fugitive dust from construction activities (i.e., site prep, demolition, grading, and exhaust emission). Long-term emissions generated by future operation of the proposed project primarily include energy consumption and trips generated by the future development.

#### Construction Emissions

The CalEEMod model has been utilized to calculate the construction-related regional emissions from the project. The worst-case summer or winter daily construction-related criteria pollutant emissions from the project for each phase of construction activities are shown below in Table III-7 and the CalEEMod daily printouts are shown in Appendix A to Appendix 4 to this Initial Study.

**Table III-7  
CONSTRUCTION-RELATED REGIONAL CRITERIA POLLUTANT EMISSIONS  
(POUNDS/DAY)<sup>1</sup>**

Activity	ROG	NOx	CO	SO <sub>2</sub>	PM-10	PM-2.5
<b>Summer</b>	11.5	7.9	66.1	0.09	8.9	2.4
<b>Winter</b>	11.5	7.9	66.1	0.09	8.9	2.4
SCAQMD Thresholds	75	100	550	150	150	55
Exceeds Thresholds?	No	No	No	No	No	No

Notes: <sup>1</sup> Grading based on adherence to fugitive dust suppression requirements from SCAQMD Rule 403. Source: CalEEMod Version 2016.3.1.

Peak daily construction activity emissions are estimated to be below SCAQMD CEQA thresholds without the need for added mitigation. While construction activities are not anticipated to cause dust emissions to exceed SCAQMD CEQA thresholds, emissions minimization through enhanced dust control measures is recommended for use because of the non-attainment status of the air basin. Recommended measures include:

**AQ-1 *Fugitive Dust Control. The following measures shall be incorporated into project plans and specifications for implementation:***

- ***Apply soil stabilizers or moisten inactive areas.***
- ***Water exposed surfaces as needed to avoid visible dust leaving the construction site (typically 2-3 times/day).***
- ***Cover all stock piles with tarps at the end of each day or as needed.***
- ***Provide water spray during loading and unloading of earthen materials.***
- ***Minimize in-out traffic from construction zone.***
- ***Cover all trucks hauling dirt, sand, or loose material and require all trucks to maintain at least two feet of freeboard.***
- ***Sweep streets daily if visible soil material is carried out from the construction site.***

Similarly, ozone precursor emissions (ROG and NOx) are calculated to be below SCAQMD CEQA thresholds. However, because of the regional non-attainment for photochemical smog, the use of reasonably available control measures for diesel exhaust is recommended. Combustion emissions control options include:



**AQ-2 *Exhaust Emissions Control.* The following measures shall be incorporated into project plans and specifications for implementation:**

- ***Utilize well-tuned off-road construction equipment.***
- ***Establish a preference for contractors using Tier 3 or better heavy equipment.***
- ***Enforce 5-minute idling limits for both on-road trucks and off-road equipment.***

With the above mitigation measures, any impacts related to construction emissions are considered less than significant. No further mitigation is required.

Operational Emissions

The on-going operation of the project would result in a long-term increase in air quality emissions. This increase would be due to emissions from the project-generated vehicle trips and through operational emissions from the on-going use of the project. The following section provides an analysis of potential long-term air quality impacts due to regional air quality impacts with the on-going operations of the project. The potential operations-related air emissions have been analyzed below for the regional criteria pollutant emissions and cumulative impacts.

The operations-related criteria air quality impacts created by the project have been analyzed through use of the CalEEMod model. The worst-case summer or winter VOC, NOx, CO, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> daily emissions created from the project's long-term operations have been calculated and are summarized below in Table III-8 and the CalEEMod daily emissions printouts are shown in Appendix A to Appendix 4 to this Initial Study.

**Table III-8  
OPERATIONAL CRITERIA POLLUTANT EMISSIONS  
(POUNDS/DAY)**

Source	VOC	NOx	CO	SO <sub>2</sub>	PM-10	PM-2.5
Area <sup>1</sup>	0.31	0.00009	0	0	0.00003	0.00003
Energy <sup>2</sup>	0.0021	0.019	0.00011	0.00011	0.0014	0.0014
Mobile <sup>3</sup>	11.2	7.92	66.1	0.089	8.95	2.4
<b>Total Emissions</b>	<b>11.5</b>	<b>7.9</b>	<b>66.1</b>	<b>0.09</b>	<b>8.95</b>	<b>2.4</b>
SCAQMD Threshold	55	55	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No

Source: CalEEMod Output in Appendix

<sup>1</sup> Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.

<sup>2</sup> Energy usage consist of emissions from natural gas usage (excluding hearths).

<sup>3</sup> Mobile sources consist of emissions from vehicles and road dust.

As seen in Table III-8, operational emissions are predicted to be less than significant. As shown, operational emissions will not exceed applicable SCAQMD operational emissions CEQA thresholds of significance.

Based on previous discussions with SCAQMD regarding operational emissions for multi-use commercial projects, the following mitigation measures shall be implemented to minimize operational impacts to the greatest extent feasible:

**AQ-3 *Provide incentives for vendors and material delivery trucks that would be visiting the hotel to encourage the use of zero-emission or near-zero emission heavy-duty trucks during operation, such as trucks with natural gas engines***

*that meet CARB's adopted optional NOx emissions standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, incentivize the use of 2010 model year18 or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks.*

- AQ-4** *Provide electric vehicle (EV) charging stations for the restaurant uses where feasible. If feasible, at least 5% of all vehicle parking spaces shall include EV charging stations, or at a minimum, require the Proposed project to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for passenger vehicles and trucks to plug-in. Electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. Electrical panels should be appropriately sized to allow for future expanded use.*
- AQ-5** *Maximize the use of solar energy including solar panels. Installing the maximum possible number of solar energy arrays on the building roofs and/or on the Proposed project site to generate solar energy for the facility and/or EV charging stations.*
- AQ-6** *Require the use of electric landscaping equipment, such as lawn mowers and leaf blowers.*
- AQ-7** *Require use of electric or alternatively fueled sweepers with HEPA filters.*
- AQ-8** *Maximize the planting of trees in landscaping and parking lots consistent with water availability.*
- AQ-9** *Use light colored paving and roofing materials.*
- AQ-10** *Utilize only Energy Star heating, cooling, and lighting devices, and appliances.*

#### Cumulative Net Increase in Non-Attainment Pollution

The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Cumulative projects include local development as well as general growth within the project area. However, as with most development, the greatest source of emissions is from mobile sources, which travel throughout the local area. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and when wind patterns are considered would cover an even larger area. Accordingly, the cumulative analysis for the project's air quality must be generic by nature. The project area is out of attainment for ozone and PM<sub>10</sub> and PM<sub>2.5</sub> particulate matter. In accordance with CEQA Guidelines Section 15130(b), this analysis of cumulative impacts incorporates a three-tiered approach to assess cumulative air quality impacts.

- Consistency with the SCAQMD project specific thresholds for construction and operations;
- Project consistency with existing air quality plans; and,
- Assessment of the cumulative health effects of the pollutants.

#### Construction-Related Impacts

The project site is located in the South Coast Air Basin, which is currently designated by the EPA for federal standards as a non-attainment area for ozone and PM<sub>2.5</sub> and by CARB for the state standards as a non- attainment area for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>. The regional ozone, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions associated with construction of the project. The analysis found that development of

the project would result in less than significant regional emissions of VOC and NO<sub>x</sub> (ozone precursors), PM<sub>10</sub>, and PM<sub>2.5</sub> during construction of the project. Therefore, a less than significant cumulative impact would occur from construction of the project.

#### *Operational-Related Impacts*

The greatest cumulative operational impact on the air quality to the Air Basin will be the incremental addition of pollutants mainly from increased traffic from residential, commercial, and industrial development. In accordance with SCAQMD methodology, projects that do not exceed SCAQMD criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact. The regional ozone, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions created from the on-going operations of the project have been calculated. The analysis found that development of the project would result in less than significant regional emissions of VOC and NO<sub>x</sub> (ozone precursors), PM<sub>10</sub>, and PM<sub>2.5</sub> during operation of the project. With respect to long-term emissions, this project would create a less than significant cumulative impact.

#### Conclusion

With the incorporation of mitigation measures **AQ-1** through **AQ-10**, the development of the Harikrishna Commercial/Retail Development Project would have a less than significant potential to result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

- c. *Less Than Significant Impact* – As previously stated, the SCAQMD has developed analysis parameters to evaluate ambient air quality on a local level in addition to the more regional emissions-based thresholds of significance. These analysis elements are called Localized Significance Thresholds (LSTs). LSTs were developed in response to Governing Board's Environmental Justice Enhancement Initiative 1-4 and the LST methodology was provisionally adopted in October 2003 and formally approved by SCAQMD's Mobile Source Committee in February 2005.

For the proposed project, the primary source of possible LST impact would be during construction. LSTs are applicable for a sensitive receptor where it is possible that an individual could remain for 24 hours such as a residence, hospital or convalescent facility.

Construction-related air emissions may have the potential to exceed the State and Federal air quality standards in the project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the Air Basin.

#### Construction-Related Local Impacts

The local air quality emissions from construction were analyzed through utilizing the methodology described in *Localized Significance Threshold Methodology* (LST Methodology), prepared by SCAQMD, revised October 2009. The LST Methodology found the primary criteria pollutant emissions of concern are NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>. In order to determine if any of these pollutants require a detailed analysis of the local air quality impacts, each phase of construction was screened using the SCAQMD's Mass Rate LST Look-up Tables. The Look-up Tables were developed by the SCAQMD in order to readily determine if the daily onsite emissions of NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> from the project could result in a significant impact to the local air quality. Table III-9 shows the onsite emissions from the CalEEMod model for the different construction phases and the calculated emissions thresholds. Since it is possible that building construction, paving, and architectural coating activities may occur concurrently, Table III-9 also shows the combined local criteria pollutant emissions from building construction, paving and architectural coating phases of construction.

The following thresholds and emissions in Table III-9 are therefore determined (pounds per day):

**Table III-9  
 LST AND PROJECT EMISSIONS (POUNDS/DAY) – ONSITE EMISSIONS**

<b>LST Central San Bernardino Valley</b>	<b>NOx</b>	<b>CO</b>	<b>PM-10</b>	<b>PM-2.5</b>
Max On-Site Emissions	71.1	64.6	9.1	5.8
SCAQMD Thresholds for 200-meters (656 feet) <sup>2</sup>	<b>334</b>	<b>5,356</b>	<b>74</b>	<b>23</b>
Exceeds Threshold?	No	No	No	No

Notes:

<sup>1</sup> Grading based on adherence to fugitive dust suppression requirements from SCAQMD Rule 403.

<sup>2</sup> The nearest sensitive receptors are single-family homes located 0.175 miles (282 meters) north of the project site

Source: Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for one acre in Air Monitoring Area 34, Central San Bernardino Valley.

The data provided in Table III-9 shows that none of the analyzed criteria pollutants would exceed the local emissions thresholds during the demolition, grading, site preparation phases or the combined building construction, paving, and architectural coatings phases. Project-related air emissions may have the potential to exceed the State and Federal air quality standards in the project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the Air Basin. The project has been analyzed for the potential local CO emission impacts from the project-generated vehicular trips and from the potential local air quality impacts from on-site operations. The following analysis analyzes the vehicular CO emissions and local impacts from on-site operations.

#### Local CO Hotspot Impacts from Project-Generated Vehicular Trips

CO is the pollutant of major concern along roadways because the most notable source of CO is motor vehicles. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of potential local air quality impacts. Local air quality impacts can be assessed by comparing future without and with project CO levels to the State and Federal CO standards of 20 ppm over one hour or 9 ppm over eight hours. At the time of the 1993 Handbook, the Air Basin was designated nonattainment under the CAAQS and NAAQS for CO. With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities, CO concentrations in the Air Basin and in the state have steadily declined. In 2007, the Air Basin was designated in attainment for CO under both the CAAQS and NAAQS. SCAQMD conducted a CO hot spot analysis for attainment at the busiest intersections in Los Angeles during the peak morning and afternoon periods and did not predict a violation of CO standards. The four intersections analyzed by the SCAQMD were: Long Beach Boulevard and Imperial Highway; Wilshire Boulevard and Veteran Avenue; Sunset Boulevard and Highland Avenue; and La Cienega Boulevard and Century Boulevard. The busiest intersection evaluated (Wilshire and Veteran) had a daily traffic volume of approximately 100,000 vehicles per day with LOS E in the morning and LOS F in the evening peak hour.

For the purpose of Senate Bill (SB) 743 and California Environmental Quality ACT (CEQA) compliance, a Vehicle Miles Traveled (VMT) analysis should be conducted for land use projects. The San Bernardino County Transportation Authority (SBCTA) has identified a number of screening criteria that may be applied to screen projects from requiring a project-level assessment. The project consists of a local serving gas station and car wash facilities that provide local services and is expected to reduce overall VMT. In accordance with the SBCTA guidelines, local serving retail projects less than 50,000 square feet may be presumed to have a less than significant air quality impact and the project does not require a full VMT analysis or a hot-spot modeling analysis.

#### Construction Related Toxic Air Contaminant Impacts

The greatest potential for toxic air contaminant emissions would be related to diesel particulate matter (DPM) emissions associated with heavy equipment operations during construction of the project. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of "individual cancer risk". "Individual Cancer Risk" is the likelihood that a person exposed to

concentrations of toxic air contaminants over a 70-year lifetime will contract cancer, based on the use of standard risk- assessment methodology. Given the relatively limited number of heavy-duty construction equipment and the short-term construction schedule, the project would not result in a long-term (i.e., 70 years) substantial source of toxic air contaminant emissions and corresponding individual cancer risk. In addition, California Code of Regulations Title 13, Article 4.8, Chapter 9, Section 2449 regulates emissions from off-road diesel equipment in California. This regulation limits idling of equipment to no more than five minutes, requires equipment operators to label each piece of equipment and provide annual reports to CARB of their fleet's usage and emissions. This regulation also requires systematic upgrading of the emission Tier level of each fleet, and currently no commercial operator is allowed to purchase Tier 0 or Tier 1 equipment and by January 2023 no commercial operator is allowed to purchase Tier 2 equipment. In addition to the purchase restrictions, equipment operators need to meet fleet average emissions targets that become more stringent each year between years 2014 and 2023. Therefore, no significant short-term toxic air contaminant impacts would occur during construction of the project. As such, construction of the project would result in a less than significant exposure of sensitive receptors to substantial pollutant concentrations.

#### Operations Related Toxic Air Contaminant Impacts

Particulate matter (PM) from diesel exhaust is the predominant TAC in most areas and according to The California Almanac of Emissions and Air Quality 2013 Edition, prepared by CARB, about 80 percent of the outdoor TAC cancer risk is from diesel exhaust. Some chemicals in diesel exhaust, such as benzene and formaldehyde have been listed as carcinogens by State Proposition 65 and the Federal Hazardous Air Pollutants program. Due to the nominal number of diesel truck trips generated by the project, a less than significant TAC impact would occur during the on-going operations of the project and no mitigation would be required.

#### Cumulative Health Impacts

The Air Basin is designated as nonattainment for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>, which means that the background levels of those pollutants are at times higher than the ambient air quality standards. The air quality standards were set to protect public health, including the health of sensitive individuals (elderly, children, and the sick). Therefore, when the concentrations of those pollutants exceed the standard, it is likely that some sensitive individuals in the population would experience health effects. The regional analysis found that the project would not exceed the SCAQMD regional significance thresholds for VOC and NOx (ozone precursors), PM<sub>10</sub>, and PM<sub>2.5</sub>. As such, the project would result in a less than significant cumulative health impact.

#### Conclusion

Based on the analysis provided above, the proposed project would have a less than significant potential to expose sensitive receptors to substantial pollutant concentrations. No mitigation is required.

- d. *Less Than Significant Impact* – The project would not create objectionable odors affecting a substantial number of people. Potential odor impacts have been analyzed separately for construction and operations below.

Individual responses to odors are highly variable and can result in a variety of effects. Generally, the impact of an odor results from a variety of factors such as frequency, duration, offensiveness, location, and sensory perception. The frequency is a measure of how often an individual is exposed to an odor in the ambient environment. The intensity refers to an individual's or group's perception of the odor strength or concentration. The duration of an odor refers to the elapsed time over which an odor is experienced. The offensiveness of the odor is the subjective rating of the pleasantness or unpleasantness of an odor. The location accounts for the type of area in which a potentially affected person lives, works, or visits; the type of activity in which he or she is engaged; and the sensitivity of the impacted receptor.

Sensory perception has four major components: detectability, intensity, character, and hedonic tone. The detection (or threshold) of an odor is based on a panel of responses to the odor. There are two types of thresholds: the odor detection threshold and the recognition threshold. The detection threshold is the lowest concentration of an odor that will elicit a response in a percentage of the people that live and work in the immediate vicinity of the project site and is typically presented as the mean (or 50 percent of the population). The recognition threshold is the minimum concentration that is recognized as having a characteristic odor quality, this is typically represented by recognition by 50 percent of the population. The intensity refers to the perceived strength of the odor. The odor character is what the substance smells like. The hedonic tone is a judgment of the pleasantness or unpleasantness of the odor. The hedonic tone varies in subjective experience, frequency, odor character, odor intensity, and duration.

#### Construction Related Odor Impacts

Potential sources that may emit odors during construction activities include the application of coatings such as asphalt pavement, paints and solvents and from emissions from diesel equipment. The objectionable odors that may be produced during the construction process would be temporary and would not likely be noticeable for extended periods of time beyond the project site's boundaries. Due to the transitory nature of construction odors, a less than significant odor impact would occur and no mitigation would be required.

#### Gasoline Dispensing Emissions and Health Risk

The gasoline station is subject to and required to comply with SCAQMD Rules 461 (Gasoline Transfer and Dispensing) as well as a Permit to Construct and Permit to Operate, Rules 201 and 203, respectively<sup>1</sup>. These required permits identify a maximum annual throughput allowed based on specific fuel storage and dispensing equipment that is proposed by the operator.

Rule 461 – Gasoline Transfer and Dispensing requires annual throughput reporting requirements. It is designed to regulate gasoline vapor emissions from gasoline transfer and dispensing processes. The rule was initially adopted in 1976 and has been amended several times.

Vapor recovery systems are required at gas stations to collect gasoline vapors that would otherwise escape into the atmosphere. All retail service stations under the SCAQMD jurisdiction have Phase I and II vapor recovery systems to control gasoline emissions. Phase I vapor recovery refers to the collection of gasoline vapors displaced from storage tanks when cargo tank trucks make gasoline deliveries. Phase II vapor recovery systems control the vapors displaced from the vehicle fuel tanks during refueling. All gasoline is stored underground with valves installed on the tank vent pipes to further control gasoline emissions.

ROG is associated with fueling activity and is one of the major ingredients that contributes to ground-level ozone (smog) formation. The proposed fuel dispensing operation is considered a stationary source emitter and is regulated in order to control the emissions of ROG.

The EPA has published a calculator to determine the ROG content for Gasoline Dispensing Facilities<sup>2</sup>. Based on the project having 12 fuel pumps and 8 heavy duty trucks the emissions potential is 3.453 tons per year for ROG assuming opening year is 2023.

The project would minimize the release of gasoline vapors via compliance with SCAQMD Rule 461, Gasoline Transfer and Dispensing, by installing a Phase II vapor recovery system for gasoline pumps and a Phase I vapor recovery system for the gasoline underground storage tanks. Although South Coast AQMD Rule 461 will reduce ROG emissions they are not eliminated from the fueling process.

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<sup>1</sup> <http://www.aqmd.gov/home/rules-compliance/compliance/gasoline-dispensing2>

<sup>2</sup> [https://www.epa.gov/sites/default/files/2016-06/gasoline\\_dispensing\\_facilities\\_pte\\_calculator\\_111213.xlsx](https://www.epa.gov/sites/default/files/2016-06/gasoline_dispensing_facilities_pte_calculator_111213.xlsx)

Gasoline vapors also have the potential to produce Toxic Air Contaminants (TACs). TACs are defined by CARB as pollutants that “may cause or contribute to an increase in deaths or serious illness, or which may pose a present or potential hazard to human health.” TACs include benzene, hexane, MTBE, toluene, and xylene. However, only three (benzene, ethylbenzene, and naphthalene) result in cancer effects and are analyzed for cancer risk. Although gasoline vapors have non-cancer impacts, the risks from retail gasoline dispensing facilities are dominated by cancer risk.

The SCAQMD has published a Risk Assessment Procedures document for Rules 1401, 1401.1 & 212<sup>3</sup> which provides screening-level risk estimates for gasoline dispensing operations. These thresholds are utilized in order to identify potentially significant health risk impacts that may result from exposure to sensitive populations. The screening-level risk estimate is very conservative (i.e., it would overstate rather than understate potential impacts).

The cancer risk look-up screening tables, located in Appendix “N<sup>4</sup>,” are available for various meteorological receptor areas located within the SCAQMD jurisdiction. The screening tables are also dependent on annual throughput and distance to a sensitive receptor. For this project, the gasoline station would have an annual throughput of approximately 4.6 million gallons. A 500-foot source receptor distance was modeled.

Based on the look up tables it is anticipated that no sensitive receptors in the project vicinity will be exposed to a cancer risk of greater than 0.024 in one million for below ground tanks. Tables are also provided to calculate worker risk which would be a maximum of 0.294 in a million. These risks are less than the applicable threshold of 10 in one million. Therefore, no mitigation is required.

#### Other Operational Odors

Potential sources that may emit odors during the on-going operations of the project would primarily occur from odor emissions from the trash storage areas. Pursuant to City regulations, permanent trash enclosures that protect trash bins from rain as well as limit air circulation would be required for the trash storage areas. Due to the distance of the nearest receptors from the project site and through compliance with SCAQMD’s Rule 402, no significant impact related to odors would occur during the on-going operations of the project. Therefore, a less than significant odor impact would occur, and no mitigation would be required.

#### Conclusion

Based on the analysis provided above, the proposed project would have a less than significant potential to result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. No mitigation is required.

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<sup>3</sup> [http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/riskassessmentprocedures\\_2017\\_080717.pdf](http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/riskassessmentprocedures_2017_080717.pdf)

<sup>4</sup> <http://www.aqmd.gov/docs/default-source/permitting/rule-1401-risk-assessment/attachmentn-v8-1.pdf?sfvrsn=4>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>IV. BIOLOGICAL RESOURCES:</b> Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:** The following information utilized in this Subchapter of the Initial Study was obtained from the U.S. Fish and Wildlife Service IPaC Trust Resources Report, generated on January 9, 2023, as well as from the California Department of Fish and Wildlife California Natural Diversity Database (CNDDB), generated on January 9, 2023, pertaining to the Harikrishna Commercial/Retail Development Project site project area only, which have been compiled as Appendix 5 to this document. Additionally, data compiled for the Airport Gateway Specific Plan (AGSP) Environmental Impact Report (EIR), which was published for public review on December 13, 2022, has been utilized to provide additional data on the biological resources in the project area, given that the proposed project falls within the AGSP Planning Area (shown on Figure IV-1).

#### Background Data from the AGSP EIR

##### *Critical Habitat*

According to the databases, the developable area of the AGSP (Specific Plan) area is not located within designated Critical Habitat (CH) and is separated from the CH for the San Bernardino kangaroo rat (SBKR) and Santa Ana sucker (*Catostomus santaanae*) [SASU] located to the south and east of the Plan Area by the SBIA (Figure IV-2). The proposed Harikrishna Commercial/Retail Development Project site is located to the west of the CH, and is therefore located outside of CH.



#### *General Habitat*

Based on the field survey results, the overall conditions within the Plan Area are disturbed and degraded. The habitat within the Specific Plan area includes non-native grassland (Holland community code 42200), transitional bare areas (Holland community code 11760), and disturbed ground (Holland community code 11100). A small one-quarter acre sized vacant area located north of 5th Street, east of Central Avenue and west of City Creek in the Specific Plan area contains disturbed isolated buckwheat scrub alliance. Figure IV-3 identifies vegetation in the Specific Plan area. Please note that the vegetation map also serves as a map indicated the locations in which burrowing owl (BUOW) surveys were conducted.

The ground cover in the Plan Area generally consists of compact graded dirt, old pavement, non-native grasses, ruderal herbs, and non-native and native trees.

Adjacent to the roadways and within all of the vacant parcels, habitat consist of dense ruderal vegetation dominated by numerous non-native plant species are also found throughout the project area including tumbleweed (*Amaranthus albus*), common ragweed (*Ambrosia artemisiifolia*), non-native grasses (*Bromus* sp.), short pod mustard (*Hirschfeldia incana*), tree tobacco (*Nicotiana glauca*), fountaingrass (*Pennisetum setaceum*), date palm (*Phoenix* sp.), castor bean (*Ricinus communis*), Russian thistle (*Salsola tragus*), Peruvian pepper tree (*Schinus molle*), tamarisk (*Tamarix ramosissima*), Mexican fan palm (*Washingtonia robusta*), and Eucalyptus trees as well as numerous ornamental trees and shrubs. Native species include California buckwheat (*Eriogonum fasciculatum*), which is found at the far east of the Specific Plan area in isolated patches adjacent to the west levee of City Creek and within the City Creek Bypass Channel between City Creek downstream to Church Street, and sycamore trees (*Platanus occidentalis*), which occur sparsely scattered about the Specific Plan area.

#### *Sensitive Plants*

None of the sensitive plant species documented within the *Redlands* quadrangle have anything greater than a low potential to occur within and/or adjacent to the Plan Area because the required habitat types are absent including Riversidean alluvial fan sage scrub (RAFSS), chaparral, riparian and/or brackish wetlands. The City Creek Bypass Channel does not have the hydrological regime and broad flood plain associated with the sensitive plants known locally.

Sensitive plants identified by literature review that occur within the *Redlands* quadrangle included marsh sandwort, Nevin's barberry, salt marsh bird's-beak, slender-horned spineflower, or Santa Ana River woollystar. None of these species were observed during the general floristic survey conducted by the survey team. No suitable environment for these species occurs within the Specific Plan area and the local RAFSS or riparian habitats are outside of the Specific Plan area envelope. No further investigations relative to these species are warranted or required.

#### *General Wildlife*

Birds were the most observed wildlife group during survey. Common wildlife species observed or otherwise detected on or in the vicinity of the site during the reconnaissance-level survey included mallard (*Anas platyrhynchos*), red-tailed hawk (*Buteo jamaicensis*), Anna's hummingbird (*Calypte anna*), killdeer (*Charadrius vociferus*), common raven (*Corvus corax*), house finch (*Haemorhous mexicanus*), California towhee (*Melospiza crissalis*), bushtit (*Psaltirparus minimus*).

Wildlife detections or signs included those for amphibians, reptiles, birds, and mammals. The most common wildlife observed included coyote (*Canis latrans*), California ground squirrel (*Spermophilus beecheyi*), desert cottontail (*Sylvilagus audubonii*), San Diegan tiger whiptail (*Aspidoscelis tigris stejnegeri*), Great Basin fence lizard (*Sceloporus occidentalis longipes*) and side-blotched lizard (*Uta stansburiana elegans*).

#### *Sensitive Wildlife*

According to the California Natural Diversity Database (CNDDB), United States Fish and Wildlife Service (USFWS) species occurrence data overlay, and other relevant literature and databases, four State and/or federally-listed threatened or endangered wildlife species are documented within three miles of the Specific Plan area. Additionally, there are several other sensitive wildlife species that are documented to occur

within the vicinity of the Specific Plan area. The five State and/or federally-listed threatened or endangered wildlife species documented within the proposed project area are described below, as well as the burrowing owl (*Athene cunicularia*), considered a species of special concern (SSC) by the California Department of Fish and Wildlife (CDFW).

#### **San Bernardino kangaroo rat**

The SBKR is one of several kangaroo rat species in its range. The Dulzura (*Dipodomys simulans*), the Pacific kangaroo rat (*D. agilis*) and the Stephens kangaroo rat (*D. stephensi*) occur in areas occupied by the SBKR, but these other species have a wider habitat range. The habitat of the SBKR is described as being confined to primary and secondary alluvial fan scrub habitats, with sandy soils deposited by fluvial (water) rather than aeolian (wind) processes. Burrows are dug in loose soil, usually near or beneath shrubs. The SBKR is confined to inland valley scrub communities, and more particularly, to scrub communities occurring along rivers, streams and drainage.

No aspect of the Specific Plan area supports habitat suitable for SBKR for the following reasons:

- The Specific Plan area is NOT located within proximity of where SBKR have been found in the last 10 years;
- The surrounding area does NOT consist of alluvial sage scrub and associated vegetation, such as RAFSS with a moderately open canopy, the California buckwheat scrub is a monotypical habitat;
- A river and floodplain bench/terrace subject to dynamic geomorphological and hydrological processes typical of fluvial systems does NOT occur in the Specific Plan area and;
- Upland areas proximal to the floodplains with suitable habitat do NOT occur nearby.

The Specific Plan area was surveyed, and it was determined that the overall habitat conditions unsuitable for SBKR with the exception of a small, approximately one-quarter acre sized, vacant area with remnant coastal sage scrub elements, such as buckwheat, located north of 5th Street, east of Central Avenue and west of City Creek. This habitat patch is potentially suitable to support SBKR (refer to Figure IV-4). Aside from this small area, the Specific Plan area is separated from known populations of SBKR by active Airport operations, high volume roadways, and industrial and commercial uses. Although the potential for this species to occur is low, the small habitat patch should be investigated prior to development on it.

#### **Riparian birds**

A variety of sensitive, riparian obligate birds such as the least bell's vireo (LBVI), southwestern willow flycatcher (SWWF) and yellow-billed cuckoo (YBCU) have nesting habitats consisting of a well-developed overstory, understory, and low densities of aquatic and herbaceous cover. The understory frequently contains dense sub-shrub or shrub thickets. These thickets are often dominated by plants such as narrow-leaf willow, mulefat, young individuals of other willow species such as arroyo willow or black willow, and one or more herbaceous species. This type of habitat is absent from the Specific Plan area. Further investigation related to LBVI, SWWF and YBCU is not warranted or recommended for the Specific Plan area.

#### **California gnatcatcher**

The California gnatcatcher (CAGN) is a resident (non-migratory) small songbird which typically nests and forages in coastal sage scrub vegetation in southern California year-round. CAGN occur in dynamic and successional sage scrub habitats and non-sage scrub habitats such as chaparral, grassland, riparian areas, in proximity to sage scrub habitats. The CAGN was federally listed as Threatened in 1993 and critical habitat for this species was designated by the USFWS in 2000 and revised in 2007. The primary constituent elements (PCEs) identified by the USFWS for CAGN consist of the following: (1) Dynamic and successional sage scrub habitats: Venturan coastal sage scrub, San Diegan coastal sage scrub, Riversidean sage scrub, maritime succulent scrub, RAFSS, southern coastal bluff scrub, and coastal sage-chaparral scrub in Ventura, Los Angeles, Orange, Riverside, San Bernardino, and San Diego Counties that provide space for individual and population growth, normal behavior, breeding, reproduction, nesting, dispersal and foraging; and (2) Non-sage scrub habitats such as chaparral,

grassland, riparian areas, in proximity to sage scrub habitats as described for PCE 1 above that provide space for dispersal, foraging, and nesting.

The Specific Plan area was surveyed for this species and found the overall habitat conditions unsuitable for CAGN with the exception of a small, less than one-acre sized, vacant area with remnant coastal sage scrub elements, such as buckwheat, located north of 5th Street, east of Central Avenue and west of City Creek. This habitat patch is only marginal for CAGN but is potentially suitable to support for them. Aside from this small area, the Specific Plan area is separated from suitable habitat for CAGN by active Airport operations, high volume roadways, and industrial and commercial uses. Although the potential for this species to occur is low, the small habitat patch should be investigated prior to development on it.

#### **Crotch's bumble bee (CBB)**

The California Fish and Game Commission recently, in September of 2022, accepted a petition to list the Crotch's bumble bee as endangered under California Endangered Species Act (CESA), determining the listing "may be warranted" and advancing the species to the candidacy stage of the CESA listing process. Crotch's bumble bee primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, under-brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2018). Overwintering sites utilized by Crotch's bumble bee mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). As previously stated, based on the field survey results, the overall conditions within the AGSP Planning Area are disturbed and degraded. However, the same small vacant area with remnant coastal sage scrub elements such as buckwheat, located north of 5th Street, east of Central Avenue and west of City Creek that may be marginally suitable habitat for CAGN may also be suitable for this species.

The CBB is known to occur almost exclusively in California and has been described as having historically occupied grasslands and shrublands in southern to central California, but primarily in the Central Valley. It is assumed that suitable habitat may contain any of the following: (1) areas of grasslands and upland scrub that contain requisite habitat elements, such as small mammal burrows and forage plants; (2) potential nest habitat (late February through late October) containing underground abandoned small mammal burrows, perennial bunch grasses and/or thatched annual grasses, brush piles, old bird nests, dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2015); (3) overwintering sites (November through early February) utilized by mated queens in self-excavated hibernacula potentially in soft, disturbed soil (Goulson 2010), sandy, well-drained, or loose soils, under leaf litter or other debris (Williams et al. 2014) with ground cover requisites such as barren areas, tree litter, bare-patches within short grass in areas lacking dense vegetation. While the proposed AGSP Planning Area contains some suitable habitat for BUOW, and as such contains parcels with burrows, holes, and crevices that might be suitable for CBB nests. However, given the overall disturbed nature of a majority of the AGSP Planning Area, suitable habitat for this species is anticipated to only occur within the parcel(s) containing remnant coastal sage scrub elements that would also be suitable for CAGN. Although the potential for this species to occur is low, the small habitat patch will be surveyed for this species prior to any proposed development on it.

#### **Western Burrowing Owl (BUOW)**

The federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C 703-711) provides protection for nesting birds that are both residents and migrants whether or not they are considered sensitive by resource agencies. The MBTA prohibits take of nearly all native birds. The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed under 50 CFR 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The direct injury or death of a migratory bird, due to construction activities or other construction-related disturbance that causes nest abandonment, nestling abandonment, or forced fledging would be considered take under federal law. The USFWS, in coordination with the CDFW administers the MBTA.

Although not a federally listed species, the BUOW is protected under the MBTA and is listed as a Migratory Birds of Conservation Concern (BCC) by the USFWS and is therefore, also recognized by the CNDDB. The western Burrowing Owl (*A.c. hypugaea*) is one of 18 New World Burrowing Owl subspecies, and one of only two in North America. The western BUOW ranges from Texas to California and north to southern Canada. Individuals of resident populations in southern California, northern Mexico, and Florida breed and overwinter in an area without a significant migration (Haug et al. 1993). BUOW are found across American open landscapes, showing activity chiefly in the daytime. In California, preferred habitat is generally typified by short, sparse vegetation with few shrubs, level to gentle topography and well-drained soils. In addition, BUOW may occur in some agricultural areas, ruderal grassy fields, vacant lots and pastures, and flood control facilities if the surrounding vegetation structure is suitable and there are useable burrows and foraging habitat in proximity.

Unique among North American raptors, the BUOW requires underground burrows or other cavities for nesting during the breeding season and for roosting and cover, year-round. Burrows used by the owls are usually dug by other species termed host burrowers. In California, California ground squirrel (*Spermophilus beecheyi*) and round-tailed ground squirrel (*Citellus tereticaudus*) burrows are frequently used by BUOW, but they may use dens or holes dug by other fossorial species and/or human made structures such as cement culverts and pipes.

BUOW have a high fidelity to their birth territory, and they often prefer nesting in areas of high burrow densities. Breeding pairs are easily located within the area surrounding their nests (usually 90 feet) due to their territorial behavior. They are active during the day and night and are generally observed in the early morning hours or at twilight. BUOW breeding season begins February 1 and extends to August 31. Pair formation can begin in February. Peak of the BUOW breeding season, commonly accepted in California, occurs between April 15 and July 15. April to mid-May is when most burrowing owls are in the egg laying and incubation stages. BUOW egg incubation period is about 27-28 days. Chick rearing typically occurs between May 15 and July 1. July 15 is typically considered the late nestling period when most owls are spending time above ground. The non-breeding season (September 1 to January 31). BUOW are semi-colonial and will sometimes share a burrow for incubation and chick rearing.

Following the survey protocol for BUOW within burrowing owl breeding season, no BUOW individuals or sign (burrows, surrogate burrows, feathers, whitewash, castings, prey remains, etc.) were observed within the City Creek Bypass Channel, vacant parcels or adjacent to the roads associated with the Specific Plan area therefore, BUOW is considered currently absent. A single BUOW was observed on the south side of the City Creek Bypass Channel near Victoria in 2021.

#### Impact Analysis

- a. *Less Than Significant Impact With Mitigation Incorporated* – The property has been previously cleared and appears to have been graded. Thus, the project site is mostly vacant, consisting of compacted dirt surface with scattered trash and debris throughout the site. As described under Background, above, the Harikrishna Commercial/Retail Development Project site itself has been recently evaluated as part of the Inland Valley Development Agency (IVDA) AGSP EIR (December 2022). The project site contains no natural habitat and only minimal potential to support BUOW. The site has no potential to support any other species identified as a candidate, sensitive or special status species within the IPaC or CNDDB reports, or the AGSP EIR as discussed under Background, above.

The AGSP identified that the habitat within the vacant parcels throughout the Specific Plan area remain potentially suitable for BUOW because of the presence of surrogate ground squirrel burrows, culvert pipes and short grasses part of the year. As the Harikrishna Commercial/Retail Development Project is presently vacant, further investigation of the site is warranted to protect BUOW. Therefore, mitigation measure (MM) **BIO-1** is recommended to minimize and avoid potential impacts to BUOW.

**BIO-1** *A Pre-construction Burrowing Owl Survey shall be conducted by a qualified biologist at least 3 days prior to any ground disturbing activities, at any time*

***of year. Surveys shall be completed following the recommendations and guidelines provided within the Staff Report on Burrowing Owl Mitigation (CDFG, March 2012) or most recent version by a qualified biologist. If an active burrowing owl burrow is detected within any Project disturbance area, or within a 500-foot buffer of the disturbance area, a 300-foot radius buffer zone surrounding the burrow shall be flagged, and no impacts to soils or vegetation or noise levels above 65 dBA shall be permitted while the burrow remains active or occupied. Disturbance-free buffers may be modified based on site-specific conditions in consultation with CDFW. The qualified biologist shall monitor active burrows daily and will increase buffer sizes as needed if owls show signs of disturbance. If active burrowing owl burrows are located within any work area and impact cannot be avoided, a qualified biologist shall submit a burrowing owl exclusion plan to CDFW for review and approval. The burrowing owl exclusion plan shall include permanent compensatory mitigation consistent with the recommendations in the Staff Report on Burrowing Owl Mitigation such that the habitat acreage, number of burrows and burrowing owls impacted are replaced. Passive relocation shall take place outside the nesting season (1 February to 31 August).***

With implementation of these mitigation measures potential impacts to sensitive biological resources can be reduced to a less than significant impact. Thus, with no other habitat or species of concern located within the project area, the development of the Harikrishna Commercial/Retail Development Project would have a less than significant potential to have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

- b. *No Impact* – Please refer to the response under issue IV(a), above. As described under Background, above, the Harikrishna Commercial/Retail Development Project site, the developable area of the AGSP (Specific Plan) area is not located within designated CH and is separated from the CH for the SBKR and SASU located to the south and east of the Plan Area by the SBIA (Figure IV-2). The proposed Harikrishna Commercial/Retail Development Project site is located to the west of the CH, and is therefore located outside of CH. Neither the project site or surrounding area contain any riparian habitat or other sensitive natural community resources. Therefore, no adverse impact to riparian habitat or any native biological resources would occur from implementing the proposed project. No mitigation is required.
- c. *No Impact* – Please refer to the response under issue IV(a), above. According to the IPaC Trust Resources Report (Appendix 5), the project site does not contain any wetlands as defined by Section 404 of the Clean Water Act, or any other sensitive natural community resource. Therefore, with no habitat or species of concern located within the project area, the proposed project would have no potential to have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. No mitigation is required.
- d. *Less Than Significant Impact With Mitigation Incorporated* – According to the IPaC Resources Report and the CNDDDB (Appendix 5), in addition to the analysis prepared as part of the IVDA AGSP EIR, several species of migratory birds could potentially be affected by construction activities in the area. With no native habitat, and no wildlife corridors that traverse within or adjacent to the project site, implementation of the proposed project is not anticipated to interfere with the movement of native animals of any kind, or to impede the use of any native wildlife nursery sites. However, the site could support nesting birds. Therefore, the following mitigation measure is provided as a contingency in the event that any nesting birds are found at the site location:

**BIO-2** *Nesting bird surveys shall be conducted by a qualified avian biologist no more than three (3) days prior to vegetation clearing or ground disturbance activities. Preconstruction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the preconstruction nesting bird surveys, a Nesting Bird Plan (NBP) shall be prepared and implemented by the qualified avian biologist. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, ongoing monitoring, establishment of avoidance and minimization measures, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, individual/pair's behavior, nesting stage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity. To avoid impacts to nesting birds, any grubbing or vegetation removal should occur outside peak breeding season (typically February 1 through September 1).*

With implementation of the above mitigation measure, any impacts under this issue are considered less than significant.

- e. *Less Than Significant Impact With Mitigation Incorporated* –The project site is currently vacant, and appears to have been graded, and thus consists of compacted dirt surface with scattered trash and debris throughout the site. The site itself contains no natural habitat. The City of Highland does have a tree ordinance that protects trees as discussed under Subchapter I, Aesthetics. The proposed project may remove more than 5 trees, and should this occur, the City will require a permit to remove these trees. Thus, implementation of MM **AES-1**, is required to ensure that a permit is received prior to the commencement of construction should the project require the removal of 5 or more trees. Otherwise, due to existing conditions, the project site does not support any other biological resources that might be protected. As such, no other local policies or ordinances protecting biological resources would apply to the proposed project, as no native biological resources exist on site. Therefore, with the implementation of MM **AES-1**, the Harikrishna Commercial/Retail Development Project would have a less than significant potential to conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- f. *No Impact* – Implementation of the project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. There are no applicable Habitat Conservation Plans or Natural Community Conservation Plans in effect within the project area. As discussed above, this site has been reviewed for biological resources, and no habitat or species of concern exist that could be adversely affected by project implementation. No further analysis is needed. No impacts are anticipated, and no mitigation is required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>V. CULTURAL RESOURCES:</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: A cultural resources report has been prepared to evaluate the potential for cultural resources to occur within the project area of potential effect entitled "Cultural Resources Study for the Harikrishna Retail/Commercial Center Project, City of Highland, San Bernardino County, California," dated December 1, 2022, prepared by BFS Environmental Services (BSE, Appendix 6). The following summary information has been abstracted from this report. It provides an overview and findings regarding the cultural resources found within the project area.

#### Background

As a part of the environmental review process for the undertaking, a Cultural Resources Study was prepared to in compliance with the California Environmental Quality Act (CEQA). The purpose of the study is to provide the City with the necessary information and analysis to determine whether the proposed project would cause substantial adverse changes to any "historical or archaeological resources" as defined by CEQA, that may exist in or around the project area.

The Cultural Resources Survey Report made a conclusory finding of No Impact regarding cultural resources. No further cultural resources investigation is recommended for the proposed project unless development plans undergo such changes as to include areas not covered by this study. However, if buried cultural materials are encountered during any earth-moving operations associated with the project, all work in the immediate area should be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds.

#### Impact Analysis

a&b. *Less Than Significant With Mitigation Incorporated* – CEQA establishes that "a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment" (PRC §21084.1). "Substantial adverse change," according to PRC §5020.1(q), "means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired."

Per the above discussion and definition, no archaeological sites or isolates were recorded within the project boundaries; thus, none of them requires further consideration during this study. In light of this information and pursuant to PRC §21084.1, the following conclusions have been reached for the project:

- No cultural resources within or adjacent to the project area have any potential to be disturbed as they are not within the proposed area in which the facilities will be constructed and developed, and thus, the project as it is currently proposed will not cause a substantial adverse change to any known historical resources.

- No further cultural resources investigation is necessary for the proposed project unless construction plans undergo such changes as to include areas not covered by this study.

However, if buried cultural materials are discovered during any earth-moving operations associated with the project, the following mitigation measure shall be implemented:

**CUL-1** *Should any cultural resources be encountered during construction of these facilities, earthmoving or grading activities in the immediate area of the finds shall be halted and an onsite inspection shall be performed immediately by a qualified archaeologist. Responsibility for making this determination shall be with the City's onsite inspector. The archaeological professional shall assess the find, determine its significance, and make recommendations for appropriate mitigation measures within the guidelines of the California Environmental Quality Act.*

Additionally, as part of the AB 52 consultation process, the City received a response from the Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians) requesting the following mitigation measures in addition to MMs **TCR-1** and **TCR-2** identified under Section XVIII, Tribal Cultural Resources below:

**CUL-2** *In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.*

**CUL-3** *If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.*

With the above mitigation incorporated, as well as the mitigation identified under Tribal Cultural Resources below, the potential for impacts to cultural resources will be reduced to a less than significant level. No additional mitigation is required.

- c. *Less Than Significant With Mitigation Incorporated* –As noted in the discussion above, no available information suggests that human remains may occur within the Area of Potential Effect (APE) and the potential for such an occurrence is considered very low. Human remains discovered during the project will need to be treated in accordance with the provisions of HSC §7050.5 and PRC §5097.98, which is mandatory. State law (Section 7050.5 of the Health and Safety Code) as well as local laws requires that the Police Department, County Sheriff and Coroner's Office receive notification if human remains are encountered. However, the Yuhaaviatam of San Manuel Nation have requested that the following mitigation measure to address unanticipated discovery of human remains or funerary objects be implemented to protect tribal cultural resources as part of the project. Thus, the following mitigation measure shall be implemented:

**CUL-4** *If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted*



***pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.***

With the implementation of the above mitigation measure in addition to compliance with the law, the proposed project would have a less than significant potential to disturb any human remains, including those interred outside of formal cemeteries.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>VI. ENERGY:</b> Would the project:				
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

- a. *Less Than Significant With Mitigation Incorporated* –The proposed project consists of a gas station, carwash, and convenience store on the northeast corner of Palm Avenue and 5th Street in the City of Highland. Energy consumption encompasses many different activities. For example, construction can include the following activities: delivery of equipment and material to a site from some location (note it also requires energy to manufacture the equipment and material, such as harvesting, cutting and delivering wood from its source); employee trips to work, possibly offsite for lunch (or a visit by a catering truck), travel home, and occasionally leaving a site for an appointment or checking another job; use of equipment onsite (electric or fuel); and sometimes demolition and disposal of construction waste. Construction of the proposed project will employ approximately 32 employees on a typical work day, resulting in about 65 round trips per day, which is a minor number of trips requiring energy per day from workers for the approximately 225 working days within which construction will take place. Energy consumption by construction equipment will be reduced through mitigation that requires shutdowns when equipment is not in use after five minutes and ensures that equipment is operated within proper operating parameters (tune-ups) to minimize emissions and fuel consumption. Furthermore, construction contractors are required to demonstrate compliance with applicable California Air Resources Board (CARB) regulations governing the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment. Compliance with CARB regulations idling restrictions would also reduce fuel consumption and energy consumption. These requirements are consistent with State and regional rules and regulations. Under the construction scenario outlined above and in the Project Description, the proposed project will not result in wasteful, inefficient, or unnecessary energy consumption during construction. Furthermore, as construction activities would only occur for the short-term duration.

The proposed project will be powered by Southern California Edison (SCE) through the power distribution system located adjacent to the site. SCE will be able to supply sufficient electricity. The site is not anticipated to require a connection to natural gas. The proposed project will employ approximately 8 employees on a typical work day during operation, for a total of up to 15 employees, resulting in about 20 employee round trips per day. Furthermore, mitigation measures (MMs **AQ-4, AQ-5, AQ-6, AQ-7** and **AQ-10**) identified under Section III, Air Quality, above indicate that electric vehicle stations and solar panels will be encouraged to be developed as part of the project should their inclusion in the project be feasible, in addition to requiring the use of electric landscape equipment, and utilizing Energy Star appliances, which will minimize operational energy use even further than through the mandatory energy efficiency requirements discussed below. However, the

Harikrishna Commercial/Retail Development Project structures must be constructed in conformance with a variety of existing energy efficiency regulatory requirements or guidelines including:

- Compliance California Green Building Standards Code, AKA the CALGreen Code (Title 24, Part 11), which became effective on January 1, 2017. The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of building through the use of building concepts encouraging sustainable construction practices.
- The provisions of the CALGreen code apply to the planning, design, operation, construction, use, and occupancy of every newly construction building.
- Compliance The Building Energy Efficiency Standards (CBSC) would ensure that the building energy use associated with the proposed project would not be wasteful or unnecessary.
- Compliance with Indoor Water use consumption reduced through the maximum fixture water use rates.
- Compliance with diversion of construction and demolition materials from landfills.
- Compliance with SBDC Water Efficient Landscape Ordinance Chapter 83-10 – Landscaping Standards.
- Compliance with SBDC Chapter 83.07 – Glare & Outdoor Lighting.
- Compliance with AQMD Mandatory use of low-pollutant emitting finish materials.
- Compliance with AQMD Rules 431.1 and 431.2 to reduce the release of undesirable emissions.
- Compliance with diesel exhaust emissions from diesel vehicles and off-road diesel vehicle/equipment operations.

Compliance with the above regulatory requirements for operational energy use and construction energy use would not be wasteful or unnecessary use of energy. Further, Edison is presently in compliance with State renewable energy supply requirements and Edison will supply electricity to the project. Thus, under the operational scenario for the proposed project, the proposed project will not result in wasteful, inefficient, or unnecessary energy consumption that could result in a significant adverse impact to energy issues based on compliance with the referenced laws, regulations and guidelines. No mitigation beyond those identified above are required.

- b. *Less Than Significant Impact* – As discussed under issue VI(a), above, the proposed project would be required to meet the CALGreen energy efficiency standards in effect during permitting of the project. The City's must review of design components and energy conservation measures during the permitting process, which would ensure that all requirements are met. The project's consistency with the applicable state and local plans is discussed below.

*Consistency with Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)*

Transportation and access to the project site is provided by the local and regional roadway systems. The project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be realized pursuant to the ISTEA because Southern California Association of Governments is not planning for intermodal facilities on or through the project site.

*Consistency with the Transportation Equity Act for the 21st Century (TEA-21)*

The project site is located near major transportation corridors with proximate access to the Interstate freeway system. The project site provides access via existing access routes that would be enhanced as part of the proposed project, and therefore takes advantage of existing infrastructure systems, and promotes land use compatibilities through collocation of similarly zoned uses. The project supports the strong planning processes emphasized under TEA-21. The project is therefore consistent with, and would not otherwise interfere with, nor obstruct implementation of TEA-21.

*Consistency with Integrated Energy Policy Report (IEPR)*

Electricity would continue to be provided to the project by SCE. SCE's Clean Power and Electrification Pathway white paper builds on existing state programs and policies. As such, the project is consistent with, and would not otherwise interfere with, nor obstruct implementation the goals presented in the 2021 IEPR.

*Consistency with State of California Energy Plan*

The project site is located proximate to transportation corridors with access to the Interstate freeway system. The project site provides access via existing access routes that would be enhanced as part of the proposed project, and therefore takes advantage of existing infrastructure systems. The project therefore supports urban design and planning processes identified under the State of California Energy Plan, is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan.

*Consistency with California Code Title 24, Part 6, Energy Efficiency Standards*

The 2022 version of Title 24 was adopted by the California Energy Commission (CEC) and will become effective on January 1, 2023. As the project building construction is anticipated in 2023, it is presumed that the project would be required to comply with the Title 24 standards in place at that time. Therefore, the project is would not result in a significant impact on energy resources.

*Consistency with AB 1493 (Pavley Regulations and Fuel Efficiency Standards)*

AB 1493 is not applicable to the project as it is a statewide measure establishing vehicle emissions standards. No feature of the project would interfere with implementation of the requirements under AB 1493.

*Consistency with California's Renewable Portfolio Standard (RPS)*

California's Renewable Portfolio Standard is not applicable to the project as it is a statewide measure that establishes a renewable energy mix. No feature of the project would interfere with implementation of the requirements under RPS.

*Consistency with the Clean Energy and Pollution Reduction Act of 2015 (SB 350)*

The proposed project would use energy from SCE, which has committed to diversify its portfolio of energy sources by increasing energy from wind and solar sources. No feature of the project would interfere with implementation of SB 350. Additionally, the project would be designed and constructed to implement the energy efficiency measures for new residential developments and would include several measures designed to reduce energy consumption.

Conclusion

As shown above, the project would not conflict with any of the state or local plans. Therefore, the proposed project would have a less than significant potential to conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>VII. GEOLOGY AND SOILS:</b> Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:** Much of the following information is abstracted from the geology technical report prepared for this proposed project. The study is the *"Preliminary Geotechnical Interpretive Report, Proposed Gasoline Station and Convenience Store Assessor's Parcel Numbers 1201-311-02, 1201-311-03, 1201-311-04, 1201-311-05, 1201-301-14, 1201-301-15, 1201-301-19, Located on the Northeast Corner of Palm Avenue, City of Highland, San Bernardino County, California,"* Earth Strata Geotechnical Services, Inc., October 21, 2021. This report is provided as Appendix 7a. Additionally, a Paleontological Report has been prepared by BFSA Environmental Services for this project titled *"Paleontological Assessment for the Harikrishna Retail/Commercial Center Project,"* dated December 1, 2022 and provided as Appendix 7b to this Initial Study.

a. Ground Rupture

*Less Than Significant Impact* – The project site is located in the City of Highland, which is located between several active faults, including the San Andreas Fault and the San Jacinto Faults, which are

both classified as Alquist-Priolo Special Study Zones under the Alquist-Priolo Earthquake Fault Zoning Act. Figure VII-1 shows where these faults are located as indicated by the City of Highland General Plan. According to Figure VII-1 and Appendix 7a, the site is not located within an Alquist-Priolo Special Study Zone. Based on this information, the risk for ground rupture at the site location is very low; therefore, it is not likely that future customers and employees of the project will be subject to the hazards from the rupture of a known earthquake fault. Therefore, any impacts under this issue are considered less than significant; no mitigation is required.

#### Strong Seismic Ground Shaking

*Less Than Significant With Mitigation Incorporated* – As stated in the discussion above, several faults run through the City, and as with much of southern California, the proposed structures will be subject to strong seismic ground shaking impacts should any major earthquakes occur in the future, as shown on Figure VII-1, which depicts the City's General Plan Map of fault zones, faults, and type of faults that traverse through the City. As a result, and like all other development projects in the City and throughout the Southern California Region, the proposed project will be required to comply with all applicable seismic design standards contained in the Geotechnical Study provided in Appendix 7a. Compliance with the design coefficients in Appendix 7a (page 12) will ensure that structural integrity will be maintained in the event of an earthquake.

**GEO-1** *The site developer shall incorporate the seismic design coefficients provided in Appendix 7a in the design of structures that serve humans at the project site. The goal is to incorporate design measures that will ensure the safety of any new structures in protecting human life in the event of a regional earthquake affecting the site.*

With implementation of MM **GEO-1** impacts associated with strong ground shaking can be controlled to a less than significant impact.

#### Seismic-Related Ground Failure Including Liquefaction

*No Impact* – According to the map prepared for the San Bernardino County Land Use Plan General Plan Geologic Hazard Overlays (Figure VII-3), the project site is located in an area that is not considered susceptible to seismic-related ground failure, including liquefaction. The Geotechnical Study provided in Appendix 7a indicates that the proposed structures will be supported by compacted fill and competent alluvium, with groundwater at a depth greater than 200 feet. As such, the potential for earthquake induced liquefaction and lateral spreading beneath the proposed structures is considered very low to remote due to the recommended compacted fill, relatively low groundwater level, and the dense nature of the deeper onsite earth materials. Therefore, the project will not expose people or structures to potential substantial adverse landslide effects, including the risk of loss, injury, or death involving liquefaction. No impacts under this issue are anticipated and no mitigation is required.

#### Landslides

*No Impact* – The project site is essentially flat and is therefore not located in an area in which landslides are anticipated to occur. According to the map prepared for the San Bernardino County Land Use Plan General Plan Geologic Hazard Overlays (Figure VII-3), the project site is not located in an area that is considered susceptible to landslides. Therefore, the project will not expose people or structures to potential substantial adverse landslide effects, including the risk of loss, injury, or death involving landslides. No impacts under this issue are anticipated and no mitigation is required.

- b. *Less Than Significant With Mitigation Incorporated* – Due to the existing disturbed nature of the project site, the shallow slope of the site (essentially flat), and the type of project being proposed, a potential for soil erosion, loss of topsoil, and/or placing structures on unstable soils is generally considered less than significant. The project site is vacant with a limited amount of non-native

vegetation coverage. City grading standards, best management practices and the Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP) are required to control potentially significant erosion hazards during construction and over the long-term. The WQMP is provided as Appendix 9b to this Initial Study. The topography is generally flat with minor elevation change across the site. The project is anticipated to require minimal cut and fill with any cut being reused to balance the site through grading. During project construction when soils are exposed, temporary soil erosion could occur, which could be exacerbated by rainfall. Project grading would be managed through the preparation and implementation of a SWPPP and will be required to implement best management practices (BMPs) to achieve concurrent water quality controls after construction is completed and the project is in operation. The following mitigation measures or equivalent BMPs shall be implemented to address these issues:

**GEO-2** *Stored backfill material shall be covered with water resistant material during periods of heavy precipitation to reduce the potential for rainfall erosion of stored backfill material. If covering is not feasible, then measures such as the use of straw bales or sand bags shall be used to capture and hold eroded material on the project site for future cleanup.*

**GEO-3** *All exposed, disturbed soil (trenches, stored backfill, etc.) shall be sprayed with water or soil binders twice a day, or more frequently if fugitive dust is observed migrating from the site within which the project is being constructed.*

With implementation of the above mitigation measures, implementation of the SWPPP and WQMP, and associated BMPs, any impacts under this issue are considered less than significant.

- c. *Less Than Significant With Mitigation Incorporated* – According to the Geotechnical Study (Appendix 7a), the project site is not located within an area considered susceptible to liquefaction or lateral spreading as discussed under issue VII(c), above. Based on the settlement characteristics of the earth materials that underlie the building sites and the anticipated loading, we estimate that the maximum total settlement of the footings will be less than approximately 3/4 inch. It is anticipated that the majority of the settlement will occur during construction or shortly after the initial application of loading. Thus, impacts from settlement shall be mitigated through compliance with MM **GEO-1**, which enforces the implementation of geotechnical design recommendations. Additionally, lateral spreading potential within the site has been evaluated and incorporated into the geotechnical design recommendations, which shall again be enforced through MM **GEO-1**. The proposed development will involve the clearing of the vegetation on site, as well as excavation for both the underground storage tanks (USTs) for gasoline and diesel storage, and for the stormwater management systems. As discussed under issue VII(a) above, through the implementation of the geotechnical design recommendations enforced through the implementation of MM **GEO-1**, the proposed project would have a less than significant potential to 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 onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse.
- d. *Less Than Significant With Mitigation Incorporated* – According to the United States Department of Agriculture Web Soil Survey, the project's Area of Potential Effect (APE) is underlain by Tujunga gravelly loamy sand. Also, refer to the soil description in Appendix 7a. This soil class is, according to the USDA Soil Series website, somewhat excessively drained soils, have negligible to low runoff, and flooding is none to frequent.<sup>5</sup> The laboratory test results included in the Geotechnical Study (Appendix 7a) indicate that the earth materials onsite exhibit a very low expansion potential as classified in accordance with 2019 CBC. Furthermore, expansive soils are typically clay type soils, and given that no clay type soils exist at the project site, the development of the project will not create a substantial risk to life or property by being placed on expansive soils because none exist on the site. With implementation of MM **GEO-1** to enforce geotechnical design recommendations, impacts under this issue are considered less than significant. No further mitigation is required.

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<sup>5</sup> [https://soilseries.sc.egov.usda.gov/OSD\\_Docs/T/TUJUNGA.html](https://soilseries.sc.egov.usda.gov/OSD_Docs/T/TUJUNGA.html)

- e. *No Impact* – The project does not propose any septic tanks or alternative wastewater disposal systems. Therefore, determining if the project site soils are capable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater does not apply. No impacts are anticipated. No mitigation is required.
- f. *Less Than Significant With Mitigation Incorporated* – The potential for discovering paleontological resources during development of the project has been evaluated as part of the Paleontological Assessment provided as Appendix 7b to this Initial Study. The Paleontological Assessment concluded the following:

*The existence of late Holocene axial-valley deposits at the project, and the lack of any known fossil specimens or fossil localities from within a several-mile radius encompassing the subject property support the recommendation that paleontological monitoring is not be required during earth disturbance activities at the Harikrishna Retail/Commercial Center Project. However, if fossils of any sort are discovered during grading and earthmoving activities, a paleontologist must be retained to develop a paleontological Mitigation Monitoring and Reporting Program (MMRP) consistent with the provisions of CEQA and those of the guidelines of the Society of Vertebrate Paleontology (2010). Implementation of the paleontological MMRP would mitigate any adverse impacts (loss or destruction) to potential nonrenewable paleontological resources, if present, to a level below significant.*

Thus, The following MMRP guidelines, outlined below, are based on the findings stated above. Paleontological monitoring may be reduced on the observations and recommendations of the professional-level project paleontologist. The following MMRP, when implemented, would reduce potential impacts of paleontological resources to a level below significant:

**GEO-4** *If paleontological resources are discovered during earth disturbance activities, the discovery shall be cordoned off with a 100-foot radius buffer so as to protect the discovery from further potential damage, and a county or city-qualified paleontologist shall be consulted to assess the discovery.*

*If the discovery is determined to be significant by the paleontologist, an MMRP shall be initiated, which will include notification of appropriate personnel involved and monitoring of earth disturbance activities.*

1. *Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources shall be performed by a qualified paleontologist or paleontological monitor. Monitoring will be conducted full-time in areas of grading or excavation in undisturbed sedimentary deposits.*
2. *Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined on exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery.*
3. *Paleontological salvage during trenching and boring activities is typically from the generated spoils and does not delay the trenching or drilling activities. Fossils will be collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes will be taken on the map location and stratigraphy of the site, which will be photographed before it is vacated, and the fossils are removed to a safe place. On mass grading projects, discovered fossil sites will be*

*protected by flagging to prevent them from being overrun by earthmovers (scrapers) before salvage begins. Fossils will be collected in a similar manner, with notes and photographs being taken before removing the fossils. Precise location of the site is determined with the use of handheld GPS units. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor's construction equipment may be solicited to help remove the jacket to a safe location.*

- 4. Isolated fossils will be collected by hand, wrapped in paper, and placed in temporary collecting flats or five-gallon buckets. Notes will be taken on the map location and stratigraphy of the site, which will be photographed before it is vacated, and the fossils are removed to a safe place.*
- 5. Particularly small invertebrate fossils typically represent multiple specimens of a limited number of organisms, and a scientifically suitable sample can be obtained from one to several five-gallon buckets of fossiliferous sediment. If it is possible to dry screen the sediment in the field, a concentrated sample may consist of one or two buckets of material. For vertebrate fossils, the test is usually the observed presence of small pieces of bones within the sediments. If present, multiple five-gallon buckets of sediment can be collected and returned to a separate facility to wet-screen the sediment.*
- 6. In accordance with the "Microfossil Salvage" section of the Society of Vertebrate Paleontology guidelines (2010:7), bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) must be performed if the deposits are identified to possess indications of producing fossil "microvertebrates" to test the feasibility of the deposit to yield fossil bones and teeth.*
- 7. In the laboratory, individual fossils will be cleaned of extraneous matrix, any breaks will be repaired, and the specimen, if needed, will be stabilized by soaking in an archivally approved acrylic hardener (e.g., a solution of acetone and Paraloid B-72).*
- 8. Recovered specimens are prepared to a point of identification and permanent preservation (not display), including screen-washing sediments to recover small invertebrates and vertebrates. Preparation of individual vertebrate fossils is often more time-consuming than for accumulations of invertebrate fossils.*
- 9. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage (e.g., the San Bernardino County Museum) shall be conducted. The paleontological program should include a written repository agreement prior to the initiation of mitigation activities. Prior to curation, the lead agency (e.g., the City of Highland) will be consulted on the repository/museum to receive the fossil material.*
- 10. A final report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to, and accepted by, the appropriate lead agency, will signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.*



With incorporation of this contingency mitigation, the potential for adverse impact to paleontological resources will be reduced to a less than significant level. No additional mitigation is required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>VIII. GREENHOUSE GAS EMISSIONS:</b> Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:** The following information utilized in this section was obtained from the technical study “Air Quality and Greenhouse Gas Study Harikrishna Gas Station and Carwash Project, City of Highland, CA” prepared by Entech Consulting Group dated November 2022, and provided as Appendix 4 to this document.

a&b. *Less Than Significant Impact* –

Global Climate Change (GCC) is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. Many scientists believe that the climate shift taking place since the industrial revolution (1900) is occurring at a quicker rate and magnitude than in the past. Scientific evidence suggests that GCC is the result of increased concentrations of greenhouse gases in the earth’s atmosphere, including carbon dioxide, methane, nitrous oxide, and fluorinated gases. Many scientists believe that this increased rate of climate change is the result of greenhouse gases resulting from human activity and industrialization over the past 200 years.

An individual project like the project evaluated in this GHGA cannot generate enough greenhouse gas emissions to effect a discernible change in global climate. However, the project may participate in the potential for GCC by its incremental contribution of greenhouse gases combined with the cumulative increase of all other sources of greenhouse gases, which when taken together constitute potential influences on GCC.

Statewide, the framework for developing the implementing regulations for AB 32 is under way. Maximum GHG reductions are expected to derive from increased vehicle fuel efficiency, from greater use of renewable energy and from increased structural energy efficiency. Additionally, through the California Climate Action Registry (CCAR now called the Climate Action Reserve), general and industry-specific protocols for assessing and reporting GHG emissions have been developed. GHG sources are categorized into direct sources (i.e. company owned) and indirect sources (i.e. not company owned). Direct sources include combustion emissions from on-and off-road mobile sources, and fugitive emissions. Indirect sources include off-site electricity generation and non-company owned mobile sources.

#### Thresholds of Significance

In 2008, SCAQMD formed a Working Group to identify GHG emissions thresholds for land use projects that could be used by local lead agencies in the SCAB. The Working Group developed several different options that are contained in the SCAQMD Draft Guidance Document – Interim CEQA GHG Significance Threshold, that could be applied by lead agencies. The working group has not provided additional guidance since release of the interim guidance in 2008. The SCAQMD Board has not approved the thresholds; however, the Guidance Document provides substantial evidence supporting the approaches to significance of GHG

emissions that can be considered by the lead agency in adopting its own threshold. The current interim thresholds consist of the following tiered approach:

- Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA.
- Tier 2 consists of determining whether the project is consistent with a GHG reduction plan. If a project is consistent with a qualifying local GHG reduction plan, it does not have significant GHG emissions.
- Tier 3 consists of screening values, which the lead agency can choose, but must be consistent with all projects within its jurisdiction. A project's construction emissions are averaged over 30 years and are added to the project's operational emissions.

If the project's emissions are below the following screening threshold, then the project is less than significant: 3,000 metric tons (MT) CO<sub>2</sub>e per year.

#### Construction Activity GHG Emissions

The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The most appropriate threshold for the proposed project would be 3,000 MT CO<sub>2</sub>e per year as recommended by SCAQMD for all non-industrial projects to evaluate potential for the project to contribute to GHG emissions cumulatively. Table VIII-1 provides a summary of the greenhouse gas emissions and the CalEEMod model runs are provided in Appendix A to Appendix 4 to this Initial Study.

**Table VIII-1  
PROJECT GREENHOUSE GAS ANNUAL EMISSIONS  
(METRIC TONS CO<sub>2</sub>e)**

Category	CO <sub>2</sub> e
Operational Emissions	1,599
Maximum Construction Emissions <sup>1</sup>	252
<b>Total</b>	<b>1,851</b>
Guideline Threshold	3,000

CalEEMod Output provided in appendix

The data provided in Table VIII-2 shows that the project would create 1,851 MTCO<sub>2</sub>e per year the project's GHG emissions would be within the SCAQMD's thresholds of significance of 3,000 MTCO<sub>2</sub>e per year. Therefore, impacts would be less than significant.

#### Consistency with GHG Plans, Programs and Policies

In March 2014, the San Bernardino Associated Governments and Participating San Bernardino County Cities Partnership (Partnership) created a final draft of the San Bernardino County Regional Greenhouse Gas Reduction Plan (Reduction Plan). This Reduction Plan was created in accordance to AB 32, which established a greenhouse gas limit for the state of California. The Reduction Plan seeks to create an inventory of GHG gases and develop jurisdiction-specific GHG reduction measures and baseline information that could be used by the 21 Partnership Cities of San Bernardino County, which include the City of Highland.

##### *SB 32/2017 Scoping Plan Consistency*

The 2017 *Scoping Plan* Update reflects the 2030 target of a 40% reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. Table VIII-2 summarizes the project's consistency with the 2017 *Scoping Plan*. As summarized, the project will not conflict with any of the provisions of the *Scoping Plan* and in fact supports seven of the action categories.

**Table VIII-2  
2017 SCOPING PLAN CONSISTENCY SUMMARY**

Action	Responsible Parties	Consistency
Implement SB 350 by 2030		
Increase the Renewables Portfolio Standard to 50 percent of retail sales by 2030 and ensure grid reliability.	CPUC, CEC, CARB	Consistent. The project would use energy from Southern California Edison (SCE). SCE has committed to diversify its portfolio of energy sources by increasing energy from wind and solar sources. The project would not interfere with or obstruct SCE energy source diversification efforts.
Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.		Consistent. The project would be designed and constructed to implement the energy efficiency measures for new commercial developments and would include several measures designed to reduce energy consumption. The project would not interfere with or obstruct policies or strategies to establish annual targets for statewide energy efficiency savings and demand reduction.
Reduce GHG emissions in the electricity sector through the implementation of the above measures and other actions as modeled in Integrated Resource Planning (IRP) to meet GHG emissions reductions planning targets in the IRP process. Load-serving entities and publicly- owned utilities meet GHG emissions reductions planning targets through a combination of measures as described in IRPs.		Consistent. The project would be designed and constructed to implement energy efficiency measures acting to reduce electricity consumption. The project includes energy efficient lighting and fixtures that meet the current Title 24 Standards. Further, the project proposes contemporary industrial facilities that would incorporate energy efficient boilers, heaters, and air conditioning systems.
Implement Mobile Source Strategy (Cleaner Technology and Fuels)		
At least 1.5 million zero emission and plug-in hybrid light-duty electric vehicles by 2025.	CARB, California State Transportation Agency (CalSTA), Strategic Growth Council (SGC), California Department of Transportation (Caltrans), CEC, OPR, Local Agencies	Consistent. This is a CARB Mobile Source Strategy. The project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty electric vehicle 2025 targets.
At least 4.2 million zero emission and plug-in hybrid light-duty electric vehicles by 2030.		Consistent. This is a CARB Mobile Source Strategy. The project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty electric vehicle 2030 targets.
Further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations.		Consistent. This is a CARB Mobile Source Strategy. The project would not obstruct or interfere with CARB efforts to further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations.
Medium- and Heavy-Duty GHG Phase 2.		Consistent. This is a CARB Mobile Source Strategy. The project would not obstruct or interfere with CARB efforts to implement Medium- and Heavy-Duty GHG Phase 2.
Innovative Clean Transit: Transition to a suite of to-be-determined innovative clean transit options. Assumed 20 percent of new		Consistent. This is a CARB Mobile Source Strategy. The project would not

Action	Responsible Parties	Consistency
urban buses purchased beginning in 2018 will be zero emission buses with the penetration of zero-emission technology ramped up to 100 percent of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the optional heavy-duty low-NO <sub>x</sub> standard.		obstruct or interfere with CARB efforts improve transit-source emissions.
Last Mile Delivery: New regulation that would result in the use of low NO <sub>x</sub> or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California. This measure assumes ZEVs comprise 2.5 percent of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10 percent in 2025 and remaining flat through 2030.		Consistent. This is a CARB Mobile Source Strategy. The project would not obstruct or interfere with CARB efforts to improve last mile delivery emissions.
Further reduce VMT through continued implementation of SB 375 and regional Sustainable Communities Strategies; forthcoming statewide implementation of SB 743; and potential additional VMT reduction strategies not specified in the Mobile Source Strategy but included in the document “Potential VMT Reduction Strategies for Discussion.”		Consistent. The project implements Transportation Demand Measures (TDMs) that would act to reduce VMT.
Increase stringency of SB 375 Sustainable Communities Strategy (2035 targets).	CARB	Consistent. This is a CARB Mobile Source Strategy. The project would not obstruct or interfere with CARB efforts to Increase stringency of SB 375 Sustainable Communities Strategy (2035 targets).
<b>By 2019, adjust performance measures used to select and design transportation facilities</b>		
Harmonize project performance with emissions reductions and increase competitiveness of transit and active transportation modes (e.g., via guideline documents, funding programs, project selection, etc.).	CalSTA, SGC, OPR, CARB, Governor's Office of Business and Economic Development (GO-Biz), California Infrastructure and Economic Development Bank (IBank), Department of Finance (DOF), California Transportation Commission (CTC), Caltrans	Consistent. The project would not obstruct or interfere with agency efforts to harmonize transportation facility project performance with emissions reductions and increase competitiveness of transit and active transportation modes.
By 2019, develop pricing policies to support low-GHG transportation (e.g., low-emission vehicle zones for heavy duty, road user, parking pricing, transit discounts).	CalSTA, Caltrans, CTC, OPR, SGC, CARB	Consistent. The project would not obstruct or interfere with agency efforts to develop pricing policies to support low-GHG transportation.

Action	Responsible Parties	Consistency
<b>Implement California Sustainable Freight Action Plan</b>		
Improve freight system efficiency.	CalSTA, CalEPA, CNRA, CARB, Caltrans, CEC, GO-Biz	Consistent. The project would not obstruct or interfere with agency efforts to improve freight system efficiency.
Deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030.		Consistent. The project would not obstruct or interfere with agency efforts to deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030.
Adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18 percent.	CARB	Consistent. When adopted, this measure would apply to all fuel purchased and used by the project in the state. The project would not obstruct or interfere with agency efforts to adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18 percent.
<b>Implement the Short-Lived Climate Pollutant Strategy (SLPS) by 2030</b>		
40 percent reduction in methane and hydrofluorocarbon emissions below 2013 levels.	CARB, CalRecycle, CDFA, SWRCB, Local Air Districts	Consistent. The project would be required to comply with this measure and reduce any project-source SLPS emissions accordingly. The project would not obstruct or interfere agency efforts to reduce SLPS emissions.
50 percent reduction in black carbon emissions below 2013 levels.		
By 2019, develop regulations and programs to support organic waste landfill reduction goals in the SLCP and SB 1383.	CARB, CalRecycle, CDFA SWRCB, Local Air Districts	Consistent. The project would implement waste reduction and recycling measures consistent with State and City requirements. The project would not obstruct or interfere agency efforts to support organic waste landfill reduction goals in the SLCP and SB 1383.
Implement the post-2020 Cap-and-Trade Program with declining annual caps.	CARB	Consistent. The project would be required to comply with any applicable Cap-and-Trade Program provisions. The project would not obstruct or interfere agency efforts to implement the post-2020 Cap-and-Trade Program.
<b>By 2018, develop Integrated Natural and Working Lands Implementation Plan to secure California's land base as a net carbon sink</b>		
Protect land from conversion through conservation easements and other incentives.	CNRA, Departments Within CDFA, CalEPA, CARB	Consistent. The project site is designated for Mixed Use Business Park uses. The project does not propose land conversion. The project would not obstruct or interfere agency efforts to protect land from conversion through conservation easements and other incentives.
Increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity		Consistent. The project site is vacant disturbed property and does not comprise an area that would effectively provide for carbon sequestration. The project would not obstruct or interfere agency efforts to increase the long-term resilience of carbon storage in the land

Action	Responsible Parties	Consistency
		base and enhance sequestration capacity.
Utilize wood and agricultural products to increase the amount of carbon stored in the natural and built environments		Consistent. Where appropriate, project designs will incorporate wood or wood products. The project would not obstruct or interfere agency efforts to encourage use of wood and agricultural products to increase the amount of carbon stored in the natural and built environments.
Establish scenario projections to serve as the foundation for the Implementation Plan		Consistent. The project would not obstruct or interfere agency efforts to establish scenario projections to serve as the foundation for the Implementation Plan.
Establish a carbon accounting framework for natural and working lands as described in SB 859 by 2018	CARB	Consistent. The project would not obstruct or interfere agency efforts to establish a carbon accounting framework for natural and working lands as described in SB 859 by 2018.
Implement Forest Carbon Plan	CNRA, California Department of Forestry and Fire Protection (CAL FIRE), CalEPA and Departments Within	Consistent. The project would not obstruct or interfere agency efforts to implement the Forest Carbon Plan.
Identify and expand funding and financing mechanisms to support GHG reductions across all sectors.	State Agencies & Local Agencies	Consistent. The project would not obstruct or interfere agency efforts to identify and expand funding and financing mechanisms to support GHG reductions across all sectors.

Source: California Air Resources Board, California's 2017 Climate Change Scoping Plan, November 2017 and CARB, Climate Change Scoping Plan, December 2008.

As shown above, the project would not conflict with any of the *2017 Scoping Plan* elements as any regulations adopted would apply directly or indirectly to the project. Further, recent studies show that the State's existing and proposed regulatory framework will allow the State to reduce its GHG emissions level to 40% below 1990 levels by 2030. The project will be compliant with the goal and objectives set forth in the Partnership's Reduction Plan as shown on Table VIII-2. Therefore, consistency with the Reduction Plan would result in a less than significant impact with respect to GHG emissions.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>IX. HAZARDS AND HAZARDOUS MATERIALS:</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: A Phase I Environmental Site Assessment (ESA) has been prepared for the project by Earth Strata Geotechnical Services. This report is dated November 18, 2022, and is provided as Appendix 8 to this Initial Study.

#### Summary of Findings & Recommendations (Phase I ESA)

A site reconnaissance was performed on November 4, 2022. The Earth Strata Geotechnical Services Assessor was not accompanied by anyone due to the vacant state of the property. The site is currently undeveloped.

In summary, the following findings and conclusions were noted:

- From at least 1938 to 1985, the subject site is undeveloped land. By at least 1989, the northeastern portion of the site is graded and by at least 2006, the northeastern of the site is used for storage purposes. No structures have ever been developed on the subject site. The site vicinity consists of residential, commercial, and industrial development.
- Groundwater is reported in the site vicinity to occur at a depth greater than 200 feet below the ground surface (bgs) and is anticipated to flow in the westerly direction.

- No buildings were noted on site; therefore, asbestos containing building materials (ACMs) and lead-based paint (LBP) are not likely present.
- No on- or off-site environmental concerns were noted.

#### *Recommendations*

Based on the Phase I ESA, no evidence or indication of recognized environmental conditions (RECs), historical-RECs (HRECs), controlled-RECs (CRECs), or conditions indicative of releases or threatened releases of hazardous substances on, at, in, or to the site has been identified. Therefore, no further investigation is recommended for this site.

#### Impact Analysis

a&b. *Less Than Significant With Mitigation Incorporated* – During construction of proposed project, hazardous or potentially hazardous materials will be routinely handled in small quantities on the project site. These hazardous materials would include gasoline, diesel fuel, lubricants, and other petroleum-based products used to operate and maintain construction equipment and vehicles; therefore, there is a potential for accidental release of petroleum products in sufficient quantity to pose a significant hazard to people or the environment. A permitted and licensed service provider will conduct the removal of such hazardous materials; any handling, transporting, use or disposal of hazardous materials would comply with all applicable federal, State, and local agencies and regulations. Additionally, due to the potential on-site use and storage of hazardous and flammable materials, the project would also require an Emergency/Contingency Plan that would establish procedures to follow in the event of an emergency situation (such as a fire or hazardous spill). Oversight for this Plan is provided by the San Bernardino County Fire Department, Hazardous Materials Division, and would be reviewed annually and renewed every three years. However, in order to ensure that no accidental releases of hazardous or potentially hazardous materials occur during construction, the following mitigation measure will be incorporated into the SWPPP prepared for the project and it can reduce such a hazard to a less than significant level.

**HAZ-1 All spills or leakage of petroleum products during construction activities will be remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste will be collected and disposed of at an appropriately licensed disposal or treatment facility. This measure will be incorporated into the SWPPP prepared for the project development.**

The Highland Fire Department indicates that gasoline is considered a hazardous material. Therefore, during the operation phase of the project, hazardous or potentially hazardous materials will be routinely handled, stored, and dispensed on the project site. Because the project will include a gas station, underground storage tanks (USTs) will store gas and diesel on the project site, as shown in Figure 3 (site plan). The USTs will consist of double-walled, fiberglass fuel storage tank with leak detection sensors. Because of the nature of the proposed project as a fuel station, the project will be subject to routine inspection by federal, State, and local regulatory agencies with jurisdiction over fuel dispensing facilities. These regulations and regulatory agencies include provisions established by Section 2540.7, Gasoline Dispensing and Service Stations, of the California Occupational Safety and Health Regulations; Chapter 38, Liquefied Petroleum Gases, of the California Fire Code; Resource Conservation and Recovery Act (RCRA); Highland Fire Department; and, California Department of Forestry and Fire Protection (Cal Fire). The above provisions—the routine inspection of the gas station, the permitted USTs, and all associated fuel delivery infrastructure, as well as compliance with all federal, state and local regulations—will ensure that the project operates in a manner that poses no substantial hazards to the public or the environment. No further mitigation is required.

c. *No Impact* – The proposed project site is not located within one quarter mile of a school. The nearest schools are Cypress Elementary School (located about 0.75-mile northwest of the project site) and Thompson Elementary School (located about 1 mile north of the project site), which is part of the San



Bernardino City Unified School District. Based on this information, implementation of the project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No adverse impacts are anticipated. No additional mitigation is required.

- d. *Less Than Significant Impact* – This site is flat with remnants of an abandoned olive grove, with scattered weeds and other vegetation surrounding the abandoned olive trees. The project will not be located on a site that is included on a list of hazardous materials sites that are currently under remediation. According to the California State Water Board's GeoTracker website (consistent with Government Code Section 65962.5), which provides information regarding Leaking Underground Storage Tanks (LUST), three facilities are listed on the database as Arco AM PM #5617 and Safety Kleen Cooperation. Arco AM PM #5617 is located immediately south of and potentially cross gradient from the site. Safety Kleen Cooperation and Safety Kleen Corp are located approximately 0.10-mile south of and potentially cross gradient of the site. According to GeoTracker, these facilities are listed as "Case Closed." According to the Phase I ESA provided as Appendix 8, based on the regulatory status, direction, and depth to groundwater, these facilities would not be considered an environmental concern to the site. Additionally, a search of the State Hazardous Waste Site database(s) identified no facilities within the vicinity of the project site.

The State Solid Waste Facilities and Landfills and Recycling databases include an inventory of active, closed, and inactive solid waste disposal facilities, landfills, refuse transfer stations, and recycling facilities (non-landfill sites). One facility is listed on the database as "Norton Airforce Base (LNDLFL #2)" Norton Airforce Base and is located approximately 0.14-mile southwest of and downgradient from the site. Additionally, an area mapped as Norton Airforce Base is also located 0.27-mile and northwest of and downgradient of the site. Based on the direction and depth to groundwater, this facility would not be considered an environmental concern to the development of the project site. All other potentially hazardous facilities within a 2,500-foot radius of the project site discussed within the Phase I ESA were determined to not be of an environmental concern to the development of the project site. Therefore, the proposed construction and operation of the site as the Harikrishna Commercial/Retail Development Project will not create a significant hazard to the population or to the environment from their implementation. Impacts under this issue are considered less than Significant. No mitigation is required.

- e. *Less Than Significant Impact* – There nearest public airport is the San Bernardino International Airport, the boundary for which is directly adjacent to the project site to the east. No private airports are located within the vicinity of the project. According to the City of Highland General Plan San Bernardino International Airport Influence Area (AIA) map—provided as Figure IX-4—the project site is located within the designated planning boundary. The project will not be constructed at a height greater than that which is allowed by the FAA and the Airport. The City's Municipal Code Chapter 16.40.410 "Airport of overlay zone and safety compatibility" establishes the Airport Safety Zones, which provide greater safety to both aviators and the general public by establishing requirements for land use compatibility reviews within designated areas in close proximity to an airport or heliport. The Airport Safety Zone protects the public health and safety in the area of the airport by minimizing exposure to crash hazards and high noise levels that may be generated by the operations of an airport and to encourage future compatible development for the continued operation of the airport. The proposed project must comply with Chapter 16.40.410 of the City's Municipal Code, and therefore, the project will have a less than significant potential to cause or experience any adverse impact related to public or private airport operations. Impacts under this issue are considered less than significant. No mitigation is required.
- f. *Less Than Significant Impact* – The proposed project will operate entirely within the boundaries of the project site, which is located at the northeast corner of 5<sup>th</sup> Street and Palm Avenue. However, construction will require minimal construction within the adjacent roadways to install laterals for sewer, fire water, and water connections to the site. With only minor off-site improvements envisioned, circulation on these roadways during construction will be maintained. It is not anticipated that development of the project site would impair implementation of or physically interfere with an

adopted emergency response plan or emergency evacuation plan because the site activities will be confined within the proposed project site. The proposed onsite parking and circulation plans will be reviewed by the local Fire Department and Police Department to ensure that the project's ingress/egress are adequate for accommodating emergency vehicles. Finally, a construction traffic plan will be required to be submitted to the Fire Department prior to development in order to provide adequate emergency access during construction of the proposed project. Therefore, there is no potential for the development of the project to physically interfere with any adopted emergency response plans, or evacuation plans. No impacts are anticipated, and no mitigation is required.

- g. *No Impact* – According to the Fire Hazard Areas map gathered from the Safety Element of the City's General Plan (Figure IX-5), the proposed project site is not located in an area of concern for fire hazards, particularly due to its location in an urban area at a distance from the nearby San Bernardino Mountains. The proposed project is required to conform to applicable minimum standards for fire safety as defined in the City of Highland Building Code and the 2022 CBC. Therefore, project implementation would not result and a potential to expose people or structures to fire hazards. Potential project-related impacts are less than significant; no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>X. HYDROLOGY AND WATER QUALITY:</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) result in substantial erosion or siltation onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?; or,	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:** An Infiltration Testing Report has been prepared for the proposed project by Earth Strata Geotechnical Services, Inc. titled “*Infiltration Testing for Water Quality Treatment Areas, Proposed Commercial Development, Assessor Parcel Numbers 1201-311-02, 1201-311-03, 1201-311-04, 1201-311-05, 1201-301-14, 1201-301-15, and 1201-301-19, Located at the Southeast Corner of Palm Avenue and Meines Street, City of Highland, San Bernardino County, California,*” dated October 25, 2021 and provided as Appendix 9a. Additionally, a Water Quality Management Plan (WQMP) has been prepared by Ventura Engineering Inland, Inc. for the proposed project titled “*Water Quality Management Plan For: New Commercial / Retail Agency Number – WQP21-004 APNS: 1201-331-02, 03, 05, 14, 15 & 19,*” dated May 11, 2022 and provided as Appendix 9b.

- a. *Less Than Significant With Mitigation Incorporated* – The proposed project is located within the planning area of the Santa Ana Regional Water Quality Control Board (RWQCB). The project would be supplied with water by East Valley Water District (EVWD) that uses groundwater and imported water to meet customer demand.

For a developed area, the only three sources of potential violation of water quality standards or waste discharge requirements are from generation of municipal wastewater, stormwater runoff, and

potential discharges of pollutants, such as accidental spills. Municipal wastewater is collected by EVWD and is currently delivered to San Bernardino Municipal Water Department's Water Reclamation Plant (WRP), which meets the waste discharge requirements imposed by the RWQCB. EVWD is currently developing the Sterling Natural Resource Center (SNRC), anticipated to be online and capable of treating up to 10 million gallons (MG) of wastewater per day by March of 2023. Thus, it is anticipated that project wastewater will be delivered to EVWD's SNRC, which will also meet the waste discharge requirements imposed by the RWQCB.

Under the proposed project, a car wash will be constructed. The carwash will include a gray water recycling system, which will collect, treat, and filter gray water from previous car wash cycles for use with future car wash cycles. Through the use of this gray water recycling system, little or no gray water will be discharged into the municipal sewer system for wastewater treatment. This is illustrated on page 4 of the Grading Plans provided as Appendix 3. Thus, the gray water will not further degrade water quality onsite.

To address stormwater and accidental spills within this environment, any new project must ensure that site development implements a Storm Water Pollution Prevention Plan (SWPPP) and a National Pollutant Discharge Elimination System (NPDES) to control potential sources of water pollution that could violate any standards or discharge requirements during construction and a Water Quality Management Plan (WQMP) to ensure that project-related after development surface runoff meets discharge requirements over the short- and long-term. The WQMP (Appendix 9b) stormwater runoff permit Best Management Practices (BMPs) requirements for capturing, retaining, and treating on site stormwater once the project has been developed. Because the project site consists of pervious surfaces, the project has identified onsite drainage that will generally be directed to the water quality management basins, infiltration, and other water quality control measures that will be developed as part of the project. The SWPPP would specify the BMPs that the project would be required to implement during construction activities to ensure that all potential water pollutants of concern are prevented from discharge, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. With implementation of these mandatory Plans and their BMPs, as well as MM **HAZ-1** above, the development of project will not cause a violation of any water quality standards or waste discharge requirements.

- b. *Less Than Significant Impact* – The project does not propose the installation of any water wells that would directly extract groundwater and the change in pervious surfaces to impervious surfaces will be minimal because the site itself is not large at only 1.9-acre. The project site is located in the San Bernardino Basin (SBB) and is served with water service by EVWD. EVWD's water supply consists primarily of groundwater from wells in the SBB, (accounting for approximately 80% of the total water supply. In addition to groundwater, EVWD provides treated surface water from the Santa Ana River and the State Water Project (SWP), from which it obtains imported water. As stated above, under Subchapter IV, Biological Resources, the proposed project falls within the boundaries of the IVDA AGSP Planning Area. As such, the technical and environmental analyses prepared as part of the IVDA AGSP EIR, published for public review on December 22, 2022, can be utilized in relation to projected water use for projects proposed within the AGSP Planning Area. The AGSP EIR anticipated that commercial uses would demand 2,000 gallons per day per acre, thus, the proposed project is anticipated to demand about 3,800 gallons per day (gpd) or 4.26 AFY in order to support the needs of the project. EVWD's 2020 water use by commercial uses, as defined in the 2020 Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan (IRUWMP), was 1,024 AFY, and is projected to grow to 2,197 AFY by 2045. The total water supply in 2045, including potable and non-potable sources is projected to be 25,625 AFY, while the demand for that same period is anticipated to be 22,283 AFY. Thus, the projected water demanded by the proposed project would be well within the projected available supply for water by EVWD for Commercial uses. Therefore, the construction of the Harikrishna Commercial/Retail Development Project is not forecast to cause a significant demand for new groundwater supplies. The potential impact under this proposed project is considered less than significant; no mitigation measures other than the installation of standard water conservation fixtures and use of drought resistant landscaping are required; these measures have been incorporated into the design for the project.

c. i. Result in substantial erosion or siltation onsite or offsite?

*Less Than Significant Impact* – The proposed project is not anticipated to significantly change the volume of flows downstream of the project site and would not be anticipated to change the amount of surface water in any water body in an amount that could initiate a new cycle of erosion or sedimentation downstream of the project site. The onsite drainage system will capture the incremental increase in runoff from the project site associated with project development. According to the Preliminary WQMP provided as Appendix 9b to this Initial Study, impervious coverage of the site as proposed is anticipated to be about 70.5% of the site after applying preventative site design practices as part of the project Low Impact Development (LID) best management practices (BMPs), and onsite surface flows will be collected and conveyed in a controlled manner through the project site through the identified onsite drainage that will generally be directed to the water quality management basins, infiltration, and other water quality control measures as shown on the Grading Plans provided as Appendix 3. This system will be designed to capture the peak 100-year flow runoff from the project site or otherwise be detained on site and discharged in conformance with City and County requirements. The downstream drainage system will not be altered and given the control of future surface runoff from the project site, thus, the potential for downstream erosion or sedimentation will be controlled to a less than significant impact level.

c. ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite?

*Less Than Significant Impact* – The proposed project will alter the existing drainage courses or patterns onsite but will maintain the existing offsite downstream drainage system through control of future discharges from the site, which would prevent flooding onsite or offsite from occurring. According to the Preliminary WQMP provided as Appendix 9b to this Initial Study, impervious coverage of the site as proposed is anticipated to be about 70.5% of the site after applying preventative site design practices as part of the project LID BMPs, and onsite surface flows will be collected and conveyed in a controlled manner through the project site through the identified onsite drainage that will generally be directed to the water quality management basins, infiltration, and other water quality control measures as shown on the Grading Plans provided as Appendix 3. This system will be designed to capture the peak 100-year flow runoff from the project site or otherwise be detained on site and discharged in conformance with City and County requirements. Thus, the implementation of onsite drainage improvements and applicable requirements will ensure that stormwater runoff will not substantially increase the rate or volume of runoff in a manner that would result in flooding on- or off-site. Impacts under this issue are considered less than significant with no mitigation required.

c. iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

*Less Than Significant With Mitigation Incorporated* – As indicated above, the project will not substantially create or contribute runoff water that would exceed the capacity of existing or planned stormwater capacity, or provide substantial additional sources of polluted water, particularly because the site plan includes a perforated infiltration trench, pervious pavement, and other water quality control measures that will collect on-site runoff. The project will require the implementation of a SWPPP and WQMP, and implementation of mitigation measure **HAZ-1**, which will ensure that discharge of polluted material does not occur or is remediated in the event of an accidental spill. However, impervious coverage of the site as proposed is anticipated to be about 70.5% of the site after applying preventative site design practices as part of the project LID BMPs, and onsite surface flows will be collected and conveyed in a controlled manner through the project site through the identified onsite drainage that will generally be directed to the water quality management basins, infiltration, and other water quality control measures as shown on the Grading Plans provided as Appendix 3. At present, the site is mostly pervious, and runoff is either retained on site or is directed into adjacent public rights-of-way; thus, with the development of the site as proposed and through development of the planned drainage systems, runoff from the site would be managed more

efficiently than that which exists at present. Thus, the implementation of onsite drainage improvements and applicable requirements will ensure that that drainage and stormwater will not create or contribute runoff that would exceed the capacity of existing or planned offsite stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts under this issue are considered less than significant with implementation of mitigation.

c. iv. Impede or redirect flood flows?

*Less Than Significant Impact* – According to the County of San Bernardino Flood Hazard Map (Figure X-1), the proposed project is not located in a 100-year or 500-year flood hazard area. Furthermore, development of this site is not anticipated to redirect or impede flood flow at the project site, particularly given that surface flows on site will be directed to the onsite drainage features which will be capable of intercepting the peak 100-year flow rate from the project site or otherwise be detained on site and discharged in conformance with San Bernardino County requirements. Therefore, impacts under this issue are considered less than significant and no mitigation is required.

- d. *Less Than Significant Impact* – Implementation of the project will not expose people or structures to a significant risk of inundation by seiche, tsunami, or other flood hazards. According to the City of City of Highland Flood Hazards Map (Figure X-2), the project is within the limit of flooded area if the dam were to fail. The Seven Oaks Dam stores an average of about 10,000 acre-feet of water per year and was designed to resist an earthquake measuring 8.0 on the Richter scale, with any point able to sustain a displacement of four feet without causing any overall structural damage. An earthquake event of this magnitude is extremely unlikely. The Pacific Ocean is located more than 50 miles from the Pacific Ocean, which eliminates the potential for a tsunami to impact the project area. Additionally, a seiche would not occur within the vicinity of the project because no lakes or enclosed bodies of water exist near the site that could be impacted by such an event. It is anticipated that through compliance with the City's Municipal Code, implementation of the onsite drainage system, and LID BMPs enforced through the WQMP, inundation hazards within the City would be reduced to a level of less than significant. Therefore, the potential to expose people or structures to a significant risk of pollutants due to inundation would be minimal. No mitigation is required.

- e. *Less Than Significant Impact* – The project site is located in the SBB, as described under issue X(b), above, which has been designated very low priority by the Sustainable Groundwater Management Act (SGMA).<sup>6</sup> The SGMA empowers local agencies to form Groundwater Sustainability Agencies (GSAs) to manage basins and requires GSAs to adopt Groundwater Sustainability Plans (GSPs) for crucial groundwater basins in California. The SGMA “requires governments and water agencies of high and medium priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. For critically over-drafted basins, that will be 2040. For the remaining high and medium priority basins, 2042 is the deadline.”<sup>7</sup> According to the California Department of Water Resources Groundwater Sustainability Agency Formation Notification System<sup>8</sup>, the groundwater basin underlying the project is not considered to be a basin that requires management under the Sustainable Groundwater Management Act. Given that the project is located within a basin that is considered very low priority, no conflict or obstruction of a sustainable groundwater management plan is anticipated. As such, the project would not conflict with a sustainable groundwater management plan. Water consumption and effects in both basins indicates that the proposed project's water demand is considered to be minimal. By controlling water quality during construction and operations through implementation of both short (SWPPP) and long (WQMP) term best management practices at the site, no potential for conflict or obstruction of the RWQCB's water quality control plan has been identified.

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<sup>6</sup> <https://gis.water.ca.gov/app/bp-dashboard/final/>

<sup>7</sup> <https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management>

<sup>8</sup> <https://sgma.water.ca.gov/webgis/index.jsp?appid=gasmaster&rz=true>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>XI. LAND USE AND PLANNING:</b> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## SUBSTANTIATION

- a. *No Impact* – The project site is designated by the City's General Plan as Industrial use, and it is zoned for Industrial use. The project entitlements include a change in the General Plan land use designation to BP – Business Park and a change in the zone classification to BP – Business Park. The surrounding uses immediately adjacent to the project site also consist of a mix of industrial and commercial uses, with the commercial uses focused on the actual intersection of 5<sup>th</sup> Street and Palm Avenue. The land use immediately south of the project site is a gas station and convenience store, and as such, the proposed use would conform to the surrounding uses. Consequently, the development of the project site with the proposed use will not divide any established community in any manner and the proposed use will integrate seamlessly with the surrounding uses. Therefore, no adverse impacts under this issue are anticipated and no mitigation is necessary.
- b. *Less Than Significant Impact* – The project site is zoned for Industrial use and is designated by the City's General Plan as Industrial use. The project entitlements include a change in the General Plan designation to BP – Business Park and a change in the zone classification to BP – Business Park. The project site is also located within the Airport Influence Area, but the project site is not located within the landing pattern for the Airport's runway. As discussed under issue IX(e), above, the project will not be constructed at a height greater than that which is allowed by the FAA and the Airport. The project also must comply with the provisions set forth in the City's Municipal Code Chapter 16.40.410 "Airport of overlay zone and safety compatibility," which establishes the Airport Safety Zones. Thus, Harikrishna Commercial/Retail Development Project will not directly conflict with routine Airport operations. Therefore, the implementation of this project at this site will be consistent with surrounding land uses. Based on this information, implementation of the proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. Impacts under this issue are considered less than significant and no mitigation is required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>XII. MINERAL RESOURCES:</b> Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

- a. *Less Than Significant Impact* – The City's General Plan, Conservation and Open Space Element, Mineral Resources section indicates that more than one-half of the City is underlain by an MRZ-2 designation (significant deposits are likely to be present, page 5-27 of the Element). However, the General Plan text also further states that “most of the MRZ zones exist in areas that have already been developed.” The project site falls within the latter category of MRZ-2 designated land. The intersection of 5<sup>th</sup> and Palm has been developed for decades, and the approximate 1.9-acre site is too small to support a sand and gravel mining operation. Based on these findings, the proposed project's implementation will have a less than significant impact on overall mineral resource availability within the City of Highland.
- b. *No Impact* – The City has not included this proposed project site within its Industrial Extractive classification, and as such, the site is not planned to be used for mining activities by the City. Therefore, the development of the project will not cause any loss of mineral resource values to the region or residents of the state, nor would it result in the loss of any locally important mineral resources identified in the City of Highland General Plan. No adverse impact would occur under this issue. No mitigation is required.



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>XIII. NOISE:</b> Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of a project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## SUBSTANTIATION

### Background

Noise is generally described as unwanted sound. The proposed Harikrishna Commercial/Retail Development Project will be developed within a 1.9-acre site that will include a fuel and diesel station, convenience store, and car wash structures.

The unit of sound pressure ratio to the faintest sound detectable to a person with normal hearing is called a decibel (dB). Sound or noise can vary in intensity by over one million times within the range of human hearing. A logarithmic loudness scale, similar to the Richter scale for earthquake magnitude, is therefore used to keep sound intensity numbers at a convenient and manageable level. The human ear is not equally sensitive to all sound frequencies within the entire spectrum. Noise levels at maximum human sensitivity from around 500 to 2,000 cycles per second are factored more heavily into sound descriptions in a process called "A-weighting," written as "dBA."

Leq is a time-averaged sound level; a single-number value that expresses the time-varying sound level for the specified period as though it were a constant sound level with the same total sound energy as the time-varying level. Its unit is the decibel (dB). The most common averaging period for Leq is hourly.

Because community receptors are more sensitive to unwanted noise intrusion during more sensitive evening and nighttime hours, state law requires that an artificial dBA increment be added to quiet time noise levels. The State of California has established guidelines for acceptable community noise levels that are based on the Community Noise Equivalent Level (CNEL) rating scale (a 24-hour integrated noise measurement scale). The guidelines rank noise land use compatibility in terms of "normally acceptable," "conditionally acceptable," and "clearly unacceptable" noise levels for various land use types. The State Guidelines, Land Use Compatibility for Community Noise Exposure, single-family homes are "normally acceptable" in exterior noise environments up to 60 dB CNEL and "conditionally acceptable" up to 70 dB CNEL based on this scale. Multiple family residential uses are "normally acceptable" up to 65 dB CNEL and "conditionally acceptable" up to 70 CNEL. Schools, libraries and churches are "normally acceptable" up to 70 dB CNEL, as are office buildings and business, commercial and professional uses with some structural noise attenuation.

*City of Highland General Plan Noise Element*

The City of Highland General Plan Noise Element (Chapter 7 of the General Plan) identifies several policies to minimize the impacts of excessive noise levels throughout the community. The Noise Element provides policy guidance which addresses the generation, mitigation, avoidance, and the control of excessive noise. To protect the City of Highland residents from excessive noise levels, the Noise Element contains the following three goals:

**Noise Element: Goal 7.1**

Protect sensitive land uses and the citizens of Highland from annoying and excessive noise through diligent planning and regulation.

**Noise Element: Goal 7.2**

Encourage the reduction of noise from transportation-related noise sources such as automobile and truck traffic.

**Noise Element: Goal 7.3**

Protect residents from the effects of “spill over” or nuisance noise.

The noise policies specified in the Noise Element provide the guidelines necessary to satisfy each of these goals. To ensure that residents are not exposed to excessive noise levels (Goal 7.1), Policies 7.1.1 to 7.1.7 indicate that sensitive land uses such as housing, health care facilities, schools, libraries, and religious facilities should not experience exterior noise levels greater than 65 dBA CNEL for exterior areas and 45 dBA CNEL for interior areas. City Noise Element Policies 7.2.1 to 7.2.5 outline the transportation-related guidelines and mitigation strategies the City uses to satisfy Goal 7.2. To protect residents from sources of operational and construction noise (Goal 7.3), the Noise Element includes Policies 7.3.1 to 7.3.5 to adopt a Noise Ordinance and ensure noise issues between land uses are reduced.

The City of Highland Municipal Code sets forth the City Standards, guidelines and procedures concerning the regulation of noise. The City categorizes land uses into designated noise zones assign appropriate interior and exterior noise standards. The appropriate interior and exterior noise standards are identified on Tables 7.1 and 7.2 of the General Plan. These tables are provided below as Table XIII-1 and XIII-2, interior and exterior noise standards, respectively.

**Table XIII-1  
CITY OF HIGHLAND INTERIOR NOISE STANDARDS**

Type of Land Use	CNEL (dBA)
Residential	45
Educational/churches, other institutional uses	45
General offices	50
Retail stores, restaurants	55
Manufacturing, warehousing	65
Agricultural	55
Sand and gravel operations	75

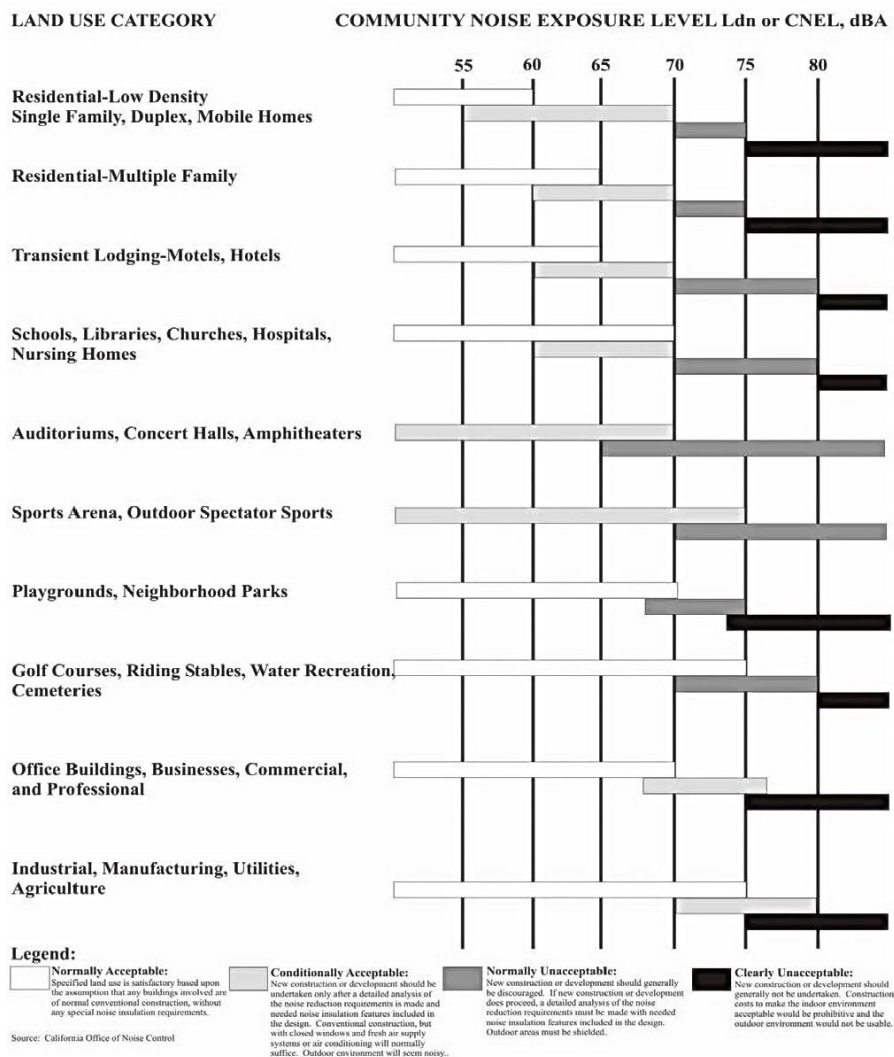
Source: Chapter 8.50, Noise Control, City of Highland Municipal Code

**Table XIII-2**  
**CITY OF HIGHLAND EXTERIOR NOISE STANDARDS**

Type of Land Use	Time Interval	CNEL (dBA)
Residential	10 PM – 7 AM	55
	7 AM – 10 PM	60
Agricultural/Equestrian	10 PM – 7 AM	60
	7 AM – 10 PM	65
Commercial	10 PM – 7 AM	65
	7 AM – 10 PM	70
Manufacturing or warehousing	Any Time	75
Open Space	Any Time	75

Source: Chapter 8.50, Noise Control, City of Highland Municipal Code

**EXHIBIT XIII-1**  
**LAND USE COMPATIBILITY FOR COMMUNITY NOISE EXPOSURE**



**EXHIBIT XIII-2  
INTERIOR AND EXTERIOR NOISE STANDARDS**

<i>Land Use</i>		<i>CNEL (dBA)</i>	
<i>Categories</i>	<i>Uses</i>	<i>Interior</i> <sup>1</sup>	<i>Exterior</i> <sup>2</sup>
Residential	Single and multi-family, duplex	45 <sup>3</sup>	65
	Mobile homes	----	65 <sup>4</sup>
Commercial	Hotel, motel, transient housing	45	---
	Commercial retail, bank, restaurant	55	---
	Office building, research and development, professional offices	50	---
	Amphitheater, concert hall, auditorium, movie theater	45	---
	Gymnasium (Multipurpose)	50	---
	Sports Club	55	---
	Manufacturing, warehousing, wholesale, utilities	65	---
	Movie Theaters	45	---
Institutional/ Public	Hospital, school classrooms/playgrounds	45	65
	Church, library	45	---
Open Space	Parks	---	65

<sup>1</sup> Indoor environment excluding: bathrooms, kitchens, toilets, closets, and corridors

<sup>2</sup> Outdoor environment limited to:

- Private yard of single-family dwellings
- Multi-family private patios or balconies accessed from within the dwelling (Balconies 6 feet deep or less are exempt)
- Mobile home parks
- Park picnic areas
- School playgrounds
- Hospital patios

<sup>3</sup> Noise level requirement with closed windows, mechanical ventilation or other means of natural ventilation shall be provided as per Chapter 12, Section 1205 of the Uniform Building Code.

<sup>4</sup> Exterior noise levels should be such that interior noise levels will not exceed 45 dBA CNEL.

***Airport Noise***

The project site is located in close proximity to the San Bernardino International Airport, about one block north of the northeastern boundary of the Airport and is therefore located in a relatively high background noise environment. As of 2019, the project site is outside of the Airport's CNEL 65 noise contour (Figure XIII-1).<sup>9</sup> As a result of the operation of the San Bernardino International Airport's Eastgate Building 1 project, the noise contours have changed significantly as Airport traffic increases related to the operation of the Eastgate Building 1 project. Regardless, once constructed (by 2024), the project site will remain located outside of the 65 CNEL noise contour (Figure XIII-2). As such, the noise environment at the project site is anticipated to increase by the time that the proposed project is constructed and in operation.

**Impact Analysis**

- a. ***Less Than Significant With Mitigation Incorporated*** – The proposed project is located in a developed area and is adjacent to a major roadway which experiences heavy traffic due to the large number of logistics centers and warehouses located along the 5<sup>th</sup> and 3<sup>rd</sup> Street Corridors, particularly given that these routes have been identified as truck routes by the City. Short-term noise levels associate with

<sup>9</sup> San Bernardino County, 2018; AEDT 2d; Adapted by ESA, 2018

project construction activities will not impact any sensitive receptors, as the noise generated from the Airport and from adjacent traffic would dominate the noise environment at the nearest sensitive receptor. Though the project is located in an industrial corridor, there are a few non-conforming uses located across the street from the project site to the south, and as such, there are sensitive receptors nearby that could experience an increased noise level as a result of the proposed project.

#### Short-Term Noise

The City Municipal Code Section 15.48.030 states that no person shall allow construction activities to commence any earlier than one-half hour before sunrise or to terminate no later than one-half hour after sunset Monday through Sunday. However, emergency construction activities performed either by or on behalf of the City shall be exempt from this requirement. Construction noise is considered a common necessity for new development. Therefore, through compliance with the City's noise standards, short-term construction impacts would not expose persons to or generate noise in excess of standards established by the City or by any other applicable agencies. Thus, short-term construction impacts would be considered less than significant. The project will comply with the City Municipal Code, as construction will occur only within the hours considered allowable by the City. Construction equipment generates noise that ranges between approximately 75 and 90 dBA at a distance of 50 feet. Refer to Table XIII-3 below, which shows construction equipment noise levels at 25, 50 and 100 feet from the noise source. The nearest residence's property line to the project site is located about 600 feet from the project's property line, which would provide sufficient attenuation to ensure construction noise is minimized at the nearest sensitive receptor. The short-term noise impacts associated with project construction activities are forecast to be less than significant through compliance with the City Municipal Code—as addressed above—and by implementing the following measures. As construction activities may be a nuisance to nearby residents, the following mitigation shall be implemented:

- NOI-1 The City will require that all construction equipment be operated with mandated noise control equipment (mufflers or silencers). Enforcement will be accomplished by random field inspections by applicant personnel during construction activities.***
- NOI-2 Equipment not in use for five minutes shall be shut off.***
- NOI-3 Equipment shall be maintained and operated such that loads are secured from rattling or banging.***
- NOI-4 Where available, electric-powered equipment shall be used rather than diesel equipment and hydraulic-powered equipment shall be used instead of pneumatic power.***
- NOI-5 Construction employees shall be trained in the proper operation and use of equipment consistent with these mitigation measures, including no unnecessary revving of equipment.***
- NOI-6 No radios or other sound equipment shall be used at this site unless required for emergency response by the contractor.***
- NOI-7 Public notice shall be given prior to initiating construction. This notice shall be provided to all property owners/residents within 300 feet of the project site and shall be provided to property owners/residents at least one week prior to initiating construction. The notice shall identify the dates of construction and the name and phone number of a construction supervisor (contact person) in case of complaints. One contact person shall be assigned to the project. The public notice shall encourage the adjacent residents to contact the supervisor in the case of a complaint. Resident's will be informed if there is a change in the construction schedule. The supervisor shall be available 24/7 throughout***

***construction by mobile phone. If a complaint is received, the contact person shall take all feasible steps to remove the sound source causing the complaint.***

Thus, based on the existing noise circumstances within the vicinity of the project (i.e. from the Airport and from existing traffic along Tippecanoe Avenue), short-term noise impacts are considered less than significant with the implementation of the mitigation measures above.

#### Long-Term Noise

The long term or permanent change in noise consists of the additional trips associated with full operation of the Harikrishna Commercial/Retail Development Project. Due to the high background noise as a result of the proximity of the Airport and due to the large volume of traffic noise generated at both Palm Avenue and 5<sup>th</sup> Street directly adjacent to the project site, the additional trips generated to the site each day would not cause a significant change in the existing noise on the project site. Furthermore, due to the high traffic volumes along Palm Avenue and 5<sup>th</sup> Street, the project site is located in a high existing background traffic noise environment. Additionally, the City of Highland Future Roadway Noise Contours Map (Figure XIII-3) indicates that boundaries of the proposed project fall within the future 65, 70, and 75 CNEL noise limits. Once the project is in operation, the project will require delivery of gasoline, diesel, and convenience store, approximately five to six times a week. Commercial truck delivery activities are not known at this time. Truck access to the project site will be via Palm Avenue and 5<sup>th</sup> Street. Low speed and idling trucks can generate maximum noise levels of up to 79 dBA at 50 feet away; however, given the more than 600-foot distance of the nearest residences, the proposed project would not exceed or substantially contribute to the CNEL or permanent increase in noise levels. Other sources of potentially excessive noise include those noises associated with tire noise, slamming of doors, and pedestrians. However, with the background noise from the Airport, which, as previously stated, is has recently increased due to increased Airport flight operations, and the short-term, single event nature of the aforementioned activities, operational noise is not expected to violate the City Municipal Code noise standards but will cause temporary increases in noise levels. The project will be required to comply with the Noise Control standards outlined in the City Municipal Code which prohibits the timing of noisy events in the evening, thus with no long-term increases in ambient noise levels, impacts under this issue are considered less than significant. No mitigation is required.

**Table XIII-3  
NOISE LEVELS OF CONSTRUCTION EQUIPMENT AT  
25, 50 AND 100 FEET (in dBA LEQ) FROM THE SOURCE**

Equipment	Noise Levels at 25 feet	Noise Levels at 50 feet	Noise Levels at 100 feet
<b>Earthmoving</b>			
Front Loader	85	79	73
Backhoes	86	80	74
Dozers	86	80	74
Tractors	86	80	74
Scrapers	91	85	79
Trucks	91	85	79
<b>Material Handling</b>			
Concrete Mixer	91	85	79
Concrete Pump	88	82	76
Crane	89	83	77
Derrick	94	88	82

Equipment	Noise Levels at 25 feet	Noise Levels at 50 feet	Noise Levels at 100 feet
<b>Stationary Sources</b>			
Pumps	82	79	70
Generator	84	78	72
Compressors	87	81	75
Other			
Saws	84	78	72
Vibrators	82	76	70

Source: U.S. Environmental Protection Agency "Noise"

- b. *Less Than Significant Impact* – Vibration is the periodic oscillation of a medium or object. The rumbling sound caused by vibration of room surfaces is called structure borne noises. Sources of groundborne vibrations include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous or transient. Vibration is often described in units of velocity (inches per second) and discussed in decibel (dB) units in order to compress the range of numbers required to describe vibration. Vibration impacts related to human development are generally associated with activities such as train operations, construction, and heavy truck movements.

The FTA Assessment states that in contrast to airborne noise, ground-borne vibration is not a common environmental problem. Although the motion of the ground may be noticeable to people outside structures, without the effects associated with the shaking of a structure, the motion does not provoke the same adverse human reaction to people outside. Within structures, the effects of ground-borne vibration include noticeable movement of the building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. FTA Assessment further states that it is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. However, some common sources of vibration are trains, trucks on rough roads, and construction activities, such as blasting, pile driving, and heavy earth-moving equipment. The Federal Transit Association (FTA) guidelines identify a level of 80 VdB for sensitive land uses. This threshold provides a basis for determining the relative significance of potential project related vibration impacts.

In the short term, the excavation activities required to install the UST have some potential to create some vibration to the adjacent parcels, but with no sensitive receptors within close proximity to the project footprint, no mitigation is necessary to ensure that the proposed project construction does not result in significant vibration. The proposed project would be constructed with smooth pavement throughout the project and would not result in significant groundborne noise or vibration impacts from vehicular traffic during operation. Thus, any impacts under this issue are considered less than significant.

- c. *Less Than Significant Impact* – There nearest public airport is the San Bernardino International Airport, the boundary for which is located about one block south of the project site. No private airports are located within the vicinity of the project. According to the City of Highland General Plan San Bernardino International Airport Influence Area (AIA) map—provided as Figure IX-4—the project site is located within the designated planning boundary. As stated in the preliminary discussion at the beginning of this Subchapter, the project site will not be located within any Airport noise contour (Figure XIII-2). The traffic noise along 5<sup>th</sup> Street and Palm Avenue are at a similar to that which is generated by the Airport. The project's business park use is considered normally acceptable with exterior noise levels between 65-70 CNEL, depending on the time of day (refer to Table XIII-2), with interior standards at 55 CNEL (refer to Figure XIII-1). Furthermore, standard building construction

typically provides up to 25 dBA CNEL of attenuation, which would reduce the interior noise levels within the building to satisfy the 55 dBA CNEL interior noise level standard of the City of Highland General Plan Noise Element. As such, though the project is located within a high background noise environment from the nearby Airport and adjacent traffic noise, the noise levels at the project site would not exceed acceptable noise levels enforced by the City of Highland; therefore, the project would have a less than significant potential to expose people residing or working in the project area to excessive noise levels.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>XIV. POPULATION AND HOUSING:</b> Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### SUBSTANTIATION

- a. *Less Than Significant Impact* – According to the SCAG’s profile for the City of Highland (2021), the City had a population of 55,211 in 2020. The type of use planned for the project site is not of a type that would induce substantial population growth in the area. No housing is proposed as part of the project. Relative to the total number residents of Highland—approximately 55,211 persons—an increase of about 15 employees as possible new residents represents a minor increase in the area population. This nominal change in the work force within the City is well within the City’s General Plan Build Out population estimate of 72,137 persons within the incorporated City. The proposed project is not anticipated to contribute to substantial growth in the area beyond that which has been planned by the City (an estimated 23.5% until buildout). Thus, based on the type of project, and the small increment of potential indirect population growth the project may generate, the population generation associated with project implementation will not induce substantial population growth that exceeds either local or regional projections.
- b. *No Impact* – No occupied residences are located on the project site; therefore, implementation of the proposed project will not displace substantial numbers of existing housing or persons, necessitating the construction of replacement housing elsewhere. No impacts will occur; therefore, no mitigation is required.



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>XV. PUBLIC SERVICES:</b> 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:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### SUBSTANTIATION

- a. *Less Than Significant Impact* – The California Department of Forestry and Fire Protection (CDF) provides fire protection and emergency medical services to the Highland community through a cooperative agreement that provides for CDF employees to staff City-owned facilities and apparatus. The City has three fire stations: Station 541 located at 26974 Base Line; Station 542 located at 29507 Base Line; and Station 543 is located at 7469 Sterling Avenue. Station 541 is located about 1.2 miles north of the project site. The proposed project would include the installation of fire hydrants to assist in combating potential fire hazards should they arise. As previously stated, due to the potential on-site use and storage of hazardous and flammable materials, the project would also require an Emergency/Contingency Plan that would establish procedures to follow in the event of an emergency situation (such as a fire or hazardous spill). Oversight for this Plan is provided by the County of San Bernardino Fire Department, Hazardous Materials Division, and would be reviewed annually and renewed every three years. Implementation of necessary maintenance, training and emergency preparation provided by the Emergency/Contingency Plan, would ensure that the Proposed project would have a less than significant impact on fire protection services. Therefore, impacts under this issue are considered less than significant. No mitigation is necessary.
- b. *Less Than Significant Impact* – The proposed project site is in an urbanized area with substantial lighting and substantial traffic flow in the vicinity of the project site, due to the fact that both 5<sup>th</sup> Street and Palm Avenue are well-traveled. The City of Highland Police Department, which is a part of the San Bernardino County Sheriff service area, would provide police protection services to the project via their headquarters at Baseline and Central. Development of the site, which is, would introduce new structures, employment opportunities and customers to the project site. This would result in an incremental increase in demand for law enforcement services but is not anticipated to require or result in the construction of new or physically altered law enforcement facilities. Prior to the issuance of building permits, the Applicant is required to comply with the provisions of the City of Highland's Development Impact Fee Ordinance (City Municipal Code, Chapter 3.27), which requires a fee payment that the City applies to the funding of public facilities, including law enforcement facilities, vehicles, and equipment. Additionally, the project is not expected to result in any unique or more extensive crime problems that cannot be handled with the existing level of law enforcement resources. No new or expanded police facilities would need to be constructed as a result of the project. Therefore, impacts to police protection resources from implementation of the proposed project are considered less than significant; no mitigation measures are required.

- c. *Less Than Significant Impact* – The proposed project is located within the area served by San Bernardino City Unified School District (SBCUSD). The nearest school is located about one mile north/northwest of the project site is Cypress Elementary School on Central Avenue, which is located north of 5<sup>th</sup> Street. As addressed above under issue Population and Housing, XV(a) above, the proposed project does not include any land uses that would substantially induce population growth and will not require a substantial temporary or permanent labor force. Additionally, the payment of school fees is mandated, and the State has determined that payment of these fees is deemed sufficient to offset any potential impacts from the project. Thus, the proposed project will not generate a substantial increase in elementary, middle, or high school population. Therefore, any impacts under this issue are considered less than significant. No mitigation is required.
- d. *Less Than Significant Impact* – As stated in the preceding sections, the proposed project is not anticipated to create a substantial increase in population through providing employment opportunities at the proposed Palm Avenue and 5<sup>th</sup> Street fuel station and convenience store site. According to the City of Highland General Plan, Chapter 8, Parks, Recreation, and Trails, “the City uses State Quimby Act and its Development Code for fees and land dedications as well as the Capital Improvement Program to establish standards and schedules for acquisition and development of new park or rehabilitation of existing parks and recreation facilities” (City GP pg. 8-3). The proposed project will be required to pay all applicable Development Code fees once the project has been approved. Therefore, with no potential to substantially increase the City’s population, the project’s contribution to park and recreation facilities within the City would result in a less than significant impact under this issue. No mitigation is required.
- e. *Less Than Significant Impact* – Other public facilities include library and general municipal services. Since the project will not directly induce substantial population growth, it is not forecast that the use of such facilities will substantially increase as a result of the proposed project. According to the City General Plan Public Facilities and Services section, the City requires new commercial and industrial development to contribute in-lieu fees for public art improvements. Therefore, the project will be required to contribute these in-lieu fees and these fees are considered sufficient to offset any impacts to other public facilities as a result of implementing the project. Thus, any impacts under this issue are considered less than significant, and no mitigation is required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>XVI. RECREATION:</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### SUBSTANTIATION

- a. *No Impact* – As addressed in the discussion under XIV and XV(d) above, the proposed project does not include a use that would substantially induce population growth and will not require a substantial short- or long-term labor force for either construction or operations of the proposed project. Thus, the proposed project will not generate a substantial increase in residents of the City who would increase the use of existing recreational facilities. Additionally, the proposed project will be developed on land that is designated by the City's General Plan for Industrial use and is not listed in any planning documents as desirable land for future park development, nor would the proposed change in land use designation to BP – Business Park allow for park or recreation use of the project site. Therefore, the proposed project would have no potential to physically deteriorate park or recreational facilities through increased use. No mitigation is required.
- b. *No Impact* – The proposed project consists of a fueling, car wash, and convenience store. The project will not include any recreational facilities, nor will it require the construction of new recreational facilities or expansion of new recreational facilities because the proposed project is not anticipated to substantially induce any population growth with related increase in demand for such resources. The use of the site as Harikrishna Commercial/Retail Development Project is not forecast to require a substantial short- or long-term labor force. As a result, no recreational facilities—existing or new—are required to serve the project, thus no new adverse recreational impacts are anticipated under this issue. No mitigation is required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>XVII. TRANSPORTATION:</b> Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: The following section is informed by the “Trip Generation Memo and VMT Screening Assessment Proposed Gas Station and Car Wash NEC Palm Ave and W. 5<sup>th</sup> St, Highland,” (TG & VMT Memo) prepared by K2 Traffic Engineering, Inc, and dated November 16, 2022. The TG & VMT Memo is provided as Appendix 10.

- a. *Less Than Significant With Mitigation Incorporated* – Implementation of the project will not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. The project is located at the northeast corner of the intersection of Palm Avenue and 5<sup>th</sup> Street in the City of Highland. 5<sup>th</sup> Street is designated in the City of Highland’s Circulation Element as a Major Highway west of Palm Avenue within the City’s boundary and as a Primary Arterial east of Palm Avenue. Palm Avenue is designated in the City of Highland’s Circulation Element as a Major Highway north of Pacific Street and between Base Line Street and 3rd Street; a Special Collector Street between Pacific Street and Base Line Street; and a Primary Arterial south of 3rd Street. 5<sup>th</sup> Street from Palm Avenue to State Route (SR) 210 operates at a level of service (LOS) of B; 5<sup>th</sup> Street from Central Avenue to Palm Avenue operates at an LOS of A. The Level of Service standard for intersections in the City of Highland is LOS D or better for peak hour operations and LOS C or better for roadway segments. Based on the City of Highland’s Public Works Policies, Procedures, and Standards, all intersection levels of service below “D” and all roadway segment levels of service below “C” shall be mitigated.

#### Construction

During construction it is anticipated that a maximum number of 32 employees will be required to support the construction of the project each day. Delivery of construction supplies and removal of any excavated materials, if necessary, will be accomplished using trucks during normal working hours, with a maximum of 45 round trips per day. As such, construction is anticipated to result in less than 100 round-trips per day. The construction traffic is considered minimal and not anticipated to lower the LOS levels within this roadway segment or surrounding segments to an unacceptable level for the temporary duration of construction.

#### Operation

Given that both Palm Avenue and 5<sup>th</sup> Street are currently operating at acceptable conditions, and the ingress and egress from the project site will be reviewed by City traffic engineers prior to construction, it is not anticipated that traffic generated by operation of the Harikrishna Commercial/Retail Development Project would lower the LOS levels within this roadway segment or surrounding segments to an unacceptable level.

Based on a review by City Staff, the proposed project is not anticipated to create operational LOS deficiencies at any area intersections, particularly given that the proposed project falls within the IVDA AGSP Planning Area. The existing signal at the corner of 5<sup>th</sup> Street and Palm Avenue will be updated per City of Highland Street Standards (shown in Appendices 1 and 3). However, the proposed project may contribute to cumulative deficiencies within the City. Thus, in order to ensure that the project generated trips do not result in significant cumulative impacts, the proposed project shall contribute fair share contributions to improve intersections known identified as having the potential to be deficient with cumulative development in the Planning Area:

**TRAN-1:** *The project shall be required to contribute its fair share to installing signals at the following intersections under the jurisdiction of the City of Highland:*

- **Sterling Avenue at 6th Street**
- **Victoria Avenue at 6th Street**
- **Central Avenue at 3rd Street**

*The City shall determine the appropriate timing in which to install a signal at the above intersections based on actual peak hour operations, engineering judgement and signal peak hour warrant analyses.*

Additionally, the proposed project would be required to contribute fair share toward deficient roadway segments as a result of cumulative development in the Planning Area:

**TRAN-2** *The project shall be required to contribute its fair share towards the deficient roadway segments and intersections identified in the AGSP EIR. Fair share contribution shall be contributed in the following manners:*

- *Fair share contribution shall be tabulated as a percentage of the total project cost (\$3,465,119) that shall be based on the square footage of a given future project in relation to the allowable square footage within the AGSP Planning Area. Thus, for this project, which would contribute 12,745 SF of building area to the Planning Area, the project's fair share would be a contribution of 0.139% (equal to \$4,800.59) of the total fair share cost for Planning Area related traffic.<sup>10</sup>*

By utilizing the circulation data provided in the 2022 IVDA AGSP EIR, the proposed project's contribution to mitigate future cumulative circulation deficiencies has been quantified and can be mitigated through the implementation of MM **TRAN-1** and **TRAN-2**, above.

The project site is currently accessible by car and sidewalk has been installed along the project frontages at 5<sup>th</sup> Street, Meines Court, and Palm Avenue. As shown in the Architectural Plans (Appendix 1) and Grading Plans (Appendix 3), the proposed project will include improvements to the existing sidewalk to include AGA improvements. Class II bike lanes (intended to delineate the rights-of-way assigned to bicyclists and motorists) are located at the following locations in the vicinity of the project site: 3rd Street from Palm Avenue to Victoria Avenue, 5<sup>th</sup> Street from SR-210 to Tippecanoe Avenue and Palm Avenue in the vicinity of the project. Additionally, Class III bike lanes (shared facilities serving either to provide continuity to other bicycle facilities or to designate preferred routes through high-demand corridors) are located at the following locations in the vicinity of the project site: Sterling Avenue from 5<sup>th</sup> Street to 6<sup>th</sup> Street, Victoria Avenue from 5<sup>th</sup> Street to 6<sup>th</sup> Street, and Tippecanoe from 5<sup>th</sup> Street to 6<sup>th</sup> Street. The project will continue to enable the existing bike lanes to operate and thus, the site will continue to be accessible by existing means of transport, with enhanced access to the site through the proposed driveways.

The project site is located within the service area of Omnitrans. The OmniTrans bus stops located closest to the project area are located at: Central Avenue at 5<sup>th</sup> Street and Palm Avenue at 5<sup>th</sup> Street. The project will continue to enable the existing transit routes to operate and thus, the site will continue

<sup>10</sup> <https://ceqanet.opr.ca.gov/2022060349/2>

to be accessible by existing means of transport. Based on this information, the proposed project is not anticipated to conflict with the circulation of any alternative modes of transportation.

Based on a review of the circulation in the vicinity of the Harikrishna Commercial/Retail Development Project, with the implementation of MM **TRAN-1** and **TRAN-2**, this project would have a less than significant potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

- b. *Less Than Significant Impact* – Senate Bill 743 mandates that California Environmental Quality Act (CEQA) guidelines be amended to provide an alternative to Level of Service for evaluating transportation impacts. The amended CEQA guidelines, specifically Section 15064.3, recommend the use of Vehicle Miles Traveled (VMT) for transportation impact evaluation. For the purposes of this analysis the recommended VMT analysis methodology and thresholds identified within the Technical Advisory and the City's analysis methodology have been used.

The San Bernardino County Transportation Authority (SBCTA) has released the "Recommended Traffic Impact Analysis for Vehicle Miles Traveled and Level of Service Assessment" to identify a number of screening criteria that may be applied to effectively screen projects from conducting a project-level assessment. The City utilizes this methodology to determine VMT significance. The project has met the following screening criteria:

- **TPA SCREENING:** The SBCTA guidelines state that projects located within a Transit Priority Area (TPA) may be presumed to have a less than significant impact absent substantial evidence to the contrary. Based on the SBCTA screening tool results presented in Figure XVII-1 the project is not located within ½ mile of an existing major transit stop, or along a high-quality transit corridor.
  - This screening criteria is NOT MET.
- **LOW VMT AREA SCREENING:** The SBCTA guidelines state that residential and office projects located within low VMT-generating areas may be presumed to have a less than significant impact absent substantial evidence to the contrary. Employment- related and mixed-use land use projects may also qualify for this screening step if the project can be expected to generate a VMT that is similar to the existing land uses in the low VMT area. Based on the SBCTA screening tool results presented in Figure XVII-1, the project is not located within a low VMT area.
  - This screening criteria is NOT MET.
- **PROJECT TYPE:** Local serving projects reduce the number of vehicle miles traveled by providing residents with more employment opportunities locally. In accordance with the SBCTA guidelines, local serving retail projects less than 50,000 square feet may be presumed to have a less than significant impact absent substantial evidence to the contrary. The Project consists of a local serving gas station and car wash facilities that provide local services and is expected to reduce overall VMT.
  - This screening criteria is MET.

Based on our review of applicable VMT screening thresholds, the proposed project meets the Project Type screening and would therefore result in a less than significant VMT impact; no additional VMT analysis is required, and no mitigation is necessary.

- c. *Less Than Significant Impact* – The proposed project will occur within the project site boundaries, with only minor off-site improvements envisioned. Development of the site will require minimal construction within the adjacent roadways to install laterals for sewer, fire water, and water connections to the site. With only minor off-site improvements envisioned, circulation on these roadways during construction will be maintained. Large trucks delivering equipment or removing small quantities of excavated dirt or debris can enter the site without major conflicts with the flow of traffic on the roadways used to access the site. Primary access to the site will be provided via new site access driveways along Palm Avenue, 5<sup>th</sup> Street and Meines Court. Design of driveways, internal roadways, and intersections will be based on City Code, which sets the standard for such design. As the proposed project will be designed to avoid impacting major roadways, site access has been designed such that the project would not increase hazards due to a geometric design feature or incompatible uses, and as such construction traffic is not anticipated to result in any conflicts with the

surrounding roadways. Additionally, the proposed project would be required to comply with all applicable fire code and ordinance requirements for construction and access to the site. Emergency response and evacuation procedures would be coordinated with the City and the County, as well as the police and fire departments. In the long term, impacts to any hazards or incompatible uses in existing or planned roadways are anticipated to be less than significant. Operation of the proposed project would be similar to the surrounding uses, and the design of the project would not create any hazards to surrounding roadways. Thus, any impacts are considered less than significant without the need for added mitigation.

- d. *Less Than Significant Impact* – The proposed project will occur within the project site boundaries, with only minor off-site improvements envisioned. Development of the site will require minimal construction within the adjacent roadways to install laterals for sewer, fire water, and water connections to the site. With only minor off-site improvements envisioned, emergency access on these roadways during construction will be maintained. As stated above, project access will be designed in accordance with all applicable design and safety standards required by adopted fire codes, safety codes, and building codes established by the City's Engineering and Fire Departments. Site access, as discussed above, will be provided via new site access driveways along Palm Avenue, 5<sup>th</sup> Street and Meines Court. Ultimately, access to the site must comply with all City design standards and would be reviewed by the City to ensure that inadequate design features or incompatible uses do not occur. Additionally, the project will comply with City and fire requirements for emergency access, in conjunction with the City's development review process, to ensure that the proposed project would not hinder emergency access within the project site once the Harikrishna Commercial/Retail Development Project has been developed. Thus, because of the lack of adverse impact on local circulation a less than significant potential for significant impacts on emergency access are forecast to occur during construction and operation. No mitigation is required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>XVIII. TRIBAL CULTURAL RESOURCES:</b> Would the project cause a substantial change in the significance of tribal cultural resources, 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 the California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## SUBSTANTIATION

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

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are either of the following: included or determined to be eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources as defined in subdivision (k) of Section 5020.1;
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purpose of this paragraph, the lead agency shall consider the significance of the resources to a California American tribe;
- A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape;
- A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “non-unique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal resource if it conforms with the criteria of subdivision (a).

a&b. *Less Than Significant With Mitigation Incorporated* – The project site is located within the area of cultural significance for several area tribes. As stated in the project Description, the City sent letters to the area tribes who have requested to be consulted on projects within the City pursuant to AB-52. Consultation was requested by the Yuhaaviatam of San Manuel Nation (YSMN or Nation) (formerly known as the San Manuel Band of Mission Indians) on December 7, 2022. The Nation has requested that several mitigation measures intended to protect tribal cultural resources be adopted as part of the proposed project. Thus, the following mitigation measures in addition to mitigation measures **CUL-2** through **CUL-4** identified under Subchapter V, Cultural Resources above, shall be implemented as part of the proposed project:



- TCR-1** *The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in MM CUL-2, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.*
- TCR-2** *Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to The Yuhaaviatam of San Manuel Nation (YSMN). The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.*

AB 52 concluded with no further responses from any of the area tribes. As such, with implementation of mitigation measures **CUL-1** through **CUL-4**, and the mitigation measures identified above, the project is not anticipated to cause a change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape, or object with 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. No further mitigation is required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>XIX. UTILITIES AND SERVICE SYSTEMS:</b> Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## SUBSTANTIATION

### a. Water

*Less Than Significant Impact* – Water will be provided by the EVWD. The project is located in an area that is currently served by water transmission lines, and as such, the proposed project will be served by an existing water transmission line located within the roadway adjacent to the project site. It is not anticipated that the relocation or construction of new or expanded water transmission would be required to serve the proposed project. The project would be supplied with water by EVWD that mostly uses groundwater from the SBB groundwater, treated surface water, and imported water to meet customer demand. As previously stated under issue X, Hydrology and Water Quality, the IRUWMP (2020) identifies sufficient water resources to meet demand in its surface area. The project will operate under the guidelines outlined in the UWMP and within EVWD's capacity, and the estimated water demand will represent only a nominal percentage of the surplus that currently exists in the water supply. The anticipated demand of water supply within EVWD's retail service area is anticipated to be greater than the demand for water in the future, which indicates that the EVWD has available capacity to serve the proposed project. Therefore, development of the Harikrishna Commercial/Retail Development Project would not result in a significant environmental effect related to the relocation or construction of new or expanded water facilities. Impacts are less than significant.

### Wastewater

*Less Than Significant Impact* – Wastewater collection will be provided by EVWD, which currently delivers wastewater to San Bernardino Municipal Water Department's WRP. EVWD is currently developing the SNRC, anticipated to be online and capable of treating up to 10 MG of wastewater per day by March of 2023. Thus, it is anticipated that project wastewater will be delivered to EVWD's

SNRC. The project is located in an area that is currently served by sewer transmission lines, and as such, the proposed project will be served by an existing sewage transmission line located within the roadway adjacent to the project site. It is not anticipated that the relocation or construction of new or expanded wastewater transmission would be required to serve the proposed project. Given that the SNRC has been sized to accept EVWD's projected service area wastewater, it is not anticipated that EVWD would need to expand their existing facilities to accommodate the wastewater generated by the proposed project. This is discussed further under issue XIX(c) below. Therefore, development of the project would not result in a significant environmental effect related to the relocation or construction of new or expanded wastewater facilities. Impacts are less than significant.

#### Stormwater

*Less Than Significant Impact* – The stormwater runoff, will be managed in accordance with the WQMP (Appendix 9b) as discussed in the Hydrology and Water Quality Subchapter (Subchapter X) of this Initial Study. The onsite drainage system will capture the incremental increase in runoff from the project site associated with project development. According to the Preliminary WQMP provided as Appendix 9b to this Initial Study, impervious coverage of the site as proposed is anticipated to be about 70.5% of the site after applying preventative site design practices as part of the project Low Impact Development (LID) best management practices (BMPs), and onsite surface flows will be collected and conveyed in a controlled manner through the project site through the identified onsite drainage that will generally be directed to the water quality management basins, infiltration, and other water quality control measures as shown on the Grading Plans provided as Appendix 3. This system will be designed to capture the peak 100-year flow runoff from the project site or otherwise be detained on site and discharged in conformance with City and County requirements. Therefore, surface water will be adequately managed on site and as such, development of the project would not result in a significant environmental effect related to the relocation or construction of new or expanded stormwater facilities. Impacts are less than significant.

#### Electric Power

*Less Than Significant Impact* – Southern California Edison (SCE) will provide electricity to the site and the power distribution system located adjacent to the site will be able to supply sufficient electricity. There are existing electrical power lines that traverse the property, in which the project will be connected. No construction or relocation of electric facilities will be required to serve the project. Therefore, development of the project would not result in a significant environmental effect related to the relocation or construction of new or expanded electric power facilities. Impacts are less than significant.

#### Natural Gas

*No Impact* – Natural gas will not be required to serve the project. No construction or relocation of natural gas facilities will be required to serve the project. Therefore, development of the project would not result in a significant environmental effect related to the relocation or construction of new or expanded natural gas facilities. No impacts are anticipated, and no mitigation is required.

#### Telecommunications

*Less Than Significant Impact* – Development of the Harikrishna Commercial/Retail Development Project would require connection to telecommunication services, including wireless internet service and phone service. This can be accomplished through connection to existing services that are available to the developer at the project site. Therefore, development of the project would not result in a significant environmental effect related to the relocation or construction of new or expanded telecommunications facilities. Impacts are less than significant.

- b. *Less Than Significant Impact* – Please refer to the discussion under Subchapter X, Hydrology, issue b, above. The anticipated available water supply within EVWD's retail service area is

anticipated to be greater than the demand for water in the future, which indicates that the EVWD has available capacity to serve the proposed project. The proposed project is anticipated to demand about 3,800 gpd or 4.26 AFY in order to support the needs of the project. EVWD's total water supply in 2045, including potable and non-potable sources is projected to be 25,625 AFY, while the demand for that same period is anticipated to be 22,283 AFY. Thus, the projected water demanded by the proposed project would be well within the projected available supply for water by EVWD. Therefore, the construction of the Harikrishna Commercial/Retail Development Project is not forecast to cause a significant demand for water supplies. Given that the 2020 IRUWMP indicates that EVWD anticipates ample water supply will be available to serve the project's minimal daily demand it is anticipated that the project will have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. Impacts under this issue therefore are considered less than significant.

- c. *Less Than Significant Impact* – The proposed project would install wastewater infrastructure within the site to serve the fuel and diesel station, convenience store, and car wash structures concurrent with the development of the site. All wastewater generated by the interior plumbing system of the proposed project would be discharged into the local sewer main and conveyed for treatment through EVWD's SNRC, which is anticipated to be operable by March of 2023. Capable of treating up to 10 million gallons a day, the SNRC's reclaimed water is intended to be used to recharge the local Bunker Hill Groundwater Basin.<sup>11</sup> According to the 2019 EVWD Sewer System Management Plan (SSMP), the existing wastewater transmission system, as well as the previously analyzed and planned for transmission system associated with the development of the SNRC, for which development is currently underway, is anticipated to have appropriate capacities to accommodate development within the IVDA AGSP Planning Area, within which the proposed project falls. The car wash has the potential for the greatest need for the conveyance and disposal of wastewater. However, the carwash will include a gray water recycling system, which will collect, treat, and filter gray water from previous car wash cycles for use with future car wash cycles. Though the use of this gray water recycling system, little or no gray water will be discharged into the municipal sewer system for wastewater treatment. The other components of the project will generate only a modest amount of wastewater, through the use of the onsite bathroom facilities. This wastewater will represent a miniscule percentage of the available capacity of the permitted wastewater treatment capacity available through EVWD. Based on the discussion above, it is anticipated that there will be available capacity to accommodate the demand generated by the proposed project. Impacts under this issue are less than significant.
- d&e. *Less Than Significant Impact* – The proposed project will generate demand for solid waste service system capacity and has a potential to contribute to potentially significant cumulative demand impacts on the solid waste system.

#### Construction Waste

The proposed project site is vacant, with only fencing around a small portion of the site remaining that would need to be disposed of. In accordance with CALGreen code 5.408.4, 100 percent of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing must be reused or recycled. As this is a mandatory requirement, no mitigation is required to ensure compliance by the proposed project. For the minimal waste generated during construction, because of increased construction recycling efforts resulting from CALGreen and other regulations, opportunities for construction recycling are becoming easier to find. According to the San Bernardino County Construction & Demolition Waste Recycling Guide & Directory,<sup>12</sup> there are several facilities in the vicinity of the project site that accept C&D waste (appliances, asphalt, block rock, brick, cardboard, carpet and padding, concrete, concrete with rebar, dry wall, electrical, furniture, gravel, metals, mixed loads, organics, plumbing, rock, roof tile, sand, soil, stucco, tile, and wood). refer to

<sup>11</sup> <https://www.eastvalley.org/281/Sterling-Natural-Resource-Center>

<sup>12</sup> [http://cms.sbcounty.gov/portals/50/solidwaste/CandD\\_Recycling\\_Guide.pdf](http://cms.sbcounty.gov/portals/50/solidwaste/CandD_Recycling_Guide.pdf)

the list of facilities provided within the San Bernardino County Construction & Demolition Waste Recycling Guide & Directory.

#### Operational Waste

Solid waste generation rates outlined on the CalRecycle<sup>13</sup> website indicate the following solid waste generation rates for specific uses, also below are the solid waste generation rates calculated for the proposed project.

- |   |   |                        |
|---|---|------------------------|
| ▪ Convenience Store (gas station): 0.9 lbs / 100 SF / day | = | <b>41.58 lbs / day</b> |
| ▪ Car Wash: 0.9 lbs / 100 SF / day                        | = | <b>12.48 lbs / day</b> |
| ▪ <b>TOTAL:</b>   | = | <b>54.06 lbs / day</b> |

The total solid waste generated per year would equal about 9.87 tons, or after an assumed 50% diversion to be recycled per the state's solid waste diversion requirements under AB 939, the project solid waste generation will be about 4.93 tons per year. Additionally, as the project would be implemented after 2022, operation of the future development under the project would be required to comply with SB1383, otherwise known as "California's Short-Lived Climate Pollutant Reduction" law, often called SB 1383, which establishes methane reduction targets for California. California SB 1383 sets goals to reduce disposal of organic waste in landfills, including edible food.<sup>14</sup> The bill's purpose is to reduce greenhouse gas emissions, such as methane, and address food insecurity in California. This requires jurisdictions to implement mandatory organic waste collection and recycling in a statewide effort to divert organic waste from landfills with goals to:

- Reduce organic waste disposal 50% by 2020 and 75% by 2025
- Recover at least 20% of currently disposed surplus edible food by 2025

As such, over the planning horizon, the project may generate organic waste, and much of the organic waste produced by the project in future will be required to be diverted from landfills, and as such, the amount of waste generated by development of the project that would end up in landfills is even less than that which is projected above. With the City's mandatory source reduction and recycling program, the proposed project is not forecast to cause a significant adverse impact to the waste disposal system.

The City of Highland General Plan identifies landfills that serve the planning area. The San Timoteo Sanitary Landfill and Mid-Valley Sanitary Landfill serve the project area. The San Timoteo Sanitary Landfill and Mid-Valley Sanitary Landfill serve the project area. The San Timoteo Sanitary Landfill has a maximum permitted daily capacity of 2,000 tons per day, with a permitted capacity of 20,400,000 cubic yards (CY), with 11,402,000 CY of capacity remaining. The Mid-Valley Sanitary Landfill has a maximum permitted daily capacity of 7,500 tons per day, with a permitted capacity of 101,300,000 CY, with 67,520,000 CY of capacity remaining. According to Jurisdiction Landfill Tonnage Reports from the City of Highland, 33,620 total tons of solid waste was hauled to area landfills in 2020.<sup>15</sup> Therefore, the proposed project would consist of about 0.015% of solid waste generation within the City of Highland. The City of Highland contracts with Burrtec Waste and Recycling Services to provide regular trash, recycling, and green waste pickup. It is not anticipated that the project will generate a significant amount of construction waste, as the project aims to use any excavated material on site, with a neutral amount of cut and fill. However, should the proposed project need to remove any excess soils, the soil removal will be accomplished using trucks during normal working hours, with a maximum of 45 round trips per day. Furthermore, any hazardous materials collected on the project site during either construction of the project will be transported and disposed of by a permitted and licensed hazardous materials service provider. Therefore, the project is expected to comply with all regulations related to solid waste under federal, state, and local statutes, and be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs. No further mitigation is necessary.

<sup>13</sup> <https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>

<sup>14</sup> <https://reducewaste.sccgov.org/food-recovery/understand-senate-bill-sb-1383#3925188384-318395615>

<sup>15</sup> <https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/ReviewReports/DisposalTonnageTrend>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>XX. WILDFIRE:</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### SUBSTANTIATION

a-d. *No Impact* – The proposed project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zone, therefore the proposed project can have no impacts to any wildfire issues. As stated in previous sections, according to the City of Highland Fire Hazard and Safety Overlay Map prepared for the whole of the City, the proposed project is not located within the fire safety severity zone (Figure IX-5). Furthermore, according to CAL FIRE, the proposed project is not located within a Very High Fire Hazard Severity Zone in a Local Responsibility Area (LRA) or in a State Responsibility Area (SRA), which is illustrated on Figure XX-1. The proposed project area is located in an urban area removed from the high fire hazard areas that are located adjacent to the San Bernardino Mountains to the north. As such, no impacts under these issues are anticipated.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact or Does Not Apply
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE:</b>				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### SUBSTANTIATION

The analysis in this Initial Study and the findings reached indicate that the proposed project can be implemented without causing any new project specific or cumulatively considerable unavoidable significant adverse environmental impacts. Mitigation is required to control potential environmental impacts of the proposed project to a less than significant impact level. The following findings are based on the detailed analysis of the Initial Study of all environmental topics and the implementation of the mitigation measures identified in the previous text and summarized following this section.

- a. *Less Than Significant With Mitigation Incorporated* – The project has no potential to cause a significant impact any biological or cultural resources. The project has been identified as having no potential to degrade the quality of the natural environment, substantially reduce habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The project requires mitigation to protect burrowing owl and nesting birds in order to prevent significant impacts to biological resources from occurring as a result of implementation of the project. Based on the historic disturbance of the site, and its current condition, the potential for impacting cultural resources is low. The Cultural Resources Report determined that no cultural resources of importance were found at the project site, so it is not anticipated that any resources could be affected by the project because no cultural resources exist. However, because it is not known what could be unearthed upon any excavation activities, contingency mitigation measures are provided to ensure that, in the unlikely event that any resources are found, they are protected from any potential impacts. Please see biological and cultural sections of this Initial Study.
- b. *Less Than Significant With Mitigation Incorporated* – The project has 11 potential impact categories that are individually limited, but may be cumulatively considerable. These are: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology & Soils, Hazards & Hazardous Materials, Hydrology & Water Quality, Noise, Transportation, and Tribal Cultural Resources. The project is not considered growth-inducing, as defined by *State CEQA Guidelines*. These referenced issues require the implementation of mitigation measures to reduce impacts to a less than significant level and

ensure that cumulative effects are not cumulatively considerable. All other environmental issues were found to have no potential significant impacts without implementation of mitigation. The potential cumulative environmental effects of implementing the proposed project have been determined to be less than considerable and thus, less than significant impacts.

- c. *Less Than Significant With Mitigation Incorporated* – The proposed project includes activities that have a potential to cause direct substantial adverse effects on humans. The issues of Air Quality, Geology and Soils, Hazards & Hazardous Materials, and Noise require the implementation of mitigation measures to reduce human impacts to a less than significant level. All other environmental issues were found to have no significant impacts on humans without implementation of mitigation. The potential for direct human effects from implementing the proposed project have been determined to be less than significant.

### Conclusion

This document evaluated all CEQA issues contained in the latest Initial Study Checklist form. The evaluation determined that either no impact or less than significant impacts would be associated with the issues of Agriculture and Forestry Resources, Greenhouse Gases, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire. The issues of Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology & Soils, Hazards & Hazardous Materials, Hydrology & Water Quality, Noise, Transportation, Tribal Cultural Resources, require the implementation of mitigation measures to reduce project specific and cumulative impacts to a less than significant level. The required mitigation has been proposed in this Initial Study to reduce impacts for these issues to a less than significant impact level.

Based on the evidence and findings in this Initial Study, the City of Highland proposes to adopt a Mitigated Negative Declaration for the Harikrishna Commercial/Retail Development Project. A Notice of Intent to Adopt a Mitigation Negative Declaration (NOI) will be issued for this project by the City. The Initial Study and NOI will be circulated for **20 days of public comment**. At the end of the **20-day review period**, a final MND package will be prepared, and it will be reviewed by the City for possible adoption at a future Council meeting, the date for which has yet to be determined. If you or your agency comments on the MND/NOI for this project, you will be notified about the meeting date in accordance with the requirements in Section 21092.5 of CEQA (statute).

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Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Revised 2019

Authority: Public Resources Code sections 21083 and 21083.09

Reference: Public Resources Code sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3/ 21084.2 and 21084.3



## SUMMARY OF MITIGATION MEASURES

### Aesthetics

- AES-1 The Applicant shall obtain a tree removal permit from the Highland Community Development Department should development of the project site require the removal of 5 or more trees. Construction shall not commence until this permit is obtained from the City.
- AES-2 Prior to approval of the Final Design, an analysis of potential glare from sunlight or exterior lighting to impact vehicles traveling on adjacent roadways shall be submitted to the City for review and approval. This analysis shall demonstrate that due to building orientation, light configuration, or exterior treatment, no significant glare may be caused that could negatively impact drivers on the local roadways or impact adjacent land uses. If potential glare impacts are identified, the building orientation, use of non-glare reflective materials or other design solutions acceptable to the City of Highland shall be implemented to eliminate glare impacts.

### Air Quality

- AQ-1 Fugitive Dust Control. The following measures shall be incorporated into project plans and specifications for implementation:
- Apply soil stabilizers or moisten inactive areas.
  - Water exposed surfaces as needed to avoid visible dust leaving the construction site (typically 2-3 times/day).
  - Cover all stock piles with tarps at the end of each day or as needed.
  - Provide water spray during loading and unloading of earthen materials.
  - Minimize in-out traffic from construction zone.
  - Cover all trucks hauling dirt, sand, or loose material and require all trucks to maintain at least two feet of freeboard.
  - Sweep streets daily if visible soil material is carried out from the construction site.
- AQ-2 Exhaust Emissions Control. The following measures shall be incorporated into project plans and specifications for implementation:
- Utilize well-tuned off-road construction equipment.
  - Establish a preference for contractors using Tier 3 or better heavy equipment.
  - Enforce 5-minute idling limits for both on-road trucks and off-road equipment.
- AQ-3 Provide incentives for vendors and material delivery trucks that would be visiting the hotel to encourage the use of zero-emission or near-zero emission heavy-duty trucks during operation, such as trucks with natural gas engines that meet CARB's adopted optional NOx emissions standard of 0.02 grams per brake horsepower-hour (g/bhp-hr). At a minimum, incentivize the use of 2010 model year or newer engines that meet CARB's 2010 engine emission standards of 0.01 g/bhp-hr for particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks.
- AQ-4 Provide electric vehicle (EV) charging stations for the restaurant uses where feasible. If feasible, at least 5% of all vehicle parking spaces shall include EV charging stations, or at a minimum, require the Proposed project to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for passenger vehicles and trucks to plug-in. Electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. Electrical panels should be appropriately sized to allow for future expanded use.
- AQ-5 Maximize the use of solar energy including solar panels. Installing the maximum possible number of solar energy arrays on the building roofs and/or on the Proposed project site to generate solar energy for the facility and/or EV charging stations.

- AQ-6 Require the use of electric landscaping equipment, such as lawn mowers and leaf blowers.
- AQ-7 Require use of electric or alternatively fueled sweepers with HEPA filters.
- AQ-8 Maximize the planting of trees in landscaping and parking lots consistent with water availability.
- AQ-9 Use light colored paving and roofing materials.
- AQ-10 Utilize only Energy Star heating, cooling, and lighting devices, and appliances.

### **Biological Resources**

- BIO-1 A Pre-construction Burrowing Owl Survey shall be conducted by a qualified biologist at least 3 days prior to any ground disturbing activities, at any time of year. Surveys shall be completed following the recommendations and guidelines provided within the Staff Report on Burrowing Owl Mitigation (CDFG, March 2012) or most recent version by a qualified biologist. If an active burrowing owl burrow is detected within any Project disturbance area, or within a 500-foot buffer of the disturbance area, a 300-foot radius buffer zone surrounding the burrow shall be flagged, and no impacts to soils or vegetation or noise levels above 65 dBA shall be permitted while the burrow remains active or occupied. Disturbance-free buffers may be modified based on site-specific conditions in consultation with CDFW. The qualified biologist shall monitor active burrows daily and will increase buffer sizes as needed if owls show signs of disturbance. If active burrowing owl burrows are located within any work area and impact cannot be avoided, a qualified biologist shall submit a burrowing owl exclusion plan to CDFW for review and approval. The burrowing owl exclusion plan shall include permanent compensatory mitigation consistent with the recommendations in the Staff Report on Burrowing Owl Mitigation such that the habitat acreage, number of burrows and burrowing owls impacted are replaced. Passive relocation shall take place outside the nesting season (1 February to 31 August).
- BIO-2 Nesting bird surveys shall be conducted by a qualified avian biologist no more than three (3) days prior to vegetation clearing or ground disturbance activities. Preconstruction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the preconstruction nesting bird surveys, a Nesting Bird Plan (NBP) shall be prepared and implemented by the qualified avian biologist. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, ongoing monitoring, establishment of avoidance and minimization measures, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, individual/pair's behavior, nesting stage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity. To avoid impacts to nesting birds, any grubbing or vegetation removal should occur outside peak breeding season (typically February 1 through September 1).

### **Cultural Resources**

- CUL-1 Should any cultural resources be encountered during construction of these facilities, earthmoving or grading activities in the immediate area of the finds shall be halted and an onsite inspection shall be performed immediately by a qualified archaeologist. Responsibility for making this determination shall be with the City's onsite inspector. The archaeological professional shall assess the find, determine its significance, and make recommendations for appropriate mitigation measures within the guidelines of the California Environmental Quality Act.
- CUL-2 In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period.

Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

- CUL-3 If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.
- CUL-4 If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

### **Geology and Soils**

- GEO-1 The site developer shall incorporate the seismic design coefficients provided in Appendix 7a in the design of structures that serve humans at the project site. The goal is to incorporate design measures that will ensure the safety of any new structures in protecting human life in the event of a regional earthquake affecting the site.
- GEO-2 Stored backfill material shall be covered with water resistant material during periods of heavy precipitation to reduce the potential for rainfall erosion of stored backfill material. If covering is not feasible, then measures such as the use of straw bales or sand bags shall be used to capture and hold eroded material on the project site for future cleanup.
- GEO-3 All exposed, disturbed soil (trenches, stored backfill, etc.) shall be sprayed with water or soil binders twice a day, or more frequently if fugitive dust is observed migrating from the site within which the project is being constructed.
- GEO-4 If paleontological resources are discovered during earth disturbance activities, the discovery shall be cordoned off with a 100-foot radius buffer so as to protect the discovery from further potential damage, and a county or city-qualified paleontologist shall be consulted to assess the discovery.

If the discovery is determined to be significant by the paleontologist, an MMRP shall be initiated, which will include notification of appropriate personnel involved and monitoring of earth disturbance activities.

1. Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources shall be performed by a qualified paleontologist or paleontological monitor. Monitoring will be conducted full-time in areas of grading or excavation in undisturbed sedimentary deposits.
2. Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined on exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery.
3. Paleontological salvage during trenching and boring activities is typically from the generated spoils and does not delay the trenching or drilling activities. Fossils will be collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes will be taken on the map location and stratigraphy of the site, which will be photographed before it is vacated, and the fossils are removed to a

safe place. On mass grading projects, discovered fossil sites will be protected by flagging to prevent them from being overrun by earthmovers (scrapers) before salvage begins. Fossils will be collected in a similar manner, with notes and photographs being taken before removing the fossils. Precise location of the site is determined with the use of handheld GPS units. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor's construction equipment may be solicited to help remove the jacket to a safe location.

4. Isolated fossils will be collected by hand, wrapped in paper, and placed in temporary collecting flats or five-gallon buckets. Notes will be taken on the map location and stratigraphy of the site, which will be photographed before it is vacated, and the fossils are removed to a safe place.
5. Particularly small invertebrate fossils typically represent multiple specimens of a limited number of organisms, and a scientifically suitable sample can be obtained from one to several five-gallon buckets of fossiliferous sediment. If it is possible to dry screen the sediment in the field, a concentrated sample may consist of one or two buckets of material. For vertebrate fossils, the test is usually the observed presence of small pieces of bones within the sediments. If present, multiple five-gallon buckets of sediment can be collected and returned to a separate facility to wet-screen the sediment.
6. In accordance with the "Microfossil Salvage" section of the Society of Vertebrate Paleontology guidelines (2010:7), bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) must be performed if the deposits are identified to possess indications of producing fossil "microvertebrates" to test the feasibility of the deposit to yield fossil bones and teeth.
7. In the laboratory, individual fossils will be cleaned of extraneous matrix, any breaks will be repaired, and the specimen, if needed, will be stabilized by soaking in an archivally approved acrylic hardener (e.g., a solution of acetone and Paraloid B-72).
8. Recovered specimens are prepared to a point of identification and permanent preservation (not display), including screen-washing sediments to recover small invertebrates and vertebrates. Preparation of individual vertebrate fossils is often more time-consuming than for accumulations of invertebrate fossils.
9. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage (e.g., the San Bernardino County Museum) shall be conducted. The paleontological program should include a written repository agreement prior to the initiation of mitigation activities. Prior to curation, the lead agency (e.g., the City of Highland) will be consulted on the repository/museum to receive the fossil material.
10. A final report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to, and accepted by, the appropriate lead agency, will signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.

### **Hazards and Hazardous Materials**

- HAZ-1 All spills or leakage of petroleum products during construction activities will be remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste will be collected and disposed of at an appropriately licensed disposal or treatment facility. This measure will be incorporated into the SWPPP prepared for the project development.

**Noise**

- NOI-1 The City will require that all construction equipment be operated with mandated noise control equipment (mufflers or silencers). Enforcement will be accomplished by random field inspections by applicant personnel during construction activities.
- NOI-2 Equipment not in use for five minutes shall be shut off.
- NOI-3 Equipment shall be maintained and operated such that loads are secured from rattling or banging.
- NOI-4 Where available, electric-powered equipment shall be used rather than diesel equipment and hydraulic-powered equipment shall be used instead of pneumatic power.
- NOI-5 Construction employees shall be trained in the proper operation and use of equipment consistent with these mitigation measures, including no unnecessary revving of equipment.
- NOI-6 No radios or other sound equipment shall be used at this site unless required for emergency response by the contractor.
- NOI-7 Public notice shall be given prior to initiating construction. This notice shall be provided to all property owners/residents within 300 feet of the project site and shall be provided to property owners/residents at least one week prior to initiating construction. The notice shall identify the dates of construction and the name and phone number of a construction supervisor (contact person) in case of complaints. One contact person shall be assigned to the project. The public notice shall encourage the adjacent residents to contact the supervisor in the case of a complaint. Resident's will be informed if there is a change in the construction schedule. The supervisor shall be available 24/7 throughout construction by mobile phone. If a complaint is received, the contact person shall take all feasible steps to remove the sound source causing the complaint.

**Transportation**

- TRAN-1 The project shall be required to contribute its fair share to installing signals at the following intersections under the jurisdiction of the City of Highland:
- Sterling Avenue at 6th Street
  - Victoria Avenue at 6th Street
  - Central Avenue at 3rd Street
- The Cities shall determine the appropriate timing in which to install a signal at the above intersections based on actual peak hour operations, engineering judgement and signal peak hour warrant analyses.
- TRAN-2 The project shall be required to contribute its fair share towards the deficient roadway segments and intersections identified in the AGSP EIR. Fair share contribution shall be contributed in the following manners:
- Fair share contribution shall be tabulated as a percentage of the total project cost (\$3,465,119) that shall be based on the square footage of a given future project in relation to the allowable square footage within the AGSP Planning Area. Thus, for this project, which would contribute 12,745 SF of building area to the Planning Area, the project's fair share would be a contribution of 0.139% (equal to \$4,800.59) of the total fair share cost for Planning Area related traffic.

**Tribal Cultural Resources**

- TCR-1 The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in MM CUL-2, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.
- TCR-2 Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to The Yuhaaviatam of San Manuel Nation (YSMN). The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.

## REFERENCES

BFSA Environmental Services, *“Cultural Resources Study for the Harikrishna Retail/Commercial Center Project, City of Highland, San Bernardino County, California”* dated December 1, 2022

BFSA Environmental Services, *“Paleontological Assessment for the Harikrishna Retail/Commercial Center Project”* dated December 1, 2022

California Department of Fish and Wildlife California Natural Diversity Database (CNDDB), generated on January 9, 2023

Earth Strata Geotechnical Services, *“Infiltration Testing for Water Quality Treatment Areas, Proposed Commercial Development, Assessor Parcel Numbers 1201-311-02, 1201-311-03, 1201-311-04, 1201-311-05, 1201-301-14, 1201-301-15, and 1201-301-19, Located at the Southeast Corner of Palm Avenue and Meines Street, City of Highland, San Bernardino County, California”* dated October 25, 2021

Earth Strata Geotechnical Services, *“A Phase I Environmental Site Assessment (ESA)”* dated November 18, 2022

Earth Strata Geotechnical Services, Inc., *“Preliminary Geotechnical Interpretive Report, Proposed Gasoline Station and Convenience Store Assessor’s Parcel Numbers 1201-311-02, 1201-311-03, 1201-311-04, 1201-311-05, 1201-301-14, 1201-301-15, 1201-301-19, Located on the Northeast Corner of Palm Avenue, City of Highland, San Bernardino County, California”* dated October 21, 2021

Entech Consulting Group, *“Air Quality and Greenhouse Gas Study Harikrishna Gas Station and Carwash Project, City of Highland, CA”* dated November 2022

City of Highland, *General Plan*, March 2006

San Bernardino County, 2018; AEDT 2d; Adapted by ESA, 2018

U.S. Fish and Wildlife Service IPaC Trust Resources Report, generated on January 9, 2023

Ventura Engineering Inland, Inc., *“Water Quality Management Plan For: New Commercial / Retail Agency Number – WQP21-004 APNS: 1201-331-02, 03, 05, 14, 15 & 19”* dated May 11, 2022

K2 Traffic Engineering, Inc., *“Trip Generation Memo and VMT Screening Assessment Proposed Gas Station and Car Wash NEC Palm Ave and W. 5<sup>th</sup> St, Highland”* dated November 16, 2022

### **Websites**

<http://www.arb.ca.gov/adam/>  
<http://www.aqmd.gov/home/rules-compliance/compliance/gasoline-dispensing2>  
[https://www.epa.gov/sites/default/files/2016-06/gasoline\\_dispensing\\_facilities\\_pte\\_calculator\\_111213.xlsx](https://www.epa.gov/sites/default/files/2016-06/gasoline_dispensing_facilities_pte_calculator_111213.xlsx)  
[http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/riskassessmentprocedures\\_2017\\_080717.pdf](http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/riskassessmentprocedures_2017_080717.pdf)  
<http://www.aqmd.gov/docs/default-source/permitting/rule-1401-risk-assessment/attachmentn-v8-1.pdf?sfvrsn=4>  
[https://soilseries.sc.egov.usda.gov/OSD\\_Docs/T/TUJUNGA.html](https://soilseries.sc.egov.usda.gov/OSD_Docs/T/TUJUNGA.html)  
<https://gis.water.ca.gov/app/bp-dashboard/final/>  
<https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management>  
<https://sgma.water.ca.gov/webgis/index.jsp?appid=gasmaster&rz=true>  
<https://ceganet.opr.ca.gov/2022060349/2>  
<https://www.eastvalley.org/281/Sterling-Natural-Resource-Center>  
[http://cms.sbcounty.gov/portals/50/solidwaste/CandD\\_Recycling\\_Guide.pdf](http://cms.sbcounty.gov/portals/50/solidwaste/CandD_Recycling_Guide.pdf)  
<https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>  
<https://reducewaste.sccgov.org/food-recovery/understand-senate-bill-sb-1383#3925188384-318395615>  
<https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/ReviewReports/DisposalTonnageTrend>



**FIGURES**

Provided in PDF File





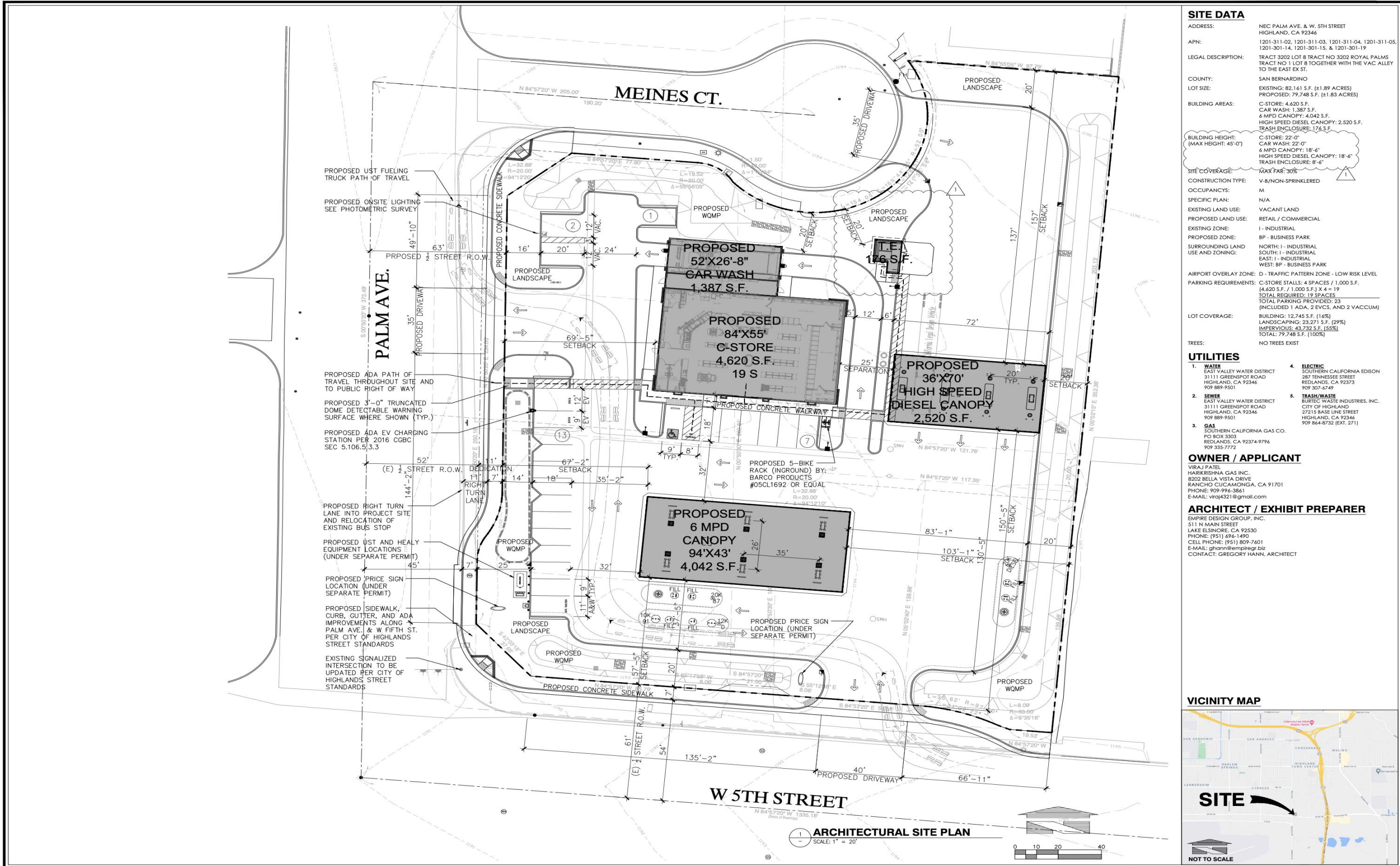
FIGURE 1





**FIGURE 2**





EMPIRE  
DESIGN  
GROUP Inc.



511 N Main St.  
Lake Elsinore, CA 92530  
951-696-1490  
EmpireDesignGroup.biz

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CLIENT:

HARIKRISHNA  
GAS INC.

COMMERCIAL / RETAIL  
NEC PALM AVE. & W 5TH ST.  
HIGHLAND, CA 92346

ARCHITECT OF RECORD:

GREGORY S. HANN, AIA  
511 N MAIN STREET  
LAKE ELSINORE, CA 92530  
TEL: 951-696-1490  
CELL: 951-809-7601  
E-MAIL: ghann@empiregr.biz

SEAL:



Date: JUNE 13, 2022

Project Number: EDG04774

NO.	DATE	REVISION DESCRIPTION
1	10-25-22	1ST CUP CORRECTIONS

DESIGNED BY: GH

CHECKED BY: GH

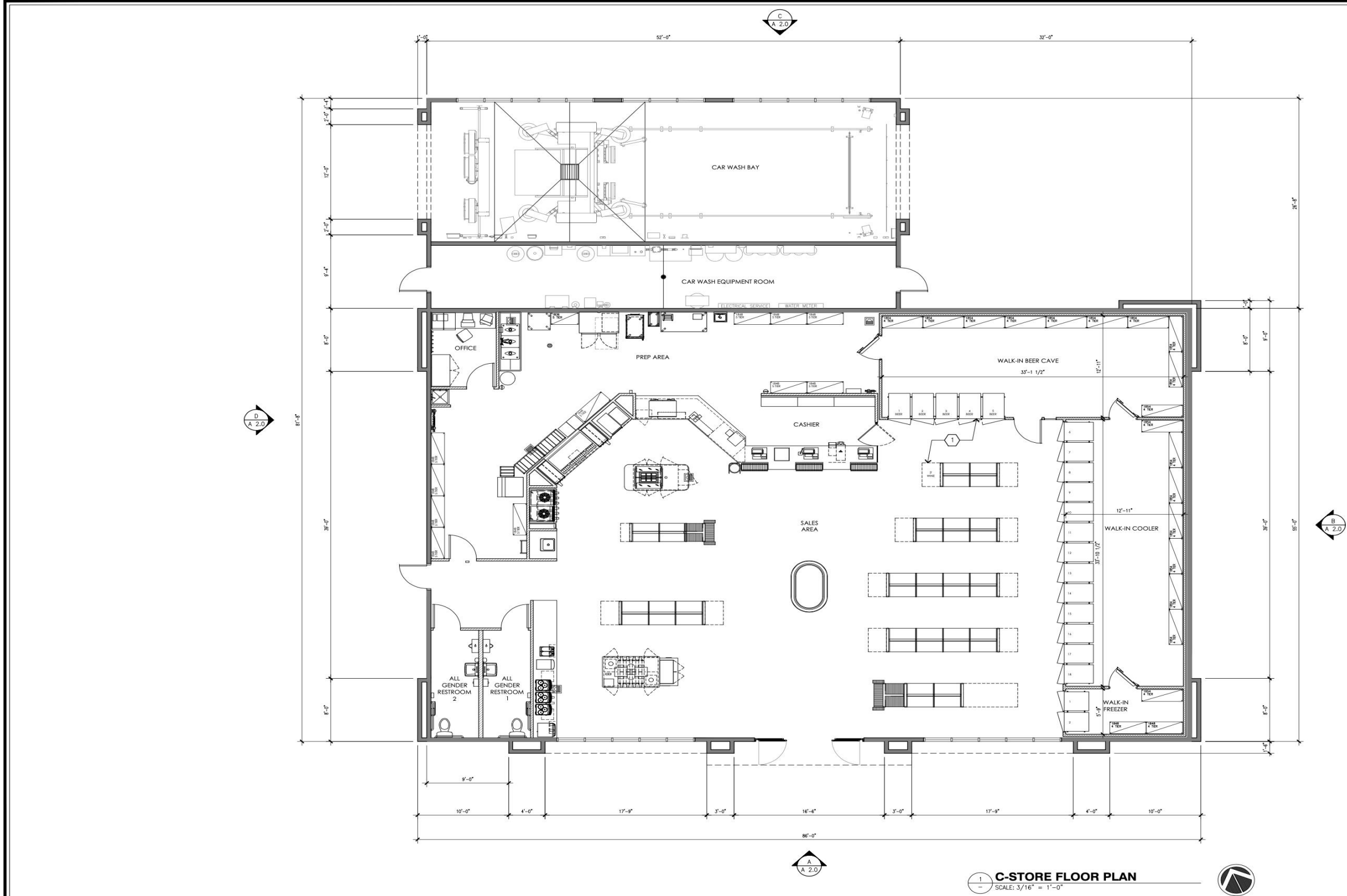
DRAWN BY: AM

DRAWING TITLE:

ARCHITECTURAL  
SITE PLAN

SHEET NO:

AS 1.0



- KEYED NOTES**
- 1 BEER AND WINE SALES AREA = 434 SF
  - 2 ROOF ACCESS LADDER

**EMPIRE DESIGN GROUP Inc.**

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CELL: 951-809-7601  
E-MAIL: ghann@empiregr.biz



Date: JUNE 13, 2022

Project Number: EDG#04774

NO.	DATE	REVISION DESCRIPTION
1	10-25-22	1ST CUP CORRECTIONS

DESIGNED BY: GH  
CHECKED BY: GH  
DRAWN BY: AH  
DRAWING TITLE:

C-STORE FLOOR PLAN






SHEET NO:

**A 1.0**

**C-STORE FLOOR PLAN**  
SCALE: 3/16" = 1'-0"

**FIGURE 4**  
**Convenience Store Floor Plan**



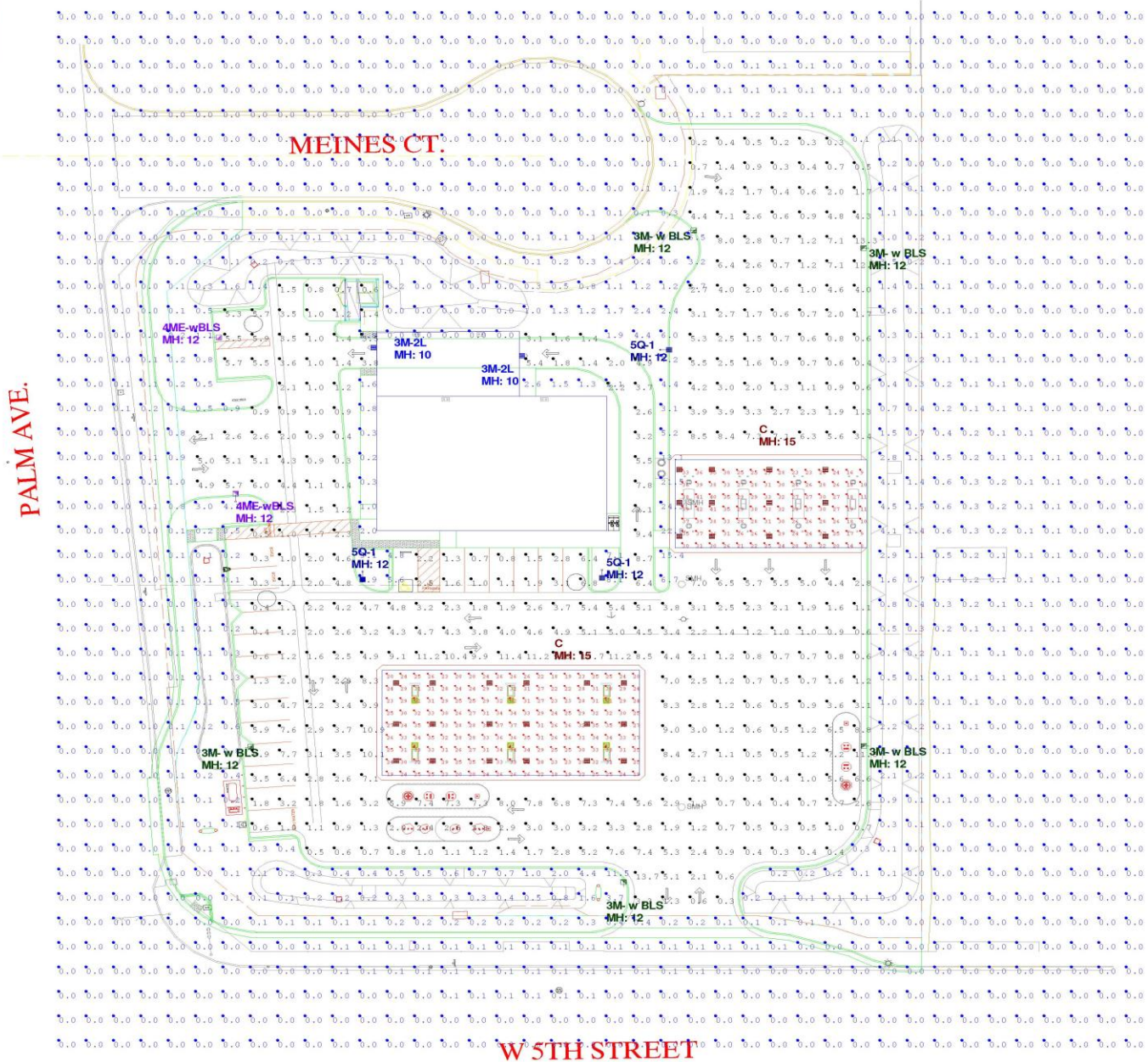
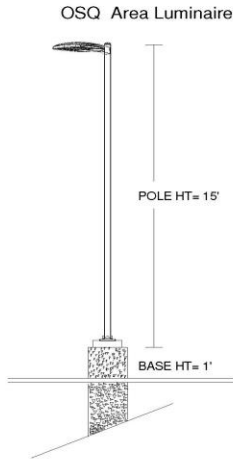
Luminaire Schedule							
Symbol	Qty	Label	Arrangement	LMF	Lum. Lumens	Lum. Watts	Part Number
	5	3M-w BLS	SINGLE	1.000	7575	72	OSQM-B-11L-50K9-3M-UL-NM-___w/OSQ-ML-B-DA-___ + OSQ-BLSMR
	2	3M-2L	SINGLE	1.000	2490	19	XSPW-B-WM-3ME-2L-50K-UL-___
	2	4ME-wBLS	SINGLE	1.000	7375	72	OSQM-B-11L-50K9-4M-UL-NM-___w/OSQ-ML-B-DA-___ + OSQ-BLSMR
	3	5Q-1	SINGLE	1.000	10125	72	OSQM-B-11-50K7-5Q-UL-NM-___w/OSQ-ML-B-DA-___
	30	C	SINGLE	1.000	10200	81	CP5-13L-50K9-DF-UL-WH-10V-HZ

Calculation Summary (Footcandles calculated using predicted lumen values @ 50K hrs of operation)						
Label	Units	Avg	Max	Min	Avg/Min	Max/Min
CANOPY	Fc	28.15	37	18	1.56	2.06
DEISEL CANOPY	Fc	27.40	42	8	3.43	5.25
PAVED PARKING	Fc	3.17	13.7	0.2	15.85	68.50
SITE	Fc	0.32	24.3	0.0	N.A.	N.A.

Pole Schedule  
(10) SSS-4-11-10-CW-BS-1D-C-XX (10' X 4" X 11ga STEEL SQUARE POLE)  
Proposed poles meet 140 MPH sustained winds.

Additional Equipment:  
(10) OSQ-ML-B-DA-XX (DIRECT ARM MOUNT)  
(7) OSQ-BLSMR (BACK LIGHT SHIELD)

\*\*\* CUSTOMER TO VERIFY ORDERING INFORMATION AND CATALOGUE NUMBER PRIOR TO PLACING ORDER \*\*\*



Illumination results shown on this lighting design are based on project parameters provided to Cree Lighting used in conjunction with luminaire test procedures conducted under laboratory conditions. Actual project conditions differing from these design parameters may affect field results. The customer is responsible for verifying dimensional accuracy along with compliance with any applicable electrical, lighting or energy code.

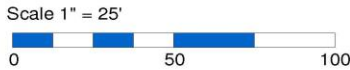
Project Name: NEC Palm and 5th Gas Retail Development; EDG#4774.01

CASE # 00501746

Footcandles calculated at grade

Filename: BM220616NECPLSR2.AG

Layout By:  
LINDA SCHALLER  
Date:10/31/2022



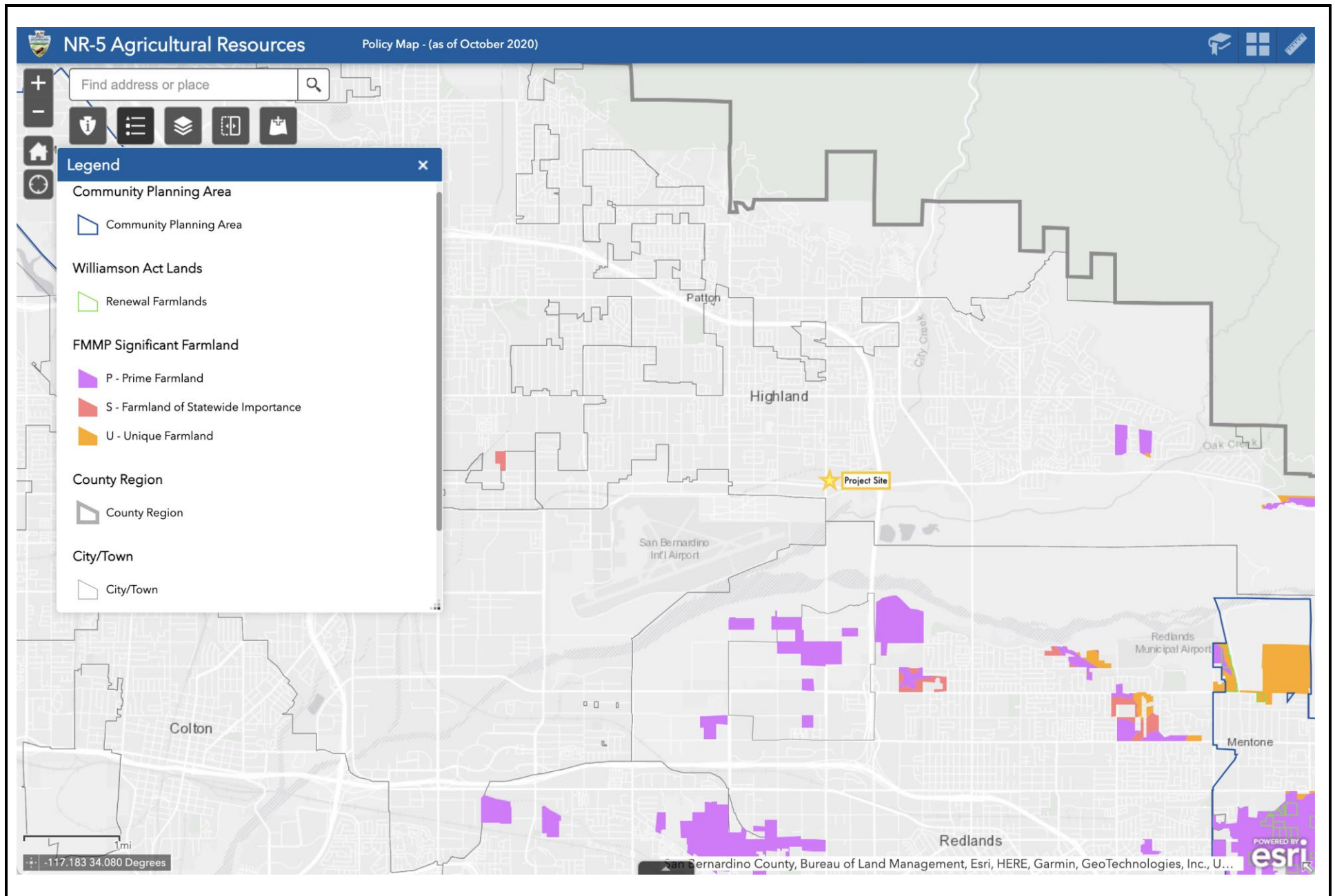
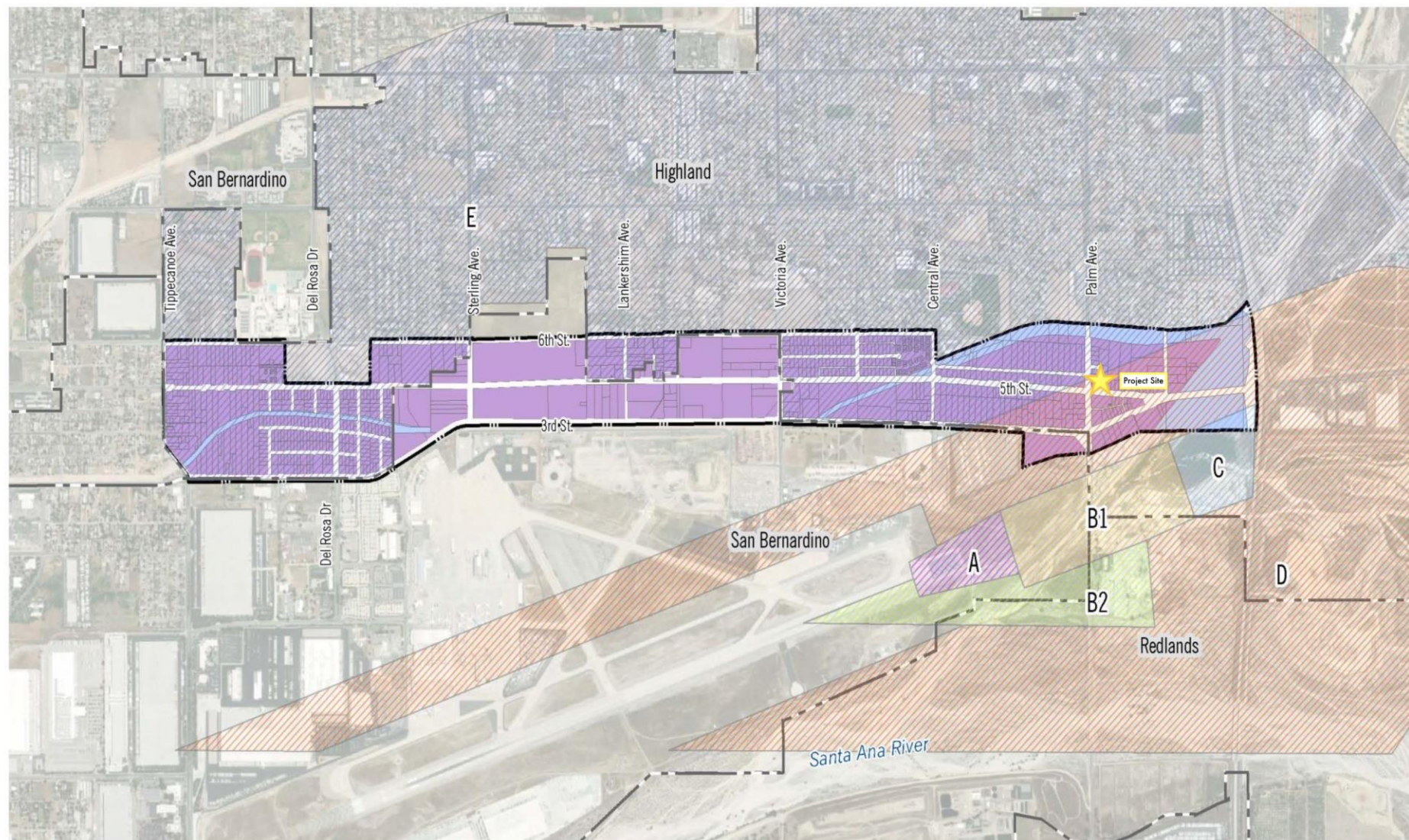
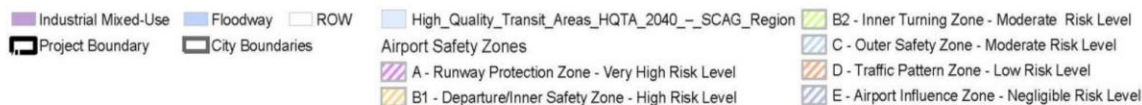


FIGURE II-1





Source: PlaceWorks, 2020



0 250 500 1,000 1,500 2,000 2,500 Feet



FIGURE IV-1



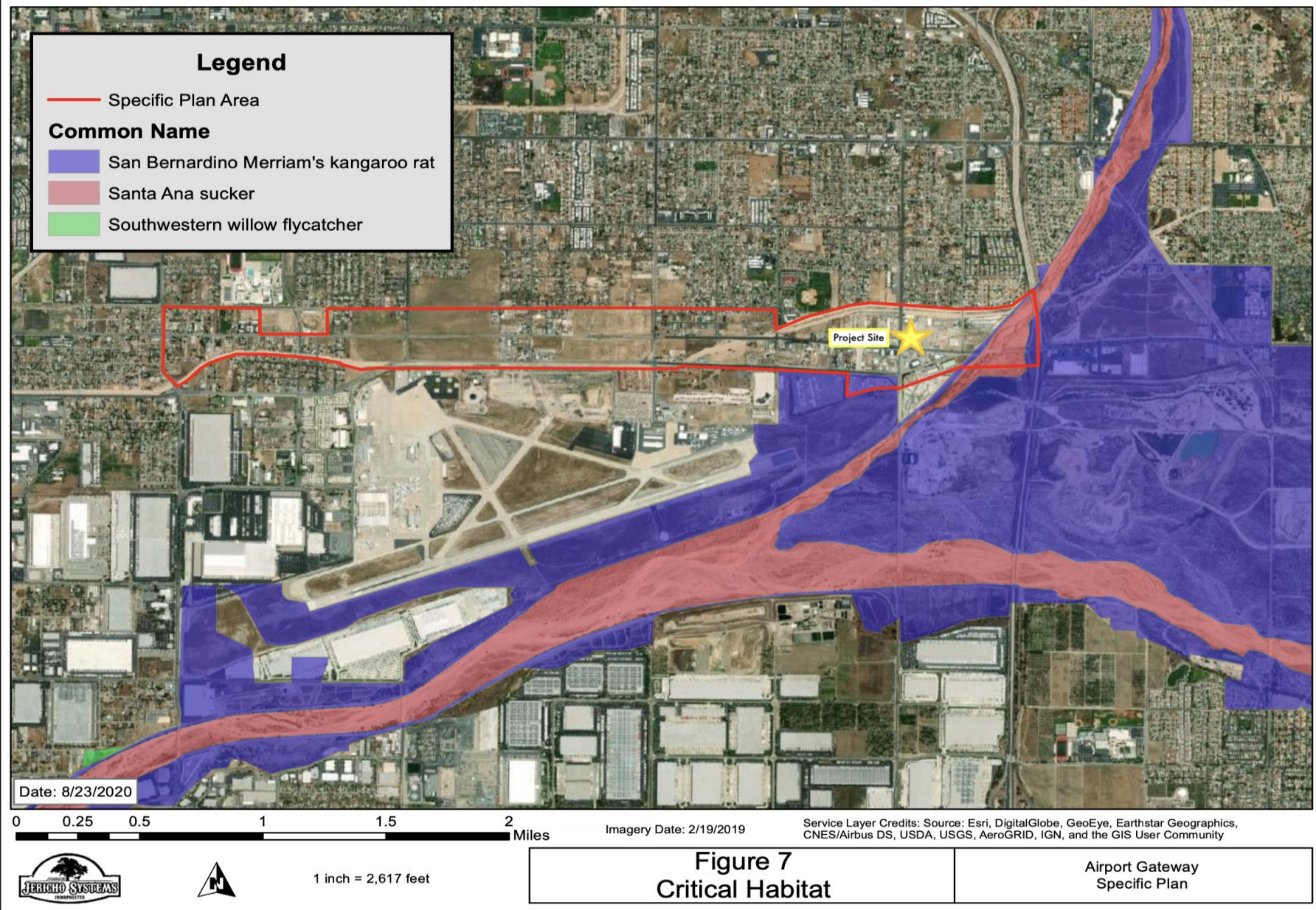
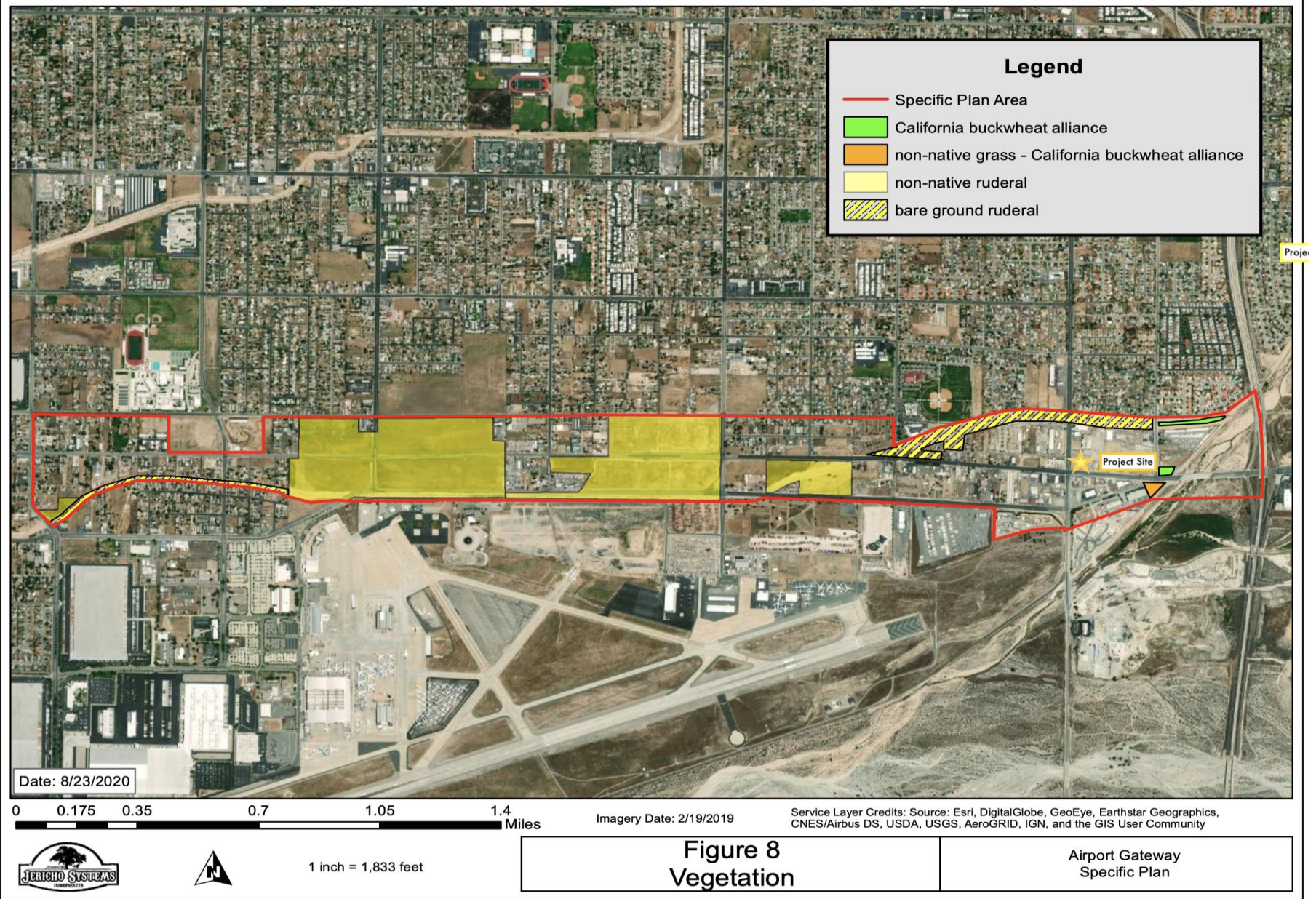


FIGURE IV-2





SOURCE:

FIGURE IV-3

**Tom Dodson & Associates**  
Environmental Consultants

**Vegetation Within AGSP**



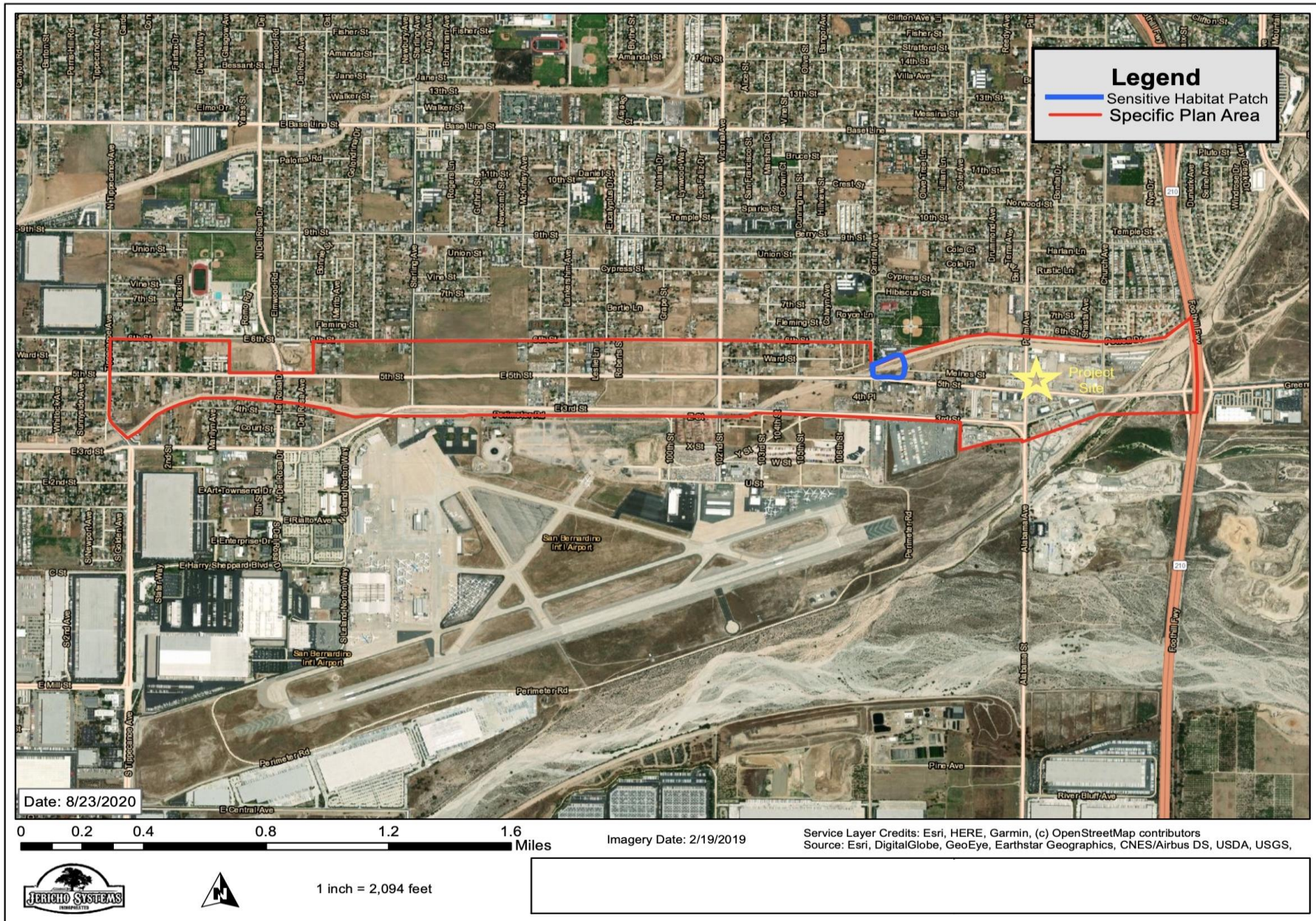


FIGURE IV-4



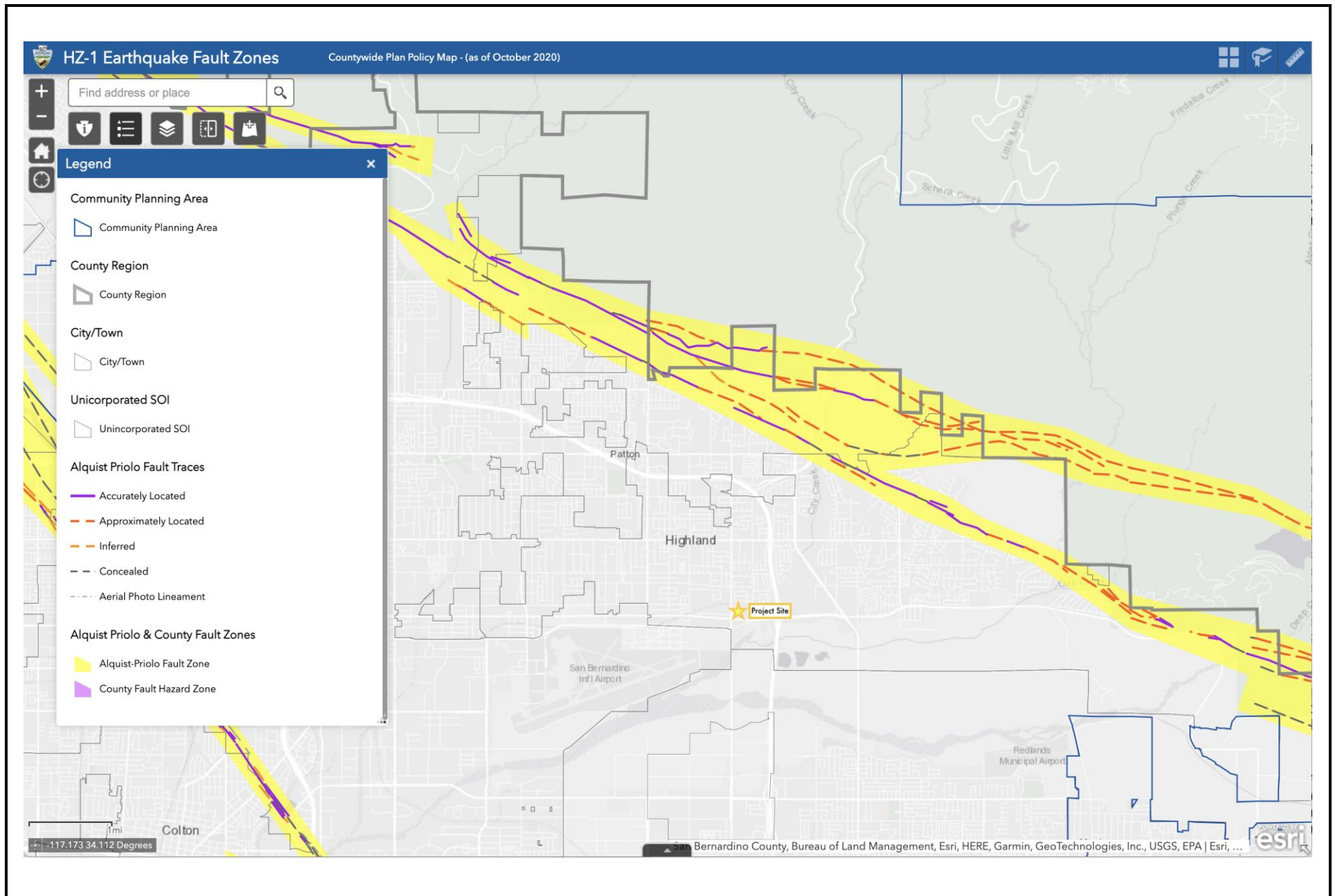


FIGURE VII-1

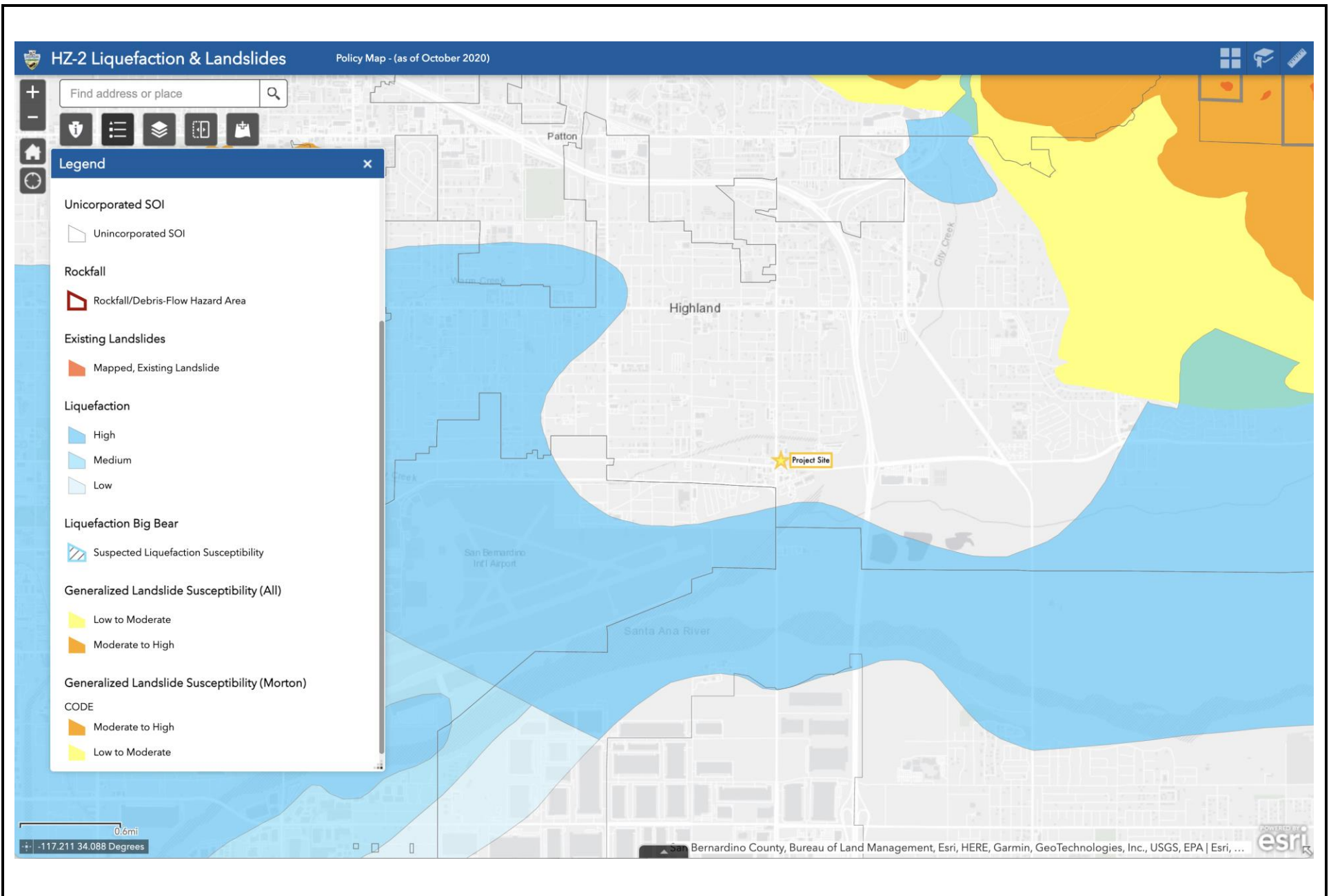


FIGURE VII-2



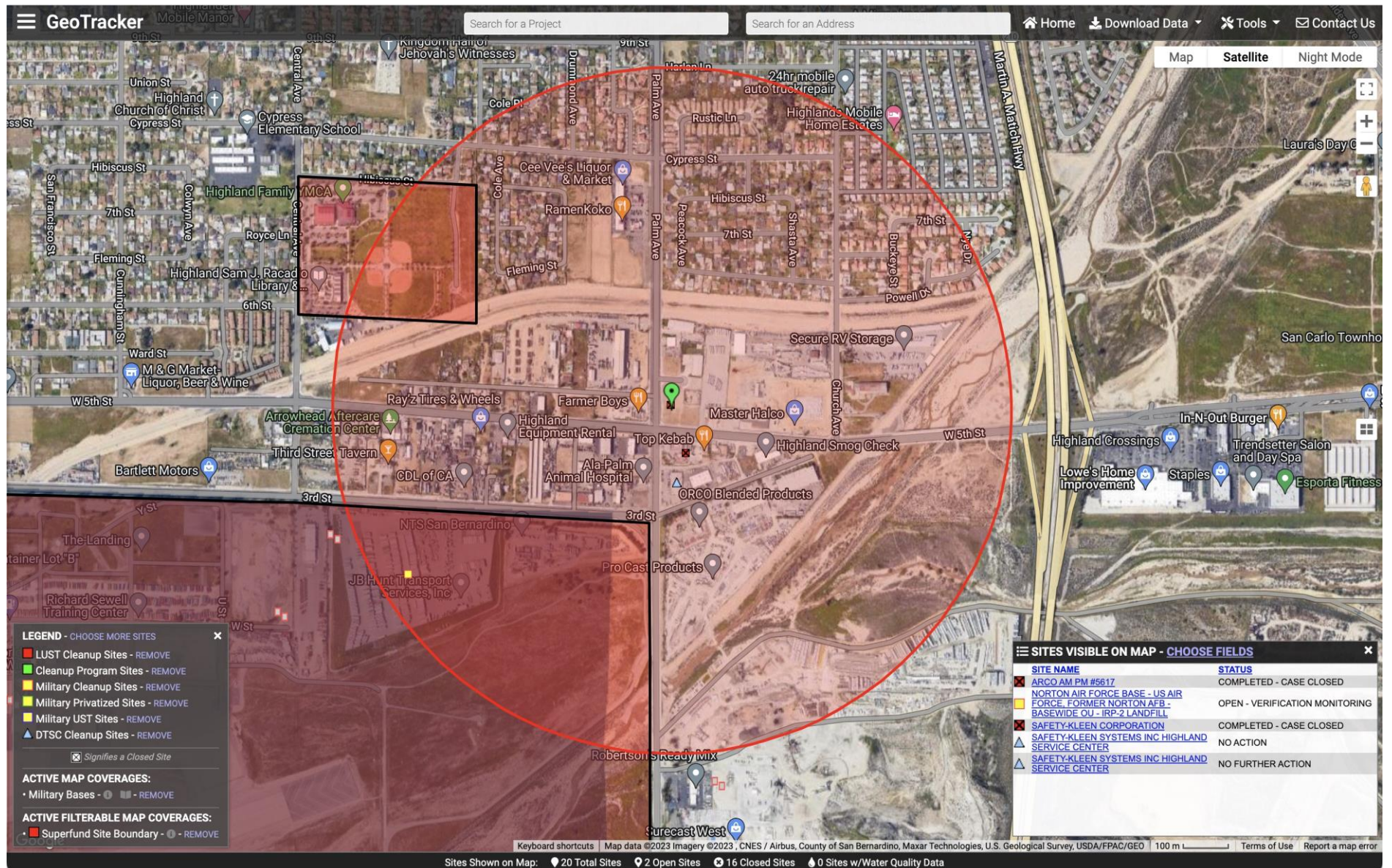


FIGURE IX-1



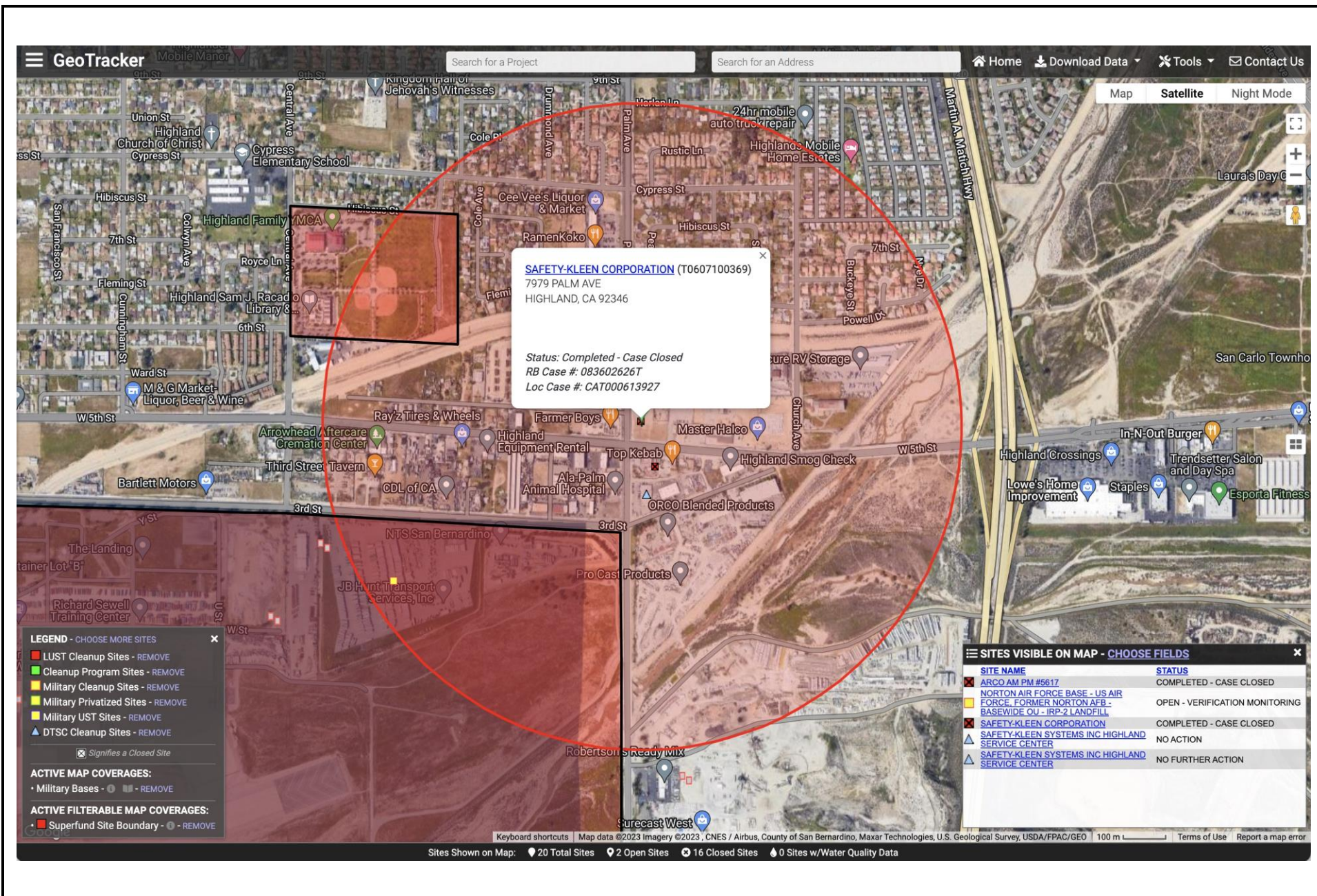


FIGURE IX-2





# STATE WATER RESOURCES CONTROL BOARD GEOTRACKER

[Tools](#)[Reports](#)[UST Case Closures](#)[How to Use GeoTracker](#)[ESI](#)[Information](#)

## SAFETY-KLEEN CORPORATION (T0607100369) - [\(MAP\)](#)

[SIGN UP FOR EMAIL ALERTS](#)

7979 PALM AVE  
HIGHLAND, CA 92346  
SAN BERNARDINO COUNTY  
LUST CLEANUP SITE [\(INFO\)](#)

COMPLETED - CASE CLOSED AS OF 12/6/2019 - [DEFINITION](#)

[PRINTABLE CASE SUMMARY](#) / [CSM REPORT](#)

### CLEANUP OVERSIGHT AGENCIES

DEPARTMENT OF TOXIC SUBSTANCES CONTROL (LEAD) - CASE #: CAT000613927

DEPARTMENT OF PUBLIC HEALTH

SAN BERNARDINO COUNTY

CASEWORKER: [CATHERINE RICHARDS](#)

SANTA ANA RWQCB (REGION 8) - CASE #: 083602626T

CASEWORKER: [MIGUEL OVIEDO](#)

[Summary](#) [Case Reviews](#) [Cleanup Action Report](#) [Regulatory Activities](#) [Environmental Data \(ESI\)](#) [Site Maps / Documents](#) [Community Involvement](#) [Related Cases](#)

### Regulatory Profile

[PRINTABLE CASE SUMMARY](#)

#### CLEANUP STATUS - [DEFINITIONS](#)

COMPLETED - CASE CLOSED AS OF 12/6/2019 - [CLEANUP STATUS HISTORY](#)

#### POTENTIAL CONTAMINANTS OF CONCERN

STODDARD SOLVENT / MINERAL SPIRITS / DISTILLATES

#### FILE LOCATION

#### DWR GROUNDWATER SUB-BASIN NAME

Upper Santa Ana Valley - San Bernardino (8-002.06)

#### POTENTIAL MEDIA OF CONCERN

SOIL

#### DESIGNATED GROUNDWATER BENEFICIAL USE(S) - [DEFINITIONS](#)

MUN, AGR, IND, PROC, 8 - Note: Also incl part of 801.53, 801.54, 801.57 - Note: Also incl part of 801.53, 801.54, 801.57, 801.58.

#### CALWATER WATERSHED NAME

Santa Ana River - Upper Santa Ana River - Bunker Hill (801.52)

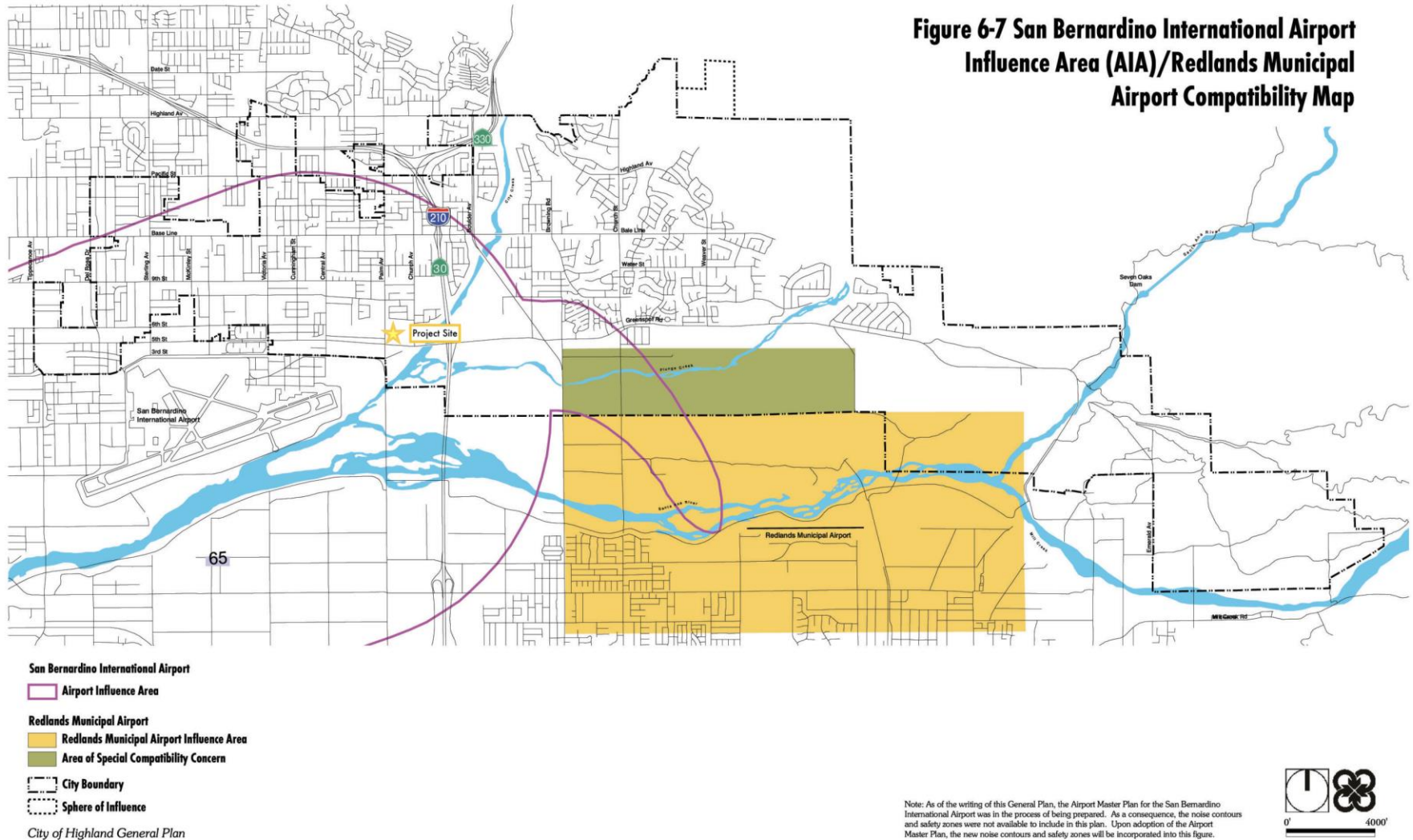
### Site History

DTSC lead agency for site. Consult DTSC's Envirostor database site status. UST portion of case was closed by DTSC.

FIGURE IX-3



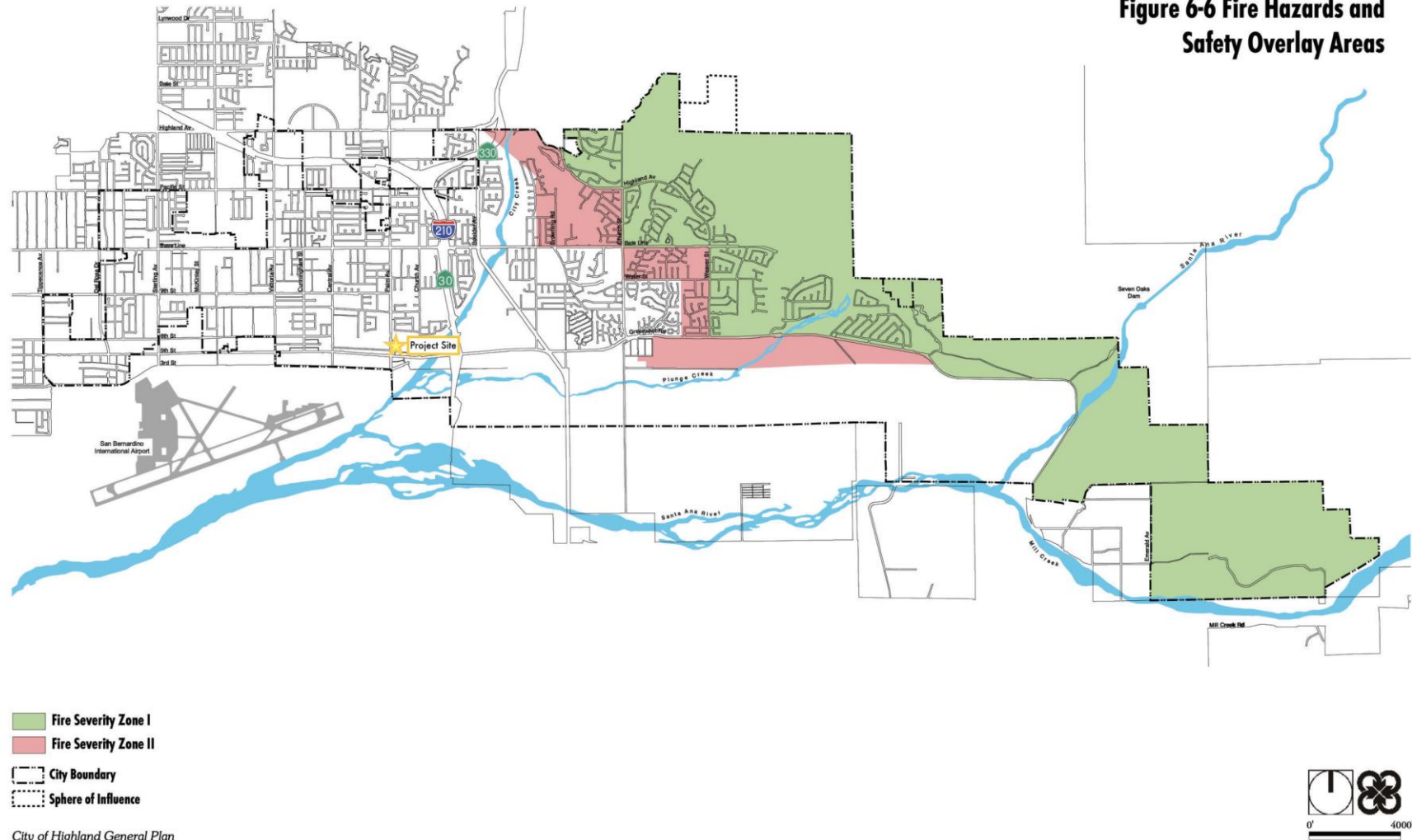
**Figure 6-7 San Bernardino International Airport  
Influence Area (AIA)/Redlands Municipal  
Airport Compatibility Map**



**FIGURE IX-4**

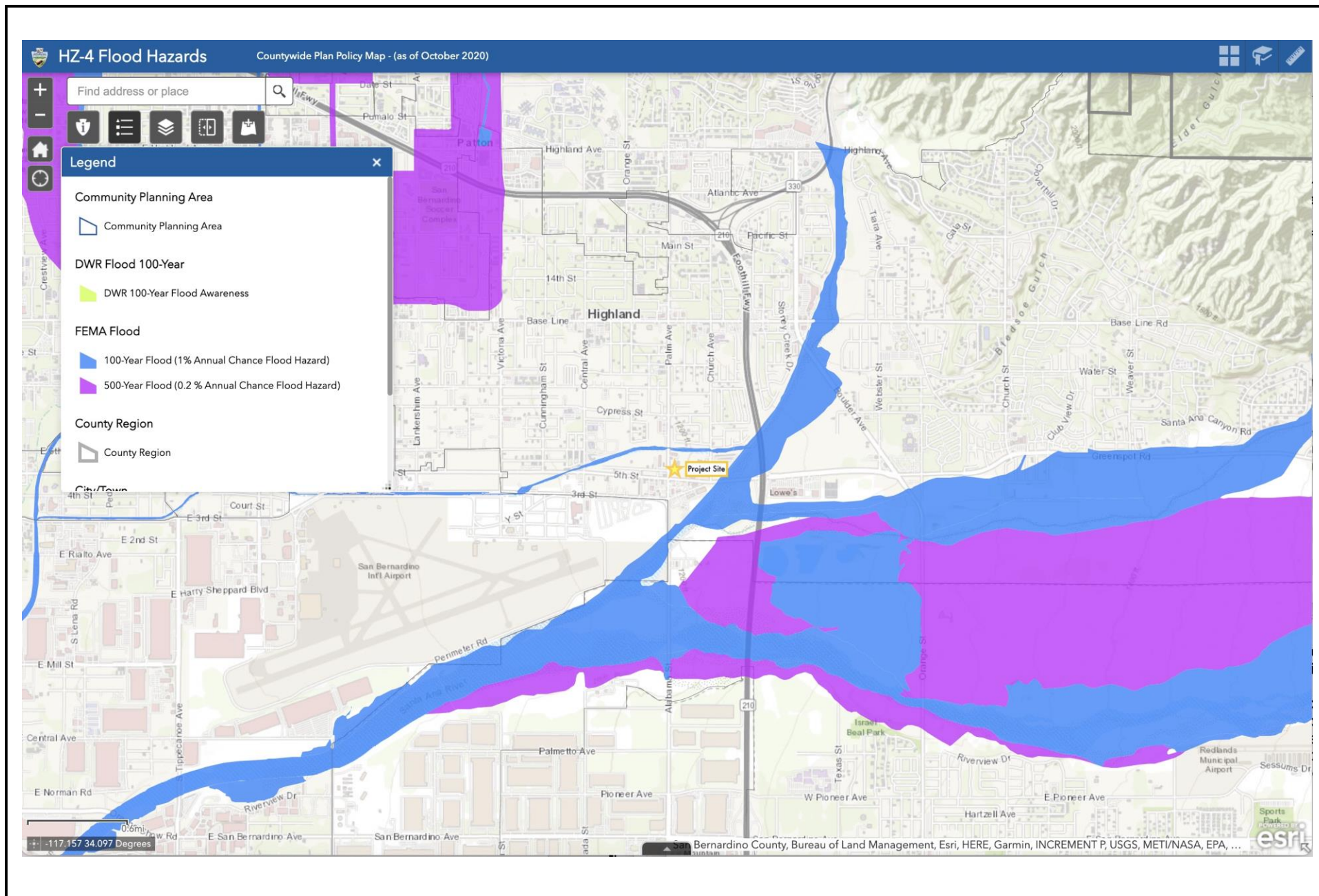


**Figure 6-6 Fire Hazards and  
Safety Overlay Areas**



**FIGURE IX-5**





**FIGURE X-1**



Figure 6-5 Flood Hazards

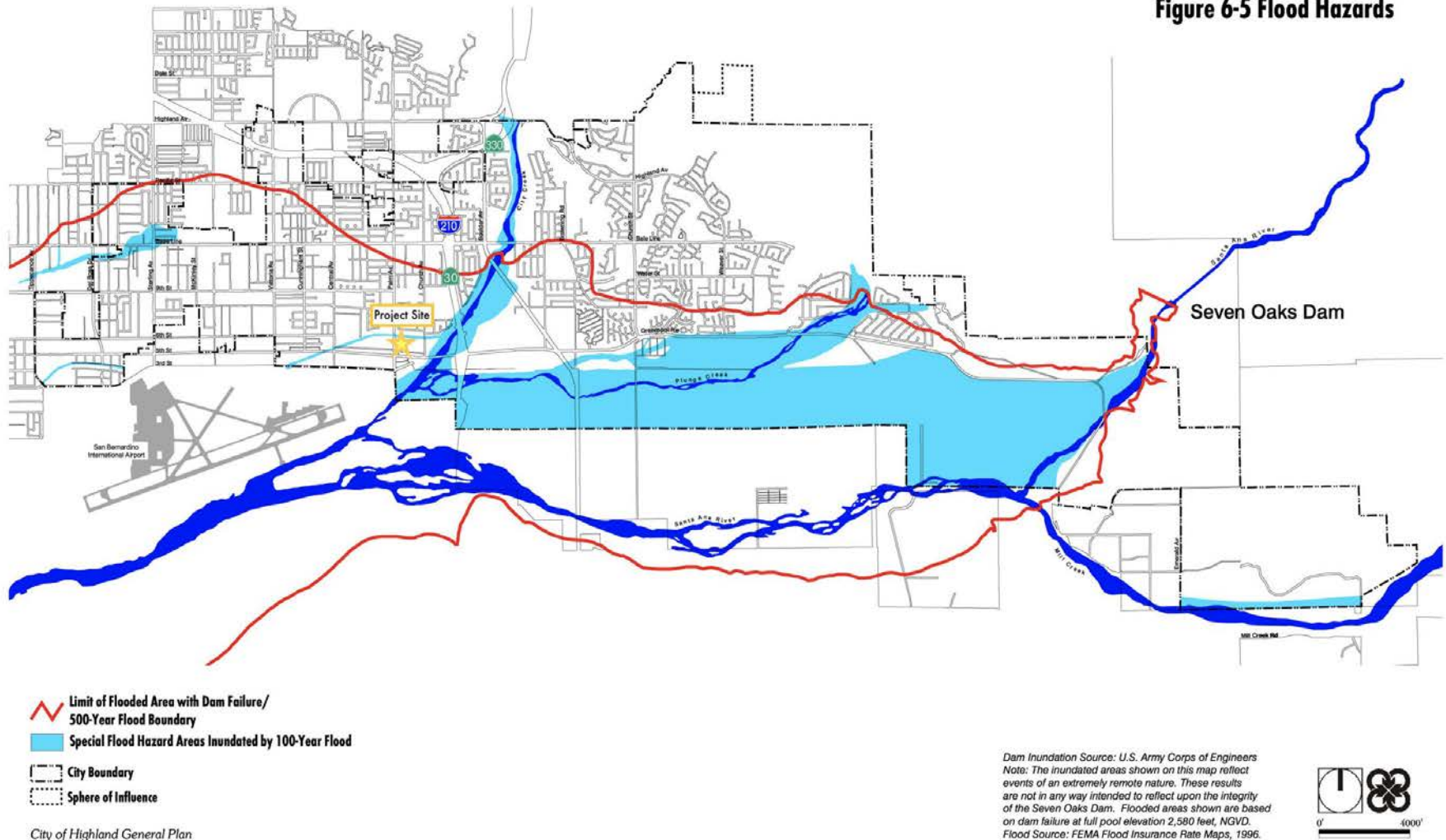


FIGURE X-2



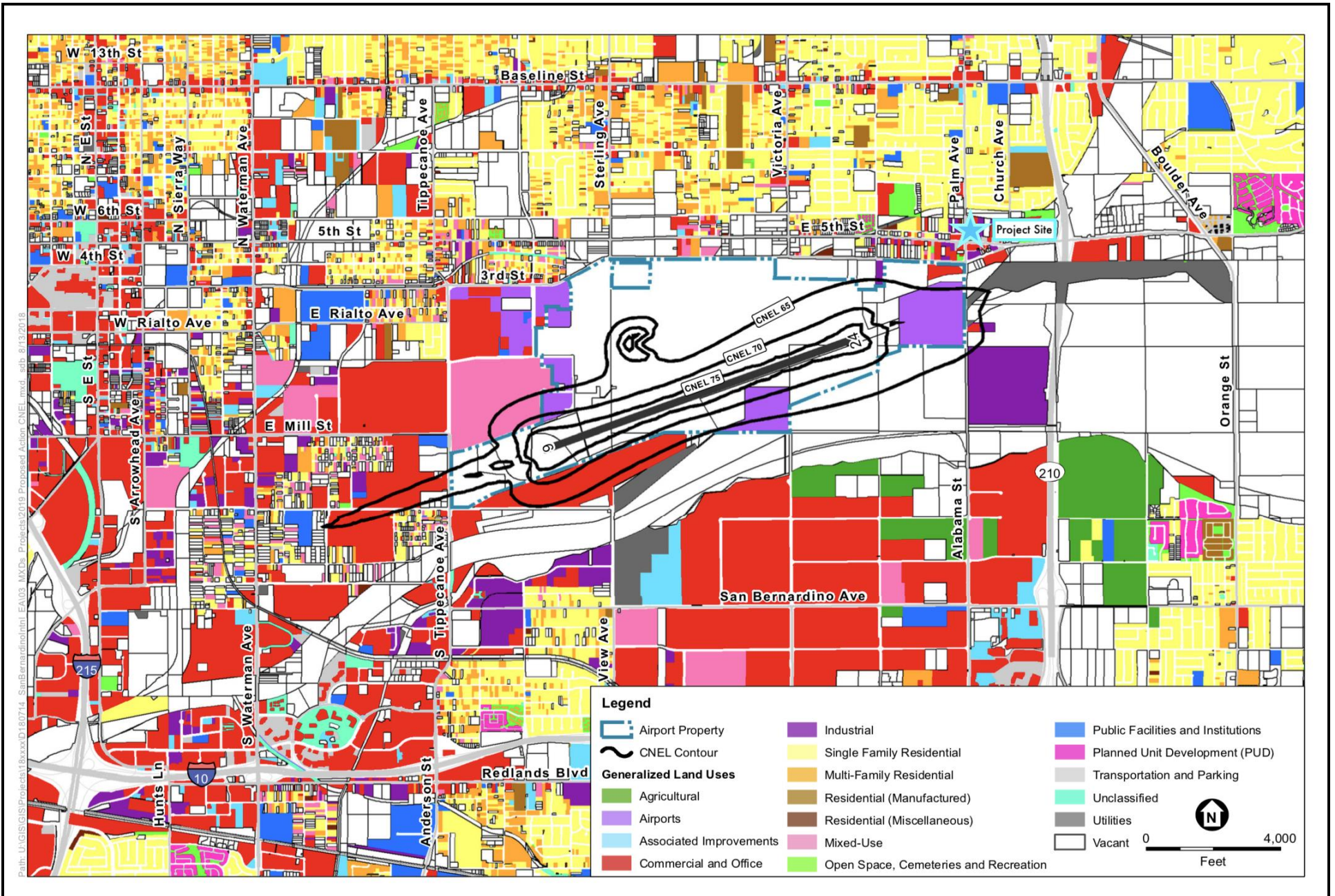


FIGURE XIII-1



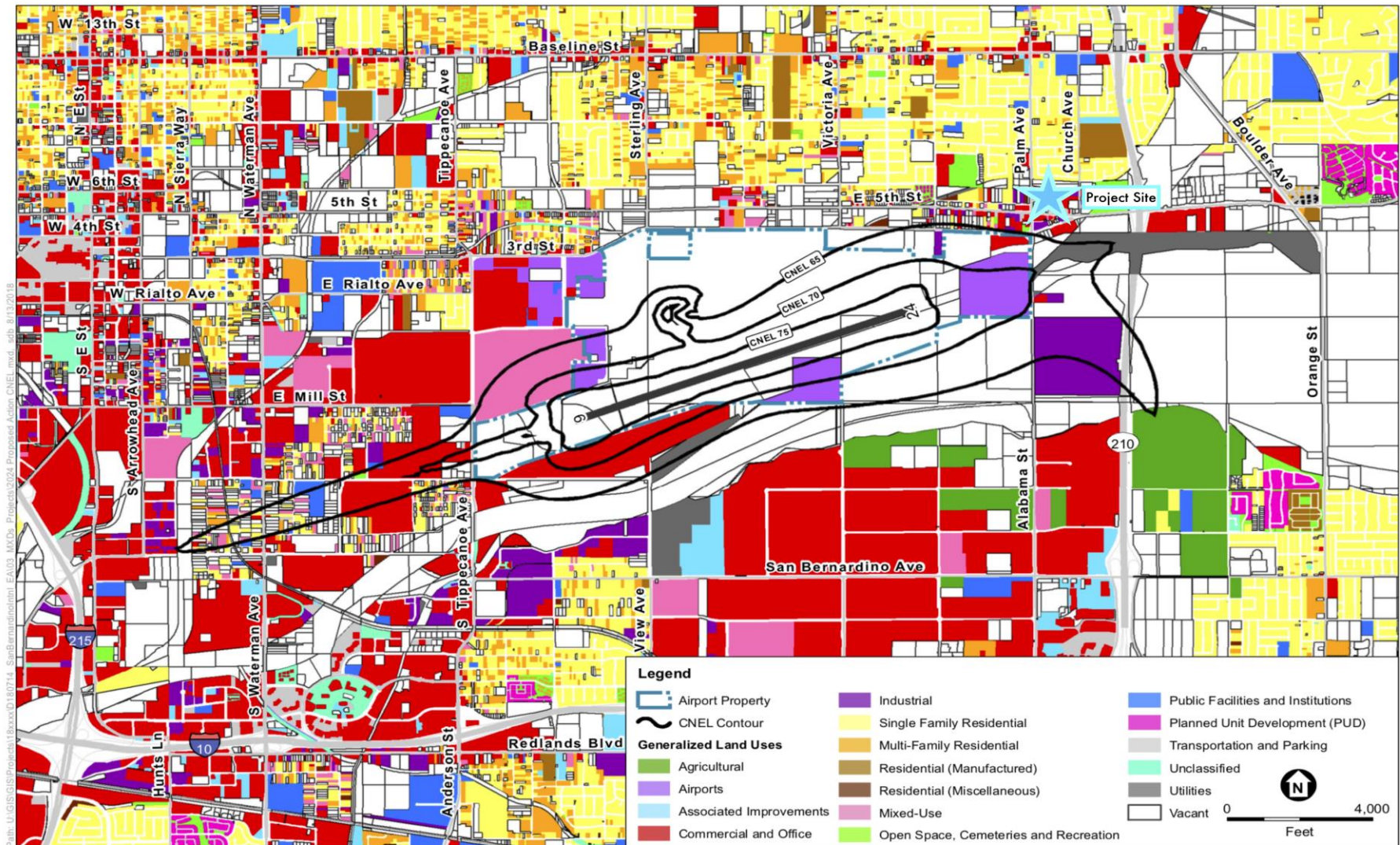


FIGURE XIII-2

Figure 7-2 Future Roadway Noise Contours

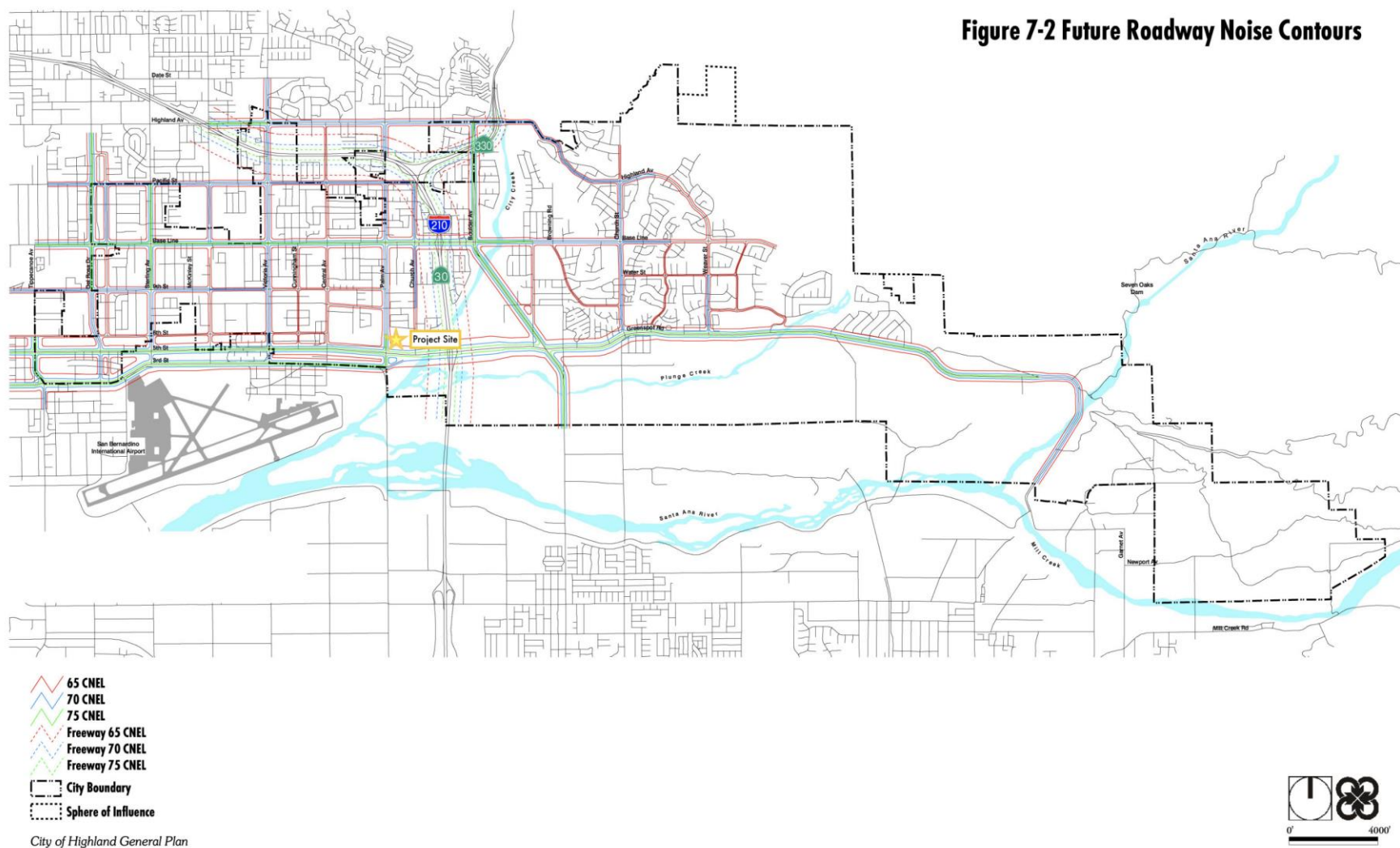


FIGURE XIII-3



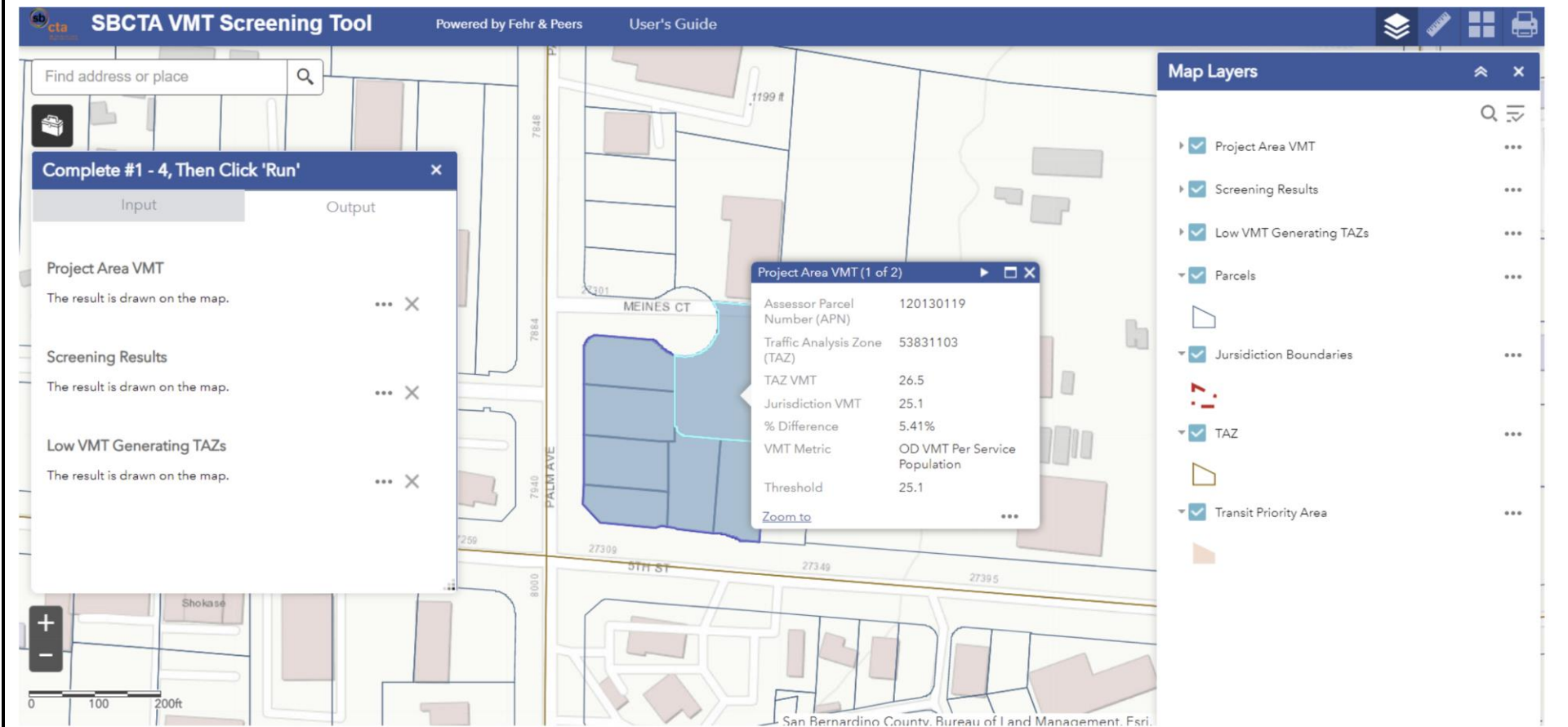
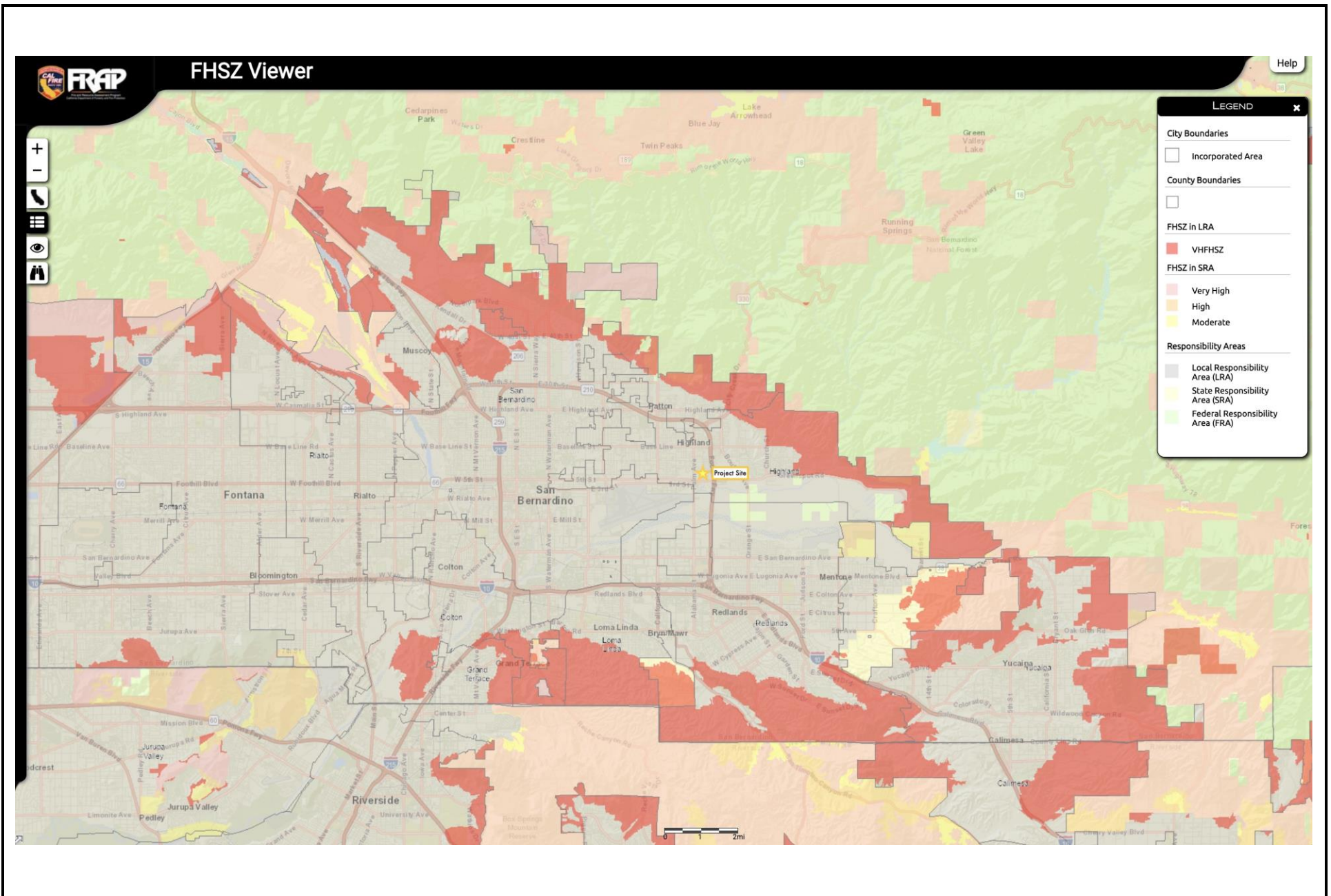


FIGURE XVII-1





**FIGURE XX-1**