Pepper 210 Commerce Center

San Bernardino County, California



DRAFT ENVIRONMENTAL IMPACT REPORT

SCH No. 2023010089

Lead Agency

San Bernardino County

Land Use Services Department

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SAN BERNARDINO COUNTY

November 2025

Draft Environmental Impact Report
SCH No. 2023010089

Pepper 210 Commerce Center
San Bernardino County, California

Lead Agency
San Bernardino County
385 N. Arrowhead Ave.
San Bernardino, CA 92415

CEQA Consultant
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3200 El Camino Real, Suite 100
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Project Applicant
Carson BBC Logistics Center, LLC

Lead Agency Discretionary Permits
PROJ-2022-00182
Land Use Category Change
Zoning District Amendment
Specific Plan
Conditional Use Permit
Development Agreement

November 2025

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EIR Technical Appendices (bound separately)

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Appendix B: Air Quality Impact Analysis
Appendix C: Mobile Source Health Risk Assessment
Appendix D: Biological Technical Report
Appendix E: Cultural Resources Study
Appendix F: Energy Analysis
Appendix G: Geotechnical Investigation
Appendix H: Paleontological Assessment
Appendix I: Greenhouse Gas Analysis
Appendix J: Phase I Environmental Site Assessment
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Appendix L: Preliminary Drainage Report
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Appendix P: Noise Analysis
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Appendix W: Onsite Wastewater Treatment System Air Quality, Energy, and Greenhouse Gas Analysis
Appendix X: Supplemental Health Risk Analysis
Appendix Y: Economic and Fiscal Impact Analysis

ACRONYMS AND ABBREVIATIONS

Acronym	Definition
§	Section
§§	Sections
>	greater than
≥	greater than or equal to
24/7	24 hours per day, 7 days per week
a.m.	Ante Meridiem (between the hours of midnight and noon)
AAC	Approval of Alternative Certification
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
AB 32	California Global Warming Solutions Act of 2006
AB 52	Native Americans: California Environmental Quality Act
AB 939	California Solid Waste Integrated Management Act
AB 1279	Assembly Bill 1279, California Climate Crisis Act
AB 1327	California Solid Waste Reuse and Recycling Act
AB 1358	Assembly Bill 1358, Complete Streets Act
AB 1493	Pavley Fuel Efficiency Standards AB 1881
AC	Acres
AC or A/C	air conditioning
ACHP	Advisory Council on Historic Preservation
ACM	Alternative Calculation Method
ACMs	Asbestos Containing Materials
ACOE/Corps	Army Corps of Engineers
ACS	American Community Survey
A.D.	Anno Domini
ADP	Area Drainage Plan
ADT	Average Daily Traffic
AERMOD	Air Quality Dispersion Modeling
AF	Acre Feet
AFY	Acre Feet per Year
AGL	above ground level
AIA	Airport Influence Area
AMSL	Above Mean Sea Level
ANSI	American National Standards Institute
AOI	area of interest
A-P Act	Alquist-Priolo Earthquake Fault Zoning Act
APN	Assessor Parcel Number
AQIA	Air Quality Impact Analysis
AQMP	Air Quality Management Plan

Acronym	Definition
ASTM	American Society of Testing and Materials
ASTs	Above ground storage tanks
Av.	Avenue
B.C.	Before Christ
BFSA	Brian F. Smith and Associates
bgs	Below ground surface
Blvd.	Boulevard
BMPs	Best Management Practices
B.P.	Before Present
BTU	British thermal unit
C&D	construction and demolition
C_2Cl_4	perchloroethylene
C_2F_6	Hexafluoroethane
C_2H_6	Ethane
C_2H_4O	acetaldehyde
C_4H_6	1,3-butadiene
C_6H_6	benzene
CA	California
CA MUTCD	California Manual on Uniform Traffic Control Devices
CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CadnaA	Computer Aided Noise Abatement
CalARP	California Accidental Release Prevention
CalEEMod™	California Emissions Estimator Model
CalEnviroScreen	California Communities Environmental Health Screening Tool Version 3.0
CalEPA	California Environmental Protection Agency
CalFire	California Department of Forestry and Fire Protection
CALGreen Code	California Green Building Standards Code
Cal OES	Governor's Office of Emergency Services
Cal/OSHA	California Department of Industrial Relations Division of Occupational Safety and Health
Cal Pub Res. Code § 42911	California Solid Waste Reuse and Recycling Act of 1991
CalRecycle	California Department of Resources Recycling and Recovery
CalSTA	California State Transportation Agency
Caltrans	California Department of Transportation
Calveno	California Vehicle Noise Emission Level
CAP	Climate Action Plan

Acronym	Definition
CAPP	Community Air Protection Program
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CBC	California Building Code
CBSC	California Building Standards Code
CBSC	California Building Standards Commission
CCAA	California Clear Air Act
CCR	California Code of Regulations
CD	consistency determination
CDC	California Department of Conservation
CDD	Community Development Director
CDE	California Department of Education
CDFA	California Department of Food and Agriculture
CDFW	California Department of Fish and Wildlife
CDNPA	California Desert Native Plants Act
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CETAP	Community & Environmental Transportation Acceptability Process
CFC	California Fire Code
CFCs	Chlorofluorocarbons
cfd	cubic feet per day
C_2F_6	Hexaflouroethane
CF_4	Tetraflouromethane
CF_3CH_2F	HFC-134a
CFGC	California Fish and Game Code
CFR	Code of Federal Regulations
CFS	Cubic Feet per Second
CGC	California Government Code
CGS	California Geologic Survey
CH	Conservation Habitat
C_2H_6	Ethane
CH_4	Methane
CH_3CHF_2	HFC-152a
CHF_3	HFC-23
CHHSL	California Human Health Screening Level
CHP	California Highway Patrol
CHL	California Historical Landmark
CH_2O	formaldehyde

Acronym	Definition
CH_3CF_2	1,1-difluoroethane
CH_2FCF	1,1,1,2-tetrafluoroethane
CHF_3	fluoroform
CHL	California Historical Landmark
CHMIRS	California Hazardous Material Incident Reporting System
CHP	combined heat and power
CHRIS	California Historic Resources Information System
CIWMB	California Integrated Waste Management Board
CLCA	California Land Conservation Act
CLOMR	Conditional Letter of Map Revision
CLUP	Comprehensive Land Use Plan
CMB	crushed miscellaneous base
CMP	Congestion Management Program
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNRA	California Natural Resources Agency
CO	Carbon Monoxide
COG	Council of Governments
CO_2	Carbon Dioxide
CO_2e	Carbon Dioxide Equivalent
COH	coefficient of haze
COHb	carboxyhemoglobin
Corp.	U.S. Army Corps of Engineers
C-P-S	Scenic Highway Commercial
CPEP	Clean Power and Electrification Pathway
CPF	cancer potency factor
CPUC	California Public Utilities Commission
CRA	Cultural Resources Assessment
CRDR	County Regulations and Design Requirements
CREC	controlled recognized environmental condition
CRHR	California Register of Historical Resources
CRMP	Cultural Resource Monitoring Program
CSS	cross-street stop
CSU	California State University
CSS	cross-street stop
CTC	California Transportation Commission
CTCs	county transportation commissions
CTP	Clean Truck Program
CTR	California Toxics Rule
CTR	Commute Trip Reduction

Acronym	Definition
CUP	Conditional Use Permit
CUPA	California Unified Program Agency
CWA	Clean Water Act
CWC	California Water Code
CY	Cubic Yards
CZ	Change of Zone
D	Urban and Built-Up Land
dB	Decibel
dBA	A-weighted Decibels
DC/TP	discover clause/treatment plan
DEH	Department of Environmental Health
DEM	Digital Elevation Model
DF	Design Features
DHS	Department of Health Services
DIF	Development Impact Fee
DMV	Department of Motor Vehicles
DOE	Determination of Eligibility
DOE	United States Department of Energy
DOSH	Division of Occupational Safety and Health
DP	Development Permit
DPM	Diesel Particulate Matter
DTSC	Department of Toxic Substances Control
DWR	Department of Water Resources
EC	elemental carbon
ECS	Environmental Constraints Sheet
EDD	Employment Development Department
EIA	Energy Information Administration
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EMFAC	Emission Factor Model
EMWD	Eastern Municipal Water District
e/o	East of
EO	Executive Order
EO S-01-07	Executive Order S-01-07, Low Carbon Fuel Standard
EOP	Emergency Operations Plan
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-To-Know Act
EPS	Emission Performance Standard

Acronym	Definition
ERO	Electric Reliability Organization
ESA	Endangered Species Act
ESA	Environmental Site Assessment
ESFR	Early Suppression, Fast Response (fire sprinkler system)
ETC	Employee Transportation Coordinator
et seq.	*et sequentia*, meaning "and the following"
ETW	equivalent test weight
EV	Electric Vehicle
F	Fahrenheit
FAR	floor area ratio
FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FGC	Fish and Game Code
FHSZ	Fire Hazard Severity Zone
FHWA	Federal Highway Administration
FIA	Fiscal Impact Analysis
FICON	Federal Interagency Committee on Noise
FIMA	Federal Insurance and Mitigation Administration
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FPP	fire protection plan
ft	feet
ft^3/s	cubic feet per second
FTA	Federal Transit Administration
FY	Fiscal Year
FYI	For Your Information
G	Grazing Land
Gal	gallon
GBN	ground-based noise
GBV	ground-based vibration
GCC	Global Climate Change
Gg	Gigagrams
GHG	Greenhouse Gas
GHGA	Greenhouse Gas Analysis
GIS	Geographic Information System
GISD	Geographic Information Services Database
GgCO2e	Gigagrams of carbon dioxide equivalent

Acronym	Definition
g/idle-hr	grams per idle-hour
g/L	grams per liter
GLA	Glenn Lukos Associates
GLO	General Land Office
GOBiz	Governor's Office of Business and Economic Development
GP	General Plan
GPA	General Plan Amendment
gpd	Gallons per Day
gpm	Gallons per minute
GPS	Global Positioning System
GSA	Groundwater Sustainability Agencies
GSP	Groundwater Sustainability Plans
g/vmt	grams per vehicle miles traveled
GWh	gigawatt hours
GWP	Global Warming Potential
H_2O	Water Vapor
HAPs	hazardous air pollutants
HBW	home-based work
HCP	Habitat Conservation Plan
HCS+	Highway Capacity Software Plus
HDT	heavy duty truck
HDV	Heavy-duty vehicles
HFCs	Hydrofluorocarbons
HFC-23	Fluoroform
HFC-134a	1,1,1,2-tetrafluoroethane
HFC-152a	1,1-difluoroethane
HHD	heavy-heavy duty trucks
HHDTs	heavy-heavy duty trucks
HI	Hazard Index
HMBEP	Hazardous Materials Business Emergency Plan
HMC	Hazard Management Consulting
HMIS	Hazardous Materials Inventory Statements
HMMD	Hazardous Materials Management Division
HMMP	Hazardous Materials Management Plan
HMTA	Hazardous Materials Transportation Act
HMTAUSA	Hazardous Materials Transportation Uniform Safety Act
Hp	horsepower
Hp-hr-gal	horsepower hour per gallon
HPLV	High Pressure Low Volume

Acronym	Definition
HR	hour
HRA	Health Risk Assessment
HREC	historical recognized environmental condition
HRI	Historical Resource Inventory
HSC	Health and Safety Code
HSWA	Hazardous and Solid Waste Amendments
HWCL	Hazardous Waste Control Law
HUC	Hydrologic Unit Code
Hz	hertz (cycles per second)
I	Interstate
i.e.	that is
ID	Identification
IE	Infrastructure Element
IEPR	Integrated Energy Policy Report
in/sec	inches per second
IPA	Inland Port Airport
IPCC	Intergovernmental Panel on Climate Change
IRUWMP	Integrated Regional Urvan Water Management Plan
IS	Initial Study
ISO	International Organization for Standardization
ISTEA	Intermodal Surface Transportation Efficiency Act
ITE	Institute of Transportation Engineers
ITIP	Interregional Transportation Improvement Plan
IWMA	Integrated Waste Management Act of 1989
IWMP	Integrated Waste Management Plan
JD	Jurisdictional Delineation
kg	kilogram
kWh	kilowatt-hour
L	Farmland of Local Importance
LBP	Lead based paint
LBNL	Lawrence Berkley National Laboratory
lbs	pounds
lbs/day	pounds per day
LCA	Life-cycle analysis
LCD	liquid crystal display
LCFS	low carbon fuel standard

Acronym	Definition
LDA	Light duty autos
LDT1	light duty trucks 1
LDT2	light duty trucks 2
LDV	Light duty vehicles
LEA	Lead Enforcement Agency
LED	light-emitting diode
LEED	Leadership in Energy and Environmental Design
Leq	equivalent continuous sound level
LEV III	Low-Emission Vehicle Regulation for criteria
LHD	light-heavy duty trucks
LHDT1	light-heavy duty trucks 1
LHDT2	light-heavy duty trucks 2
LHMP	Local Hazard Mitigation Plan
LI	Light Industrial
LID	low impact development
Lmax	Maximum level measured over the time interval
Lmin	Maximum level measures over the time interval
LOS	Level of Service
LRA	local responsibility area
LST	localized significance threshold
LUST	Leaking Underground Storage Tank
Lw	reference sound power level
LWRP	Lancaster Water Reclamation Plant
M^3	Cubic Meter
m-2	heavy manufacturing zone
MACT	Maximum achievable control technology
MATES	Multiple Air Toxics Exposure Study
MBTA	Migratory Bird Treaty Act
MC	Municipal Code
MCY	motorcycle
MEISC	maximally exposed individual school child
MEIR	maximally exposed individual receptor
MEIW	maximally exposed individual worker
mg	milligrams
MGD	million gallons per day
Mg/kg/day	milligrams per kilogram per day
MH	medium-heavy duty truck
MHDT	medium-heavy duty truck
MICR	Maximum Individual Cancer Risk

Acronym	Definition
MM	Mitigation Measure
MMcfd	million cubic feet per day
MMRP	Mitigation Monitoring and Reporting Program
MMTs	million metric tons
MMTCO2e	million metric tons of carbon dioxide equivalent
mpg	miles per gallon
Mph	Miles per hour
MPO	Metropolitan Planning Organization
MPO/RTPA	Metropolitan Planning Organizations/Regional Transportation Planning Agencies
MRZ	Mineral Resource Zone
MRZ-2	Mineral Resources Zone 2
MRZ-3	Mineral Resource Zone 3
MS4	Municipal Separate Storm Sewer System
MT	metric ton
MT/yr	metric ton per year
MTCO2e	Metric Tons of Carbon Dioxide Equivalent
MUTCD	Manual on Uniform Traffic Control Devices
N/A	Not Applicable
n/o	North of
N_2	Nitrogen
n.d.	no date
NAHC	Native American Heritage Commission
NAAQS	National Ambient Air Quality Standards
NAGPRA	Native American Graves Protection and Repatriation Act
NB	Northbound
NBR	northbound ramp
NCCP	Natural Community Conservation Planning
NDA	No Development Alternative
NDCs	nationally determined contributions
NESHAP	National Emission Standards for Hazardous Air Pollutants
NF_3	nitrogen trifluoride
NF_6	sulfur hexafluoride
NFA	no further action
NHL	National Historic Landmark
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NIA	Noise Impact Analysis
NIOSH	National Institute for Occupational Safety and Health
NMFS	National Marine Fisheries Service

Acronym	Definition
No.	Number
NO	Nitric Oxide
NO_2	Nitrogen Dioxide
NO_X	Nitrogen Oxides
N_2	Nitrogen
N_2O	Nitrous Oxide
NOAA	National Oceanic and Atmospheric Administration
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
NPA	No project alternative
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
NPPA	Native Plant Protection Act
NPRM	Notice of Proposed Rulemaking
NPS	National Park Service
NPS	Non-point source
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NTR	National Toxics Rule
NVIA	Noise and Vibration Impact Assessment
O_2	Oxygen
O_3	Ozone
OAG	Office of Attorney General
OBD-II	On-Board Diagnostic
OD	Officially Designated
OD	Origin/Designation
ODC	Ozone Depleting Compounds
OEHHA	Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
OHWM	Ordinary High-Water Mark
OHP	Office of Historic Preservation
OPR	Office of Planning and Research
Ord.	Ordinance
OS	Open Space
OS-CH	Open Space-Conservation Habitat
OSHA	Occupational Safety and Health Assessment
OSHA	Occupational Safety and Health Act
OSHA	Occupational Safety and Health Administration
OWTS	on-site wastewater treatment system

Acronym	Definition
P	Prime Farmland
P-WQMP	Project Specific Preliminary Water Quality Management Plan
Pb	Lead
PCBs	Polychlorinated biphenyls
PCEs	Passenger Car Equivalents
PDF	Project Design Feature
PFCs	Perfluorocarbons
p.m.	Post Meridiem (between the hours of noon and midnight)
PM	post meridiem (between the hours of noon and midnight)
PM	Particulate Matter
$PM_{2.5}$	Fine Particulate Matter (2.5 microns or smaller)
PM_{10}	Fine Particulate Matter (10 microns or smaller)
Porter-Cologne	Porter-Cologne Water Quality Control Act
POU	publicly owned utilities
ppb	parts per billion
ppm	parts per million
pp.	pages
ppt	parts per trillion
PPV	peak particle velocity
PRC	Public Resources Code
PSE	Public Safety Element
psi	per square inch
PQP	Public/Quasi-Public
PV	photovoltaic
PWL	Power Level
Qa	surficial sediments
RCA	Regional Conservation Authority
RCNM	Roadway Construction Noise Model
RCRA	Resource Conservation and Recovery Act
Rd.	Road
REC	Recognized environmental Concerns
RECLAIM	Regional Clean Air Incentives Market
REL	Reference Exposure Level
REMEL	Reference Mean Emission Level
RHNA	The SCAG Regional Housing Needs Assessment
RMS	root mean square
ROG	reactive organic gases
ROW	Right of Way

Acronym	Definition
RPS	Renewable Portfolio Standards
RR	Regulatory Requirement
RTIP	regional transportation improvement plan
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agency
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RUSD	Rialto Unified School District
RWQCB	Regional Water Quality Control Board
RWS	Rialto Water Services
RWWTP	Rialto Wastewater Treatment Plant
S	Farmland of Statewide Importance
SARA	Superfund Amendments and Reauthorization Act
SB18	Bill of Rights for Children and Youth of California
SB	Southbound
SB	Senate Bill
SB 1	Senate Bill 1, Road Repair and Accountability Act of 2017
SB 18	Senate Bill 18, Traditional Tribal Cultural Places Act, 2004
SB 50	Senate Bill 50, Leroy F. Greene School Facilities Act
SB 325	Senate Bill 325, Mills-Alquist-Deddeh Act
SB 350	Senate Bill 350, Clean Energy and Pollution Reduction Act of 2015
SB 375	California Senate Bill 375, Sustainable Communities and Climate Protection Act of 2008
SB 535	Senate Bill 53, Disadvantaged Communities
SB 1000	California Senate Bill 1000, Environmental Justice in Local Land Use Planning of 2016
SB 1020	Senate Bill 1020, Clean Energy, Jobs and Affordability Act of 2022
SB 1078	Senate Bill 1078, Renewable Portfolio Standards
SB 1374	Senate Bill 1374, Construction and Demolition Waste Materials Diversion Requirements
SB 2095	Senate Bill 2095, Water Recycling Landscaping Act
SBA	Small Building Alternative
SBCTA	San Bernardino County Transit Authority
SBKR	San Berardino Kangaroo Rat
SBL/T	southbound left turn
SBR	southbound ramp
SBTAM	San Bernardino Transportation Analysis Model
SCAB	South Coast Air Basin
SCAG	Sothern California Association of Governments
SCAQMD	Southern Coast Air Quality Management District

Acronym	Definition
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SCH	California State Clearinghouse (Office of Planning and Research)
SCS	Sustainable Communities Strategy
SDWA	Safe Drinking Water Act
SF_6	Sulfur Hexafluoride
s.f.	square-foot, square foot, square footage, or square feet
SF/s.f.	square foot or square feet
SFP	School Facilities Program
SFP	State fully protected
SGMA	Sustainable groundwater management act
SHA	Safe Harbor Agreement
SHMA	Seismic Hazards Mapping Act
SHPOs	State Historic Preservation Officers
SHPO	State Historic Preservation Office
SHRC	State Historical Resources Commission
SHS	State Highway System
SIP	State Implementation Plan
SLF	Sacred Lands File
SLPS	Short-Lived Climate Pollutant Strategy
SMARA	Surface Mining Reclamation Act
SMP	soil management plan
s/o	south of
SO_2	Sulfur Dioxide
SO_4	Sulfates
SO_X	Sulfur Oxides
SOC	Statement of Overriding Considerations
SoCal	Southern California
SoCal Gas	Southern California Gas Company
SOI	Sphere of Influence
SP	service population
SP	Specific Plan
SPA	Specific Plan Amendment
SR	State Route
SRA	Source Receptor Area
SRA	State responsibility area
SRRE	Source Reduction and Recycling Element
St.	Street
STIP	Statewide Transportation Improvement Plan
STU	students

Acronym	Definition
SWMP	Stormwater Management Plan
SWMD	County of San Bernardino Solid Waste Management Division
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Regional Control Board
TA	Traffic Analysis
TAC	Toxic Air Contaminants
TAZ	traffic analysis zone
TBD	To be determined
TCRs	Tribal Cultural Resources
TDM	transportation demand management
TEA-21	Transportation Equality Act for 21st Century
TPA	Transit Priority Area
TPD	tons per day
TPM	Tentative Parcel Map
tpy	tons per year
TRUs	Transportation Refrigeration Units
TS	Traffic Signal
TSCA	Toxic Substances Control Act
TSF	Thousand Square Feet
TSM	Transportation Systems Management
TTM	Tentative Tract Map
U	Unique Farmland
µg	microgram
µg/m^3	microgram per cubic meter
UBC	Uniform Building Code
UNFCCC	United Nations' Framework Convention on Climate Change
U.S.	United States
U.S.C.	United States Code
USCB	United States Census Bureau
USDA	U.S. Department of Agriculture
U.S. DOE	United States Department of Energy
U.S DOT	United States Department of Transportation
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United Stated Geological Society
USTs	Underground storage tanks
UTM	Universal Transverse Mercator
UWMP	Urban Water Management Plan

Acronym	Definition
UWMP Act	Urban Water Management Plan Act
VdB	vibration decibel notation
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
VOCs	Volatile Organic Compounds
VPH	Vehicles per Hour
w/	with
WAIRE	Warehouse Actions and Investments to Reduce Emissions
WMI	Watershed Management Initiative
WMIE	Waste Management of the Inland Empire
WMWD	Western Municipal Water District
w/o	West of
WoS	Waters of the State
WOTUS	Waters of the United States
WoUS	Waters of the United States
WQMP	Water Quality Management Plan
WRP	Water Reclamation Plan
WRRA	Water Reuse and Recycle Act
WSA	Water Supply Assessment
WSC	Water Systems Consulting, Inc.
WVWD	West Valley Water District
X	Other Land
YBP	Years before Present
Yr	year
YSMN	Yuhaaviatam of San Manuel Nation Cultural Resources Management Department
ZC	Zone change
ZE/NZE	zero and near-zero emission
ZEV	zero-emission vehicles
ZORI	Zones of Required Investigation

Acronym	Definition
WQMP	Water Quality Management Plan
WRP	Water Reclamation Plan
WRRA	Water Reuse and Recycle Act
WSA	Water Supply Assessment
WSC	Water Systems Consulting, Inc.
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S.0 EXECUTIVE SUMMARY

S.1 INTRODUCTION

The California Environmental Quality Act (CEQA) as codified in Public Resources Code Section 21000, *et seq.* requires that before a public agency makes a decision to approve a project that could have one or more adverse effects on the physical environment, the agency must inform itself about the project's potential environmental impacts, give the public an opportunity to comment on the environmental issues, and take feasible measures to avoid or reduce potential harm to the physical environment.

This Environmental Impact Report (EIR), having California State Clearinghouse (SCH) No. 2023010089, was prepared in accordance with CEQA Guidelines Article 9, Sections 15120-15132 to evaluate the potential environmental impacts associated with planning, constructing, and operating the proposed Pepper 210 Commerce Center project (hereinafter, the "Project" or "proposed Project"). This EIR does not recommend approval or denial of the proposed Project; rather, this EIR is a source of factual information regarding potential environmental impacts that may result from implementation of the Project. The Draft EIR will be available for public review for a minimum period of 45 days. After consideration of public comment, San Bernardino County will consider certifying the Final EIR and adopting required findings.

San Bernardino County in its capacity as Lead Agency for the proposed Project has determined that the Project clearly has the potential to result in significant environmental effects and that an EIR shall be prepared that addresses the environmental topic areas listed below in detail.

1. Aesthetics
2. Air Quality
3. Biological Resources
4. Cultural Resources
5. Energy
6. Geology and Soils
7. Greenhouse Gas Emissions
8. Hazards & Hazardous Materials
9. Hydrology & Water Quality
10. Land Use
11. Mineral Resources
12. Noise
13. Public Services
14. Transportation
15. Tribal Cultural Resources
16. Utilities and Service Systems
17. Wildfire

This EIR's scope was determined through the independent judgment of San Bernardino County pursuant to CEQA Guidelines Section 15063, and in consideration of public comment received by the County in response to this EIR's Notice of Preparation (NOP). The NOP and written comments received by the County in response to the NOP, are attached to this EIR as *Technical Appendix A*. As determined by the County and in consideration of public comment on the NOP, the environmental subject areas listed above have reasonable potential to be significantly affected by planning, constructing, and/or operating the proposed Project and the potential effects resulting from the Project are analyzed herein.

Refer to EIR Section 4.0, *Environmental Analysis*, for a full account and analysis of the topic areas listed above. Topic areas for which the EIR concluded that impacts would clearly not be significant and that do not warrant detailed analysis in this EIR are addressed in EIR Section 5.0, *Other CEQA Considerations*. For each of the aforementioned subject areas, this EIR describes: 1) the physical conditions that existed at the approximate time this EIR's NOP was filed with the California State Clearinghouse (January 6, 2023); 2) discloses the type and magnitude of potential environmental impacts resulting from Project planning, construction, and operation; and 3) if warranted, recommends feasible mitigation measures that would reduce or avoid significant adverse environmental impacts that the proposed Project may cause.

A summary of the Project's significant environmental impacts and the mitigation measures imposed by San Bernardino County to lessen or avoid those impacts is included in this Executive Summary as Table S-1, *Summary of Impacts, Mitigation* Measures, and Monitoring Requirements. The County applies mitigation measures that it determines 1) are feasible and practical for the Project Applicant to implement, 2) are feasible and practical for the County to monitor and enforce, 3) are legal for the County to impose, 4) have an essential nexus to the Project's impacts, and 4) would result in a benefit to the physical environment. CEQA does not require the Lead Agency to impose mitigation measures that are duplicative of mandatory regulatory requirements.

S.2 PROJECT OVERVIEW

S.2.1 LOCATION AND SETTING

The Project Site is in unincorporated San Bernardino County, within the City of Rialto Sphere of Influence. The Project area is bordered by the unincorporated community of Muscoy to the north, the City of San Bernardino to the east, and the City of Rialto to the south and west.

The Project Site is generally northwest of the Highland Avenue and Pepper Avenue intersection and is bordered by Highland Avenue to the south and River Ranch Parkway to the west. An existing flood control channel abuts the Site to the north, beyond which is the Cajon Wash. The Project Site includes Assessor Parcel Numbers (APNs) 0264-431-18, -19, and -20 and Parcels 18144-2 and 18144-3.

S.2.2 EXISTING USE

The Project Site has been used for the mining, processing, and sale of aggregate resources since the late 1940s. Mining operations began at the Project Site in the late 1940s and continued until 1998 or 1999, when all economically viable aggregate resources became depleted and the excavation pits were backfilled. Since mining activities ceased on the Project Site, the Project Site has been used for stockpiling and sale of aggregate resources excavated from the Vulcan Materials Company's Cajon Creek Quarry, which is located approximately 2.5 miles north of the Project Site. Resources mined from the Cajon Creek Quarry are loaded onto haul trucks and transported to the Project Site via an access road located adjacent to, and that crosses, the Cajon Wash. The materials stockpiled on the Project Site are sold as raw aggregates (sand and gravel) or processed on-site into concrete or asphalt. The Project Site contains numerous corrugated metal buildings used for offices, maintenance and repair activities, and storage, production areas, and fueling and wash areas that

support operations on the Site. Almost the entire Project Site is used for materials stockpiling and production and settling basins.

S.2.3 PROJECT SUMMARY

For purposes of this EIR, the term "Project" refers to the actions required to implement the proposed Pepper 210 Commerce Center Project, including planning, construction, and ongoing operation. The Project includes the construction and operation of a distribution center building and associated facilities including, but not limited to, a loading/unloading area with dock doors and trailer parking spaces, passenger vehicle parking, landscaping, and connections to existing utility infrastructure. A free-standing building used to manage truck yard operations would be provided on the western portion of the Project Site. The Project proposes a maximum of 1,861,587 square feet of total building floor area.

The Project requires the County's approval of a Land Use Category Change, Zoning District Amendment, Specific Plan, Conditional Use Permit (CUP), and Development Agreement.

Refer to EIR Section 3.0, *Project Description*, for a detailed description of the Project.

S.2.4 PROJECT OBJECTIVES

The Project seeks to develop a distribution center building on an approximately 101.8-acre property. The Project would achieve this goal through the following objectives.

1. To re-develop a property that has been used for heavy industrial land uses for 75+ years with a modern, less-intensive ("light") industrial use.
2. To expand economic development in San Bernardino County by transitioning the subject property to an in-demand industrial use.
3. To make efficient use of the subject property by maximizing its buildout potential for employment-generating uses.
4. To attract employment-generating businesses to San Bernardino County reducing the need for members of the local workforce to commute outside the area for employment.
5. To develop an industrial building with direct access to the California highway system that can support the southern California supply chain and goods movement network without introducing new haul truck trips on arterial and local roadways in the Project area.
6. To re-develop a property that contains an active earthquake fault with a compatible land use and design that complies with applicable State and local regulations.
7. To develop a property that has access to available infrastructure, including roads and utilities.

S.3 EIR PROCESS

Following preliminary review of the Project's application materials, San Bernardino County concluded that the Project and its associated implementing actions have the *potential* to result in significant environmental

effects; as such, the County proceeded with preparation of this EIR pursuant to CEQA Guidelines Section 15060(d). The County filed a NOP with the California Office of Planning and Research (State Clearinghouse) to indicate that an EIR would be prepared. The NOP was distributed for a 30-day public review period, which began on January 6, 2023. The County received written comments on the scope of the EIR during those 30 days, which were considered by the County during the preparation of this EIR.

This EIR will be circulated for review and comment by the public and other interested parties, agencies, and organizations for a 45-day review period. During the 45-day public review period, public notices announcing availability of the Draft EIR will be mailed to interested parties, and copies of the Draft EIR and its Technical Appendices will be available for review at the locations indicated in the public notices.

After the close of the 45-day Draft EIR public comment period, the County will prepare and publish responses to written comments it received on the environmental effects of the Project. The Final EIR will be considered for certification by the San Bernardino Planning Commission. Certification of the Final EIR would be accompanied by the adoption of written findings and a statement of overriding considerations for any significant unavoidable environmental impacts identified in the Final EIR. In addition, pursuant to Public Resources Code Section 21081.6 and because the Project will include mitigation measures, the County must adopt a Mitigation, Monitoring, and Reporting Program (MMRP), which describes the process to ensure the Project's construction and operational activities will comply with the mitigation measures identified in the Final EIR.

S.4 Areas of Controversy and Issues to be Resolved

CEQA Guidelines Section 15123(b)(2) requires the Lead Agency (San Bernardino County) to identify any known issues of controversy. This EIR addresses all environmental issues that are known by the County and that were identified in the comment letters that the County received in response to the NOP. Written comments received by the County in response to the NOP are summarized in Section 1.0 of this EIR (refer to Table 1-1, *Summary of NOP Comments*).

S.5 Alternatives to the Proposed Project

CEQA requires that an EIR describe a range of reasonable alternatives to the Project or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. As demonstrated in Section 4.0 of this EIR, implementation of the Project would not result in significant adverse environmental effects that cannot be mitigated to below a level of significance after the implementation of Project design features, mandatory regulatory requirements, and feasible mitigation measures; thus, there is no need for the County to consider adoption of alternative development scenarios to the Project. Notwithstanding, the EIR does address the following alternatives:

S.5.1 Alternative Development Site

This alternative considers developing the Project at another location. An alternative development site was considered by the County but rejected from detailed analysis because no other properties that would be reasonably available to the Project Applicant are: 1) are large enough to support the proposed Project, 2) have

fewer environmental constraints than the Project Site, and 3) have fewer developmental constraints than the Project Site (e.g., access to existing roadways and the State highway system, public utilities and infrastructure).

S.5.2 No Development Alternative

The No Development Alternative considers a scenario where the Project does not proceed, and the Project Site remains in its current use for the foreseeable future. Implementation of the No Development Alternative would result in no physical environmental impacts to the Project Site beyond those that have historically occurred on the Project Site. All potentially significant effects of the Project would be avoided by the selection of this Alternative. Because the No Development Alternative would not re-develop the Project Site to modern industrial land uses and would not promote local economic development, including through the creation of new jobs and the expansion of the local tax base, the No Development Alternative would fail to meet all of the Project's objectives.

S.5.3 No Project Alternative

The No Project Alternative considers a scenario where the Project Site is redeveloped with uses that conform with San Bernardino County's existing land use and zoning designations. The Project Site is currently zoned for "Resource Conservation" uses, which provides for open space and recreational activities, single-family homes on very large parcels, and similar and compatible uses. Due to development constraints from existing fault zones and the Site's Reclamation Plan 90M-11, this alternative envisions that the Site becomes naturalized open space upon the completion of required reclamation activities. Implementation of the No Development Alternative would result in no physical environmental impacts to the Project Site, and all potentially significant effects of the Project would be avoided by the selection of this Alternative. Because the No Project Alternative would not re-develop the Project Site to modern industrial land uses and would not promote local economic development, including through the creation of new jobs and the expansion of the local tax base, the No Project Alternative would fail to meet all of the Project's objectives.

S.5.4 Reduced Building Area Alternative

The Reduced Building Area Alternative assumes development of the Project Site with an identical physical development design, but with the interior of the proposed building modified to remove warehouse mezzanine space. This would yield an approximately 1,241,587-square foot warehouse building, a 33-percent reduction in building area when compared to the Project. This Alternative was selected by the Lead Agency to evaluate whether modifying the development intensity of the Project, but still allowing productive industrial use, would result in a substantive reduction to the Project's environmental effects.

The Reduced Building Area Alternative would achieve most of the Project's objectives. However, the 33-percent reduction in development scope under this Alternative would result in less efficient use of available land by limiting, rather than maximizing, buildout potential of the Site, substantially reducing the development of an in-demand, employment-generating land use. The reduction in development scope under this Alternative would also comparably reduce total available employment opportunities as well as the range of potential users and employment opportunities.

S.6 SUMMARY OF IMPACTS, MITIGATION MEASURES, AND CONCLUSIONS

Table S-1 provides a summary of the Project's environmental impacts as determined in Subsections 4.1 through 4.17 of this EIR, and as required by CEQA Guidelines Section 15123(a). Also presented are the mitigation measures recommended by the Lead Agency to further avoid adverse environmental impacts or to reduce their level of significance. After the application of all feasible mitigation measures, the Project would not result in any significant and unavoidable environmental effects.

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

Threshold	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
Aesthetics					
Summary of Impacts					
Threshold "a:" Less Than Significant Impact. There are no designated scenic vistas in the Project Site vicinity. The Project would not substantially affect views of the San Bernardino Mountains or San Gabriel Mountains from nearby public viewing areas.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "b:" No Impact. The Project site has been heavily impacted by mining-related activities for more than 70 years. There are no scenic resources or historic buildings located within the Project site, nor does the Project propose or require facilities or operations that would otherwise substantially damage such resources. There are no designated scenic routes or highways in the site vicinity.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "c:" Less Than Significant Impact. The Project Site is in an urbanized area and would not conflict with applicable regulations governing scenic quality. The Project would be implemented consistent with the visual standards and regulations currently in place for IR land uses. A less-than-significant impact would occur from implementation of the Project.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "d:" Less Than Significant Impact. Compliance with California Building Energy Efficiency Standards and Chapter 83.07 of the San Bernardino County Development Code would ensure less-than-significant impacts associated with light and glare affecting day or nighttime views in the area from on-site lighting elements.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

Threshold	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
Air Quality					
Summary of Impacts					
Threshold "a:" Significant Direct and Cumulatively Considerable Impact. The Project's construction- and operational-related VOC emissions exceed regional significance thresholds, which could contribute to region's ozone continued exceedance of ozone standards. In addition, the Project would develop the Project Site with land uses and an intensity not anticipated by the County Policy Plan and, thus, could result in air pollution not anticipated by the *2022 AQMP*.	**MM 4.2-1** Prior to building permit issuance, the Project Applicant or its successor in interest shall ensure a note is provided on building plans specifying that: 1) compliance with SCAQMD Rule 1113 is mandatory during application of all architectural coatings; 2) pre-coated building materials (e.g., metal awnings, bathroom stall dividers), shall be utilized to the maximum feasible extent; and 3) only "super compliant" paints, as defined in SCAQMD Rule 1113, shall be used for interior surfaces. Project contractors shall be required to comply with the note and maintain written records of such compliance that can be inspected by San Bernardino County upon request. Compliance with this note shall be required during the lifetime of the Project (i.e., during future maintenance and re-application activities). **MM 4.2-2** Prior to building permit issuance, the Project Applicant or its successor in interest shall ensure that building plans demonstrate that exterior electrical outlets/receptacles are provided in proximity to landscaped areas such that electrical equipment may be used for on-site landscape maintenance activities. **MM 4.2-3** Prior to the issuance of a certificate of occupancy, the Project Applicant or its successor in interest shall provide documentation to San Bernardino County demonstrating that occupants/tenants of the Project Site will be informed that corded or battery-powered electric equipment shall be used for on-site landscape maintenance to the maximum feasible extent.				Less than Significant Impact with Mitigation

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

Threshold	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	MM 4.2-4 Prior to the issuance of a certificate of occupancy, the Project Applicant or successor in interest shall provide documentation to San Bernardino County demonstrating that occupants/tenants of the Project Site will be informed that any cargo-handling equipment (e.g., yard trucks [hostlers], pallet jacks, forklifts) used on-site shall be battery electric; the use of diesel-, natural gas-, and gasoline-powered cargo handling equipment is prohibited on the Project Site.				
Threshold "b:" Significant Direct and Cumulatively Considerable Impact. Project construction and operational activities would exceed the applicable SCAQMD regional thresholds for VOC emissions. VOCs are a precursor for ozone; therefore, the Project's emissions of substantial VOCs would contribute to the SCAB's non-attainment of federal and State ozone standards.	Refer to MMs 4.2-1 through 4.2-4, above.	See above.	See above.	See above.	Less than Significant Impact with Mitigation
Threshold "c:" Less than Significant Impact. Implementation of the Project would not: 1) exceed applicable SCAQMD localized criteria pollution emissions thresholds during construction and operation; 2) would not expose sensitive receptors to toxic air contaminants that exceed the applicable SCAQMD carcinogenic and non-carcinogenic risk thresholds; and 3) would not cause or contribute to the formation of a CO "hot spot."	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "d:" Less than Significant Impact. The Project would not produce air emissions that would lead to unusual or substantial construction-related or operational-related odors. The Project is required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Biological Resources					
Summary of Impacts					
Threshold "a:" Potential Significant Direct and Cumulatively Considerable Impact. Although no special-status plants or wildlife have been identified on the Project site, the site contains suitable habitat for burrowing owls. In the event the burrowing owl is present on the Project Site at the time construction commences, this would be a significant impact.	**MM 4.3-1** A take avoidance survey for burrowing owls conducted in accordance with the CDFW 2012 Staff Report on Burrowing Owl Mitigation is required prior to future ground-disturbing activities (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging, etc.). The take avoidance survey shall be conducted within 30 days but no less than 14 days prior to ground-disturbing activities in all areas of the Project Site with suitable habitat, including the banks of the settling basins, the bare areas and slopes along the western and southwestern boundary of the Project Site, along the flood control berms along the northern boundary of the Project Site, and the bare area in the southeast corner. a) If the pre-construction survey identifies no burrowing owls on the property, a grading permit may be issued, and earthmoving activities can commence without restriction. b) If burrowing owls have colonized the Project Site prior to the initiation of ground-disturbing activities, the Project biologist will demarcate a minimum 500-foot avoidance buffer (or larger, based on field observations) and will passively or actively relocate any burrowing owls, based on consultation with San Bernardino County and the California Department of Fish and Wildlife. Passive relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall	Project Applicant / Developer, Project Biologist	San Bernardino County Planning Division	Prior to grading	Less than Significant Impact with Mitigation

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit. If ground disturbing activities occur, but the Project Site is left undisturbed for more than 30 days, a take avoidance survey will again be necessary to ensure that burrowing owl have not colonized the Site since it was last disturbed. If burrowing owls are found, the same coordination described above will be necessary.				
Threshold "b:" No Impact. The Project site does not contain riparian habitat or special-status natural communities.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "c:" No Impact. The Project site does not contain any federally-protected wetlands.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold d: Potential Significant Direct and Cumulatively Considerable Impact. There is no potential for the Project to interfere with the movement of fish or impede the use of a native wildlife nursery site. However, the Project has the potential to impact nesting migratory birds protected by the MBTA and California Fish and Game Code, should habitat removal occur during the nesting season and should nesting birds be present.	**MM 4.3-2** As feasible, vegetation clearing should be conducted outside of the nesting season, which is generally identified as February 1 through September 15. If avoidance of the nesting season is not feasible, then a qualified biologist shall conduct a nesting bird survey within seven days prior to any disturbance of the site, including disking, vegetation clearing and grubbing, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests. Typical suitable buffers can include a minimum of 300 feet for non-raptor species and 500 feet for raptors but the buffers can be increased or decreased at the biologist's discretion based on the nesting bird's tolerance to Project activities. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.	Project Applicant/Developer, Project Biologist	San Bernardino County Planning Division	Prior to construction	Less than Significant Impact with Mitigation

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Threshold "e:" No Impact. The Project would not conflict with any local policies or ordinances protecting biological resources.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "f:" No Impact. The Project site is not located within the boundaries of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan	No mitigation is required.	N/A	N/A	N/A	No Impact
Cultural Resources					
Summary of Impacts					
Thresholds "a" & "b:" Potentially Significant Direct and Cumulatively Considerable Impact. No known prehistoric or historic resources are present on the Project site. Nonetheless, the potential exists for Project-related construction activities to result in a potentially direct and cumulatively considerable impact to significant buried/masked prehistoric or historic resources, should such resources be discovered during Project-related construction activities.	**MM 4.4-1** Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to San Bernardino County that an archaeologist that meets the latest version of the Secretary of the Interior Professional Qualifications Standards (hereafter "Project Archaeologist") has been retained to conduct the training and monitoring activities described in Mitigation Measure (MM) 4.4-2 and MM 4.4-3. **MM 4.4-2** Prior to the issuance of a grading permit, the Project Applicant or construction contractor shall provide evidence to San Bernardino County that the construction site supervisors and crew members involved with grading and trenching operations have received training by the Project Archaeologist to recognize archaeological resources (historic and prehistoric) should such resources be unearthed during ground-disturbing construction activities. The training will include a brief review of the cultural sensitivity of the area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of archaeological resources are identified, including who to contact and appropriate avoidance measures until the	Project Applicant / Developer, Project Archaeologist Project Applicant / Developer, Project Archaeologist	San Bernardino County Planning Division San Bernardino County Planning Division	Prior to issuance of grading permit Prior to issuance of grading permit	Less than Significant Impact with Mitigation

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

Threshold	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	find(s) can be properly evaluated; and any other appropriate protocols. All new supervisorial construction personnel involved with grading and trenching operations that begin work on the Project Site after the initial training session must take the training prior to beginning work on-site.				
	MM 4.4-3 The Project Archaeologist shall conduct monitoring during all grading, trenching, and excavation activities delineated in Figure 5.0-1 of the Project's Cultural Resources Study (EIR Technical Appendix E). The Project Archaeologist shall be equipped to salvage artifacts if they are unearthed to avoid construction delays. Should the Project Archaeologist determine during construction activities that there are no archaeological resources within the Project's disturbance area or should the archaeological sensitivity be reduced to low, archaeological monitoring activities can be reduced to spot-checking or may be allowed to cease.	Project Applicant / Developer, Project Archaeologist	San Bernardino County Planning Division	Ongoing during grading, trenching, and excavation activities	
	MM 4.4-4 In the event that suspected cultural resources are discovered during Project construction activities: a. 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 assess the find. Work on the other portions of the Project Site 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 regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial	Project Applicant / Developer, Project Archaeologist	San Bernardino County Planning Division	In the event that cultural resources are discovered during construction activities	

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

Threshold	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment. b. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA, are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, which shall be provided to San Bernardino County and the YSMN for review and comment. The Project Archaeologist shall monitor the remainder of ground-disturbing Project construction activities and implement the Plan accordingly. c. 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 Section 7050.5 and that code enforced for the duration of the project. d. At the completion of the basic field analysis and documentation or laboratory analysis, any recovered resource(s) shall be processed and curated according to current professional repository standards. The collections and associated records shall be donated to an appropriate curation facility, or, the artifacts may be delivered to the YSMN or appropriate Native American Tribe(s) if that is recommended by San Bernardino County. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to San Bernardino County, the South Central Coastal				

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	Information Center at California State University, Fullerton, and the YSMN or appropriate Native American Tribe(s).				
Threshold "c:" Less than Significant Impact. In the unlikely event that human remains are discovered during Project grading or other ground disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097 et seq. Mandatory compliance with State law would ensure that any discovered human remains are appropriately treated and would preclude the potential for significant impacts.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Energy					
Summary of Impacts					
Threshold "a:" Less than Significant Impact. The amount of energy and fuel consumed by construction and operation of the Project would not be inefficient, wasteful, or unnecessary. Furthermore, the Project would not cause or result in the need for additional energy facilities or energy delivery systems.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "b:" Less than Significant Impact. The Project would not conflict with or obstruct the achievement of energy conservation goals within the State of California identified in State and local plans for renewable energy and energy efficiency.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Geology & Soils					
Summary of Impacts					
Threshold "a:" Less than Significant Impact. Implementation of the Project would not expose people or structures to substantial direct or indirect adverse effects related to	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
liquefaction or fault rupture. The Project Site is subject to seismic ground shaking associated with earthquakes; however, mandatory compliance with local and State regulatory requirements, building codes, and the Geotechnical Report would ensure that the Project minimizes potential hazards related to seismic ground shaking to less than significant levels.					
Threshold "b:" Less than Significant Impact. Implementation of the Project would not result in substantial soil erosion or loss of topsoil. The Project Applicant would be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities and adhere to a Storm Water Pollution Prevention Plan (SWPPP), and prepare an erosion control plan to minimize water and wind erosion. Following completion of development, the Project's owner or operator would be required by law to implement a Water Quality Management Plan (WQMP) during operation, which would preclude substantial erosion impacts in the long-term.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "c:" Less than Significant Impact. The on-site reclamation backfill is not suitable for structural support in its current condition, and will require overexcavation and recompaction. The County will condition the Project to comply with the site-specific ground preparation and construction recommendations contained in the final Geotechnical Report to be reviewed and approved by the County prior to issuance of grading and building permits. With compliance with the Geotechnical Report, impacts would be less than significant.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Threshold "d:" No Impact. The Geotechnical Report concluded that on-site soils are non-expansive. No impact would occur.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "e:" Less than Significant. The Project's primary design option is to connect to the RWS sewer system and not utilize septic tanks or alternative wastewater disposal systems. As an alternative wastewater disposal option, the Project may construct an onsite wastewater treatment system (OWTS). The Project Site contains soils that can accommodate an OWTS in the event the Project does not connect to the RWS sewer conveyance and wastewater treatment system.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "f:" Less than Significant Impact. The Project site has a low potential to yield significant paleontological resources. Accordingly, the potential for the Project to indirectly or indirectly destroy a unique paleontological resource or site is considered less than significant.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Greenhouse Gas Emissions					
Summary of Impacts					
Threshold "a:" Cumulatively Considerable Impact. The Project would exceed the County's significance threshold of 3,000 $MTCO_2e$ per year. As such, the Project would generate substantial, cumulatively-considerable GHG emissions that may have a significant impact on the environment.	**MM 4.7-1** Prior to the issuance of a building permit, the Project Applicant shall provide documentation to San Bernardino County Land Use Services Department (Planning Division) demonstrating that the design measures listed below have been incorporated into the Project design or that alternative design measures are proposed that would ensure the Project can achieve a minimum of 100 points from Table 2, Screening Table for Implementing GHG Performance Standards for Commercial Development and Public Facilities, of the County of San Bernardino Greenhouse Gas Reduction Plan (September 2021).	Project Applicant / Developer	San Bernardino County Planning Division	Prior to issuance of building permit	Less than Significant Impact with Mitigation

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	• Enhanced Insulation (0.32 U-factor, 0.25 SHGC); • Thermal storage devices, including strategically placed water filled columns, water storage tanks, and thick masonry walls; • Modest Thermal Mass (10% of floor or 10% of walls 12" or more thick exposed concrete or masonry with no permanently installed floor covering such as carpet, linoleum, wood, or other insulating materials; • Very High Efficiency Lights (100% of in-unit fixtures are high efficiency); • All electric buildings reduce GHG emissions, as the grid electricity they use is generated using less carbon over time. Grid electricity in California will be 60 percent renewable energy by 2030 and 100 percent renewable energy by 2040; • Only low water using plants • Weather based irrigation control systems combined with drop irrigation (demonstrate 20% reduced water use) • Water Efficient Toilets/Urinals (1.5 gpm); • Water Efficient faucets (1.28 gpm); • Installation of Level 2 240-volt AC Fast Chargers for passenger electric vehicles (31 total); • Provide separated recycling bins within each commercial building/floor and provide large external recycling collection bins at central location for collection truck pick-up.				
Threshold "b:" Cumulatively Considerable Impact. Prior to mitigation, the Project would not be consistent with the County's *Greenhouse Gas Reduction Plan*, which would be a cumulatively considerable impact. The Project otherwise would not conflict with applicable regulations, policies,	Refer to MM 4.7-1, above.	See above.	See above.	See above.	Less than Significant Impact with Mitigation

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
plans, and policy goals that would further reduce GHG emissions.					
Hazards and Hazardous Materials					
Summary of Impacts					
Thresholds "a" & "b:" Less than Significant Impact. During Project construction and operation, mandatory compliance with federal, State, and local regulations would ensure that the Project would not create a significant hazard to the environment due to routine transport, use, disposal, or upset of hazardous materials.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "c:" No Impact. The Project site is not located within one-quarter mile of any existing or proposed school. Accordingly, the Project would 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 mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "d:" Less than Significant Impact. Although the Project Site is included on hazardous materials site databases regulated by Government Code Section 65962.5, due to historical and current uses on the Site, the current user of the Project Site would remove and remediate all hazards from the Project Site as part of the reclamation plan for the Site's existing use. All conditions of the reclamation plan must be satisfied before San Bernardino County or the State's Division of Mine Reclamation will close the Project's mining case and allow re-development to proceed. Thus, the Project Site would be free of all hazardous materials prior to initiation of any Project-related activities.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Threshold "e:" Less than Significant Impact. The Project site is not located within two miles of an airport. The closest airport is the San Bernardino International Airport located over nine miles southeast of the Project site. Accordingly, implementation of the Project would not result in an airport-related hazard for people living or working in the Project area and impacts would be less than significant.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "f:" Less than Significant Impact. The Project does not propose or require permanent alteration of vehicle circulation routes. Nor does the Project propose or require facilities or operations that would interfere with any identified emergency response or emergency evacuation plan. Further, the Project Applicant would be responsible for the preparation and submittal of a construction area traffic management plan to be reviewed and approved by the County.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "g:" Less than Significant Impact. Warehouse uses such as the Project, are predominantly concrete structures which are not typically susceptible to fire. Project plans would be reviewed by the County and affected purveyors to ensure conformance with applicable fire code standards, thereby further reducing potential wildfire hazard impacts. Additionally, in the event of fire, County fire suppression services would be available to the Project site. The potential for the Project to expose people or structures to a significant risk involving wildland fires is less than significant.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Hydrology and Water Quality					
Summary of Impacts					
Threshold "a:" Less than Significant Impact. The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Adherence to a SWPPP and WQMP is required as part of the Project's implementation to address construction- and operational-related water quality.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "b:" Less than Significant Impact. The Project would not physically impact any groundwater recharge facilities. The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the Basin.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "c:" Less than Significant Impact. The Project would be required to comply with applicable water quality regulatory requirements to minimize erosion and siltation. Additionally, the Project would not result in flooding on- or off-site or impede/redirect flood flows. Lastly, the Project would not create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "d:" No Impact. The Project Site would not be subject to inundation from tsunamis, seiches, or other hazards.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "e:" Less than Significant Impact. The Project would not conflict with or obstruct implementation of a water quality	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
control plan or sustainable groundwater management plan.					
Land Use					
Summary of Impacts					
Threshold "a:" No Impact. The Project would not physically divide an established community.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "b:" Less than Significant Impact. The Project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Mineral Resources					
Summary of Impacts					
Threshold "a:" No Impact. The Project site no longer contains any known mineral resources that would be of value to the region or the residents of the State. Accordingly, with implementation of the proposed Project there would be no impact to known mineral resources.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "b:" No Impact. The Project would not 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, and no impact would occur.	No mitigation is required.	N/A	N/A	N/A	No Impact
Noise					
Summary of Impacts					
Threshold "a:" Less than Significant Impact. Project-related short-term construction and long-term operational noise would not exceed the standards established by San Bernardino County.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "b:" Less than Significant Impact. The Project's construction and operational activities would not result in excessive or	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

Threshold	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
substantial temporary groundborne vibration or noise levels.					
Threshold "c:" Less than Significant Impact. The Project site is not located within two miles of an airport or airstrip. The closest airport is the San Bernardino International Airport located over nine miles southeast of the Project site. As such, the Project site would not be exposed to excessive noise levels from airport operations.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Public Services					
Summary of Impacts					
Threshold "a:" Less than Significant Impact. The Project would increase the demand for fire protection services provided by County Fire. Although demand would be increased, County Fire's existing fire stations have adequate capacity to service the Project. Increased demand, unless it results in some form of a physical environmental impact, is not an environmental effect under CEQA.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "b:" Less than Significant Impact. The Project would increase the demand for police protection services provided by the County Sheriff's Department. Although demand would be increased, the Sheriff Department's existing facilities have adequate capacity to service the Project. Increased demand, unless it results in some form of a physical environmental impact, is not an environmental effect under CEQA.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "c:" Less than Significant Impact. The Project would not result in or require new or expanded public school facilities. Impacts to school facilities would be less than significant.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "d:" No Impact. The Project does not propose any type of residential use or	No mitigation is required.	N/A	N/A	N/A	No Impact

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
other land use that would generate a population that would increase the use of recreation facilities or existing neighborhood or regional parks.					
Threshold "e:" No Impact. The Project does not propose any type of residential use or other land use that would generate a population that would increase the use of public library facilities.	No mitigation is required.	N/A	N/A	N/A	No Impact
Transportation					
Summary of Impacts					
Threshold "a:" Less than Significant Impact. The Project would not conflict with an applicable program, plan, ordinance or policy addressing the circulation system.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "b:" Less than Significant Impact. The VMT generated by the Project would not exceed the County VMT significance thresholds for direct or cumulative impacts.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "c:" Less than Significant Impact. The Project would not introduce any significant transportation safety hazards due to a design feature or incompatible use.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "d:" Less than Significant Impact. Adequate emergency access would be provided to the Project Site during construction and long-term operation. The Project would not result in inadequate emergency access to the site or surrounding properties.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Tribal and Cultural Resources					
Summary of Impacts					
Threshold "a:" Significant Direct and Cumulatively Considerable Impact. The Project site does not contain any recorded, significant tribal cultural resource sites; therefore, the Project would not cause a	The following mitigation measures have been presented previously, in Subsection 4.4. As they also apply to the protection of tribal resources, they are reproduced here for ease of reference.	Project Applicant / Developer, Project Archaeologist	San Bernardino County Planning Division	Prior to issuance of grading permit	Less than Significant Impact with Mitigation

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

Threshold	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or a local register of historical resources. Nonetheless, Project construction activities have the potential to unearth and adversely impact tribal cultural resources that may be buried at the Project site.	**MM 4.4-1** Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to San Bernardino County that an archaeologist that meets the latest version of the Secretary of the Interior Professional Qualifications Standards (hereafter "Project Archaeologist") has been retained to conduct the training and monitoring activities described in Mitigation Measure (MM) 4.4-2 and MM 4.4-3.				
	MM 4.4-2 Prior to the issuance of a grading permit, the Project Applicant or construction contractor shall provide evidence to San Bernardino County that the construction site supervisors and crew members involved with grading and trenching operations have received training by the Project Archaeologist to recognize archaeological resources (historic and prehistoric) should such resources be unearthed during ground-disturbing construction activities. The training will include a brief review of the cultural sensitivity of the area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of archaeological resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new supervisorial construction personnel involved with grading and trenching operations that begin work on the Project Site after the initial training session must take the training prior to beginning work on-site.	Project Applicant / Developer, Project Archaeologist	San Bernardino County Planning Division	Prior to issuance of grading permit	
	MM 4.4-3 The Project Archaeologist shall conduct monitoring during all grading, trenching, and excavation activities delineated in Figure 5.0-1 of the Project's Cultural Resources Study (EIR	Project Applicant / Developer, Project Archaeologist	San Bernardino County Planning Division	Ongoing during grading, trenching, and excavation activities	

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	Technical Appendix E). The Project Archaeologist shall be equipped to salvage artifacts if they are unearthed to avoid construction delays. Should the Project Archaeologist determine during construction activities that there are no archaeological resources within the Project's disturbance area or should the archaeological sensitivity be reduced to low, archaeological monitoring activities can be reduced to spot-checking or may be allowed to cease. **MM 4.4-4** In the event that suspected cultural resources are discovered during Project construction activities: a. 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 assess the find. Work on the other portions of the Project Site 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 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. b. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA, are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, which shall be provided to San Bernardino County and the YSMN for review and comment. The Project	Project Applicant / Developer, Project Archaeologist	San Bernardino County Planning Division	In the event that cultural resources are discovered during construction activities	

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	Archaeologist shall monitor the remainder of ground-disturbing Project construction activities and implement the Plan accordingly. c. 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 Section 7050.5 and that code enforced for the duration of the project. d. At the completion of the basic field analysis and documentation or laboratory analysis, any recovered resource(s) shall be processed and curated according to current professional repository standards. The collections and associated records shall be donated to an appropriate curation facility, or, the artifacts may be delivered to the YSMN or appropriate Native American Tribe(s) if that is recommended by San Bernardino County. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to San Bernardino County, the South Central Coastal Information Center at California State University, Fullerton, and the YSMN or appropriate Native American Tribe(s).				
Utilities and Service Systems					
Summary of Impacts					
Threshold "a:" Less-than-Significant Impact. The physical environmental effects associated with installing the Project's water, wastewater, stormwater drainage, and dry utility infrastructure is evaluated throughout this EIR and no adverse impacts	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
specific to the provision utilities services have been identified.					
Threshold "b:" Less-than-Significant Impact. Adequate water supplies are available to serve the Project along with WVWD's existing and planned future service obligations during normal, dry and multiple dry year conditions. Implementation of the Project would result in a less than significant impact.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "c:" Less-than-Significant Impact. Wastewater volumes produced by the Project would not significantly impact or exceed the existing sewer capacity in the public system, and the existing sewer system has adequate capacity for the proposed development. Accordingly, impacts would be less than significant.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "d:" Less-than-Significant Impact. Development of the proposed Project would not significantly affect current operations or the expected lifetime of area landfills. Therefore, the proposed Project would not cause a significant impact related to solid waste disposal.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Threshold "e:" Less-than-Significant Impact. The Project would be required to comply with all applicable local, State, and federal solid waste disposal standards. This would ensure that the solid waste stream to regional landfills are reduced in accordance with existing regulations. Accordingly, impacts would be less than significant.	No mitigation is required.	N/A	N/A	N/A	Less than Significant Impact
Wildfire					
Summary of Impacts					
Threshold "a:" No Impact. The Project does not propose or require permanent alteration of vehicle circulation routes. Nor does the	No mitigation is required.	N/A	N/A	N/A	No Impact

Table S-1 Summary of Impacts, Mitigation Measures, and Monitoring Requirements

THRESHOLD	MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Project propose or require facilities or operations that would interfere with any identified emergency response plan or emergency evacuation plan. Coordination with the local fire and police departments during planning and construction would ensure the Project would not interfere or impede an adopted emergency response plan or emergency evacuation route during construction or operations.					
Threshold "b:" No Impact. The Project would be developed consistent with the CBSC requiring new buildings to use ignition-resistant construction methods and materials as well as fire suppression systems. Within the Project Site, areas not covered by structures or parking areas would be landscaped and irrigated, acting to further reduce fire hazards.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "c:" No Impact. The Project would not include any feature that could create a fire hazard during routine maintenance activities.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "d:" No Impact. Flooding and landslides are not significant concerns at the Project Site. Additionally, Project design features act to avoid or minimize flooding, landslides, slope instability, and adverse drainage changes.	No mitigation is required.	N/A	N/A	N/A	No Impact

1.0 INTRODUCTION

This Environmental Impact Report (EIR) is an informational document that represents the independent judgment of San Bernardino County (hereinafter, "County"), acting as the Lead Agency pursuant to the California Environmental Quality Act (CEQA), and evaluates the physical environmental effects that could result from constructing and operating the proposed Pepper 210 Commerce Center Project (hereinafter, the "Project"). To implement the Project, the Project Applicant has requested the County's approval of a Land Use Category Change, Zoning District Amendment, Specific Plan, Conditional Use Permit, and Development Agreement, collectively referred to as case "PROJ-2022-00182." Other related discretionary and administrative actions that may be required to construct and operate the Project also are described in this EIR.

When the term "Project" is used in this EIR, the term shall mean all aspects of the planning, construction, and operation of the proposed Project, including all discretionary and administrative approvals and permits required for its implementation. When the terms "Project Applicant" or "Applicant" are used, the terms shall mean Carson BBC Logistics Center LLC, which is the entity that submitted applications for the Project as proposed and evaluated in this EIR.

1.1 PURPOSES OF CEQA AND THIS EIR

As stated by CEQA Guidelines Section 15002(a), the basic purposes of CEQA are to:

- Inform governmental decision makers and the public about the potential, significant environmental effects of proposed development activities involving discretionary government approvals (including the approval of private development projects);
- Identify the ways that environmental damage can be avoided or significantly reduced;
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
- Disclose to the public the reasons why the governmental agency approved the project in the manner the agency chose (if the project involves significant environmental effects).

Following a preliminary review of the Project's application materials, the County concluded that the Project and its associated implementing actions clearly have the *potential* to result in significant environmental effects; as such, the County proceeded with preparation of this EIR pursuant to CEQA Guidelines Section 15060(d). The County determined that a Project EIR, as described in CEQA Guidelines Section 15161, would be required. Pursuant to CEQA Guidelines Section 15161, this Project EIR shall "…focus primarily on the changes in the environment that would result from the development project," and "…examine all phases of the project including planning, construction, and operation." Also, pursuant to CEQA Guidelines Section 15121(a), the purposes of this EIR are to: (1) disclose information by informing public agency decision makers and the public generally of the significant environmental effects associated with all phases of the Project, (2) identify possible ways to minimize or avoid those significant effects, and (3) to describe a

reasonable range of alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects.

1.2 List of Project Approvals

The Project Applicant has filed applications for the following discretionary actions, which are under consideration by the County:

- A **Land Use Category Change** to change the land use designation for the subject property from Resource Land Management (RLM) to General Industrial (GI).
- A **Zoning District Amendment** to change the zoning designation for the Project Site from Resource Conservation (RC) to Specific Plan (SP).
- A **Specific Plan** that provides a land use plan, infrastructure system plans, development standards, design guidelines, and implementation methods to guide and regulate development activities within the Project Site.
- A **Conditional Use Permit** that provides a re-development plan for an approximately 101-acre property located north of Highland Avenue, east of River Ranch Parkway, and west of the Cajon Wash (hereinafter the "Project Site"). The Project proposal includes the development and operation of a distribution warehouse building with a footprint of 1,224,487 square feet (s.f.) and up to 1,859,487 s.f. of floor area, including potential office and mezzanine spaces. The Project also includes a 2,100 s.f. truck yard office. The Conditional Use Permit includes a site plan, floor plan, architectural design and building elevations, cross-sections, trash enclosure details, wall elevations, conceptual grading plan, utilities plan, and a conceptual landscape plan, all of which provide the specific details related to development of the Project.
- A **Development Agreement** to provide San Bernardino County and the Project Applicant with assurances regarding the scope, timing, and process for implementing the proposed Project.

All components of the Project are described in detail in EIR Section 3.0, *Project Description*.

1.3 Prior CEQA Review

The Project Site is located within unincorporated San Bernardino County and is covered by the County's General Plan ("Countywide Plan"), which provides the fundamental basis for the County's land use and development policies. The Countywide Plan was the subject of review under CEQA (State Clearinghouse [SCH] Number 2017101033). The County approved the Countywide Plan and certified its Final Program EIR on October 27, 2020. The Program EIR contains information relevant to the Project Site. Thus, the Program EIR for the Countywide Plan is herein incorporated by reference pursuant to CEQA Guidelines Section 15150 and is available for public review at the Countywide Plan website (https://countywideplan.com/) and the San Bernardino County Planning Division, 385 N. Arrowhead Ave., San Bernardino, CA 92415.

1.4 LEGAL AUTHORITY

This EIR has been prepared in accordance with all criteria, standards, and procedures of CEQA (California Public Resource Code Section 21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 *et seq.*).

Pursuant to Public Resources Code Section 21067 and CEQA Guidelines Article 4 and Section 15367, the County is the Lead Agency under whose authority this EIR has been prepared. "Lead Agency" refers to the public agency that has the principal responsibility for carrying out or approving a project. Serving as the Lead Agency and before taking action to approve the Project, the County has the obligation to: (1) ensure that this EIR has been completed in accordance with CEQA; (2) review and consider the information contained in this EIR as part of its decision making process; (3) make a statement that this EIR reflects the County's independent judgment; (4) ensure that all significant effects on the environment are eliminated or substantially lessened where feasible; and, if necessary (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or project alternatives identified in this EIR are infeasible and citing the specific benefits of the Project that outweigh its unavoidable adverse effects (CEQA Guidelines Section 15090 through 15093).

Pursuant to CEQA Guidelines Sections 15040 through 15043, and upon completion of the CEQA review process, the County of San Bernardino will have the legal authority to do any of the following:

- Approve the Project;
- Require feasible changes in any or all activities involved in the Project in order to substantially lessen or avoid significant effects on the environment;
- Deny approval of the Project in order to avoid one or more significant effects on the environment that would occur if the Project was approved as proposed; or
- Approve the Project even though the Project could cause a significant effect on the environment if the County makes a fully informed and publicly disclosed decision that: 1) there is no feasible way to lessen the effect or avoid the significant effect; and 2) expected benefits from the Project will outweigh significant environmental impacts of the Project.

This EIR fulfills the CEQA environmental review requirements for the proposed Land Use Category Change, Specific Plan, Conditional Use Permit, and Zoning District Amendment, as well as all other governmental discretionary and administrative actions related to the Project.

1.5 RESPONSIBLE AND TRUSTEE AGENCIES

Public Resources Code Section 21104 requires that all EIRs be reviewed by responsible and trustee agencies (see also CEQA Guidelines Sections 15082 and 15086(a)). As defined by CEQA Guidelines Section 15381, "the term 'Responsible Agency' includes all public agencies other than the Lead Agency that have discretionary approval power over the project." A "Trustee Agency" is defined in CEQA Guidelines Section

15386 as "a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California."

- The **Santa Ana Regional Water Quality Control Board (RWQCB)** is identified as a Trustee Agency for the Project because it is responsible for the protection of California's water resources and water quality. The Santa Ana RWQCB is responsible for issuance of a National Pollutant Discharge Elimination System (NPDES) Permit to ensure that stormwater flows on or through the Project Site do not result in siltation, other erosional actions, or degradation of surface or subsurface water quality.
- The **California Department of Fish and Wildlife (CDFW)** is a Trustee Agency for the Project because it is responsible for the protection of the State's fish, wildlife, and plant resources, and the habitats upon which they depend.
- The **Unites States Army Corps of Engineers** is a Responsible Agency pertaining to potential Section 408-level approvals associated with buffers/separation required between proposed development and the adjacent levee for the Cajon Wash.

There are no other known Trustee Agencies or Responsible Agencies identified for the Project. Regardless, this EIR can be used by any Trustee Agency or Responsible Agency, whether identified in this EIR or not, as part of their decision-making processes in relation to the Project.

1.6 EIR Scope, Format, and Content

1.6.1 EIR Scope

The County filed a Notice of Preparation (NOP) with the California Office of Planning and Research (State Clearinghouse) to indicate that an EIR would be prepared to evaluate the Project's potential to impact the environment. The NOP was filed with the State Clearinghouse and distributed to potential Responsible Agencies, Trustee Agencies, and other interested parties. The NOP was distributed for public review to solicit responses that would help the County identify the full scope and range of potential environmental concerns associated with the Project so that these issues could be fully examined in this EIR. The 30-day public review period was from January 6, 2023 through February 17, 2023. In addition, a publicly noticed EIR Scoping Meeting was held on January 30, 2023, at Cinemark Renaissance Marketplace and XD, 1355 W Renaissance Parkway, Rialto, CA 92376; this meeting provided members of the public an additional opportunity to comment on the scope of environmental issues to be addressed in this EIR.

The NOP, public review distribution list, and written comments received by the County during the NOP public review period and EIR Scoping Meeting are provided in *Technical Appendix A* to this EIR. Substantive issues raised in response to the NOP are summarized below in Table 1-1, *Summary of NOP & Scoping Meeting Comments*. The purpose of this table is to present a summary of the environmental topics that were expressed by public agencies, interested parties, and members of the public to be of primary interest. Table 1-1 is not intended to list every comment received by the County during the NOP review period. Regardless of whether an environmental or CEQA-related comment is listed in the table, all comments received during the NOP review period and the EIR Scoping Meeting that are relevant to the environmental analysis are addressed in this EIR.

Table 1-1 Summary of NOP & Scoping Meeting Comments

Environmental Topic	Concern	Refer to Section
Air Quality	- Air Quality Impact Analysis methodology, including possible mitigation measures - Incorporation of the City of Rialto Climate Adaptation Plan - Air quality impacts to a disadvantaged community - Particulate Matter (PM) emissions during construction and operations - Operational nitrogen oxide (NO_X) emissions	4.2, *Air Quality*
Energy	- Energy efficiency	4.5, *Energy*
Land Use	- Potential land use conflicts - Fiscal/Economic impacts	4.10, *Land Use*
Mineral Resources	- Displaced aggregate mining use	4.11, *Mineral Resources*
Noise	- Operational noise	4.12, *Noise*
Transportation	- Truck traffic/routes	4.14, *Transportation*

Upon consideration of the Project's proposal, its geographic location, and all comments received by the County in response to the NOP and during the EIR Scoping Meeting, this EIR provides a detailed analysis of the Project's potential to cause adverse effects under the following topics:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology & Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology & Water Quality
- Land Use
- Mineral Resources
- Noise
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities & Service Systems
- Wildfire

The topics listed above are evaluated in EIR Section 4.0, *Environmental Analysis*.

While conducting research of the Project's potential environmental effects and preparing this EIR, the County concluded that the Project would clearly result in either (1) no impacts or (2) less-than-significant impacts under several environmental topic areas, including: Agriculture & Forestry Resources, Population & Housing, and Recreation. Potential effects to these topic areas are summarized in EIR Section 5.0, *Other CEQA Considerations*.

1.6.2 EIR Format and Content

This EIR contains all of the information required to be included in an EIR as specified by the CEQA Statute and Guidelines (California Public Resources Code, Section 21000 *et. seq.* and California Code of Regulations, Title 14, Chapter 5). CEQA requires that an EIR contain, at a minimum, certain specified content. Table 1-2, *Location of CEQA Required Topics*, provides a quick reference guide for locating the CEQA-required sections within this document.

Table 1-2 Location of CEQA Required Topics

CEQA Required Topic	CEQA Guidelines Reference	Location in this EIR
Table of Contents	Section 15122	Table of Contents
Summary	Section 15123	Section S.0
Project Description	Section 15124	Section 3.0
Environmental Setting	Section 15125	Section 2.0
Consideration and Discussion of Environmental Impacts	Section 15126	Section 4.0
Significant Environmental Effects Which Cannot be Avoided if the Project is Implemented	Section 15126.2(c)	Section 4.0 & Subsection 5.1
Significant Irreversible Environmental Changes Which Would be Caused by the Project Should it be Implemented	Section 15126.2(d)	Subsection 5.2
Growth-Inducing Impact of the Project	Section 15126.2(e)	Subsection 5.3
Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects	Section 15126.4	Section 4.0 & Table S-1
Consideration and Discussion of Alternatives to the Project	Section 15126.6	Section 6.0
Effects Not Found to be Significant	Section 15128	Subsection 5.4
Organizations and Persons Consulted	Section 15129	Section 7.0 & Technical Appendices
Discussion of Cumulative Impacts	Section 15130	Section 4.0
Energy Conservation	Section 15126.2(b) & Appendix F	Subsection 4.5

In summary, the content and format of this EIR is as follows:

- **Section S.0, Executive Summary** provides an overview of the EIR and CEQA process and provides a brief description of the Project, including its objectives, the location and regional setting of the Project Site, and potential alternatives to the Project as required by CEQA. The Executive Summary provides a summary of the Project's impacts, mitigation measures, and conclusions, in a table that forms the basis of the Project's Mitigation Monitoring and Reporting Program (MMRP).

- **Section 1.0, Introduction** provides introductory information about the CEQA process and the responsibilities of the County in its role as Lead Agency, a brief description of the Project, the purpose of the EIR, and an overview of the EIR format.

- **Section 2.0, Environmental Setting** describes the environmental setting, including descriptions of the Project Site's physical conditions and surrounding context used as the baseline for analysis in this EIR.

- **Section 3.0, Project Description** includes a detailed Project Description that identifies the precise location and boundaries of the Project, a map showing the Project's location in a regional perspective, a statement of the Project's objectives, a general description of the Project's technical, economic, and environmental characteristics, and a statement describing the intended uses of the EIR, including a list of agencies expected to use the EIR, and a list of approvals for which the EIR will be used. The Project Description contains a level of specificity commensurate with the level of detail proposed by the Project.

- **Section 4.0, Environmental Analysis** provides an analysis of potential direct, indirect, and cumulative impacts that may occur with implementation of the Project. A determination concerning the significance of each impact is addressed and mitigation measures are presented when warranted. The environmental changes identified in Section 4.0 and throughout this EIR are referred to as "effects" or "impacts" interchangeably. CEQA Guidelines Section 15358 describe the terms "effects" and "impacts" as being synonymous.

  In each subsection of Section 4.0, the existing conditions are disclosed that are pertinent to the subject area being analyzed, accompanied by a specific analysis of physical impacts that may be caused by implementing the Project. Impacts are evaluated on a direct, indirect, and cumulative basis. Direct impacts are those that would occur directly as a result of the Project. Indirect impacts represent secondary effects that would result from Project implementation. Cumulative effects are defined in CEQA Guidelines Section 15355 as "…two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts."

  The analyses in Section 4.0 are based in part upon technical reports that are appended to this EIR. Information also is drawn from other sources of analytical materials that directly or indirectly relate to the Project and are cited in Section 7.0, *References*.

  Where the analysis identifies a significant environmental effect, feasible mitigation measures are recommended. Pursuant to CEQA and the CEQA Guidelines, an EIR must propose and describe mitigation measures to minimize the significant environmental effects identified in the EIR. The requirement that EIRs identify mitigation measures realizes CEQA's policy that Lead Agencies adopt feasible measures when approving a project to reduce or avoid its significant environmental effects. Per Public Resources Code Section 21081.6 and CEQA Guidelines Section 15126.4, mitigation measures must be enforceable through conditions of approval, contracts or other means that are legally binding. Pursuant to Public Resources Code Section 21081.6, incorporating mitigation measures into

conditions of approval is sufficient to demonstrate that the measures are enforceable. This requirement is designed to ensure that mitigation measures will actually be implemented, not merely adopted and then ignored. In light of the foregoing, the identified mitigation measures are analyzed to determine whether they would effectively reduce or avoid any significant environmental effects. In most cases, implementation of the mitigation measures would reduce an identified significant environmental effect to below a level of significance. If mitigation measures are not available or feasible to reduce an identified impact to below a level of significance, the environmental effect is identified as a significant and unavoidable adverse impact, for which a Statement of Overriding Considerations would need to be adopted by the Lead Agency pursuant to CEQA Guidelines Section 15093.

- **Section 5.0, Other CEQA Considerations** includes specific topics that are required by CEQA. These include a summary of the Project's significant and unavoidable environmental effects, a discussion of the significant and irreversible environmental changes that would occur should the Project be implemented, as well as potential growth-inducing impacts of the Project. Section 5.0 also includes a discussion of the potential environmental effects that were found not be significant during preparation of this EIR.

- **Section 6.0, Project Alternatives** describes and evaluates alternatives to the Project that could reduce or avoid the Project's adverse environmental effects. CEQA does not require an EIR to consider every conceivable alternative to the Project but rather to consider a reasonable range of alternatives, including a "No Project" alternative, that will foster informed decision making and public participation.

- **Section 7.0, References** cites all reference sources used in preparing this EIR and lists the agencies and persons that were consulted in preparing this EIR. Section 7.0 also lists the persons who authored or participated in preparing this EIR.

1.6.3 Incorporation by Reference

CEQA Guidelines Section 15147 states that the "information contained in an EIR shall include summarized…information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public," and that the "[p]lacement of highly technical and specialized analysis and data in the body of an EIR shall be avoided through the inclusion of supporting information and analyses as appendices to the main body of the EIR." CEQA Guidelines Section 15150 allows for the incorporation "by reference all or portions of another document… [and is] most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand." The purpose of incorporation by reference is to assist the Lead Agency in limiting the length of this EIR. Where this EIR incorporates a document by reference, the document is identified in the body of the EIR, citing the appropriate section(s) of the incorporated document and describing the relationship between the incorporated part of the referenced document and this EIR.

This EIR relies on several Project-specific technical appendices that are bound separately as *Technical Appendices*. The *Technical Appendices* are incorporated by reference and available for review at the San Bernardino County Planning Division, 385 N. Arrowhead Ave., San Bernardino, CA 92415, during the

County's regular business hours; can be reviewed in digital format on the County's website at https://cms.sbcounty.gov/lus/Planning/Environmental/Valley.aspx; or by contacting the County Planning Division. The individual technical studies, reports, and supporting documentation that comprise the *Technical Appendices* are as follows:

A: Notice of Preparation and Written Comments on the NOP
B: Air Quality Impact Analysis
C: Mobile Source Health Risk Assessment
D: Biological Technical Report
E: Cultural Resources Study
F: Energy Analysis
G: Geotechnical Investigation
H: Paleontological Assessment
I: Greenhouse Gas Analysis
J: Phase I Environmental Site Assessment
K: Phase I Environmental Site Assessment Addendum
L: Preliminary Drainage Report
M: Preliminary Water Quality Management Plan
N: Statement of Mineral Resource Classification Impact Potential
O: Correspondence from Vulcan Materials Company to San Bernardino County Land Use Services Department
P: Noise Analysis
Q: VMT Analysis
R: Supplemental VMT Analysis
S: Traffic Analysis
T: Water System Analysis
U: Sewer System Analysis
V: Water Supply Assessment
W: Onsite Wastewater Treatment System Air Quality, Energy, and Greenhouse Gas Analysis
X: Supplemental Health Risk Analysis
Y: Economic and Fiscal Impact Analysis

Other reference sources that are incorporated into this EIR by reference are listed in Section 7.0, *References*, of this EIR. In most cases, documents or websites not included in the EIR's Technical Appendices are cited by a link to the online location where the document/website can be viewed. References relied upon by this EIR will be available for public review at the San Bernardino County Planning Division, 385 N. Arrowhead Ave., San Bernardino, CA 92415.

2.0 Environmental Setting

2.1 Regional Setting and Location

The Project Site is in unincorporated San Bernardino County, within the City of Rialto Sphere of Influence. The Project area is bordered by the unincorporated community of Muscoy to the north, the City of San Bernardino to the east, and the City of Rialto to the south and west. The Project Site is located approximately 0.1-mile north of State Route 210 (SR 210), 2.2 miles west of Interstate 215 (I 215), and 7.4 miles east of Interstate 15 (I 15). Please refer to Figure 2-1, *Regional Location*.

The Project Site is in a Census Bureau-defined urbanized area of San Bernardino County. The Southern California Association of Governments (SCAG) estimates that San Bernardino County had a population in 2020 of 2,250,000. SCAG estimates that the County's population will increase to 2,815,000 by 2045 (SCAG, 2020a, p. 29).

2.2 Local Setting and Location

The Project Site is generally northwest of the Highland Avenue and Pepper Avenue intersection and is bordered by Highland Avenue to the south and River Ranch Parkway to the west. An existing levee abuts the Project Site to the north, beyond which is the Cajon Wash. The Assessor Parcel Numbers (APNs) for the Project Site are 0264-431-18, -19, and -20. The Project Site also includes Parcels 18144-2 and -3. Please refer to Figure 2-2, *Project Vicinity*, and Figure 2-3, *USGS Topographic Map*.

2.3 Surrounding Land Uses

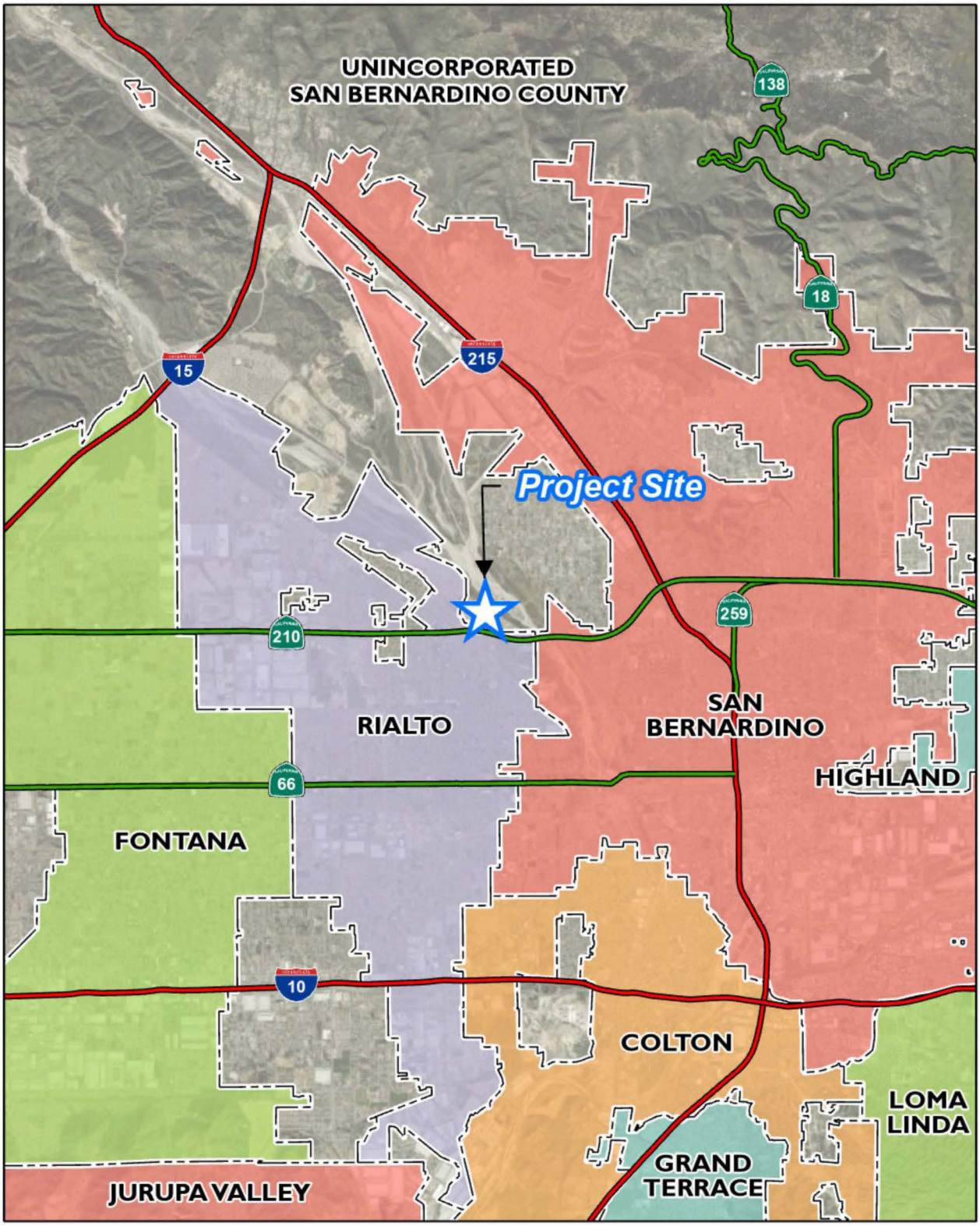
Existing land uses in the immediate vicinity of the Project Site are illustrated on Figure 2-4, *Surrounding Land Uses*, and are described below.

North: A flood control levee borders the site immediately to the north, beyond which is the Cajon Wash.

West: An established single-family residential neighborhood and an under-construction master-planned residential community (River Ranch) is located west of the Project Site, across River Ranch Parkway, in the City of Rialto.

South: Highland Avenue is located immediately to the south of the Project Site, beyond which is SR 210. Single-family residential land uses and Frisbie Park, in the City of Rialto, are located south of SR 210.

East: A flood control levee and the Cajon Wash are located to the east of the Project Site. A rail corridor and a mix of single-family residential, commercial, and industrial land uses in the City of San Bernardino and unincorporated community of Muscoy are located to the east of the Cajon Wash.

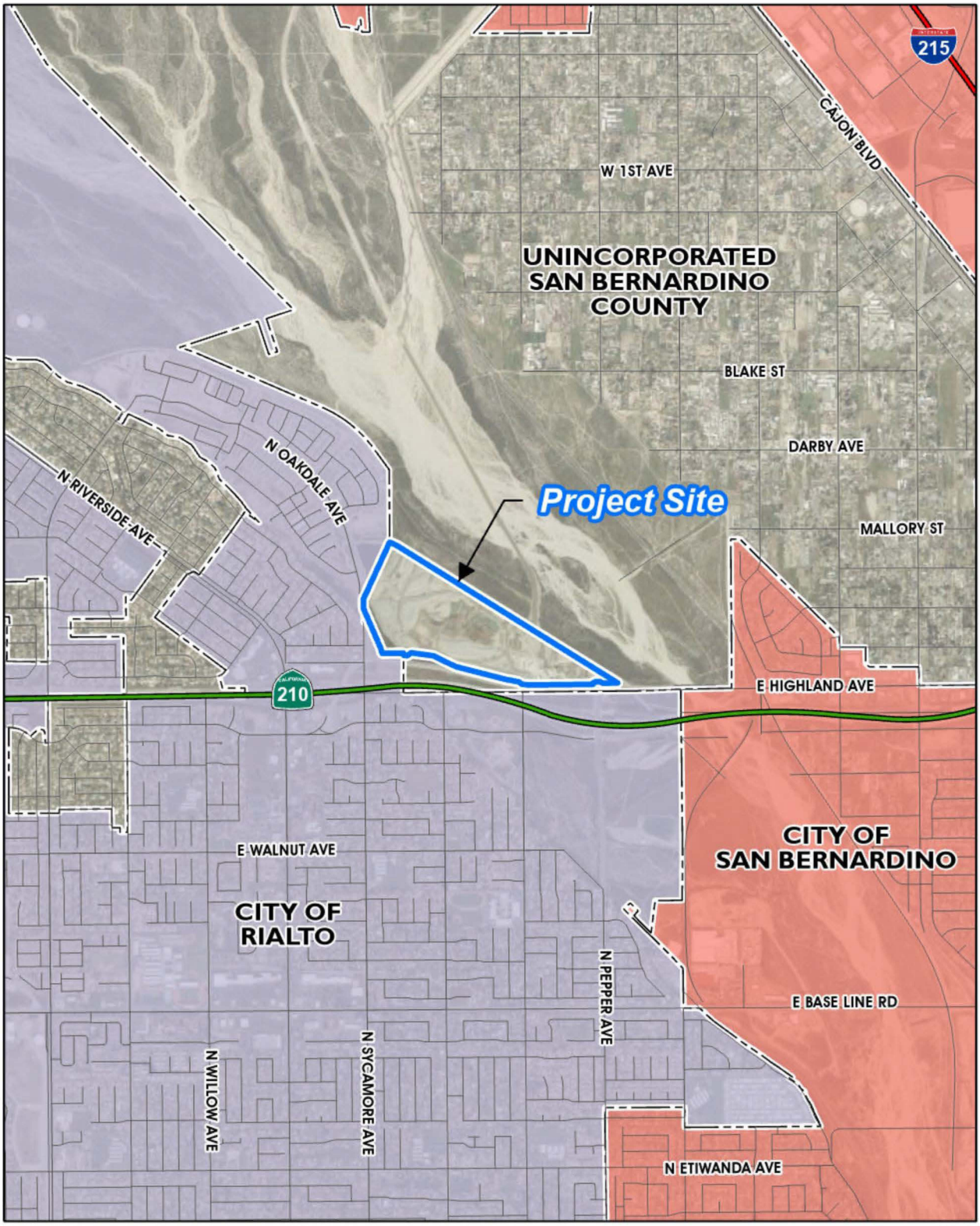


Source(s): Esri, Nearmap Imagery (September 2023), SB County (2024), RCIT (2024)

Figure 2-1

0 0.5 1 2 Miles

Regional Location

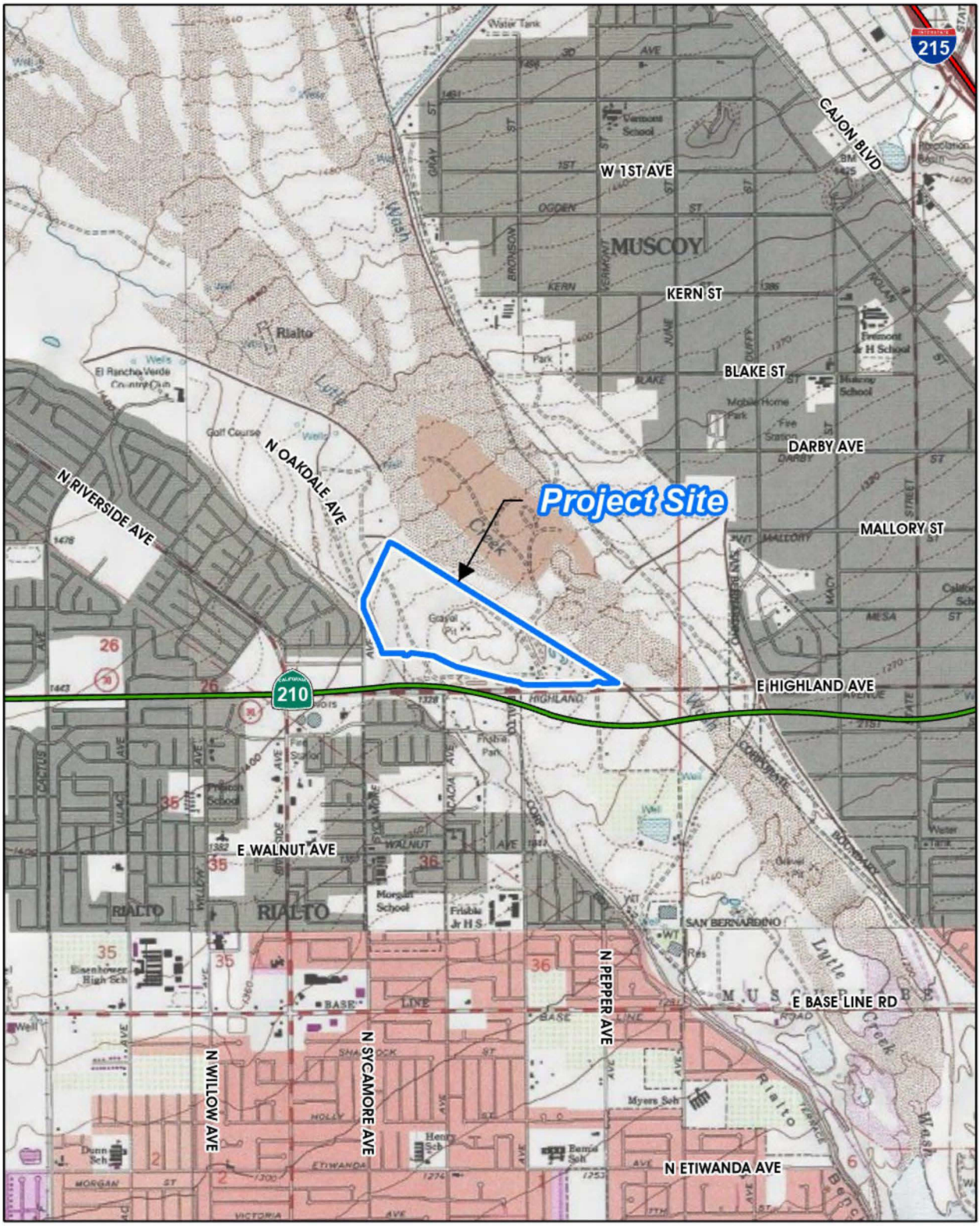


Source(s): Esri, Nearmap Imagery (September 2023), SB County (2024)

Figure 2-2

0 625 1,250 2,500 Feet

Project Vicinity



Source(s): Esri, SB County (2024), USGS (2013)

Figure 2-3

0 625 1,250 2,500 Feet

USGS Topographic Map



Source(s): Esri, Nearmap Imagery (September 2023), SB County (2024)

Figure 2-4

0 250 500 1,000 Feet

Surrounding Land Uses

2.4 PLANNING CONTEXT

2.4.1 GENERAL PLAN

The San Bernardino County Policy Plan, which is a component of the larger Countywide Plan, serves as the general plan for San Bernardino County and is the prevailing planning document for unincorporated areas of San Bernardino County. In this EIR, the phrases "County Policy Plan" and "general plan" have the same meaning and significance and may be used interchangeably. The County Policy Plan designates the Project Site for "Resource Land Management (RLM)" land uses. The RLM land use designation is intended to "[m]anage, preserve, and protect natural resources such as agricultural/grazing lands, watersheds, minerals, and wildlife habitat areas, as well as open space areas not otherwise protected or preserved" (San Bernardino County, 2022, p. 10 (Land Use Element)). The RLM land use applied to the Project Site facilitates the existing use of the property, mineral resources processing and sales (see detailed discussion of the existing use under Subsection 2.5). The RLM land use designation does not allow the land use proposed by the Project; thus, the Project requires a Land Use Category Change.

2.4.2 ZONING

San Bernardino County applies Resource Conservation (RC) zoning to the Project Site. The RC zoning district "… provides sites for open space and recreational activities, single-family homes on very large parcels and similar and compatible uses" (San Bernardino County, 2024, § 82.01.020). The RC zoning district does not allow the land use proposed by the Project; thus, the Project requires a Zoning District Amendment.

2.4.3 SCAG REGIONAL TRANSPORTATION PLAN / SUSTAINABLE COMMUNITIES STRATEGY

SCAG is a regional agency established pursuant to California Government Code Section 6500, also referred to as the Joint Powers Authority law. SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). The Project Site is within SCAG's regional authority. On September 3, 2020, SCAG's Regional Council approved and adopted the *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* ("*Connect SoCal*"). *Connect SoCal* is the applicable Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) for the Project. The goals of *Connect SoCal* are to: 1) Encourage regional economic prosperity and global competitiveness; 2) Improve mobility, accessibility, reliability, and travel safety for people and goods; 3) Enhance the preservation, security, and resilience of the regional transportation system; 4) Increase person and goods movement and travel choices within the transportation system; 5) Reduce greenhouse gas emissions and improve air quality; 6) Support healthy and equitable communities; 7) Adapt to a changing climate and support an integrated regional development pattern and transportation network; 8) Leverage new transportation technologies and data-driven solutions that result in more efficient travel; 9) Encourage development of diverse housing types in areas that are supported by multiple transportation options; 10) Promote conservation of natural and agricultural lands and restoration of habitats. Performance measures and funding strategies also are included to ensure that the adopted goals are achieved through implementation of the RTP. (SCAG, 2020b)

2.5 EXISTING PHYSICAL SITE CONDITIONS

CEQA Guidelines Section 15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. The environmental setting is defined as "…the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced…" (CEQA Guidelines Section 15125[a]). CEQA Guidelines Section 15125 further clarifies that the environmental setting "…will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant." California courts have held that using the qualifying term, "normally," CEQA Guidelines Section 15125 recognizes that in appropriate situations a lead agency has the discretion to select a different baseline method that accounts for the circumstances presented. (See *Fat v. County of Sacramento (2002) 97 Cal.App.4th 1270, 1278*.) Detailed information regarding the Project Site's environmental setting and the baseline used in this EIR's analysis is presented in the specific subsections of EIR Section 4.0, *Environmental Setting*.

The Project Site has been used for the mining, processing, and sale of aggregate resources since the late 1940s. This subsection provides a general summary of the physical conditions of the Project Site and day-to-day operations on the Project Site at the time the NOP for the EIR was published on January 5, 2023. Because the amount of material that mining operators quarry and process is driven by supply and demand market forces that vary from month to month and year to year, the volume of site operations, as described in Subsection 2.5.1, represents an average of five (5) years of historical production data and is presented for informational purposes.

2.5.1 LAND USE & OPERATIONS

Mining operations began at the Project Site in the late 1940s and continued until 1998 or 1999, when all economically viable aggregate resources became depleted and the excavation pits were backfilled. Since mining activities ceased on the Project Site, the Project Site has been used for stockpiling and sale of aggregate resources excavated from the Vulcan Materials Company's Cajon Creek Quarry, which is located approximately 2.5 miles north of the Project Site. Resources mined from the Cajon Creek Quarry are loaded onto haul trucks and transported to the Project Site via an access road located adjacent to, and that crosses, the Cajon Wash. The materials stockpiled on the Project Site are sold as raw aggregates (sand and gravel) or processed on-site into concrete or asphalt. The Project Site contains numerous corrugated metal buildings used for offices, maintenance and repair activities, and storage, production areas, and fueling and wash areas that support operations on the Site. Almost the entire Project Site is used for materials stockpiling and production and settling basins. Slopes along the western and southern edge of the Project Site are planted and maintained for beautification purposes.

Site operations include the processing and sale of aggregate, concrete, and asphalt. Typical hauling, staging, and production hours on the Project Site are 3:30am to 3:30pm, Monday through Saturday. The hours of hauling, staging and production activities may be extended – and can even occur on Sundays during the peak construction season (i.e., the time of year with dry weather and longer daylight hours) or may be reduced in the time of year when demand is low (i.e., the time of year with inclement weather and short daylight hours).

Sales activities occur on the Project Site between 4:00am and 4:00pm, Monday through Friday. All aspects of the operations on the Project Site produce noise – which can be substantial for certain activities – and, also, produce dust, which requires street sweeping and the use of water trucks multiple times per day. Table 2-1 presents a summary of the yearly and annual average production at the Project Site over the last five years.

Table 2-1 Annual Tonnage, 2018 through 2022

Year	Production (thousand tons)
2018	1,661
2019	1,622
2020	1,539
2021	1,855
2022	1,967
Total (2018-2022)	8,644
Annual Average	**1,728.8**

The main activities of the aggregate plant include receiving source materials staged elsewhere on the Project Site, processing and temporarily stockpiling aggregate materials, and selling those materials to customers (or transferring the aggregate to the concrete and asphalt plants on the Project Site). A rock crusher also operates on the Project Site to crush oversized rocks and recycle concrete, which are sold as construction base and fill materials. Water from the aggregate processing activities is conveyed to the on-site concrete and asphalt plants, as well to a series of settling ponds in the central portion of the Project Site.

At the concrete plant, source materials from the aggregate plant are stored temporarily, then transferred via a conveyor belt, mixed to produce the concrete, and then transferred to trucks for off-site use. Water used in concrete mixing activities is transferred from the aggregate plant, and, after use in the concrete mixing activities, the wastewater is transferred back to the aggregate plant for conveyance to the on-site settling ponds.

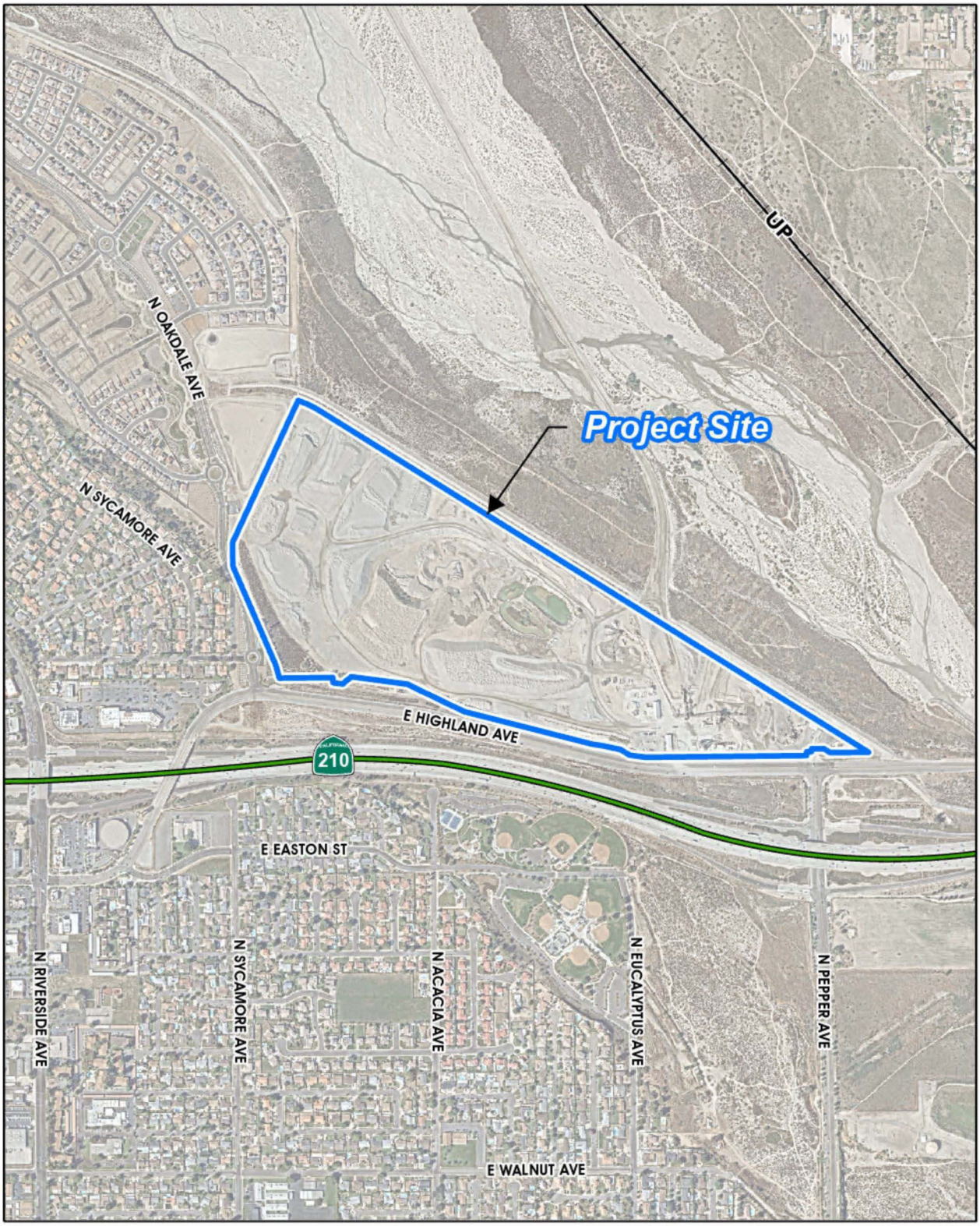
The asphalt plant includes a drier, an elevator to move source materials, a separator to separate materials into different sizes, and a mixer. The asphalt is mixed and then transferred to trucks for off-site use. Water used in asphalt production process is transferred from the aggregate plant, and, after use in the asphalt production process, the wastewater is transferred back to the aggregate plant for conveyance to the on-site settling ponds.

Mobile equipment operates across the Project Site to support aggregate, concrete, and asphalt production activities. The actual equipment fleet for year 2022 was provided by the operator of the Project Site and daily hours of operations were adjusted to reflect the annual average production over the last five years. The types and numbers of equipment that operate on the Project Site daily are summarized in Table 2-2.

Table 2-2 Existing Project Site Equipment Fleet

Equipment	Equipment Class	Quantity	Average Hours of Operation	Engine Classification	Horsepower
Cat 777D/F Truck	Off-Highway Truck	6	12 hr/day	Tier 2	938
Water Truck (6000-12000 gal.)	Off-Highway Truck	4	12 hr/day	Tier 2	400
Cat 924G Wheel Loader	Rubber Tired Loader	1	12 hr/day	Tier 2	129
Cat 980M Loader		1	12 hr/day	Tier 4 Interim	386
Cat 980H Loader		2	12 hr/day	Tier 2	318
Cat 988KXE Loader		1	12 hr/day	Tier 4 Final	541
Cat 990H Loader		1	12 hr/day	Tier 2	627
Cat 998H Loader		1	12 hr/day	Tier 2	501
Kom WA320 Loader		1	12 hr/day	Tier 4 Final	165
Cat 390 Excavator	Excavator	1	12 hr/day	Tier 4 Final	524
Cat D9 Dozer	Bulldozer	1	12 hr/day	Tier 2	440
Cat 14 Motor Grader	Grader	1	12 hr/day	Tier 2	240
Cat 416E Backhoe	Tractor / Loader / Backhoe	1	12 hr/day	Tier 2	74
Tymco DST Sweeper	Sweeper / Scrubber	1	12 hr/day	Tier 4 Interim	56
Skidsteer Loader	Skidsteer Loader	1	12 hr/day	Tier 2	75
Air Compressor	Air Compressor	1	12 hr/day	Average	37

All material sold from the Project Site is loaded onto delivery trucks (e.g., mixer trucks, dump trucks) and driven to off-site destinations where the materials will ultimately be used. Traffic also is generated by Project Site employees. Average daily traffic to/from the Project Site is summarized in Table 2-3. The traffic levels shown in Table 2-3are based on traffic counts collected at the Project Site in 2021 and adjusted to reflect the annual average production for the last five years. All traffic entering/exiting the Project Site utilizes a driveway at the north side of the Pepper Avenue/Highland Avenue intersection or a driveway located approximately 800 feet to the west of the Pepper Avenue/Highland Avenue intersection. The locations of existing driveways at the Project Site, as well as the locations of all existing facilities and improvements at the Project Site, as shown on Figure 2-5, *Aerial Photograph*.



Source(s): Esri, Nearmap Imagery (September 2023), SB County (2024)

Figure 2-5

0 250 500 1,000 Feet

Aerial Photograph

Table 2-3 Existing Project Site Average Daily Traffic

Type of Vehicle	AM Peak Hour			PM Peak Hour			Total Daily Trips
	In	Out	Total	In	Out	Total	
Passenger Vehicles	5	10	15	3	11	14	182
2-axle Trucks	7	8	15	0	1	1	88
3-axle Trucks	13	12	25	1	0	1	192
4-axle Trucks	15	18	33	0	1	1	298
Total Trucks	*35*	*38*	*73*	*1*	*2*	*3*	*578*
Total Trips[1]	**40**	**48**	**88**	**4**	**13**	**17**	**760**
Total Adjusted Trips[2]	**37**	**45**	**82**	**4**	**12**	**16**	**706**

[1]Based on traffic counts collected September 21-23, 2021
[2]Adjusted to reflect average annual production between 2018-2022.

2.5.2 Aesthetics and Topographic Features

The Project Site is in the Valley region of San Bernardino County. The Valley region encompasses the southwesterly corner of the County, west of the San Bernardino and Angeles National Forest boundaries. The Project Site has been heavily impacted by mining-related uses for more than 70 years, and contains no significant natural topographical features or scenic/aesthetic resources. On-site improvements – which primarily are comprised of corrugated metal buildings, heavy equipment, and large stockpiles of aggregates – are visible to passing motorists along SR-210, Highland Avenue, and River Ranch Parkway (refer to Figure 2-6, *Site Photographs*).

2.5.3 Air Quality and Climate

The Project Site is in the 6,745-square-mile South Coast Air Basin (SCAB), which includes portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County. The SCAB is bound by the Pacific Ocean to the west, the San Gabriel, San Bernardino, the San Jacinto Mountains to the north and east, and San Diego County to the south. The SCAB is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD), the agency charged with bringing air quality in the SCAB into conformity with federal and State air quality standards. As documented in the Project's Air Quality Impact Analysis (*Technical Appendix B* to this EIR), although the climate of the SCAB is characterized as semi-arid, the air near the land surface is quite moist on most days because of the presence of a marine layer. More than 90% of the SCAB's rainfall occurs from November through April. Temperatures during the year range from an average minimum of 36°F in January to over 100°F in the summer. During the late autumn to early spring rainy season, the SCAB is subjected to wind flows associated with the traveling storms moving through the region from the northwest; this period also brings five to ten periods of strong, dry offshore winds, locally termed "Santa Ana[s]."

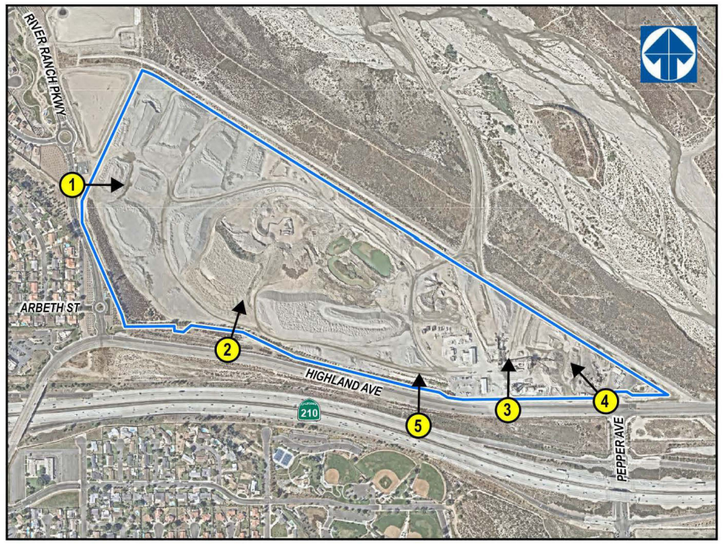
At the regional level, air quality in the SCAB has improved over the past several decades; however, the SCAB is currently not in attainment of State and/or federal standards established for Ozone (O_3; one-hour and eight-hour), particulate matter (PM_{10} [State standard only] and $PM_{2.5}$), and Lead (only in the Los Angeles County



Site Photo 1: West of the Project Site, along River Ranch Parkway, looking east.



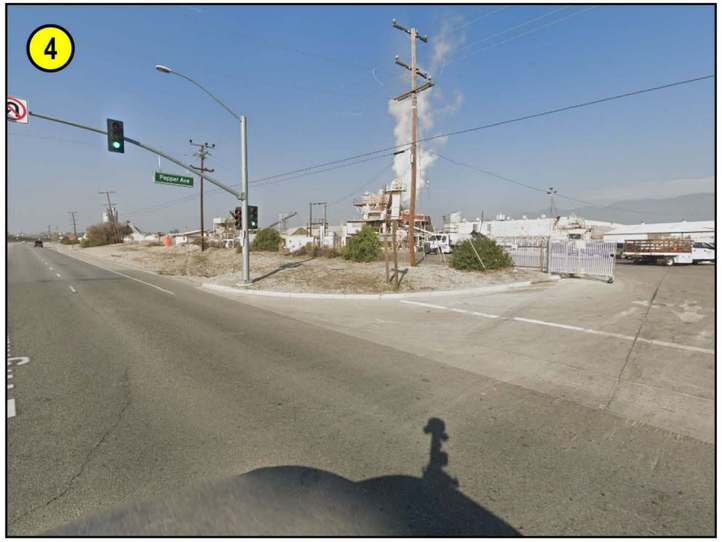
Site Photo 2: Southwest of the Project Site, along Highland Ave, looking northeast.



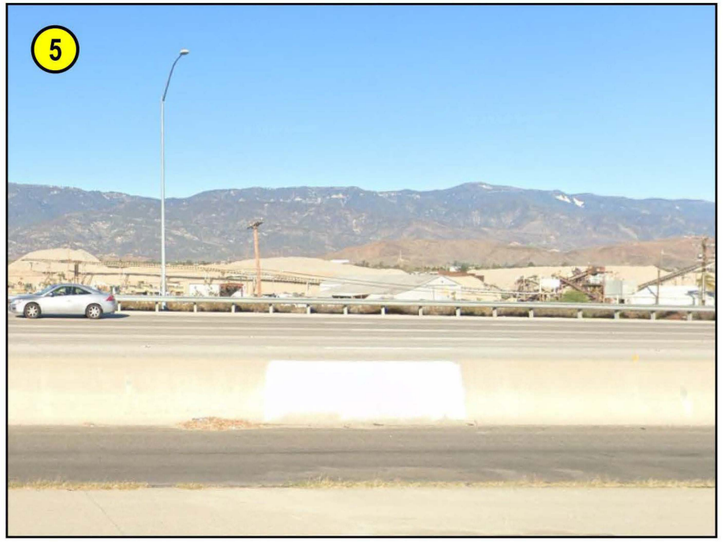
Source(s): Esri, Nearmap Imagery (2023)



Site Photo 3: Southeast of the Project Site, along Highland Ave, looking north.



Site Photo 4: Southeast of the Project Site, at Highland Ave & Pepper Ave, looking northwest.



Site Photo 5: South of the Project Site, along Interstate 210, looking north.

Figure 2-6

Not to Scale

Site Photographs

portion of the SCAB). No areas of the SCAB exceeded federal or State standards for nitrogen dioxide (NO_2), sulfur dioxide (SO_2), or carbon monoxide (CO). (Urban Crossroads, 2024a, Table 2-3)

The Project Site is in a census tract that is ranked by the State in the 89th percentile for pollution burden. Based on the census tract's demographic characteristics (e.g., population, density), its population burden correlates to the 49th percentile for disproportionate community pollution exposure. According to State of California Office of Environmental Health Hazard Assessment (OEHHA) ranking system for total environmental hazard exposure, which considers the pollution and population rankings, the total pollution burden for the Project area is in the 70th percentile for the State (OEHHA, 2024).

Refer to EIR Subsections 4.2, *Air Quality*, and 4.7, *Greenhouse Gas Emissions*, for a more detailed discussion of the existing air quality and climate setting in the Project area.

2.5.4 Biological Resources

The Project Site is highly disturbed under existing conditions. No special status plants or wildlife have been detected on-site; no wetlands or riparian habitat are located on-site. Please refer also to Subsection 4.3, *Biological Resources*, for a more detailed discussion of the existing vegetation and wildlife observed on the Project Site.

2.5.5 Geology

The Project Site is located within the southwestern edge of the Lytle Creek flood plain and is underlain by thick sequences of alluvial deposits. However, much of the ground surface has been modified by commercial aggregate operations since the late 1940s. Past ground modifications included open pit mining of the westerly half of the property to depth of up to approximately 45 feet below the original ground surface. Backfilling of the open pits within the property has continued periodically over the decades. The central portion of the Site was used to maintain construction water ponds and for mixing, drying and onsite disposal of wash plant fines and concrete debris. The eastern areas of the property are believed to have had little to no history of open pit mining. This area of the Site is expected to be underlain by local accumulations of fill material associated with underground utilities and local structures. As a result, the distribution of the geologic units varies substantially across the Site.

The Project Site is located within the State of California Alquist-Priolo (A-P) Earthquake Fault Zone for the active San Jacinto fault zone. Holocene-active faulting (ruptured ground surface within the last 11,700 years) associated with the San Jacinto fault zone was observed within the westerly-to-southwesterly reach of the Project Site and potentially could occur within the eastern reach of the Site.

Please refer also to Subsection 4.6, *Geology & Soils*, for additional information regarding the existing geologic condition and potential geologic hazards at the Project Site.

2.5.6 Hazards & Hazardous Materials

Various potential hazards currently exist at the Project Site due to past and on-going mining/aggregate processing uses. Existing concerns include the presence of hazardous substances at the site in various sized containers including ASTs, USTs, 275-gallon totes, and 55-gallon drums; septic systems; settling ponds; a former diesel underground storage tank; suspect asbestos-containing materials; suspect lead-based paint and other lead-containing materials; and potential PCBs. Please refer also to Subsection 4.8, *Hazards & Hazardous Materials,* for a detailed discussion of existing man-made and environmental hazards present on the Project Site.

2.5.7 Hydrology

The Project Site is part of the Santa Ana River watershed. Drainage is discharged into the Lytle Creek Wash which travels southwest, eventually connecting to Lytle Creek Channel by way of Lytle Creek Basin. Water then travels into the Santa Ana River before being discharged to the Pacific Ocean, just south of Huntington Beach.

Under existing conditions, the Project Site overland (surface sheet) flows from the west to the east. There is an existing San Bernardino County Flood Control District culvert on the southeast corner of the Site that collects drainage, outlets through the existing levee running parallel to the north of the site, and eventually discharges into the Lytle Creek Wash.

Offsite runoff within Highland Avenue is conveyed east towards the Lytle Creek Wash within an asphalt berm. Highland Avenue also has an existing 48-inch storm drain lateral conveying flows to the south towards the Santa Ana River. Onsite drainage does not flow to this offsite pipe.

The Project Site is located within Flood Zone X, which has less than a 0.2% annual chance of flood hazard, and is thus outside of the 500-year floodplain. Additionally, the Project Site is not located within any mapped dam inundation area.

Refer to EIR Subsection 4.9, *Hydrology and Water Quality*, for a more detailed discussion of the Project Site's existing hydrology and water quality setting.

2.5.8 Mineral Resources

The Project Site is classified by the California State Geologist as "Mineral Resource Zone-2" (MRZ-2), which indicates that significant mineral deposits are present or there is a high likelihood for their presence. Mining operations began at the Project Site in the late 1940s and continued until 1998 or 1999, when all economically viable aggregate resources became depleted and the excavation pits were backfilled. Since mining activities ceased on the Project Site, the site has been used for stockpiling aggregate resources excavated from a nearby quarry, located approximately 2.5 miles north of the Project Site. Please refer also to Subsection 4.11, *Mineral Resources*, for more information on the Project Site's mineral resources setting.

2.5.9 Noise

Primary sources of noise in the Project Site's vicinity include operations at the Project Site and transportation-related noise associated with adjacent surface streets and Interstate 210. Based on ambient noise measurements collected at six locations in the Project vicinity, measured daytime noise levels in the area ranged from 57.8 equivalent level decibels (dBA L_{eq}) to 69.6 dBA L_{eq} and nighttime noise levels from 51.9 dBA L_{eq} to 66.9 dBA L_{eq}. Refer to EIR Subsection 4.12, *Noise*, for a more detailed discussion of the Project Site's existing noise setting.

2.5.10 Public Services

The following public services are available to serve the Project:

- The San Bernardino County Fire Department (County Fire Department) provides fire suppression, emergency medical services, ambulance services, hazardous materials response, arson investigation, technical rescue, winter rescue operations, and hazard abatement to the Project area.
- The San Bernardino County Sheriff's Department provides law enforcement services to the Project area. The Department operates 15 stations and a centralized headquarters, gangs, narcotics and homicide investigations, a crime laboratory and identification bureau, central records, specialized enforcement detail, technical services division, training division, employee resources division, two dispatch communication centers, and an aviation division for general patrol and search/rescue operations.
- The Project Site is located within the boundaries of the Rialto Unified School District (RUSD). The RUSD has more than 2,700 employees, serving approximately 25,500 students.
- The San Bernardino County Regional Parks Department operates a total of 8,515 acres of regional parks. Additional park facilities are provided throughout the County by various County Service Areas, Community Service Districts, and Community Facilities Districts. Numerous National and State parks are located (at least partially) within the County.

Please refer also to Subsection 4.13, *Public Services*, for a more information regarding existing public services in the Project area.

2.5.11 Transportation

The Project Site is located along Highland Avenue, which is classified as a Major Highway with a 104-foot right-of-way. Major Highways include two lanes of travel in each direction and an 8-foot median. Major Highways are intended to carry large volumes at relatively high speeds within the region to different areas of the County.

The primary regional vehicular travel route to the Project area is SR-210. The Project Site is located less than one-tenth of one mile from the Pepper Street/SR-210 on/off ramps.

The County of San Bernardino is served by Omnitrans, a public transit agency serving various jurisdictions within San Bernardino County. Route 312 currently operates within the Project area along Highland Avenue and has existing bus stops adjacent to the intersection of Pepper Avenue/Highland Avenue.

Refer to EIR Subsection 4.14, *Transportation*, for a more detailed discussion of the Project Site's existing transportation setting.

2.5.12 Utilities and Service Systems

West Valley Water District (WVWD) provides water service to the Site via an existing 16-inch-diameter water line located within Highland Avenue. Although the Project Site is in unincorporated San Bernardino County, Rialto Water Services provides public sewer services to the Project area via an existing 12-inch water line located within Pepper Avenue. Wastewater collected within the Rialto Sphere of Influence is conveyed to the Rialto Wastewater Treatment Plant for treatment.

The County of San Bernardino Solid Waste Management Division (SWMD) is responsible for the operation and management of the solid waste disposal system within the County. Solid waste collection service to the Project Site is provided by Burrtec Waste Industries. The landfill nearest the Project Site for waste disposal is the Mid-Valley Landfill.

2.5.13 Wildfire

Wildfires present a significant potential for disaster in the County, a region of relatively high temperatures, low humidity, and low precipitation during the summer. This long summer season is followed by a fall season that is defined by high velocity, very dry winds that come out of the desert. The Santa Ana winds very consistently arrive from the middle of October to the end of November. The Project Site is located within a local responsibility area, in a mix of moderate to very high fire hazard severity zones. Please refer also to Subsection 4.17, *Wildfire*.

2.5.14 Rare and Unique Resources

As required by CEQA Guidelines Section 15125(c), the environmental setting should place special emphasis on resources that are rare or unique to that region and would be affected by a project. Based on the existing conditions of the Project Site and surrounding area described above and as discussed in more detail in Section 4.0, *Environmental Analysis*, the Project Site does not contain any resources that are rare or unique to the region.

3.0 PROJECT DESCRIPTION

This section provides all of the information required of an EIR Project Description by CEQA Guidelines Section 15124, including a description of the Project's precise location and boundaries; a statement of the Project's objectives; a description of the Project's technical, economic, and environmental characteristics; and a description of the intended uses of this EIR (including a list of the government agencies that are expected to use this EIR in their decision-making processes); a list of the permits and approvals that are required to implement the Project; and a list of related environmental review and consultation requirements.

3.1 PROJECT LOCATION

The Project Site generally is northwest of the Highland Avenue and Pepper Avenue intersection and is bordered by Highland Avenue to the south and River Ranch Parkway to the west. The Project Site is in an area of unincorporated San Bernardino County that is bordered by the unincorporated community of Muscoy on the north, the City of San Bernardino on the east, and the City of Rialto on the south and west. The Project Site includes Assessor Parcel Numbers (APNs) 0264-431-18, -19, and -20 and Parcels 18144-2 and 18144-3. Refer to previous Figure 2-1, *Regional Location*, Figure 2-2, *Project Vicinity*, and Figure 2-3, *USGS Topographic Map*.

3.2 STATEMENT OF OBJECTIVES

The Project Applicant seeks to maximize productive economic use of a mining property that is nearing the end of its lifespan. The Project would achieve this goal through the following objectives.

1. To re-develop a property that has been used for heavy industrial land uses for 75+ years with a modern, less-intensive ("light") industrial use.
2. To expand economic development in San Bernardino County by transitioning the subject property to an in-demand industrial use.
3. To make efficient use of the subject property by maximizing its buildout potential for employment-generating uses.
4. To attract employment-generating businesses to San Bernardino County reducing the need for members of the local workforce to commute outside the area for employment.
5. To develop an industrial building with direct access to the California highway system that can support the southern California supply chain and goods movement network without introducing new haul truck trips on arterial and local roadways in the Project area.
6. To re-develop a property that contains an active earthquake fault with a compatible land use and design that complies with applicable State and local regulations.
7. To develop a property that has access to available infrastructure, including roads and utilities.

3.3 PROJECT COMPONENTS

The Project involves the development of a distribution warehouse building on approximately 101.8 acres of land. Discretionary approvals requested from San Bernardino County include a Land Use Category Change, Zoning District Amendment, Specific Plan, Conditional Use Permit (CUP), and Development Agreement. San Bernardino County has assigned these four applications, collectively, the project case number of PROJ-2022-00182. Approval of these applications would allow for the development of a distribution warehouse facility with up to 1,861,587 s.f. of floor area within two buildings. The Project's applications, including all plans and technical drawings, are incorporated by reference pursuant to CEQA Guidelines Section 15150 and are available for review at the San Bernardino County Planning Division, 385 N. Arrowhead Ave., San Bernardino, CA 92415. The individual components of the Project are discussed below and on the following pages.

3.3.1 LAND USE CATEGORY CHANGE

The proposed Land Use Category Change would change the land use designation for the subject property from Resource Land Management (RLM) to General Industrial (GI). Per the County Policy Plan, the GI land use designation supports a maximum density of 0.75 floor area ratio (FAR) and allows various industrial land uses, including wholesale, warehouse, and distribution.

3.3.2 ZONING DISTRICT AMENDMENT

The proposed Zoning District Amendment would change the zoning designation for the Project Site from Resource Conservation (RC) to Specific Plan (SP). Per the San Bernardino County Development Code, the SP zoning district is used to identify areas in the County subject to an approved Specific Plan, which establishes the use and development standard requirements for the respective area.

3.3.3 SPECIFIC PLAN

The proposed Specific Plan provides a comprehensive development plan for the Project Site, including a land use plan, infrastructure system plans, development standards, design guidelines, and implementation methods to guide and regulate development activities within the Project Site.

3.3.4 CONDITIONAL USE PERMIT

The proposed CUP provides for the construction and operation of a distribution warehouse building. The Project plans submitted with the CUP application include the proposed layout/design of the Project Site, a conceptual landscaping plan, and a conceptual architectural design for the building.

A. Conceptual Site Plan

The site plan for the Project is illustrated on Figure 3-1, *Conceptual Site Plan*. Two buildings are proposed: a warehouse building and a truck yard office. The proposed distribution warehouse building contains a building footprint of 1,224,487 s.f. and up to 1,859,487 s.f. of floor area, including potential offices and mezzanine. Two office spaces would be provided within the proposed distribution warehouse building, at the northeast

and southeast corners, facing the Project's access from Highland Avenue. The free-standing, 2,100 s.f. truck yard office is proposed on the western portion of the Project Site.

The proposed distribution warehouse building includes 275 dock-high doors ("loading docks" or "loading bays"): 138 along the north side of the building, 112 along the south side of the building, and 25 along the building's westerly façade. A total of 1,040 parking stalls for trailers are provided along the Project Site's northerly, southerly, and westerly peripheries. A total of 622 parking spaces for passenger vehicles (609 standard stalls and 13 accessible stalls) are provided on the Project Site; all of which are in the eastern portion of the Site near the primary entrance to the building.

Access to the Project is provided by two driveways from Highland Avenue; both driveways could be utilized by passenger vehicles, while truck traffic would be restricted to the easterly driveway and directed to a truck access drive abutting the northern Project Site boundary. The truck access drive provides three lanes (two for entry, one for exit), each with approximately 2,500 linear feet of on-site truck queuing capacity. The vehicular access and queuing concept for the Project is illustrated on Figure 3-2, *Conceptual Vehicular Access and Queuing Plan*. Access to the loading dock areas and truck court is controlled by a guard shack at the northwest portion of the Project Site and would be limited by rolling/swinging gates, which act to separate the passenger vehicle areas from the trailer areas. Eight (8)-foot-tall tubular steel fencing is provided for security along the northern and western property boundaries and the southern boundary of the truck court. Fourteen (14)-foot-tall solid screen walls are provided along the east sides of the truck courts (facing Highland Avenue) on the north and south sides of the distribution warehouse building.

The Project provides three (3) infiltration basins, near the Project Site's frontage with Highland Avenue. Each basin would be fenced by a 5-foot black steel tube fence.

B. Architectural Design

The proposed distribution warehouse building features a varied roofline with a maximum height of 54.5 feet, as measured from the finished floor elevation to the top of parapets. The building would be constructed of concrete tilt-up panels and low-reflective glass. The building's exterior color palette would be comprised of various shades of white, cream, and gray colors; windows would feature blue glazing. Decorative building elements include a varied roofline, horizontal offsets, window mullions, and canopies and wood-effect siding at office entries. Architectural concepts for the distribution warehouse building are illustrated at Figure 3-3, *Architectural Elevations*, and 3-4, *Project Rendering*.

The Project's support buildings, the truck yard office (16-foot height) and guard shack (9.5-foot-height) would utilize a color palette that matches the proposed distribution warehouse building.

TRASH AREA CALCULATION

REQUIRED TRASH AREA:
BUILDING AREA: 1,861,587 SF

TOTAL REQUIRED
4 CU.YD. PER 30,000 SF OF GROSS BUILDINGS AREA (62) 4 CU.YD BINS OR 1,675 SF

PROVIDED TRASH AREA 1,692 SF SF

NOTE:
IF BUILDING AREA REDUCES, THE TRASH WILL ALSO REDUCE

KEYNOTES (000)

1. PROPOSED PAINTED CONCRETE TILT-UP WAREHOUSE / OFFICE / MANUFACTURING FACILITY. TENANT IS NOT CURRENTLY IDENTIFIED.

2. SHADED AREA: PROPOSED IRRIGATED LANDSCAPING PER SPECIFIC PLAN AND COUNTY GUIDELINES WITH MIN 6" CONCRETE CURBS AT ALL PERIMETERS ABUTTING PAVED AREAS.

3. CONCRETE TRASH ENCLOSURE MIN. 6'-0" HIGH SOLID ENCLOSURE PAINTED TO MATCH THE BUILDING. TRASH ENCLOSURE DIMENSIONS ARE 12' WIDE X 47'-0" LONG STORING (21) 4 CU. YD. BINS. ALL TRASH AREAS TO HAVE COVERS PER COUNTY STANDARDS, SEE ELEVATIONS ON SHEET A2-1P.

4. TYPICAL STANDARD PARKING STALL MIN. 9' X 19' (OR 17' + 2' OVERHANG) - STRIPE PER COUNTY STANDARDS WITH 26'-0" WIDE DRIVE AISLES.

5. ROLLING OR SWINGING 6'-0" HIGH PAINTED STEEL PICKET GATE. PROVIDE KNOX BOCK AT ALL GATES FOR FIRE DEPARTMENT ACCESS. PROVIDE KNOX BOCK AT ALL GATES FOR FIRE DEPARTMENT ACCESS.

6. 14' HIGH PAINTED CONCRETE TILT-UP SCREEN WALL.

7. CONCRETE PAVED DRIVE AISLE. 30'-0" MINIMUM WIDTH.

8. CONCRETE TRUCK COURT AND LOADING ZONE.

9. TRANSFORMER, SCREEN WITH LANDSCAPING.

10. BIKE RACKS AT EACH OFFICE ENTRY SHALL BE PROVIDED.

11. ACCESSIBLE PATH OF TRAVEL FROM STALLS & PUBLIC WAY TO PRIMARY ENTRANCE. SLOPE NOT TO EXCEED 1:20 EXCEPT AT CURB RAMPS AND OTHER DEFINED RAMPS. CROSS SLOPE NOT TO EXCEED 1/4" PER FOOT.

12. 8'-0" HIGH TUBE STEEL FENCE ALONG INTERIOR PROPERTY LINES ON NORTH, EAST AND WEST SIDES. SEE SHEET A1-2P FOR FENCE PLAN

13. LOADING DOCK DOOR AT BUILDING.

14. NEW CURB CUT PER COUNTY STANDARDS.

15. EXISTING STREET CURB AND SIDEWALK.

16. NEW 5'-0" TUBE STEEL FENCE, PAINTED BLACK AROUND BASIN AREAS.

17. GRADE LEVEL ACCESS RAMPS.

18. CONCRETE TITLE-UP YARD OFFICE BUILDING WITH OFFICES, RESTROOMS AND BREAK AREAS.

19. PRE-FAB GUARDSHACK WITH SEWER AND WATER, SEE SHEET A1-3P.

20. PATIO AREA WITH TABLES AND BENCHES, SEE LANDSCAPE PLANS.

21. PROVIDE SIGNAGE "NO TRUCK ACCESS"

22. DEVELOPER SHALL PROVIDE AN EASEMENT ACROSS THE SOUTH-EASTERLY PORTION OF THE PROJECT'S PROPERTY TO SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT PER THE DEVELOPMENT AGREEMENT'S "ISLAND LEVEE SECONDARY ACCESS CLAUSE" AND CONDITIONS OF APPROVAL. TWO CONCEPTUAL SECONDARY ACCESS EASEMENT AREA LOCATIONS ARE SHOWN ON THIS SITE PLAN BUT ONLY ONE LOCATION SHALL BE PROVIDED TO DISTRICT. SITE PLAN DETAIL A AND B ON SHEET A1-1P ARE ALSO PROVIDED FOR REFERENCE PURPOSES.

ASSESSOR'S PARCEL NUMBERS

0264-431-18-0000

LEGAL DESCRIPTION

PARCEL 1 OF PARCEL MAP NO. 18900, IN THE UNINCORPORATED AREA OF THE COUNTY OF SANBERNARDINO, AS PER MAP RECORDED IN BOOK 243, PAGES 12 THROUGH 17 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA. EXCEPTING THEREFROM, THAT PORTION OF PARCEL 1 CONVEYED TO THE CITY OF RIALTO BY DEED RECORDED NOVEMBER 3, 2020 AS INSTRUMENT NO. 2020-0432853 OF OFFICIAL RECORDS.

APPLICATION TYPE

LAND USE PLANNING AREA: WESTERN
CURRENT PERMITTED LAND USE: RC
REZONE LAND USE: IR REGIONAL INDUSTRIAL
PROPOSED LAND USE: WAREHOUSE, OFFICE (SUPPORT FOR INDUSTRIAL), AND MANUFACTURING AS PERMITTED

LAND OWNER

CARSON IBC LOGISTICS CENTER LLC
100 BAYVIEW CIRCLE, SUITE 3500
NEWPORT BEACH, CA 92660
DAN DARNELL (949) 922-2509

APPLICANT

CARSON COMPANIES
100 BAYVIEW CIRCLE, SUITE 3500
NEWPORT BEACH, CA 92660
DAN DARNELL (949) 725-6500

PLAN PREPARERS

RGA, OFFICE OF ARCHITECTURAL DESIGN
210 PROGRESS, SUITE 220
IRVINE, CA 92618
CONTACT: MIKE GILL 949-341-0920

KIMLEY-HORN
401 B STREET, SUITE 600
SAN DIEGO, CA 92101
CONTACT: JASON VROOM (619) 480-5545

GENERAL NOTES

1. THE PROPOSED PROJECT SHALL COMPLY WITH THE PROVISIONS OF THE COUNTY OF SAN BERNARDINO PLANNING.

2. A. LANDSCAPING PLAN SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR APPROVAL PRIOR TO ISSUANCE OF BUILDING PERMITS AND SHALL BE IMPLEMENTED PRIOR TO OCCUPANCY.

3. THE PROJECT DOES NOT PROPOSE ANY TENANT SIGNAGE AT THIS TIME. SIGNAGE MAY BE SUBMITTED AT A LATER DATE.

4. THERE ARE NO PROTECTED OR ENDANGERED PLANTS ON SITE.

5. NO HILLY TERRAIN OR DRAINAGE PROBLEMS EXIST.

6. ALL SITE GATES WILL BE PROVIDED WITH A KNOX BOX PER COUNTY FIRE DEPARTMENT STANDARDS.

UTILITIES & SERVICES

WATER:
WEST VALLEY WATER DISTRICT
855 W BASELINE ROAD
RIALTO, CA 92376

SEWAGE:
RIALTO WATER SERVICES
437 N RIVERSIDE AVENUE
RIALTO, CA 92376

SOLID WASTE:
COUNTY OF SAN BERNARDINO
SOLID WASTE MANAGEMENT DIVISION
222 W. HOSPITALITY LANE 2ND FLOOR
SAN BERNARDINO, CA. 92415-0017
(909) 386-8701

ELECTRICITY:
SOUTHERN CALIFORNIA EDISON
7951 REDWOOD AVENUE
FONTANA, CA 92335
(909) 357-6581

GAS:
THE GAS COMPANY
1981 WEST LUGONIA
REDLANDS, CA 92374
(909) 335-7744

TELEPHONE:
UNKNOWN

CABLE TELEVISION:
UNKNOWN

FIRE PROTECTION:
SAN BERNARDINO COUNTY
CENTRAL VALLEY FIRE PROTECTION DISTRICT
620 SOUTH E STREET
SAN BERNARDINO, CA 92415
(909) 386-8465

SCHOOL DISTRICT:
UNKNOWN

PARKING SPACE ANALYSIS

LAND USE	PARKING RATIO	AREA	REQUIRED	PROVIDED
OFFICE	1/250 SF	30,000 SF	120 STALLS	120 STALLS
WAREHOUSE	1/1000 SF	40,000 SF	40 STALLS	40 STALLS
WAREHOUSE	1/4000 SF	1,791,587 SF	448 STALLS	452 STALLS
TOTALS		1,861,587 SF	608 STALLS	622 STALLS

ACCESSIBLE STALLS	9 STALLS
VAN ACCESSIBLE STALLS	4 STALLS
TRUCK DOCK POSITIONS	275 PROVIDED
TRAILER PARKING STALLS	1,040 PROVIDED

VICINITY MAP

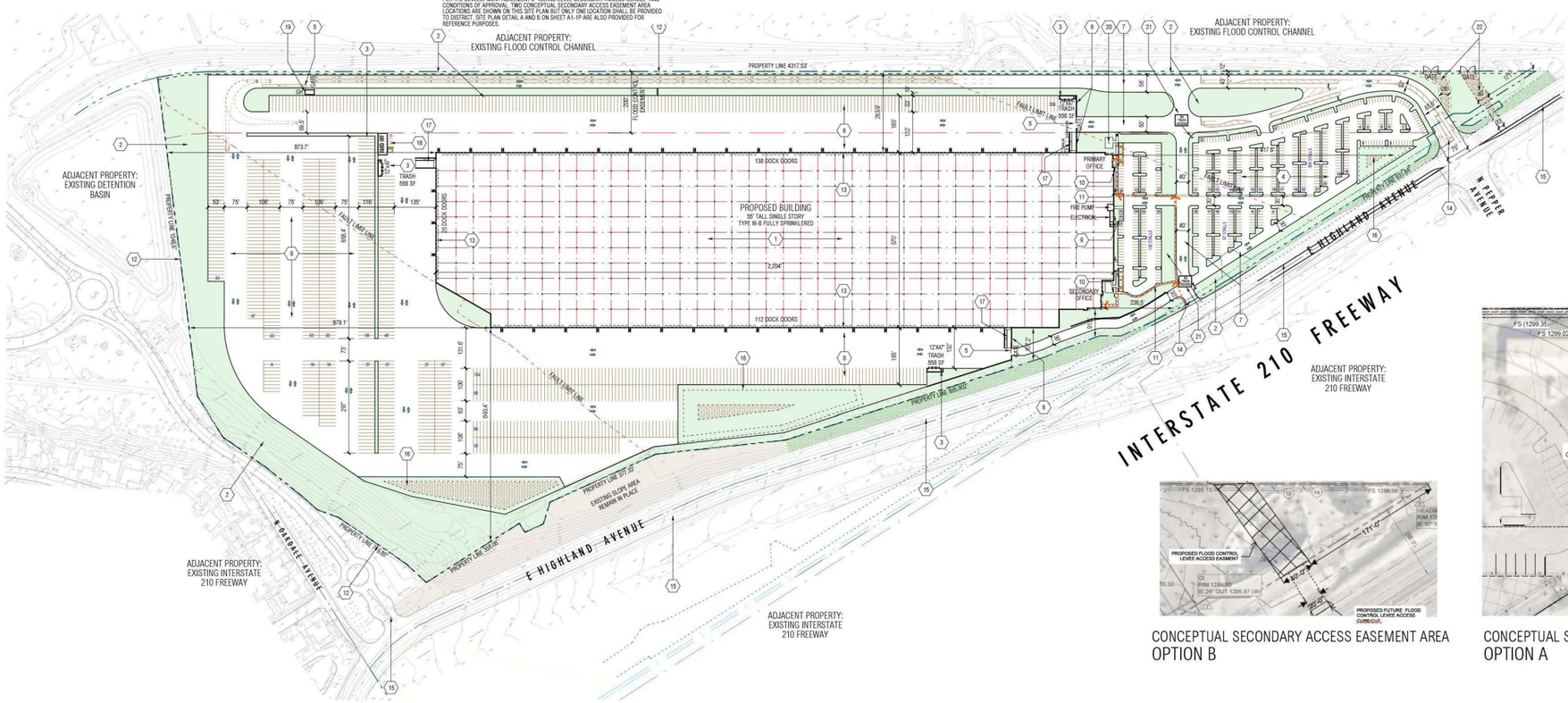


PROJECT DATA

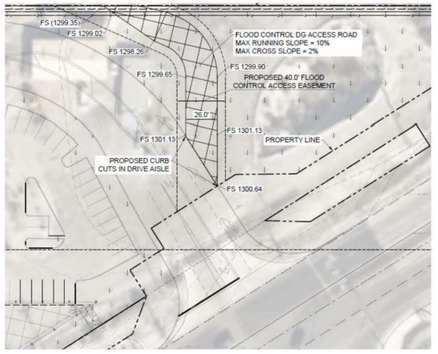
SITE AREA	+/- 4,435,282.26 SF +/- 101.82 AC
BUILDING AREA	
FOOTPRINT	1,224,487 SF
OFFICE MEZZANINE	15,000 SF
PICK MOD MEZZANINE	620,000 SF
YARD OFFICE	2,100 SF
TOTAL	1,861,587 SF
LOT COVERAGE	27.66 %
FLOOR AREA RATIO	41.79 %
LANDSCAPE PROVIDED (15% REQUIRED)	925,640 SF (20.87 %)
PAVED SURFACE AREA	2,297,119 SF (51.79 %)
PARKING REQUIRED:	
30,000 OFFICE (1/250 SF)	120 STALLS
WAREHOUSE (1 - 40,000 SF 1/1000 SF)	40 STALLS
(40,000 SF AND UP 1/4000 SF)	448 STALLS
TOTAL REQUIRED	608 STALLS
PARKING PROVIDED:	
STANDARD STALLS	609 STALLS
ACCESSIBLE STALLS	13 STALLS
TOTAL	622 STALLS
DOCK DOOR POSITIONS	275 PROVIDED
TRAILER PARKING STALLS	1,040 PROVIDED
BUILDING CLEAR HEIGHT	42' CLEAR HEIGHT

PROJECT DESCRIPTION

THE PROJECT CONSISTS OF A 1,861,587 SF. BUILDING ON 101.82 ACRES. TWO OFFICE AREAS TOTALING 30,000 S.F. IS PROVIDED. THE BUILDING WILL HAVE 275 TRUCK DOCK DOORS ON THE NORTH, SOUTH AND WEST SIDES. ACCESS FOR THIS BUILDING WILL BE FROM TWO DRIVEWAYS FROM HIGHLAND AVENUE ALONG THE SOUTH THUS PROVIDING CIRCULATION FOR EMERGENCY VEHICLES AROUND THE ENTIRE BUILDING. AUTO PARKING WILL BE PROVIDED ALONG THE EAST. THE PRIMARY OCCUPANCY CLASSIFICATION FOR THIS USE WILL BE "S" OCCUPANCY.



CONCEPTUAL SECONDARY ACCESS EASEMENT AREA
OPTION B



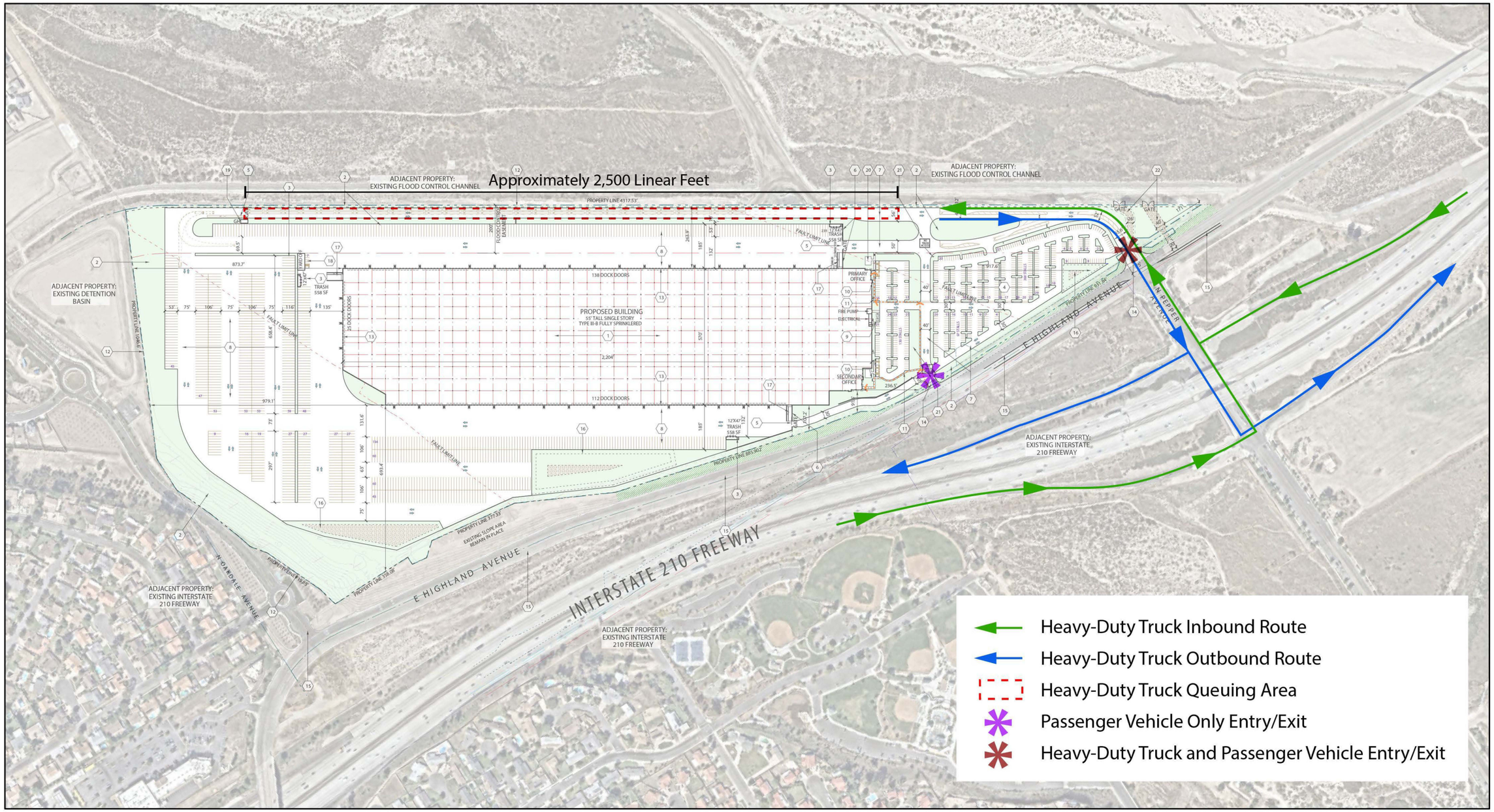
CONCEPTUAL SECONDARY ACCESS EASEMENT AREA
OPTION A

Source(s): RGA (09-02-2025)

Not to Scale

Figure 3-1

Conceptual Site Plan



Source(s): RGA (09-02-2025)

Figure 3-2

Not to Scale

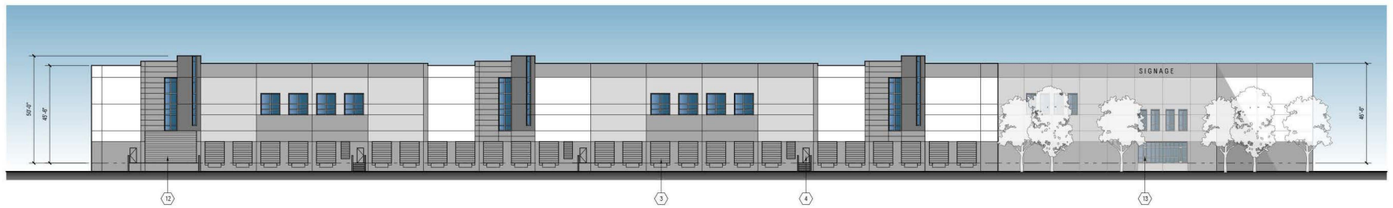
Conceptual Vehicular Access and Queing Plan



YARD OFFICE ELEVATIONS
SCALE: 1" = 20'-0"



NORTH ELEVATION
SCALE: 1" = 80'-0"



WEST ELEVATION
SCALE: 1" = 20'-0"



SOUTH ELEVATION
SCALE: 1" = 80'-0"



EAST ELEVATION
SCALE: 1" = 20'-0"

FINISH SCHEDULE

1. FIELD COLOR - PURE WHITE - SHERWIN WILLIAMS SW 7005
2. ACCENT COLOR - LIQUORICE TINT - SHERWIN WILLIAMS SW 7016
3. ACCENT COLOR - FIRST STAR - SHERWIN WILLIAMS SW 7646
4. ACCENT COLOR - SABLE - SHERWIN WILLIAMS SW 7015
5. ACCENT COLOR -
6. VISION GLAZING - PILKINGTON EVERGREEN U-FACTOR 0.47, SHGC 0.40, VLT 59% 1" INSULATED GLASS UNIT W 1/2" AIRSPACE AND (2) 1/4" LITES. SEE KEYNOTES FOR LOCATIONS OF INSULATED UNITS.

KEYNOTES (000)

1. PRIMARY ENTRANCE.
2. PAINTED 12' WIDE X 15' HIGH LEVEL VERTICAL LIFT TRUCK DOOR.
3. PAINTED 9' WIDE X 10' HIGH VERTICAL LIFT TRUCK DOOR.
4. 3' X 7' PAINTED METAL MAN DOOR.
5. 2" WIDE X 3/4" DEEP HORIZONTAL / VERTICAL REVEAL.
6. REFLECTIVE GLASS IN STOREFRONT FRAME SYSTEM.
7. PAINTED CONCRETE TILT-UP EXTERIOR WALL CONSTRUCTION.
8. PROPOSED FUTURE TENANT SIGNAGE LOCATION (FOUR LOCATIONS).
9. 8' HIGH BLACK TUBULAR STEEL ROLLING GATE - TYP. AT YARD ENTRANCES. SEE SITE PLAN.
10. TYP. PAINTED CONCRETE SCREENWALL ELEVATION W/ ACCENT REVEALS AND PAINTED ACCENTS TO MATCH BUILDING ARCHITECTURE.
11. METAL CLAD CANOPY STRUCTURE.
12. PAINTED 24' WIDE X 15' HIGH LEVEL VERTICAL LIFT TRUCK DOOR.
13. SECONDARY ENTRANCE.

Source(s): RGA (01-10-2025)

Figure 3-3

Not to Scale

Architectural Elevations



Source(s): 01-27-2023

Figure 3-4

Not to Scale

Project Rendering

C. *Conceptual Landscape Plan*

Figure 3-5, *Conceptual Landscape Plan*, depicts the Project's proposed landscape plan. As shown, landscaping would consist of a combination of deciduous and evergreen trees, shrubs, and groundcover. The Project provides approximately 925,000 square feet of landscaping, covering about 21 percent of the Project Site. The entire Project perimeter would be landscaped to provide visual interest and screening where necessary, with increased emphasis along River Ranch Parkway and the primary entrance to the Project Site at the Highland Avenue/Pepper Avenue intersection. The Landscape Plan includes 1,150 trees to be planted on-site, including over 360 conifer trees which are generally better at filtering air pollution than broad-leafed species. The on-site water quality basins would also be landscaped using a bioswale hydroseed mix, as well as shrubs and groundcover. Existing landscaping along Highland Avenue would remain in place.

Prior to the issuance of a building permit for Project construction, the Project Applicant would be required to submit final landscape and irrigation plans to San Bernardino County for review and approval. The plans are required to comply with the "Landscaping Standards" from Chapter 83.10 of the San Bernardino County Development Code, which establishes requirements for landscape design, automatic irrigation system design, and water-use efficiency.

3.3.5 Development Agreement

The Project Applicant and San Bernardino County are contemplating entering into a Development Agreement related to the proposed Project. California Government Code Sections 65864-65869.5 authorize the use of development agreements between any city, county, or city and county, with any person having a legal or equitable interest in real property that is subject to a development proposal. The proposed Development Agreement would provide the Project Applicant with assurance that development of the Project may proceed within a defined time period subject to the rules and regulations in effect at the time of Project approval. The Development Agreement also would provide San Bernardino County with assurance that certain obligations of the Project Applicant will be met, including but not limited to the dedication of an access easement for maintenance of the Island Levee (adjacent to Project Site, at Cajon Wash), the required timing of public improvements, the Applicant's contribution toward funding community improvements, and other conditions. It is not expected that entering into the Development Agreement, in and of itself, will lead to any physical changes in the environment beyond those disclosed for the Project as described herein.

3.4 Project Improvements

3.4.1 Public Roadway Improvements

The public street abutting the Project Site, Highland Avenue, is currently built out to its ultimate half-section as a Major Highway (104-foot right-of-way). As such, there are no roadway improvements proposed by the Project. Curb, gutter, and sidewalk improvements and striping for deceleration/transition lanes will be constructed along Highland Avenue as needed to accommodate the proposed Project driveways consistent with the requirements of San Bernardino County and Caltrans.

WQMP - WQMP BASIN SLOPES LOW WATER
COMBINATION OF FLATTED GROUND COVER AND 5 GALLON SHRUBS
ACACIA REDOLENS 'LOW BOY' / LOW BOY BANK CATCLAW - SPACE 12' O.C.
BACCHARIS X 'CENTENNIAL' / CENTENNIAL COYOTE BRUSH - SPACE 5' O.C.
CASSIA PHYLLODINEA / SILVERY CASSIA - SPACE 6' O.C.

GROUND COVER PALETTE - LOW WATER USE - 1 GAL
ACACIA REDOLENS 'DESERT CARPET' TM / BANK CATCLAW SPACE 4' O.C.
BACCHARIS PILULARIS 'PIGEON POINT' / COYOTE BRUSH - SPACE 4' O.C.
LONICERA JAPONICA 'HALLIANA' / HALLS HONEYSUCKLE FLOWERING VINE
MYOPORUM PARVIFOLIUM 'PUTAH CREEK' / PUTAH CREEK MYOPORUM SPACE 3' O.C.
ROSMARINUS OFFICINALIS 'HUNTINGTON CARPET' / HUNTINGTON CARPET ROSEMARY - SPACE 3' O.C.

GROUND COVER PALETTE - MEDIUM WATER USE - 1 GAL
ROSA X 'FLOWER CARPET PINK' / ROSE
ROSA X 'FLOWER CARPET RED' / ROSE
TRACHELOSPERMUM JASMINOIDES / STAR JASMINE

EXISTING LANDSCAPE TO REMAIN - PROTECT IN PLACE

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION
1	3" THICK 3/4" DECORATIVE CRUSHED ROCK GRAVEL - MOJAVE GOLD OVER WEED BARRIER
2	3" THICK 3/4" NATURAL COLORED CRUSHED ROCK OVER WEED BARRIER
3	6" WIDE CONCRETE MOW CURB TYPICAL.

SHREDDED MULCH NOTE

ALL PLANTER AREAS TO RECEIVE A 3" LAYER OF SHREDDED COVER MULCH AVAILABLE FROM EARTHWORKS (951)782-0260

LARGE ACCENT SHRUBS IN GRAVEL - LOW WATER - 5 GAL
AGAVE AMERICANA / CENTURY PLANT
AGAVE AMERICANA 'MARGINATA' / VARIEGATED CENTURY PLANT
DASYLIRION WHEELERI / GREY DESERT SPOON

ACCENT SHRUBS - LOW WATER USE - 5 GAL
AGAVE DESMETTIANA 'VARIEGATA' / VARIEGATED AGAVE
TECOMA X 'SUNRISE' / YELLOW BELLS
WESTRINGIA FRUTICOSA / COAST ROSEMARY
AGAVE X 'BLUE FLAME' / BLUE FLAME AGAVE
CALLISTEMON CITRINUS 'LITTLE JOHN' / DWARF BOTTLE BRUSH
DODONAEA VISCOSA 'PURPUREA' / PURPLE LEAFED HOPSEED BUSH
LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD' TM / GREEN CLOUD TEXAS RANGER
MUHLENBERGIA CAPILLARIS / PINK MUHLY
SALVIA CLEVELANDII 'ALLEN CHICKERING' / CLEVELAND SAGE
SALVIA GREGGII 'FURMANS RED' / FURMAN'S RED SALVIA

SHRUB PALETTE - MEDIUM WATER USE
BUXUS X 'GREEN GEM' / GREEN GEM BOXWOOD
LIGUSTRUM TEXANUM / TEXAS PRIVET
RHAPHIOLEPIS INDICA 'CLARA' / CLARA INDIAN HAWTHORN
ROSA FLORIBUNDA 'ICEBERG' / ICEBERG ROSE
XYLOSMA CONGESTUM / SHINY XYLOSMA

WQMP - BASIN / BIOSWALE HYDROSEED MIX
HYDROSEED SLURRY COMPONENT FOR SLOPES FROM 3:1 TO 2:1
PRODUCT – APPLICATION RATE
CONWED 1,000 WOOD FIBER MULCH – 2,000 LBS / ACRE
ECOLOGY CONTROLS M-BINDER / TACK – 200 LBS / ACRE
BIOSOL MIX 7-2-3 ORGANIC FERTILIZER – 800 LBS / ACRE
AM 120 MYCORRHIZAL INOCULUM – 60 LBS / ACRE
ACHILLEA MILLEFOLIUM / 1 LBS / ACRE
DESCHAMPSIA CESPITOSA / 4 LBS/ACRE
ESCHSCHOLZIA CAESPITOSA / 1 LBS/ACRE
FESTUCA RUBRA 'MOLATE' / 20 LBS/ACRE
HORDEUM BRACHYANTHERUM / 6 LBS/ACRE
HORDEUM DEPRESSUM / 3 LBS/ACRE
JUNCUS BUFONIUS / 1 LBS/ACRE
LEYMUS TRITICOIDES 'RIO' / 6.0 LBS/ACRE
MUHLENBERGIA RIGENS / 1 LBS/ACRE

CONCEPT PLANT SCHEDULE

FOUNDATION PLANTING / HEDGE SCREEN - MED WATER - 5 GAL
BUXUS MICROPHYLLA JAPONICA 'GREEN BEAUTY' / GREEN BEAUTY BOXWOOD
LIGUSTRUM TEXANUM / TEXAS PRIVET
PODOCARPUS GRACILIOR 'COLUMN' / FERN PINE
XYLOSMA CONGESTUM / SHINY XYLOSMA

VEGETATIVE GRASS SWALE - LOW WATER - 1-5 GAL
LEYMUS CONDENSATUS 'CANYON PRINCE' / CANYON PRINCE GIANT WILD RYE
MUHLENBERGIA CAPILLARIS / PINK MUHLY
MUHLENBERGIA LINDHEIMERI 'AUTUMN GLOW' TM / LINDHEIMER'S MUHLY

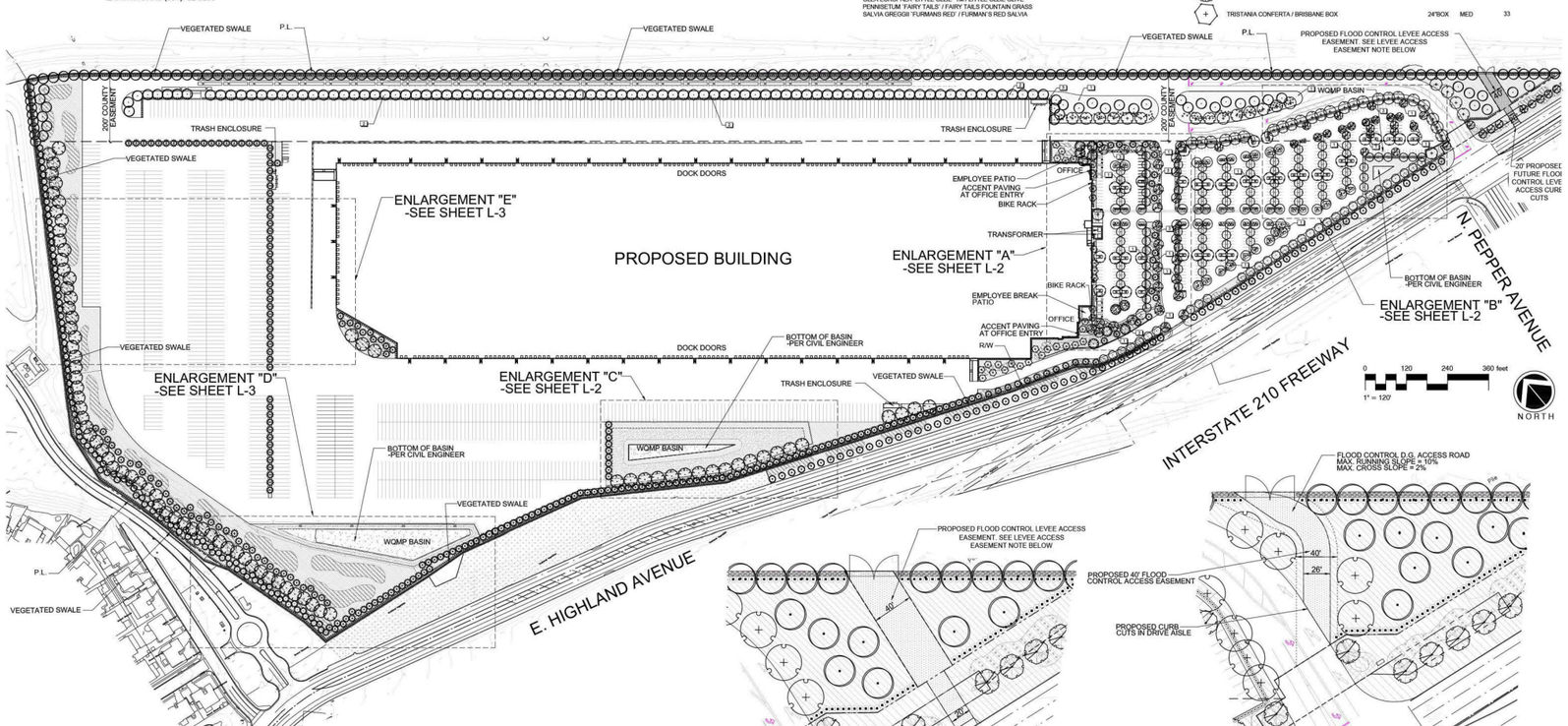
LARGE SCALE PERIMETER SHRUBS - LOW WATER - 5 GAL
CALLISTEMON CITRINUS / LEMON BOTTLEBRUSH SHRUB
DODONAEA VISCOSA 'PURPUREA' / PURPLE LEAFED HOPSEED BUSH
ELEAGNUS PUNGENS / SILVERBERRY
HETEROMELES ARBUTIFOLIA / TOYON

SMALL SCALE FOUNDATION PLANTING - LOW WATER - 5 GAL
CALLISTEMON CITRINUS 'LITTLE JOHN' / DWARF BOTTLE BRUSH
ELEAGNUS PUNGENS / SILVERBERRY
LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD' TM / GREEN CLOUD TEXAS RANGER
ROSMARINUS OFFICINALIS 'TUSCAN BLUE' / TUSCAN BLUE ROSEMARY
WESTRINGIA FRUTICOSA / COAST ROSEMARY

SMALLER ACCENT SHRUBS IN GRAVEL - 5 GAL - LOW WATER
AGAVE DESMETTIANA 'VARIEGATA' / VARIEGATED AGAVE
ALOE STRIATA / CORAL ALOE
ANIGOZANTHOS FLAVIDUS 'BIG RED' / RED KANGAROO PAW - SPACE 3' O.C.
ANIGOZANTHOS FLAVIDUS 'GOLD YELVET' / KANGAROO PAW - SPACE 3' O.C.
BOUGAINVILLEA X 'ROSENKA' / ROSENKA BOUGAINVILLEA
CALLISTEMON CITRINUS 'LITTLE JOHN' / DWARF BOTTLE BRUSH
HESPERALOE PARVIFLORA / RED YUCCA
LANTANA X 'NEW GOLD' / NEW GOLD LANTANA
MUHLENBERGIA CAPILLARIS 'AUTUMN BLUSH' / PINK MUHLY
OLEA EUROPAEA 'LITTLE OLLIE' TM / LITTLE OLLIE OLIVE
PENNISETUM 'FAIRY TAILS' / FAIRY TAILS FOUNTAIN GRASS
SALVIA GREGGII 'FURMANS RED' / FURMAN'S RED SALVIA

TREE LEGEND

SYMBOL	BOTANICAL / COMMON NAME	SIZE	WUICOLS	QTY
TREES				
	KOELREUTERIA BIPINNATA / CHINESE FLAME TREE MULTI-TRUNK	36"BOX	MED	10
	LAGERSTROEMIA X 'MUSKOGEE' / LAVENDER CRAPE MYRTLE STD.	24"BOX	MED	72
	PARKINSONIA FLORIDA / BLUE PALO VERDE	24"BOX	LOW	34
	PARKINSONIA X 'DESERT MUSEUM' / DESERT MUSEUM PALO VERDE	36"BOX	LOW	28
	PINUS ELDARICA / AFGHAN PINE	24"BOX	LOW	260
	PINUS ELDARICA / AFGHAN PINE	36"BOX	LOW	104
	PISTACIA CHINENSIS / CHINESE PISTACHE	24"BOX	LOW	47
	PLATANUS RACEMOSA / CALIFORNIA SYCAMORE STANDARD-TRUNK	24"BOX	MED	279
	QUERCUS AGRIFOLIA / COAST LIVE OAK	24"BOX	LOW	42
	QUERCUS VIRGINIANA / SOUTHERN LIVE OAK	24"BOX	LOW	41
	RHUS LANCEA / AFRICAN SUMAC	24"BOX	LOW	112
	SCHINUS MOLLE / CALIFORNIA PEPPER	15 GAL	LOW	83
	TRISTANIA CONFERTA / BRISBANE BOX	24"BOX	MED	33



LEVEE ACCESS EASEMENT NOTE:

DEVELOPER SHALL PROVIDE AN EASEMENT ACROSS THE SOUTH-EASTERLY PORTION OF THE PROJECTS PROPERTY TO SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT PER THE DEVELOPMENT AGREEMENT'S "ISLAND LEVEE SECONDARY ACCESS CLAUSE" AND CONDITIONS OF APPROVAL. TWO CONCEPTUAL SECONDARY ACCESS EASEMENT AREA LOCATIONS ARE SHOWN ON THIS SITE PLAN BUT ONLY ONE LOCATION SHALL BE PROVIDED TO DISTRICT. LANDSCAPE PLAN DETAIL A AND B ON SHEET L-1 ARE ALSO PROVIDED FOR REFERENCE PURPOSES.

CONCEPTUAL SECONDARY ACCESS EASEMENT AREA
OPTION "B"
(SCALE: 1"=40'-0")

CONCEPTUAL SECONDARY ACCESS EASEMENT AREA
OPTION "A"
(SCALE: 1"=40'-0")

Source(s): Environs Inc. (11-03-2025)

Figure 3-5

Not to Scale

Conceptual Landscape Plan

3.4.2 Utility Improvements

Utility improvements necessary to serve the Project are summarized below and illustrated on Figure 3-6, *Conceptual Utilities Plan*.

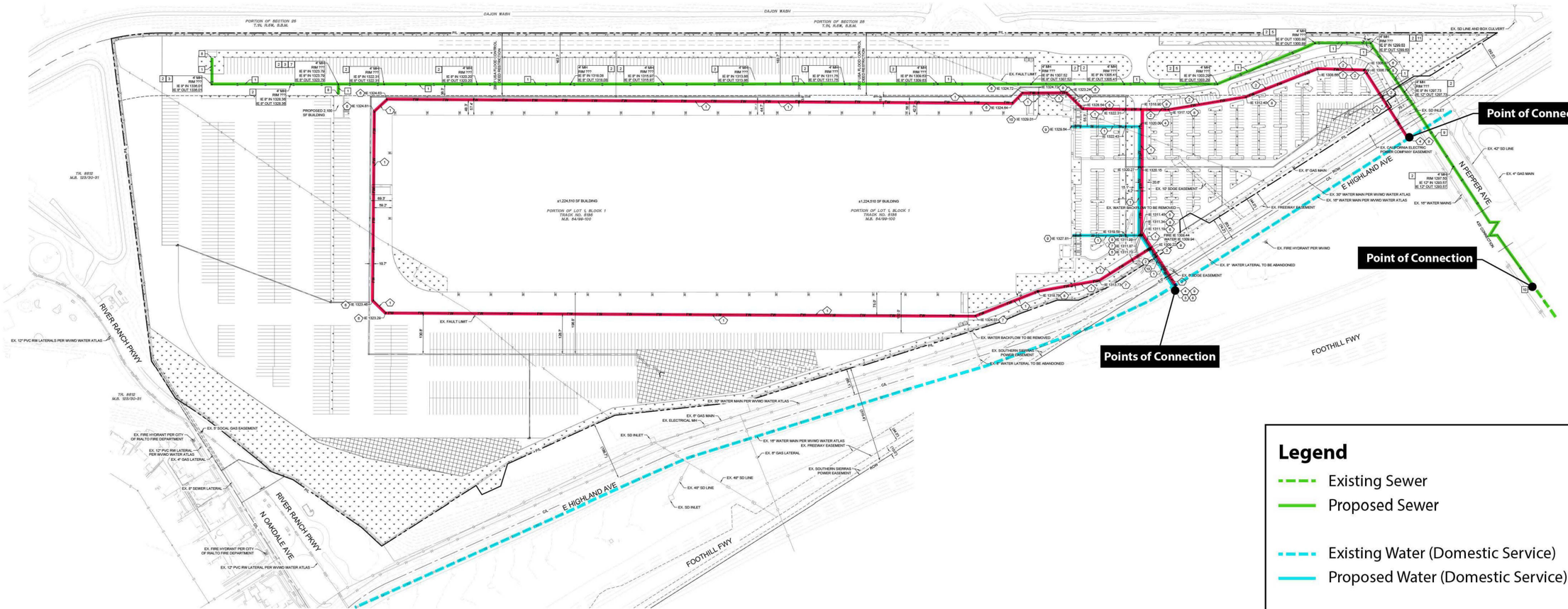
A. Water Service

West Valley Water District provides water to the existing uses on the Project Site and would continue to provide water service to the Project. The Project would abandon two existing water laterals that connect the Project Site to the existing 16-inch-diameter water main within Highland Avenue and would construct a new lateral connection to this water main to the west of the Highland Avenue/Pepper Avenue intersection. The abandonment and construction of water laterals would occur within the Project Site or within dedicated public easements/right-of-way, and would be constructed in accordance with applicable West Valley Water District and San Bernardino County standards.

B. Sewer Service

Rialto Water Services would provide sewer service to the Project. The Project provides for the construction of a new 12-inch-diameter sewer main within Pepper Avenue. The new sewer line would extend from the Project Site to approximately 880 feet south of Highland Avenue and would connect to an existing 12-inch-diameter sewer main. The construction of the new sewer main would occur within the Project Site or within dedicated public easements/right-of-way, and would be constructed in accordance with applicable Rialto Water Services and San Bernardino County standards.

As an alternative to the proposed connection to the Rialto Water Services' public sanitary sewer conveyance system, the Project Applicant may install an onsite wastewater treatment system (OWTS). Wastewater treatment systems that could be installed within the Project Site include, but are not limited to, one of the following: a disinfection system combined with aerobic treatment units, media filters, sand bed filters, and/or fixed film processors. If an OWTS is proposed for the Project, it shall be designed in collaboration with the Regional Water Quality Control Board to utilize treatment technologies that will meet the groundwater basin's water quality requirements, and shall be permitted by San Bernardino County and the Regional Water Quality Control Board. For analysis purposes, this EIR assumes that a packaged membrane bioreactor treatment system would be utilized on-site. Membrane bioreactor systems pass wastewater through a series of screens, aeration tanks, filtration membranes, disinfection (typically via ultraviolet light) to achieve the necessary water quality levels before discharging treated flows to seepage pits. Solids removed from treated wastewater can be dried or concentrated prior to disposal at a landfill; the rate of solids removal will depend on the ultimate design of the system but can range between once every two to three weeks to once every two to three months. Membrane bioreactor systems do not require chemical additives for wastewater treatment but require chemicals such as sodium hypochlorite and citric acid for routine maintenance of treatment system components, applied at intervals of approximately two to four times per year depending on the ultimate design of the system.



Legend

- Existing Sewer
- Proposed Sewer
- Existing Water (Domestic Service)
- Proposed Water (Domestic Service)
- Proposed Water (Fire Service)

NOTE: PROPOSED 12" PUBLIC SEWER LINE RUNNING THROUGH N PEPPER AVENUE WILL CONNECT TO THE EXISTING 12" SEWER LINE 880' SOUTH OF HIGHLAND AVENUE.

Source(s): Kimley-Horn (11-21-2023)

Not to Scale

Figure 3-6

Conceptual Utilities Plan

C. *Stormwater Drainage*

Stormwater drainage improvements proposed on-site as part of the Project include grate inlets, cleanouts, varying sizes of underground storm drainage pipe (12-inch-diameter, 30-inch-diameter, 36-inch-diameter, and 48-inch-diameter), and three (3) vegetated infiltration basins. Stormwater generated on the Project Site will be captured and conveyed to the infiltration basins by underground storm drain pipes or over land as sheet flow. During peak storm events, stormwater runoff that exceeds the capacity of the infiltration basins will be discharged to an existing, off-site public storm drain pipe located adjacent to the Highland Avenue/Pepper Avenue intersection.

D. *Dry Utilities*

Electric power, natural gas, telecommunications, and fiber optic services are generally available to the Project Site and surrounding areas. Utility purveyors currently servicing the Project area include:

- Southern California Edison (SCE) – Electric power;
- Southern California Gas Company (SoCalGas) – Natural gas; and
- Fiber optic system and Telecommunications – various private providers.

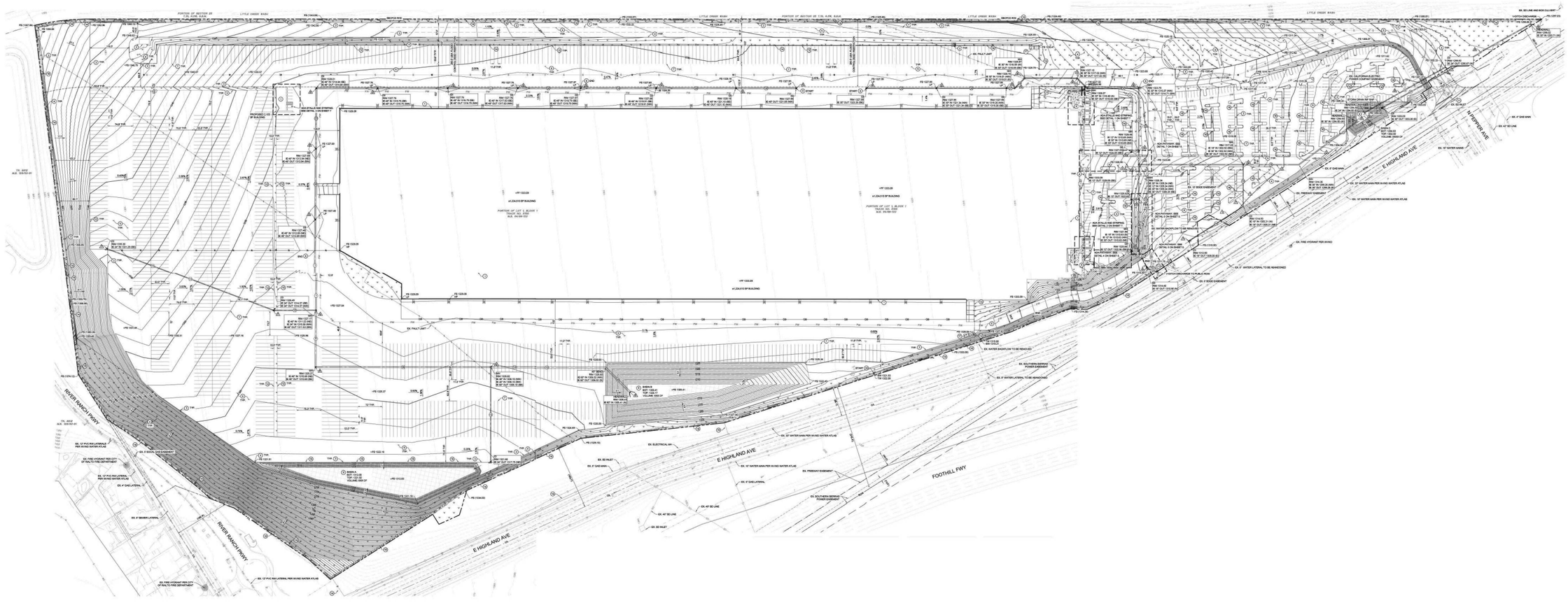
Dry utilities internal to the Project Site would be installed underground in accordance with applicable purveyor standards and specifications, and to the satisfaction of the County Engineer. The locations and configurations of utilities connections, transformers, switches, pull boxes, and manholes would be determined in conjunction with final Project designs and engineering.

3.5 Construction Characteristics

Before Project construction can begin, the current user of the Project Site is responsible for closing the existing mineral resources processing and sales facilities in accordance with Reclamation Plan 90M-11, which was subject to previous CEQA review and approved by San Bernardino County on July 10, 1990. Reclamation of the Project Site will generally entail backfilling of all mining pits, draining and filling of all settling ponds, removal of all on-site structures, removal of all on-site equipment, removal of all on-site waste, and erosion control. Upon satisfaction of all the requirements and conditions of approval of Reclamation Plan 90M-11, the current user will return the Project Site to the Project Applicant as a completely cleared and vacant site.

3.5.1 Proposed Physical Disturbance

The Project Site, after reclamation, will be covered by uncompacted fill soils that will require over excavation and compaction to be suitable for the proposed development. This proposed earthwork would require disturbance of the entire Project Site and would result in approximately 375,000 cubic yards of cut and approximately 320,000 cubic yards of fill. Approximately 55,000 cubic yards of excess soil would need to be exported from the Project Site. The Project's grading concept is illustrated on Figure 3-7, *Conceptual Grading Plan*.



Source(s): Kimley-Horn (11-21-2023)

Not to Scale

Figure 3-7

Conceptual Grading Plan

The only off-site improvements required for the Project include the proposed water, sewer, and storm drain connections, and the curb, gutter, and sidewalk improvements along Highland Avenue previously described in this Section. All proposed would occur entirely within the disturbed and developed public right-of-way.

3.5.2 Construction Schedule

The Project Applicant anticipates that the Project's construction process will occur over a 20-month timeframe. The estimated Project construction schedule, by construction stage, is summarized in Table 3-1, *Construction Duration*. For purposes of analysis, construction is expected to commence in October 2027 and would last through June 2029.

Table 3-1 Construction Duration

Construction Activity	Start Date	End Date	Days
Demolition	10/1/2027	11/11/2027	30
Site Preparation	10/1/2027	11/11/2027	30
Grading	11/12/2027	6/8/2028	150
Building Construction	6/9/2028	6/26/2029	273
Paving	2/7/2029	6/26/2029	100
Architectural Coating	3/21/2029	6/26/2029	70

Source: (Urban Crossroads, 2024a, Table 4-3)

3.5.3 Construction Equipment

The construction equipment fleet that is estimated to be used for Project construction is summarized in Table 3-2, *Construction Equipment Assumptions*.

Table 3-2 Construction Equipment Assumptions

Construction Activity	Equipment[1]	Amount	Hours Per Day
Demolition	Rubber Tired Dozers	2	8
	Excavators	3	8
	Concrete/Industrial Saws	1	8
Site Preparation	Crawler Tractors	4	8
	Rubber Tired Dozers	3	8

Table 3-2 Construction Equipment Assumptions

Construction Activity	Equipment[1]	Amount	Hours Per Day
Grading	Crawler Tractors	2	8
	Excavators	4	8
	Graders	3	8
	Rubber Tired Dozers	3	8
	Scrapers	14	8
Building Construction	Cranes	2	8
	Forklifts	12	8
	Generator Sets	12	8
	Tractors/Loaders/Backhoes	12	8
	Welders	6	8
Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coating	Air Compressors	8	8

[1] To better account for fugitive dust emissions in the air analysis model, crawler tractors were used in lieu of tractors, loaders, backhoes during the site preparation and grading phases.
Source: (Urban Crossroads, 2024a, Table 4-4)

Construction workers would travel to the site by passenger vehicle and materials deliveries would occur by medium- and heavy-duty trucks. Construction equipment is expected to operate on the Project Site up to eight hours per day, six days per week. Even though construction activities are permitted to occur between 7:00 a.m. to 7:00 p.m. on Mondays through Saturdays pursuant to the San Bernardino County Development Code (Section 83.01.080(g)), as is typical to a construction site, construction equipment is not in continual use and some pieces of equipment are used only periodically throughout a typical day of construction. Thus, eight hours of daily use per piece of equipment is a reasonable assumption.

3.6 Operational Characteristics

The Project would operate as an indoor storage facility; no outdoor materials storage is proposed for the Project Site. The building's interior floor space may be subdivided with partitions/walls to allow the building to be occupied by more than one user. The Project is proposed as a speculative development and the user(s) of the

building are not known at this time. The Project is expected to be used by a warehouse distribution/logistics operator(s) for the storage of consumer goods. Cold (refrigerated) storage is not expected for the Project and has not been analyzed in this EIR. Hazardous materials storage is not expected to occur within the building or on the Project Site; however, small quantities of hazardous chemicals and/or materials – including but not limited to aerosols, cleaners, fertilizers, lubricants, paints or stains, fuels, propane, oils, and solvents – could be utilized during routine Project operations and maintenance.

The Project is designed such that business operations would be conducted within the enclosed distribution warehouse building, except for traffic movement, parking, and the loading and unloading of tractor trailers at designated loading bays. The outdoor cargo handling equipment used during loading and unloading of trailers (e.g., yard trucks, hostlers, yard goats) is expected to be zero emission. Exterior loading and parking areas would be illuminated at night; lighting would be subject to compliance with San Bernardino County Development Code Section 83.07.030, which states that exterior lighting shall be energy-efficient, shielded, or recessed, and directed downward and away from adjoining properties. As a practical matter, dock doors on warehouse buildings are not occupied by a truck at all times of the day. There are typically many more dock door positions on warehouse buildings than are needed for receiving and shipping volumes. The dock doors that are in use at any given time are usually selected based on interior building operation efficiencies. In other words, trucks ideally dock in the position closest to where the goods carried by the truck are stored inside the warehouse. As a result, many dock door positions are frequently inactive throughout the day. For purposes of evaluation in this EIR, it is assumed that the Project would be operational 24 hours per day, seven days per week.

3.7 Summary of Requested Actions

San Bernardino County has primary approval responsibility for the proposed Project and serves as the Lead Agency for this EIR pursuant to CEQA Guidelines Section 15050. The County's Planning Commission is a recommending body and the County's Board of Supervisors is the decision-making authority for the Project and will consider the Project and decide to approve, approve with changes, or deny the Project. The County will consider the information contained in this EIR and the Project's Administrative Record in its decision-making processes.

In the event of approval of the Project and certification of the EIR, the County will conduct administrative building reviews and grant ministerial permits and approvals for plans that conform to the plans approved by the Board of Supervisors to implement Project requirements and conditions of approval. In the event of substantial modifications to the plans approved by the Board of Supervisors, a Revision to Approved Action is required in accordance with the County's Development Code.

A list of the actions under County jurisdiction is provided in Table 3-3, *Project-Related Approvals/Permits*. Additional discretionary and/or administrative actions may be necessary from other government agencies to fully implement the Project. Table 3-3 lists the government agencies that are expected to use the Project's EIR during their consultation and review of the Project and its implementing actions and provides a summary of the subsequent actions associated with the Project.

Table 3-3 Project-Related Approvals/Permits

Public Agency	Approvals and Decisions
San Bernardino County	
Proposed Project – San Bernardino County Discretionary Approvals	
Board of Supervisors	• Approve, conditionally approve, or deny PROJ-2022-00182: o Conditional Use Permit. o Land Use Category Change to convert the land use from Resource Land Management (RLM) to General Industrial (GI). o Zoning District Amendment to convert the zoning designation from Resource Conservation (RC) to Regional Industrial (IR). o Development Agreement. o Certify or reject the Project's EIR along with appropriate CEQA Findings.
Subsequent San Bernardino County Discretionary and Ministerial Approvals	
Subsequent Implementing Approvals	• Approve Final Maps. • Approve precise Site plan(s) and landscaping/irrigation plan(s), as may be appropriate. • Issue Grading Permits. • Issue Building Permits. • Approve Sewer Infrastructure Plans. • Issue Encroachment Permits. • Accept public right-of-way dedications. • Approve Water Quality Management Plan (WQMP).
Other Agencies –Approvals and Permits	
California Department of Transportation (Caltrans)	• Issue encroachment permits.
City of Rialto	• Approve extra-territorial agreement for provide sewer service via Rialto Water Services. • Approve ministerial improvement plans for connections to municipal sewer system. • Issue encroachment permits.
San Bernardino County Flood Control District	• Approvals for construction of storm water infrastructure and connection to municipal storm water system. • Accept dedication of easement that facilitates access to Island Levee.
Santa Ana Regional Water Quality Control Board (RWQCB)	• Issuance of a Construction Activity General Construction Permit. • Issuance of a National Pollutant Discharge Elimination System (NPDES) Permit. • Approval of WQMP. • Potential approval of OWTS design and issuance of permits related to OWTS operation.

Table 3-3 Project-Related Approvals/Permits

Public Agency	Approvals and Decisions
U.S. Army Corps of Engineers	• Potential Section 408-level approvals associated with buffers/separation required between proposed development and the Island Levee.
West Valley Water District	• Approvals for construction of water infrastructure and connection to water distribution system. • Administrative renewals/time extensions of Project's Water Supply Assessment.

4.0 Environmental Analysis

4.0.1 Summary of EIR Scope

In accordance with CEQA Guidelines Sections 15126-15126.4, this EIR Section includes analyses of potential direct and indirect impacts that could occur from planning, constructing, and/or operating the proposed Project. CEQA Guidelines Section 15130 states that an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in Section 15065(a)(3).

The County distributed a NOP for this EIR to the State Clearinghouse, public agencies, and interested individuals and posted the NOP on its website to solicit input on the scope of environmental study for the Project. Taking all known information and public comments into consideration, 17 primary environmental subject areas are evaluated in detail in this EIR, as listed below and individually addressed in Subsections 4.1 through 4.17. Each Subsection evaluates several topics related to the primary environmental subject. The title of each subsection is not limiting; therefore, refer to each subsection for a full account of the subject matters addressed therein.

4.1	Aesthetics	4.10	Land Use
4.2	Air Quality	4.11	Mineral Resources
4.3	Biological Resources	4.12	Noise
4.4	Cultural Resources	4.13	Public Services
4.5	Energy	4.14	Transportation
4.6	Geology and Soils	4.15	Tribal Cultural Resources
4.7	Greenhouse Gas Emissions	4.16	Utilities and Service Systems
4.8	Hazards & Hazardous Materials	4.17	Wildfire
4.9	Hydrology & Water Quality		

After conducting preliminary research and in consideration of all comments received by the County on the scope of this EIR and documented in the County's administrative record, the County determined that the Project clearly has no potential to result in significant impacts to three (3) environmental subjects: Agricultural & Forestry Resources; Population & Housing; Recreation. These subject areas are addressed in EIR Section 5.0, *Other CEQA Considerations*.

4.0.2 Scope of Cumulative Effects Analysis

CEQA requires that an EIR contain an assessment of the cumulative impacts that may be associated with a project. As noted in CEQA Guidelines Section 15130(a), "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable." "A cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects creating related impacts" (CEQA Guidelines Section 15130(a)(1)). As defined in CEQA Guidelines Section 15355:

'Cumulative Impacts' refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

(a) The individual effects may be changes resulting from a single project or a number of separate projects.

(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

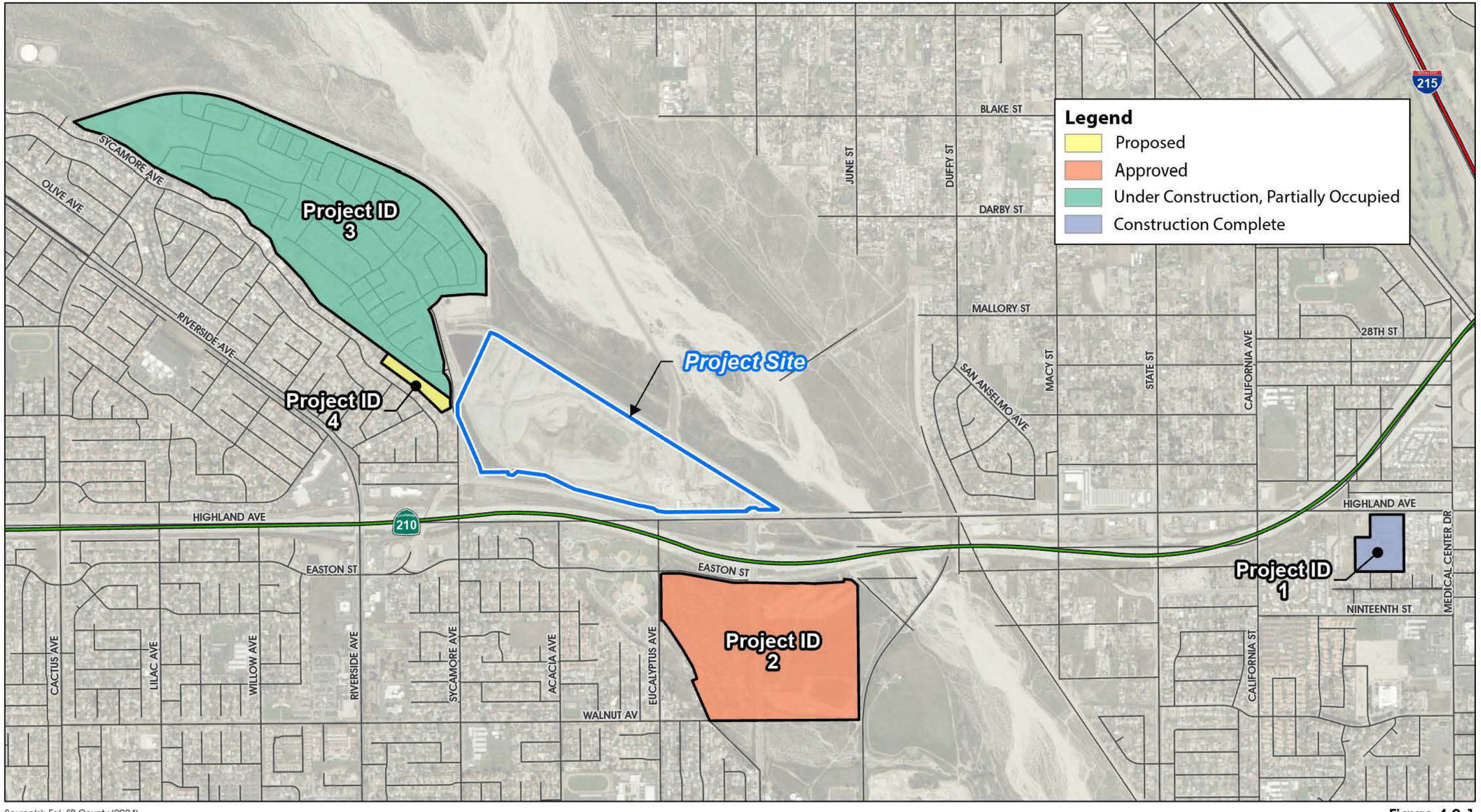
CEQA Guidelines Section 15130(b) describes two acceptable methods for identifying a study area for purposes of conducting a cumulative impact analysis. These two approaches include: 1) a list of past, present, and probable future projects producing related or cumulative impacts, including if necessary, those projects outside the control of the agency (referred to in this EIR as "the list of projects approach"), or 2) a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact (referred to in this EIR as the "summary of projections approach").

This EIR utilizes a cumulative analysis approach that combines the summary of projections approach with the list of projects approach. The County determined that combining the list of projects and summary of projections approaches to be appropriate because although long-range planning documents contain sufficient information to enable an analysis of cumulative effect for all subject areas, relying solely on the summary of projections approach could underestimate localized cumulative effects in proximity to a development site or affected sensitive receptor(s). The list of projects used to supplement the summary of projections approach includes four (4) known proposed, approved, or pending development projects in proximity to the Project Site that have not yet begun construction and/or become operational and whose environmental effects may not be fully reflected in the existing environmental baseline. See Table 4.0-1, *Cumulative Development Land Use Summary*, and Figure 4.0-1, *Cumulative Development Location Map*.

Table 4.0-1 Cumulative Development Land Use Summary

Project ID	Description	Status
1	95-unit residential development	Construction Complete
2	Up to 735,135 s.f. of light industrial land uses and 123,350 s.f. retail land uses (Pepper Avenue Specific Plan)	Approved
3	562-unit residential development (Lytle Creek Specific Plan)	Under Construction, Partially Occupied
4	60-unit residential development	Proposed

Source: (Urban Crossroads, 2024g)



Source(s): Esri, SB County (2024)

Figure 4.0-1

Cumulative Development Location Map

The cumulative study area for the summary of projections includes the northern San Bernardino Valley, including the cities of Rialto and San Bernardino and the unincorporated community of Muscoy. These areas exhibit similar characteristics as the Project area in terms of climate, geology, and hydrology and, therefore, are likely to have similar biological, archaeological, and tribal cultural resource characteristics as the Project area as well. This study area also encompasses the service areas of the Project Site's primary public service and utility providers. Areas outside of this study area either exhibit topographic, climatological, or other environmental circumstances that differ from those of the Project area or are simply too far from the Project Site to produce environmental effects that could be cumulatively considerable when considered together with the Project's impacts. Exceptions include the cumulative air quality analysis, which considers the entire South Coast Air Basin (SCAB); the greenhouse gas emissions and global climate change analysis, which considers global climate; and the analysis of potentially cumulative hydrology and water quality effects, which considers the area of the Santa Ana River Basin Watershed.

Environmental impacts associated with summary of projections study area were disclosed in CEQA compliance documents prepared for the respective General Plans of each of the above-named city and county jurisdictions. The locations where each of these CEQA compliance documents are available for review is provided below. The CEQA compliance documents listed below are herein incorporated by reference pursuant to CEQA Guidelines Section 15150.

- San Bernardino Countywide Plan EIR, available for review at the San Bernardino County Land Use Services Department – Planning Division 385 North Arrowhead Avenue, 1st Floor, San Bernardino, California 92415;
- City of Rialto General Plan EIR (SCH No. 2008071100), available for review at the City of Rialto Community Development Department, 150 South Palm Avenue, Rialto, CA 92376; and
- City of San Bernardino General Plan EIR, available for review at City of San Bernardino Community & Economic Development Department, 290 North D Street, San Bernardino, CA 92401.

4.0.3 Analysis Format

Subsections 4.1 through 4.17 of this EIR evaluate the environmental subjects warranting detailed analysis as determined by the County in consideration of preliminary research findings, public comments, and technical study. The format of discussion is standardized as much as possible in each section for ease of review. The environmental setting is discussed first and is followed by a discussion of the potential environmental impacts that would result from implementation of the Project (which is based on specified thresholds of significance used as criteria to determine whether potential environmental effects are significant).

The thresholds of significance used in this EIR are based on the thresholds presented in CEQA Guidelines Appendix G and as applied by the County. The thresholds are intended to assist the reader of this EIR in understanding how and why this EIR reaches a conclusion that an impact would or would not occur, is significant, or is less than significant.

Serving as the CEQA Lead Agency for this EIR, the County is responsible for determining whether an adverse environmental effect identified in this EIR should be classified as significant or less than significant. The standards of significance used in this EIR are based on the independent judgment of the County, taking into consideration CEQA Guidelines Appendix G, the County Policy Plan (General Plan), the County's Development Code and Code of Ordinances, adopted County policies, the judgment of the technical experts that contributed to the preparation of this EIR, performance standards adopted, implemented, and monitored by regulatory agencies, and significance standards recommended by regulatory agencies.

As required by CEQA Guidelines Section 15126.2(a), Project-related effects on the environment are characterized in this EIR as direct, indirect, cumulatively considerable, short-term, long-term, on-Site, and/or off-Site impacts. A summarized "impact statement" is provided in each subsection following the analysis. Each subsection also includes a discussion or listing of the applicable regulatory criteria (laws, policies, regulations) that the Project and its implementing actions are required to comply with (if any). If impacts are identified as significant after mandatory compliance with regulatory criteria, feasible mitigation measures are presented that would either avoid the impact or reduce the magnitude of the impact. For any impact identified as significant and unavoidable, the County would be required to adopt a statement of overriding considerations pursuant to CEQA Guidelines Section 15093 to approve the Project despite its significant impact(s) to the environment. The statement of overriding considerations would list the specific economic, legal, social, technological, and other benefits of the Project that outweigh the unavoidable impacts, supported by substantial evidence in the Project's administrative record.

4.1 AESTHETICS

This Subsection describes the aesthetic qualities and visual resources present on the Project Site and in the vicinity, and evaluates potential effects that the Project may have on these resources. Descriptions of existing visual characteristics, both on-site and in the vicinity of the Project Site, and the analysis of potential impacts to aesthetic resources are based on field observations, photographs of the subject property, analysis of aerial photography, and the Project's proposed site, architecture, and landscaping plans (as described in Section 3.0, *Project Description*, of this EIR). All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.1.1 EXISTING CONDITIONS

A. Regional Setting

The Project Site is in the Valley region of San Bernardino County. The Valley region encompasses the southwesterly corner of the County, west of the San Bernardino and Angeles National Forest boundaries. The northern limits of the region are bounded by the San Bernardino Mountain and the Yucaipa and Crafton Hills. The southern limits of the region are bounded by the La Loma Hills, Jurupa Hills, and Chino Hills. The majority of the County's residents live in the Valley Region as it is the most urbanized region, and closest to other major cities in Los Angeles, Riverside, and Orange counties. The visual character of the Valley Region is primarily urban but development becomes less dense closer to the foothills of the mountain ranges and low-lying hills to the north and east, which provide scenic vistas from various areas within the region. (San Bernardino County, 2019, p. 5.1-3)

B. Project Site and Surrounding Areas

The Project Site has been heavily impacted by mining-related uses for more than 70 years. Mining operations began at the Project Site in the late 1940s and continued until 1998 or 1999, when all economically viable aggregate resources became depleted and the excavation pits were backfilled. The Project Site is currently used for stockpiling aggregate resources excavated from the Vulcan Materials Company's Cajon Creek Quarry, which is located approximately 2.5 miles north of the Project Site. Resources mined from the Cajon Creek Quarry are currently transported to the Project Site via an access road located adjacent to, and that crosses, the Cajon Wash. The materials stockpiled on the Project Site are sold as raw aggregates (sand and gravel) or processed on-site into concrete or asphalt.

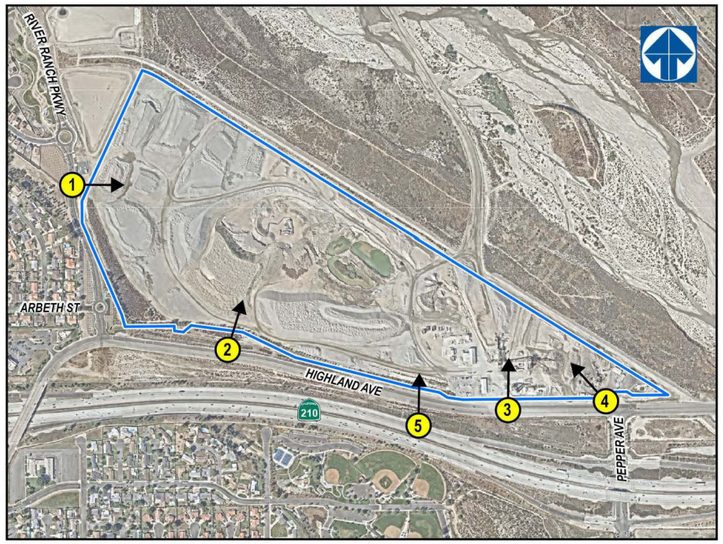
The Project Site contains numerous office buildings, maintenance buildings, storage buildings, production areas, and fueling and wash areas that support operations on the Site. Almost the entire Project Site is used for materials stockpiling, aggregate products production, and settling basins. The existing uses and improvements on the Project Site are visible to passing motorists along SR-210, Highland Avenue, and River Ranch Parkway. Figure 4.1-1 illustrates current views of the Project Site.



Site Photo 1: West of the Project Site, along River Ranch Parkway, looking east.



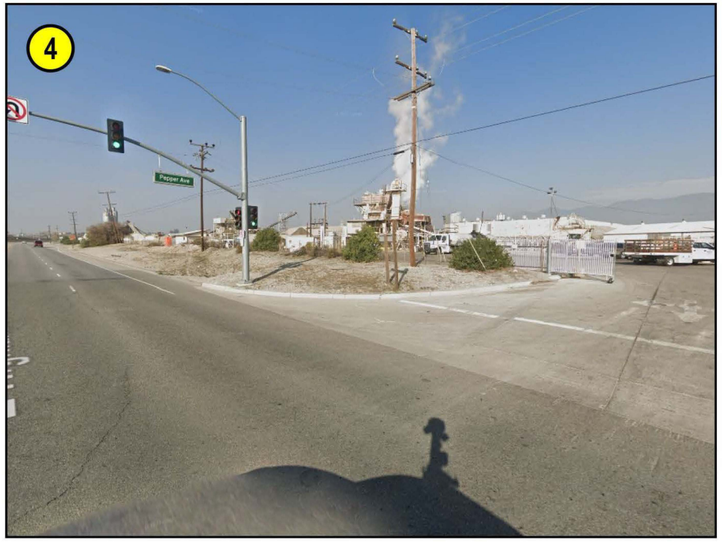
Site Photo 2: Southwest of the Project Site, along Highland Ave, looking northeast.



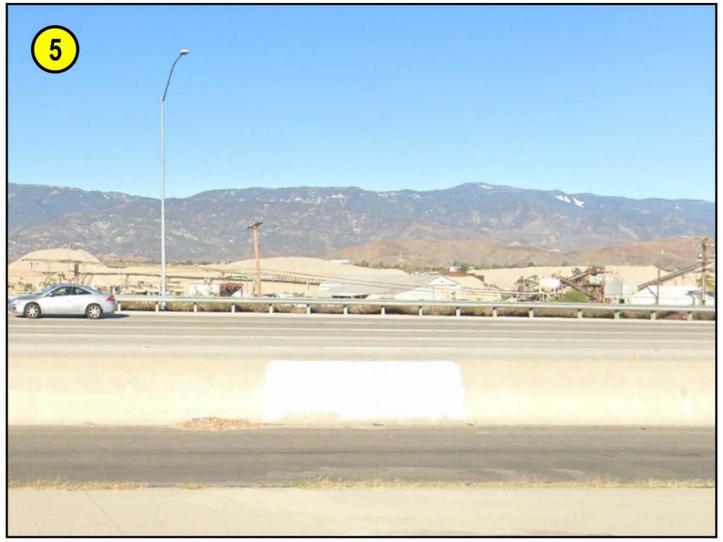
Source(s): Esri, Nearmap Imagery (2023)



Site Photo 3: Southeast of the Project Site, along Highland Ave, looking north.



Site Photo 4: Southeast of the Project Site, at Highland Ave & Pepper Ave, looking northwest.



Site Photo 5: South of the Project Site, along Interstate 210, looking north.

Figure 4.1-1

Not to Scale

Site Photographs

Existing land uses in the immediate vicinity of the Project Site include:

North: A flood control levee borders the site immediately to the north, beyond which is the Cajon Wash.

West: An established single-family residential neighborhood and an under-construction master-planned residential community (River Ranch) is located west of the Project Site, across River Ranch Parkway, in the City of Rialto.

South: Highland Avenue is located immediately to the south of the Project Site, beyond which is SR 210. Single-family residential land uses and Frisbie Park, in the City of Rialto, are located south of SR 210.

East: A flood control levee and the Cajon Wash are located to the east of the Project Site. A rail corridor and a mix of single-family residential, commercial, and industrial land uses in the City of San Bernardino and unincorporated community of Muscoy are located to the east of the Cajon Wash.

C. *Scenic Vista and Scenic Resources*

The Valley Region contains most of the County's urban development and population. Because it is largely flat and is surrounded by mountain ranges, it features extensive scenic views of the surrounding topography. The most dramatic of these vistas are those looking north toward the San Gabriel and San Bernardino Mountains, which are located north and east of the Project Site, respectively, and contain some of Southern California's highest peaks (San Bernardino County, 2019, p 5.1-13). Views of the San Gabriel Mountains are largely obstructed from public viewing areas at the southeast portion of the Project Site under existing conditions by the concrete and asphalt plants and tall stockpiles of mined aggregate; views of the Mountains become more prominent moving north along Highland Avenue, toward River Ranch Parkway. The lower elevations of the San Bernardino Mountains are obscured by on-site stockpiles of mined aggregate as viewed from River Ranch Parkway; views of the Mountains remain prominent and unobstructed from Highland Avenue moving south and east. The County Policy Plan does not identify any other scenic vistas or resources in the vicinity of the Project Site.

As shown on Figure 4.1-1, the Project Site does not contain any scenic resources, such as buildings or landscaping of aesthetic value, or landforms of visual interest (e.g., rock outcroppings).

D. *Light and Glare*

Artificial light is associated with the evening and nighttime hours, and sources may include streetlights, illuminated signage, and vehicle headlights. Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass or reflective materials, and, to a lesser degree, from broad expanses of light-colored surfaces. Glare can also be produced during evening and nighttime hours by artificial light directed toward a light-sensitive land use.

The Project Site and surrounding area currently contain sources of artificial exterior lighting. Sources of artificial lighting on-site associated with the existing uses, include building-mounted fixtures and pole-mounted flood light fixtures. Sources of artificial light off-site include streetlights and headlights from vehicles traveling along SR-210 and Highland Avenue. There are no sources of substantial glare on-site.

4.1.2 Regulatory Framework

The following is a brief description of local environmental laws and related regulations governing the protection of aesthetic resources.

A. State

1. California Scenic Highways

The California Department of Transportation (Caltrans) manages the State Scenic Highway Program, established in 1963 through Senate Bill 1467, Streets and Highways Code, §§ 260 through 263 to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. A highway may be designated as scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. Scenic corridors consist of land that is visible from, adjacent to, and outside the highway right-of-way, and is comprised primarily of scenic and natural features. Topography, vegetation, viewing distance, and/or jurisdictional lines determine the scenic corridor boundaries. Scenic highways are classified as either Officially Designated or Eligible for designation and Caltrans maintains the lists of these highways.

In San Bernardino County, State Route (SR) 38 from east of South Fork Campground to State Lane in the San Bernardino Mountains and unincorporated community of Big Bear City is the only highway classified by Caltrans as an "Officially Designated State Scenic Highway."

B. Local

1. County Policy Plan

The San Bernardino County general plan sets forth goals and policies related to aesthetics and the protection of visual resources. Goals and policies that may be applicable to the Project and/or Project Site are summarized below.

Land Use Element

Goal LU-2: Land Use Mix and Compatibility. An arrangement of land uses that balances the lifestyle of existing residents, the needs of future generations, opportunities for commercial and industrial development, and the value of the natural environment.

Policy LU 2.1: Compatibility with existing uses. Compatibility with existing uses. We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing

conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Policy LU-2.3: Compatibility with natural environment. We require that new development is located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.

Natural Resources Element

Goal NR-4: Scenic Resources. Scenic resources that highlight the natural environment and reinforce the identity of local communities and the county.

Policy NR-4.1: Preservation of scenic resources. We consider the location and scale of development to preserve regionally significant scenic vistas and natural features, including prominent hillsides, ridgelines, dominant landforms, and reservoirs.

Policy NR-4.3: Off-site signage. We prohibit new off-site signage and encourage the removal of existing off-site signage along or within view of County Scenic Routes and State Scenic Highways.

2. San Bernardino County Development Code

The Project would be subject to the following provisions from the San Bernardino County Development Code to help minimize aesthetic and light and glare impacts.

- Chapter 83.02 (General Development and Use Standards). This chapter provides development standards that ensure an environment of stable and desirable character that is harmonious and compatible between existing and future development. Sections within this chapter detail requirements pertaining to maximum building heights, screening and buffering, setbacks, and allowed projections/structures within setbacks.

- Chapter 83.06 (Fences, Hedges, and Walls). This chapter establishes requirements for fences, hedges, and walls to ensure that these elements do not unnecessarily block views and sunlight; provide adequate buffering between different land uses, provide screening of outdoor uses and equipment; and provide for noise mitigation. Overall, the requirements are designed to provide aesthetic enhancement of the County. This chapter of the code discusses requirements for fences, hedges, and walls, including maximum height limit, walls required between different land uses, special wall/fencing for different uses, and prohibited fence materials.

- Chapter 83.07 (Glare and Outdoor Lighting). This chapter encourages outdoor lighting practices and systems that minimize light pollution, glare, and light trespass; conserve energy and resources while maintaining nighttime safety, visibility, utility and productivity; and curtail the degradation of the nighttime visual environment. Section 83.07.030 provides standards for

outdoor lighting in the Valley Region and Section 83.07.040 provides stricter standards for the Mountain and Desert Regions.

- Chapter 83.10 (Landscaping Standards). The purpose of this chapter is to enhance the aesthetic appearance of the County by providing standards related to the quality and functional aspects of landscaping. In addition to enhancing the aesthetic quality of the County, the landscaping standards are intended to benefit air and water quality, help prevent and manage erosion, offer fire protection, and replace valuable ecosystems that may be lost during development. These standards also encourage water conservation, efficient water management, natural vegetation preservation, and more.

- Chapter 83.13 (Sign Regulation). This chapter establishes regulations for signs and other exterior advertising formats helping to improve the appearance of the County and protect public and private investment in structures and open spaces.

4.1.3 Basis for Determining Significance

The thresholds listed below are taken from Appendix G to the CEQA Guidelines and address the typical adverse aesthetics effects that could result from development projects. The Project would result in a significant impact to aesthetics if the Project or any Project-related component would:

a. *Have a substantial adverse effect on a scenic vista.*

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

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

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

4.1.4 Methodology for Evaluation

The analysis of aesthetics impacts will focus on changes to scenic vistas, viewsheds, and scenic resources, visual character, and the introduction of new sources of light and glare.

The analysis of potential impacts to scenic vistas, viewsheds, and scenic resources will identify whether the Project would block or otherwise substantially and adversely affect a unique view of a scenic vista(s) or scenic resource as seen from a public viewing location(s), such as a public road, park, trail, and/or other publicly-owned property at which the general public is legally authorized to use or congregate. Effects to scenic vistas from private properties will not be considered because the County's

general plan calls for the protection of public views and the County does not have any ordinances or policies in place that protect views from privately-owned property.

Lastly, the analysis of light and glare will consider if the Project would directly expose the Project area with bright lights or create unwanted light in the night sky including light trespass, sky glow, or over-lighting, the Project would adversely affect day or nighttime views in the area.

4.1.5 IMPACT ANALYSIS

Threshold a: ***Would the Project have a substantial adverse effect on a scenic vista?***

The County's general plan does not designate specific scenic vistas within the County but, generally, considers prominent hillsides, ridgelines, dominant landforms and reservoirs to be scenic resources (San Bernardino County, 2022a; Policy NR-4.1). The Project Site does not contain any scenic resources and does not serve as a scenic vista or contribute to a scenic vista. Currently, stockpiles of mined aggregates, corrugated metal buildings and equipment used for the production and sale of aggregates and related products (e.g., asphalt and concrete) cover the majority of the Project Site. These facilities and stockpiles range from 10 to 40 feet above the current Project Site grade and are visible ranging from approximately 20 to 30 feet above grade from Highland Avenue at the southeast corner of the Project Site, approximately 25 feet below grade from Highland Avenue at the southwest corner of the Project Site, and approximately 10 to 30 feet below the grade of River Ranch Parkway. Scenic resources visible (at least partially) from public viewpoints adjacent to the Project Site include the San Gabriel and San Bernardino Mountains, which are visible to the north and east of the Project Site from Highland Avenue and River Ranch Parkway.

The Project would redevelop the Project Site with a warehouse distribution facility with a footprint of 1,224,487 square feet and a maximum height of 54.5 feet. The top of the proposed warehouse building would reach an elevation of approximately 1,387 feet amsl. The Project's tallest vertical feature would be below the existing grade of River Ranch Parkway and Highland Avenue (at the southwest corner of the Site) and would not obstruct views of any scenic vista. At the southeast corner of the Project Site, there would be a substantial horizontal setback between the tallest vertical feature of the Project and Highland Avenue (at the southeast corner), which would reduce the perceived height of the Project and would allow views of scenic features beyond the Project Site. Additionally, the Project would not substantially change views of the San Gabriel and San Bernardino Mountains from the Highland Avenue segment that abuts the Project Site because views are already partially obstructed by large aggregate stockpiles and equipment present on the Project Site.

Although not proposed by development plans under consideration by the County, the Specific Plan for the Project Site would allow a maximum building height of 75 feet, subject to future review and approval by the County. In this potential scenario, the top of the tallest vertical feature on the Project Site would range from equal to the grade of River Ranch Parkway to approximately 15 feet above the grade of River Ranch Parkway; the variation is due to the undulating grade of the roadway. The substantial minimum horizontal setbacks required by the Specific Plan would reduce the perceived height of structures on the Project Site and would allow views of scenic features beyond the Project

Site. Similarly, the substantial horizontal setbacks from Highland Avenue required by the Specific Plan would ensure views of the San Gabriel and San Bernardino Mountains would not be substantially affected from the Highland Avenue segments abutting the Project Site.

Based on the foregoing analysis, the Project would not have a substantial adverse effect on a scenic vista or scenic resources in the Project vicinity. Impacts would be less than significant.

Threshold b: ***Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?***

The Project Site has been heavily impacted by mining-related activities for more than 70 years. There are no scenic resources or historic buildings located within the Project Site and, as shown on County Policy Plan Figure NR-3, *Scenic Routes & Highways*, there are no designated scenic routes or highways in the Project Site vicinity. Accordingly, the Project would result in no impact to scenic resources, including resources within a California scenic highway.

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

The Project Site is located within a census tract that does not meet the U.S. Census Bureau's definition of an "urbanized area." Therefore, pursuant to this threshold, a potentially significant impact would occur if the Project substantially degraded the existing visual quality or character of the Project Site and its surroundings.

Transition of the Project Site from its current disturbed state (refer to Figure 4.1-1, presented previously) to a site developed with uses and design features proposed by the Project would tend to enhance the visual character and quality of the subject property and vicinity through the introduction of contemporary light industrial structures and associated landscape/streetscape elements.

The proposed building would feature a varied roofline with a maximum height of 55 feet, as measured from the finished floor elevation to the top of parapets (which is comparable to the height of aggregate stockpiles on the Project Site under existing conditions). The building would be constructed of concrete tilt-up panels and low-reflective glass. The building's exterior color palette would be comprised of various shades of white, cream and gray colors; windows would feature blue glazing. Decorative building elements include a varied roofline, horizontal offsets, window mullions, and canopies and wood-effect siding at office entries. Architectural concepts are illustrated at previous Figure 3-2, *Architectural Elevations*, and 3-3, *Project Rendering,* presented in Section 3.0 of this EIR. On-site landscaping would consist of a combination of deciduous and evergreen trees, shrubs, and groundcover. The entire Project perimeter would be landscaped to provide visual interest and screening where necessary, with increased emphasis along River Ranch Parkway and the Highland

Avenue/Pepper Avenue intersection. The Landscape Plan includes over 1,000 trees to be planted on-site, as well as various shrubs and groundcovers (see Figure 3-4, *Conceptual Landscape Plan*, presented in Section 3.0 of this EIR).

Based on the preceding discussion, the potential for the Project to substantially degrade the existing visual character or quality of public views is considered less than significant.

Threshold d: ***Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

The Project would create new sources of lighting, including ground, building-mounted, wall-mounted, and pole-mounted lighting fixtures. The Project would also provide illuminated exterior signs. Development projects in all areas of the unincorporated County are required to comply with California Building Energy Efficiency Standards and Chapter 83.07 of the San Bernardino County Development Code, which provide regulations and standards aimed at implementing outdoor lighting practices and systems that minimize light pollution, glare, and light trespass; conserve energy and resources while maintaining nighttime safety, visibility, utility, and productivity; and curtail the degradation of the nighttime visual environment. Specifically, Section 83.07.030 of the San Bernardino County Development Code provides standards for outdoor lighting in the Valley Region. The Project would comply with all County regulations and standards in this regard. Based on the preceding, the potential for the Project to create a new source of substantial light or glare, which would adversely affect the day or nighttime views in the area is considered less than significant.

4.1.6 Cumulative Impact Analysis

The CEQA Guidelines define a "cumulative impact" as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (CEQA Guidelines Section 15355). The Project's minimal effects to views of the San Bernardino and San Gabriel Mountains would be localized to the immediate Project Site area and would not extend beyond the public viewing areas that abut the Project Site (i.e., Highland Avenue at the southeast corner of the Site). The views that would be affected only occur abutting the Project Site and the Project does not contain any off-site components that could adversely affect scenic views that occur elsewhere in the unincorporated County or City of Rialto. There is no planned development or cumulative development projects located in proximity to the Project Site that would affect the same viewpoints of the San Bernardino and San Gabriel Mountains along Highland Avenue and/or River Ranch Parkway as the Project would. Furthermore, the Project's impacts to local scenic views are inherently site specific and not influenced or exacerbated by effects to scenic views that may occur at other, off-site properties. Because of the site-specific nature of these impacts, there would be no direct or indirect connection to similar potential issues or cumulative effects to or from other properties pursuant to Threshold "a."

As noted under the analysis of Threshold "b," the Project Site is not located in proximity to any designated State scenic routes and does not contain any scenic resources. Therefore, the Project has

no potential contribute to a cumulatively significant impact to scenic resources within a designated scenic route corridor.

As noted under the analysis of Threshold "c," the Project would serve to improve the visual quality and character of the Project area and as with any development proposal in the surrounding area, would be subject to applicable development regulations and design standards. Mandatory compliance with applicable development regulations and design standards would ensure that cumulative developments incorporate high quality building materials, site design, and landscaping to preclude potential conflicts with applicable zoning and other regulations governing visual quality. Cumulative impacts would not be considerable.

With respect to potential cumulative light and glare impacts, the Project would be required to comply with all County requirements related to light and glare. Development projects with artificial light sources in surrounding jurisdictions would be required to comply with the light reduction requirements applicable in their respective jurisdiction. Required compliance with applicable legal standard and code requirements would ensure that cumulative development does not introduce substantial sources of lighting or glare. As such, the Project would not contribute to cumulatively-considerable, adverse impacts to the existing daytime or nighttime views of the Project Site or its surroundings.

4.1.7 Significance of Impacts Before Mitigation

Threshold a: Less than Significant Impact. There are no designated scenic vistas in the Project Site vicinity. The Project would not substantially affect views of the San Bernardino Mountains or San Gabriel Mountains from nearby public viewing areas.

Threshold b: No Impact. The Project Site has been heavily impacted by mining-related activities for more than 70 years. The Project Site is not located within the viewshed of a scenic highway and does not contain scenic resources.

Threshold c: Less than Significant Impact. The Project would re-develop a property that has been used for mining and the production and sales of aggregates and related products for the last 70+ years with a modern light industrial building that features a contemporary architectural design and extensive landscaping. The Project's design is consistent with the County's visual standards and regulations for industrial land uses.

Threshold d: Less than Significant Impact. Compliance with California Building Energy Efficiency Standards and Chapter 83.07 of the San Bernardino County Development Code would ensure less-than-significant impacts associated with light and glare affecting day or nighttime views in the area from on-site lighting elements.

4.1.8 Mitigation

No significant impacts have been identified and therefore, no mitigation measures are required.

4.2 AIR QUALITY

This Subsection is based primarily on four technical studies that were prepared by Urban Crossroads, Inc., to evaluate the potential for Project-related construction and operational activities to result in adverse effects on local and regional air quality. The first report, an air quality impact analysis (AQIA), is titled "Pepper 210 Commerce Center Air Quality Impact Analysis," dated August 26, 2024, and is included as *Technical Appendix B* to this EIR (Urban Crossroads, 2024a). The second report, a health risk assessment (HRA), is titled "Pepper 210 Commerce Center Construction and Operational Health Risk Assessment," dated August 26, 2024, and is included as *Technical Appendix C* to this EIR (Urban Crossroads, 2024b). The third and fourth analyses prepared by Urban Crossroads are memoranda that address air pollutant emissions associated with the Project's potential use of an on-site wastewater treatment system (OWTS) and a supplemental health risk analysis; these documents are provided as *Technical Appendix W* (Urban Crossroads, 2024i) and *Technical Appendix X* (Urban Crossroads, 2025), respectively. All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.2.1 EXISTING CONDITIONS

A. *Atmospheric Setting*

The Project Site is located in the South Coast Air Basin (SCAB, or "Basin"), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAB encompasses approximately 6,745 square miles and includes portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County. The SCAB is bound by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and the San Jacinto Mountains to the north and east, respectively; and the San Diego County line to the south.

B. *Regional Climate*

The regional climate – temperature, wind, humidity, precipitation, and the amount of sunshine – has a substantial influence on air quality. The SCAB's distinctive climate is determined by its terrain and geographical location, which comprises a coastal plain connected to broad valleys and low hills bounded by the Pacific Ocean in the southwest quadrant with high mountains forming the remainder of the perimeter. The SCAB is semi-arid, with average annual temperatures varying from the low-to-middle 60s, measured in degrees Fahrenheit (F); however, the air near the land surface is quite moist on most days because of the presence of a marine layer. This shallow layer of sea air is an important modifier of the SCAB's climate. Humidity restricts visibility in the SCAB and the relative high humidity heightens the conversion of sulfur dioxide (SO_2) to sulfates (SO_4). The marine layer provides an environment for that conversion process, especially during the spring and summer months. Inland areas of the SCAB, including where the Project Site is located, show more variability in annual minimum/maximum temperatures and lower average humidity than coastal areas within the SCAB due to decreased marine influence.

More than 90 percent of the SCAB's rainfall occurs between November and April. The annual average rainfall within the SCAB varies between approximately nine (9) inches in Riverside to 14 inches in downtown Los Angeles. Monthly and yearly rainfall totals are extremely variable. Summer rainfall

usually consists of widely scattered thunderstorms near the coast and slightly heavier shower activity in the eastern portion of the SCAB. Due to its generally clear weather, about three-quarters of available sunshine is received in the SCAB; the remaining one-quarter is absorbed by clouds. The abundant amount of sunshine (and its associated ultraviolet radiation) is a key factor to the photochemical reactions of air pollutants in the SCAB.

Dominant airflow direction and speed are the driving mechanisms for transport and dispersion of air pollution. During the late autumn to early spring rainy season, the SCAB is subjected to wind flows associated with storms moving through the region from the northwest. This period also brings five to 10 periods of strong, dry offshore winds, locally termed "Santa Anas" each year. During the dry season, which coincides with the months of maximum photochemical smog concentrations, the wind flow is bimodal, typified by a daytime onshore sea breeze and a nighttime offshore drainage wind. Summer wind flows are created by the pressure differences between the relatively cold ocean and the unevenly heated and cooled land surfaces that modify the general northwesterly wind circulation over southern California. During the nighttime, heavy, cool air descends mountain slopes and flows through the mountain passes and canyons as it follows the lowering terrain toward the ocean.

In the SCAB, there are two distinct temperature inversion structures that control the vertical mixing of air pollution. During the summer, warm high-pressure descending (subsiding) air is undercut by a shallow layer of cool marine air. The boundary between these two layers of air is a persistent marine subsidence/inversion. This boundary prevents vertical mixing which effectively acts as an impervious lid to pollutants over the entire SCAB. The mixing height for the inversion structure is normally situated 1,000 to 1,500 feet above mean sea level. A second inversion-type forms in conjunction with the drainage of cool air off the surrounding mountains at night followed by the seaward drift of this pool of cool air. The top of this layer forms a sharp boundary with the warmer air aloft and creates nocturnal radiation inversions. These inversions occur primarily in the winter, when nights are longer and onshore flow is weakest. They are typically only a few hundred feet above mean sea level. These inversions effectively trap pollutants, such as nitrogen oxides and carbon monoxide, as the pool of cool air drifts seaward. Winter is therefore a period of high levels of primary pollutants along the coastline.

The discussion above summarizes information from the Project's AQIA. Refer to Sections 2.2 and 2.3 of the Project's AQIA (*Technical Appendix B*) for a detailed description of regional climate and wind patterns.

C. *Criteria Pollutants and Associated Human Health Effects*

The federal government and State of California have established maximum permissible concentrations for common air pollutants that may pose a risk to human health or would otherwise degrade air quality and adversely affect the environment. These regulated air pollutants are referred to as "criteria pollutants." An overview of the common criteria air pollutants in the SCAB, their sources, and associated effects to human health are summarized on the following pages (refer also to Section 2.4 of the Project's AQIA for a detailed discussion of criteria pollutants).

- **Carbon Monoxide (CO)** is a colorless, odorless gas produced by the incomplete combustion of carbon-containing fuels, such as gasoline or wood. CO concentrations tend to be the highest in the winter during the morning, when there is little to no wind and surface-based inversions trap the pollutant at ground levels. CO is emitted directly from internal combustion engines; therefore, motor vehicles operating at slow speeds are the primary source of CO and the highest ambient CO concentrations in the SCAB are generally found near congested transportation corridors and intersections. Inhaled CO does not directly affect the lungs but affects tissues by interfering with oxygen transport and competing with oxygen to combine with hemoglobin present in the blood to form carboxyhemoglobin (COHb). Therefore, health conditions with an increased demand for oxygen supply can be adversely affected by exposure to CO. The most common symptoms associated with CO exposure include headache, nausea, vomiting, dizziness, fatigue, and muscle weakness. Individuals most at risk to the effects of CO include fetuses, patients with diseases involving heart and blood vessels, and patients with chronic oxygen deficiency.

- **Sulfur Dioxide (SO_2)** is a colorless gas or liquid. SO_2 enters the atmosphere as a pollutant mainly as a result of burning high sulfur-content fuel oils and coal and from chemical processes occurring at chemical plants and refineries. When SO_2 oxidizes in the atmosphere, it forms sulfates (SO_4). Collectively, these pollutants are referred to as sulfur oxides (SO_X). SO_2 is a respiratory irritant to people afflicted with asthma. After a few minutes' exposure to low levels of SO_2, asthma sufferers can experience breathing difficulties, including airway constriction and reduction in breathing capacity. Although healthy individuals do not exhibit similar acute breathing difficulties in response to SO_2 exposure at low levels, animal studies suggest that very high levels of exposure can cause lung edema (fluid accumulation), lung tissue damage, and sloughing off of cells lining the respiratory tract.

- **Nitrogen Oxides (NO_X)** consist of nitric oxide (NO), nitrogen dioxide (NO_2) and nitrous oxide (N_2O) and are formed when nitrogen (N_2) combines with oxygen (O_2). Their lifespan in the atmosphere ranges from one to seven days for nitric oxide and nitrogen dioxide, to 170 years for nitrous oxide. Nitrogen oxides are typically created during combustion processes, and are major contributors to smog formation and acid deposition. NO_2 is a criteria air pollutant, and may result in numerous adverse health effects; it absorbs blue light, resulting in a brownish-red cast to the atmosphere, and reduced visibility. Of the nitrogen oxide compounds, NO_2 is the most abundant in the atmosphere. As ambient concentrations of NO_2 are related to traffic density, commuters in heavy traffic may be exposed to higher concentrations of NO_2 than those indicated by regional monitoring stations. Population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is associated with long-term exposure to NO_2. Short-term exposure to NO_2 can result in resistance to air flow and airway contraction in healthy subjects. Exposure to NO_2 can result in decreases in lung functions in individuals with asthma or chronic obstructive pulmonary diseases (e.g., chronic bronchitis, emphysema), as these individuals are more susceptible to the effects of NO_2 than healthy individuals.

- **Ozone (O_3)** is a highly reactive and unstable gas that is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_X), both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, warm temperatures, and light wind conditions are favorable to the formation of this pollutant. Short-term exposure (lasting for a few hours) to ozone at levels typically observed in southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes. Individuals exercising outdoors, children, and people with pre-existing lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the most susceptible sub-groups for ozone effects. Children who participate in multiple outdoor sports and live in communities with high ozone levels have been found to have an increased risk for asthma.

- **Particulate Matter less than 10 microns (PM_{10}) and less than 2.5 microns ($PM_{2.5}$)** are air pollutants consisting of tiny solid or liquid particles of soot, dust, smoke, fumes, and aerosols that are 10 microns or smaller or 2.5 microns or smaller, respectively. These particles are formed in the atmosphere from primary gaseous emissions that include sulfates formed from SO_2 release from power plants and industrial facilities, and nitrates that are formed from NO_X release from power plants, automobiles, and other types of combustion sources. The chemical composition of fine particles is highly dependent on location, time of year, and weather conditions. The small size of PM_{10} and $PM_{2.5}$ allows them to enter the lungs where they may be deposited, resulting in adverse health effects. Elevated ambient concentrations of fine particulate matter (PM_{10} and $PM_{2.5}$) have been linked to an increase in respiratory infections, number, and severity of asthma attacks, and increased hospital admissions. Some studies have reported an association between long-term exposure to air pollution dominated by fine particles and increased mortality, reduction in lifespan, and an increased mortality from lung cancer. Daily fluctuations in $PM_{2.5}$ concentration levels have also been related to hospital admissions for acute respiratory conditions in children, to a decrease in respiratory lung volumes in normal children, and to increased medication use in children and adults with asthma. Recent studies show lung function growth in children is reduced with long-term exposure to particulate matter. The elderly, people with pre-existing respiratory or cardiovascular disease, and children, appear to be the most susceptible to the effects of high levels of PM_{10} and $PM_{2.5}$.

- **Volatile Organic Compounds (VOCs)** and **Reactive Organic Gasses (ROGs)** are a family of hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air. Both VOCs and ROGs are precursors to ozone and contribute to the formation of smog through atmospheric photochemical reactions. Individual VOCs and ROGs have different levels of reactivity; that is, they do not react at the same speed or do not form ozone to the same extent when exposed to photochemical processes. VOCs often have an odor, including such common VOCs as gasoline, alcohol, and the solvents used in paints. Odors generated by VOCs can irritate the eye, nose, and throat, which can reduce respiratory volume. In addition, studies have shown that the VOCs that cause odors can

stimulate sensory nerves to cause neurochemical changes that might influence health, for instance, by compromising the immune system.

- **Lead (Pb)** is a heavy metal that is highly persistent in the environment. Historically, the primary source of lead air pollution was emissions from vehicles burning leaded gasoline. Currently, emissions of lead are largely limited to stationary sources such as lead smelters. Exposure to low levels of lead can adversely affect the development and function of the central nervous system, leading to learning disorders, distractibility, inability to follow simple commands, and lower intelligence quotient. In adults, increased lead levels are associated with elevated blood pressure. Lead poisoning can cause anemia, lethargy, seizures, and death. Fetuses, infants, and children are most sensitive to the adverse effects of lead exposure.

D. Existing Air Quality

Air quality is evaluated under the context of ambient air quality standards published by the federal and State governments. 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. The National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) currently in effect are detailed in Table 4.2-1, *Ambient Air Quality Standards*.

Table 4.2-1 Ambient Air Quality Standards (1 of 2)

Ambient Air Quality Standards						
Pollutant	Averaging Time	California Standards [1]		National Standards [2]		
		Concentration [3]	Method [4]	Primary [3,5]	Secondary [3,6]	Method [7]
Ozone (O_3)[8]	1 Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m^3)		0.070 ppm (137 µg/m^3)		
Respirable Particulate Matter (PM10)[9]	24 Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m^3		—		
Fine Particulate Matter (PM2.5)[9]	24 Hour	—	—	35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	12.0 µg/m^3	15 µg/m^3	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m^3)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m^3)		9 ppm (10 mg/m^3)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		—	—	
Nitrogen Dioxide (NO_2)[10]	1 Hour	0.18 ppm (339 µg/m^3)	Gas Phase Chemiluminescence	100 ppb (188 µg/m^3)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)		0.053 ppm (100 µg/m^3)	Same as Primary Standard	
Sulfur Dioxide (SO_2)[11]	1 Hour	0.25 ppm (655 µg/m^3)	Ultraviolet Fluorescence	75 ppb (196 µg/m^3)	—	Ultraviolet Flourescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m^3)	
	24 Hour	0.04 ppm (105 µg/m^3)		0.14 ppm (for certain areas)[11]	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas)[11]	—	
Lead[12,13]	30 Day Average	1.5 µg/m^3	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m^3 (for certain areas)[12]	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m^3		
Visibility Reducing Particles[14]	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m^3	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride[12]	24 Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography			

Source: (Urban Crossroads, 2024a, Table 2-2)

Table 4.2-1 Ambient Air Quality Standards (2 of 2)

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and 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 arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site 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 $\mu g/m^3$ 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 three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C 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 measurement method 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 U.S. 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 U.S. 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 annual PM2.5 primary standard was lowered from 15 $\mu g/m^3$ to 12.0 $\mu g/m^3$. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at 35 $\mu g/m^3$, as was the annual secondary standard of 15 $\mu g/m^3$. The existing 24-hour PM10 standards (primary and secondary) of 150 $\mu g/m^3$ 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 SO_2 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 SO_2 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 $\mu g/m^3$ 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.

Source: (Urban Crossroads, 2024a, Table 2-2)

1. *Regional Air Quality*

❑ Criteria Pollutants

The SCAQMD monitors levels of various criteria pollutants at 37 permanent monitoring stations and five (5) single-pollutant source Pb air monitoring sites throughout the Basin. The attainment status for criteria pollutants within the SCAB is summarized in Table 4.2-2, *Attainment Status of Criteria Pollutants in the SCAB*.

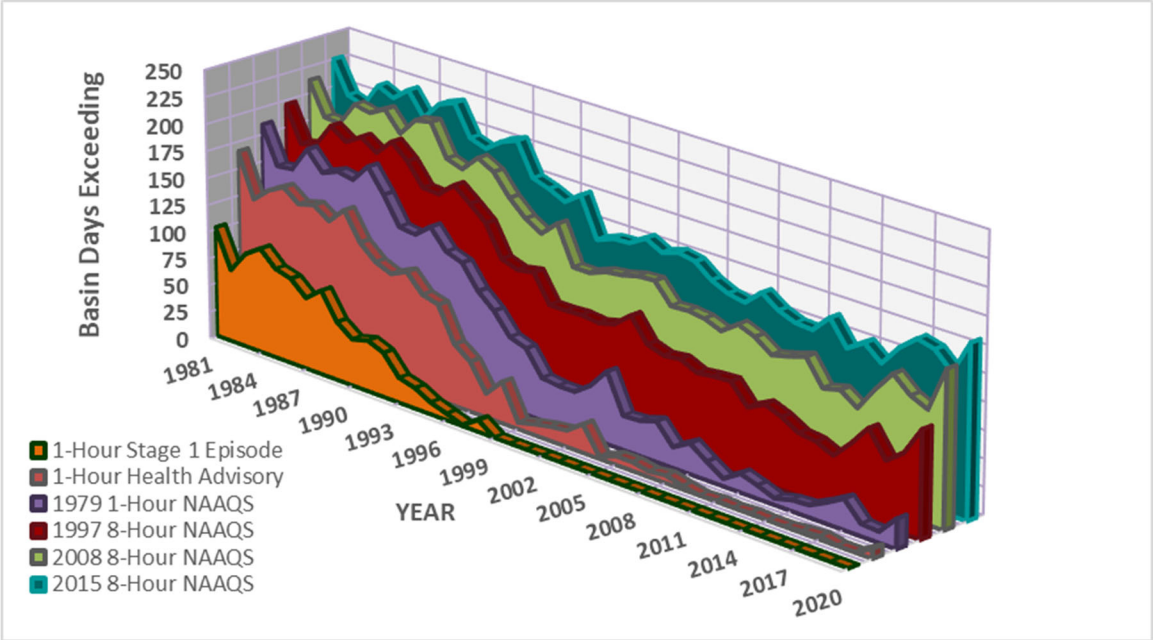
Table 4.2-2 Attainment Status of Criteria Pollutants in the SCAB

Criteria Pollutant	State Designation	Federal Designation
O_3 – 1-hour standard	Nonattainment	--
O_3 – 8-hour standard	Nonattainment	Nonattainment
PM_{10}	Nonattainment	Attainment
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment	Unclassifiable/Attainment
NO_2	Attainment	Unclassifiable/Attainment
SO_2	Unclassifiable/Attainment	Unclassifiable/Attainment
Pb[1]	Attainment	Unclassifiable/Attainment

Note: See Appendix 2.1 for a detailed map of State/National Area Designations within the SCAB
"-" = The national 1-hour O_3 standard was revoked effective June 15, 2005.
[1] The Federal nonattainment designation for lead is only applicable towards the Los Angeles County portion of the SCAB.
Source: (Urban Crossroads, 2024a, Table 2-3)

The SCAB has been one of the most unhealthful air basins in the United States and has experienced unhealthful air quality since World War II. However, as a result of the region's air pollution control efforts over the last 60+ years, criteria pollutant concentrations in the SCAB have reduced dramatically and are expected to continue to improve in the future as State regulations become more stringent. Emissions of O_3, NO_X, VOC, and CO have been decreasing in the SCAB since 1975 and are projected to continue to decrease. These decreases result primarily from motor vehicle controls and reductions in evaporative emissions. Although vehicle miles traveled (VMT) in the SCAB continue to increase, NO_X and VOC levels are decreasing because of federal and State mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. NO_X emissions from electric utilities have also decreased due to use of cleaner fuels and renewable energy. O_3 contour maps show that the number of days exceeding the 8-hour NAAQS decreased between 1997 and 2007. Of note, due to higher temperatures and stagnant weather conditions, O_3 levels have increased in the past two years within the SCAB; however, O_3 levels in the SCAB have decreased substantially over the last 30 years with the current maximum measured concentrations being approximately one-third of concentrations experienced in the late 1970s, as illustrated on Figure 4.2-1, *SCAB Ozone Trend*.

Figure 4.2-1 SCAB Ozone Trend



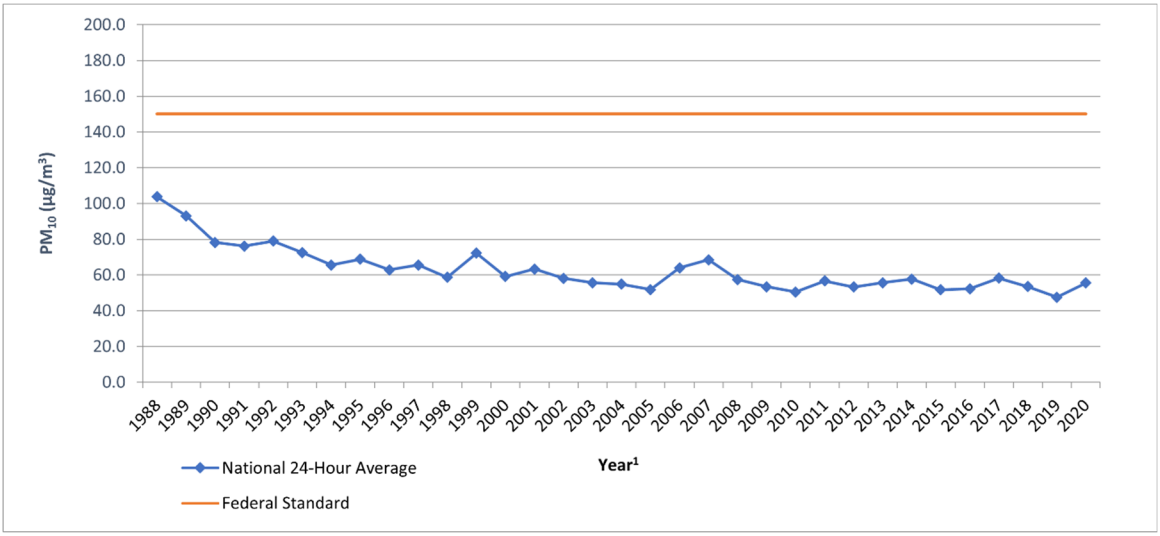
Source: (Urban Crossroads, 2024a, Table 2-5)

The most recent PM_{10} statistics also show an overall improvement within the SCAB as illustrated in Figure 4.2-2, *SCAB PM_{10} Trend (Federal Standard)*, and Figure 4.2-3, *SCAB PM_{10} Trend (State Standard)*. During the period for which data is available, the 24-hour annual average concentration for PM_{10} decreased by approximately 46 percent against the federal standard, from 103.7 microgram per cubic meter (µg/m³) in 1988 to 55.5 µg/m³ in 2020 (Urban Crossroads, 2024a, p. 29). The 24-hour annual average for emissions for PM_{10} have decreased by approximately 64 percent against the State standards, from 93.9 µg/m³ in 1989 to 33.9 µg/m³ in 2020 (ibid.).

Figure 4.2-4, *SCAB $PM_{2.5}$ Trend (Federal Standard)*, and Figure 4.2-5, *SCAB $PM_{2.5}$ Trend (State Standard)*, shows the most recent 24-hour average $PM_{2.5}$ concentrations in the SCAB from 1999 through 2020. Overall, the national and State annual average concentrations have decreased by almost 50 percent and 31 percent, respectively (Urban Crossroads, 2024a, p. 30). It should be noted that the SCAB is currently designated as nonattainment for the State and federal $PM_{2.5}$ standards (ibid.).

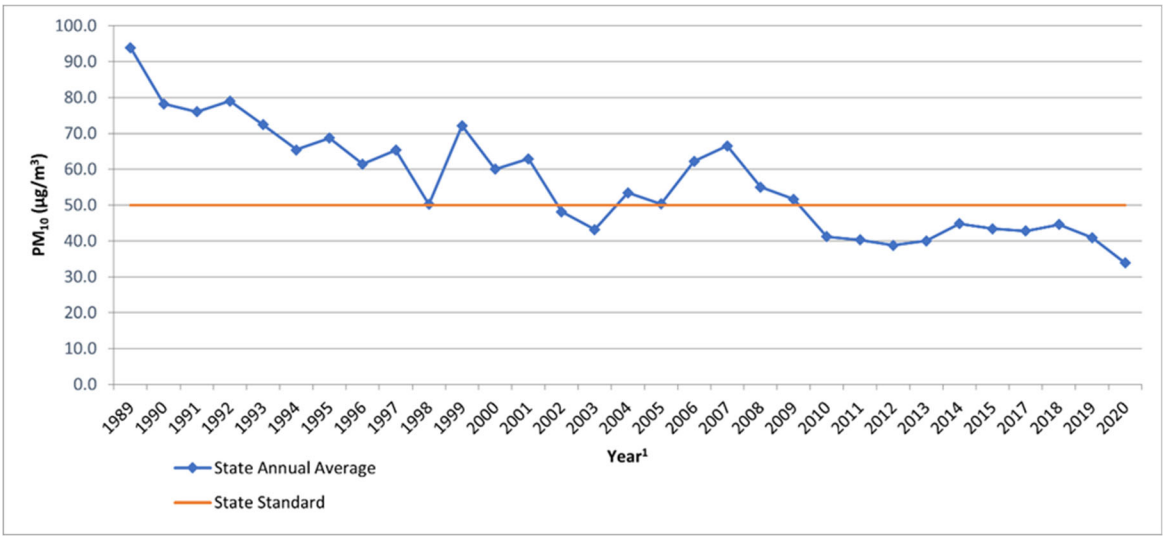
The most recent CO concentrations in the SCAB are shown in Figure 4.2-6, *SCAB CO Trend*. CO concentrations in the SCAB have decreased markedly - a total decrease of about 80 percent in the peak 8-hour concentration from 1986 to 2012; 2012 is the most recent year where 8-hour CO averages and related statistics are available in the SCAB (Urban Crossroads, 2024a, p. 32).

Figure 4.2-2 SCAB PM_{10} Trend (Federal Standard)[1]



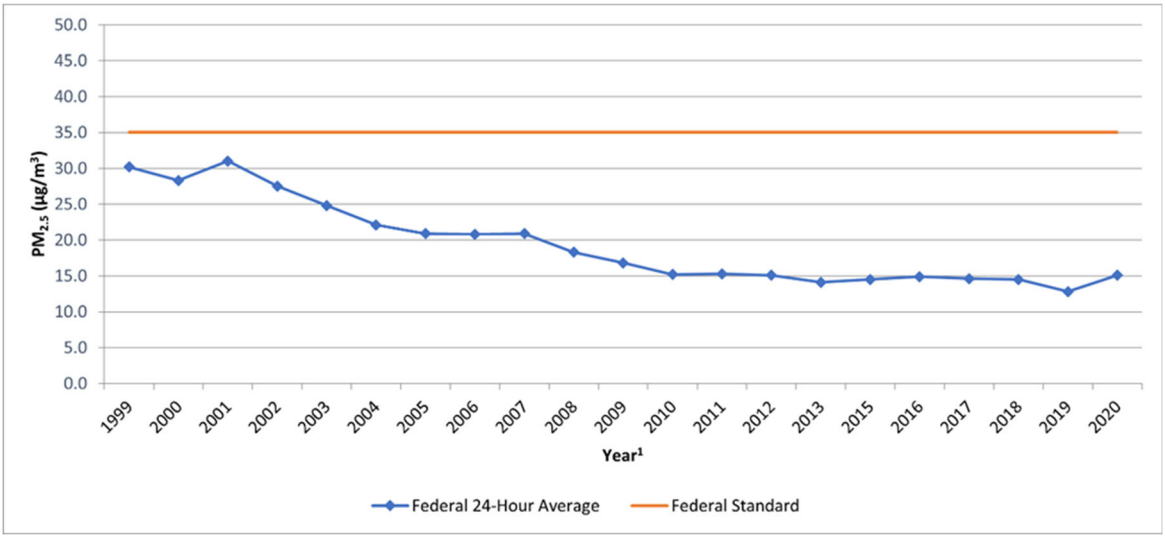
Data from 2020 CARB, iADAM: Top Four Summary: PM_{10} 24-Hour Averages (1988-2020)
[1] Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.
Source: (Urban Crossroads, 2024a, Table 2-6)

Figure 4.2-3 SCAB PM_{10} Trend (State Standard)[1]



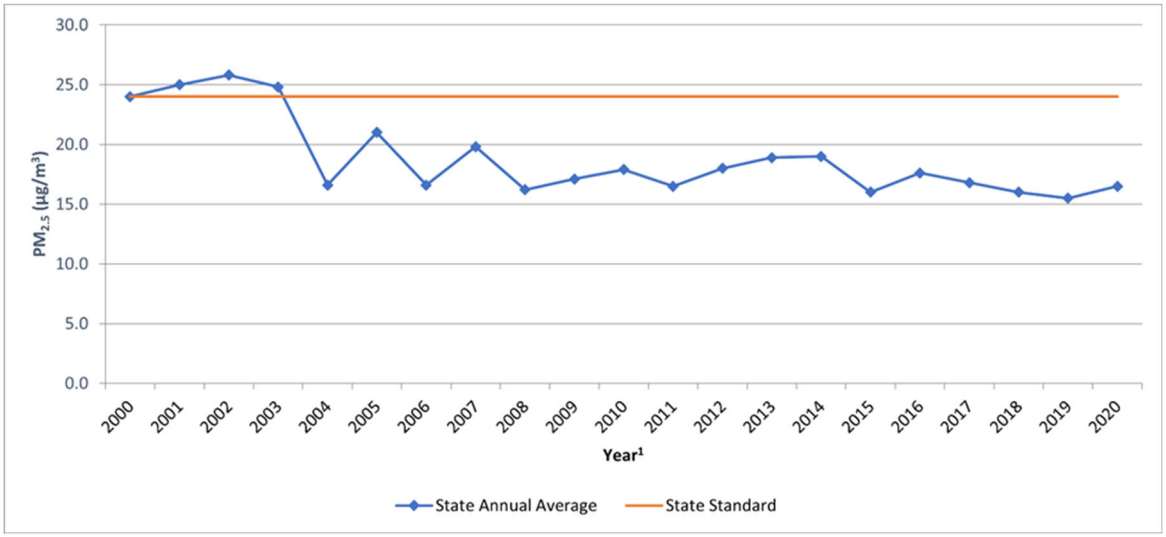
Data from 2020 CARB, iADAM: Top Four Summary: PM_{10} 24-Hour Averages (1988-2020)
[1] Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.
Source: (Urban Crossroads, 2024a, Table 2-7)

Figure 4.2-4 SCAB $PM_{2.5}$ Trend (Federal Standard)[1]



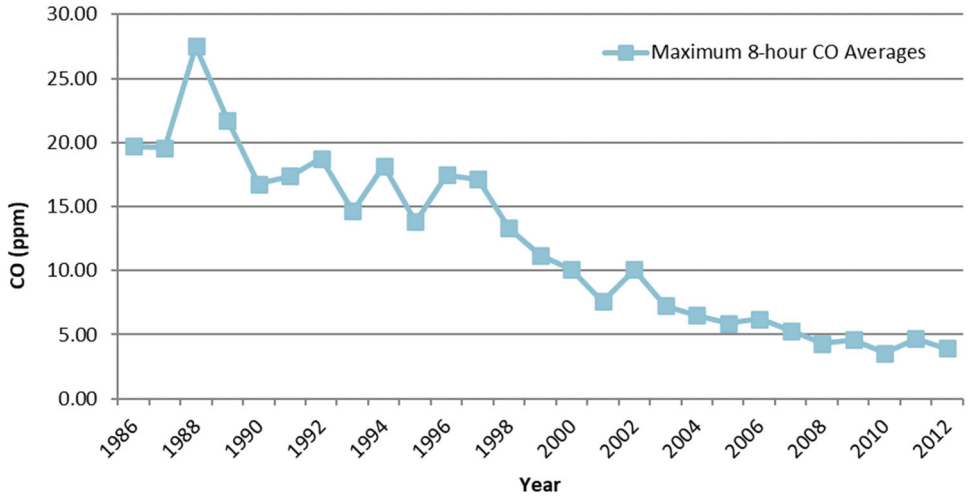
Data from 2020 CARB, iADAM: Top Four Summary: $PM_{2.5}$ 24-Hour Averages (1999-2020)
[1] Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.
Source: (Urban Crossroads, 2024a, Table 2-8)

Figure 4.2-5 SCAB $PM_{2.5}$ Trend (State Standard)[1]



Data from 2020 CARB, iADAM: Top Four Summary: $PM_{2.5}$ 24-Hour Averages (1999-2020)
[1] Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.
Source: (Urban Crossroads, 2024a, Table 2-9)

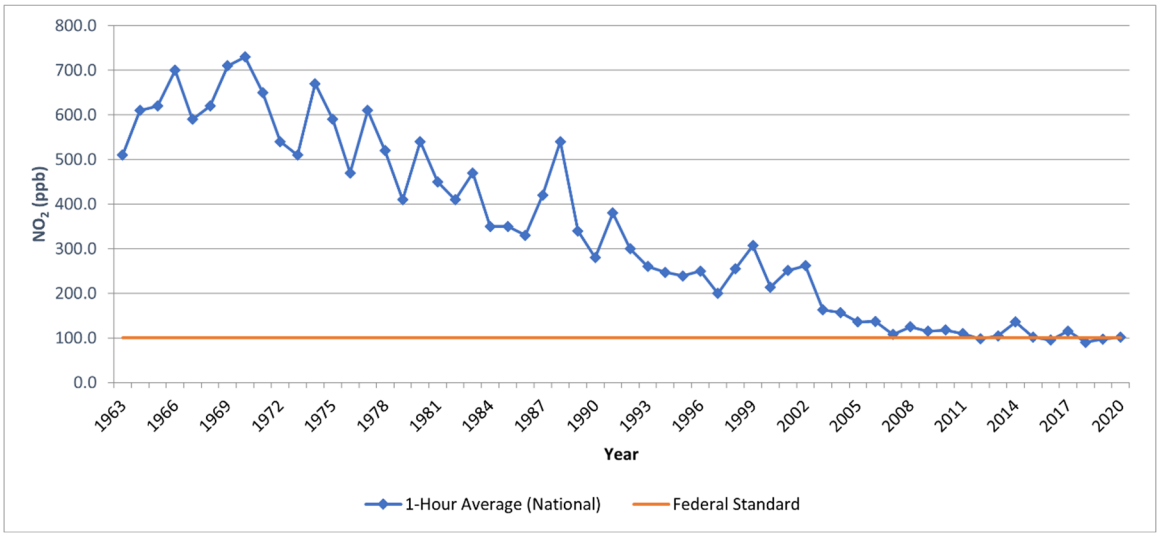
Figure 4.2-6 SCAB CO Trend[1]



Data from 2020 CARB, iADAM: Top Four Summary: CO 8-Hour Averages (1986-2012)
[1] The most recent year where 8-hour concentration data is available is 2012.
Source: (Urban Crossroads, 2024a, Table 2-10)

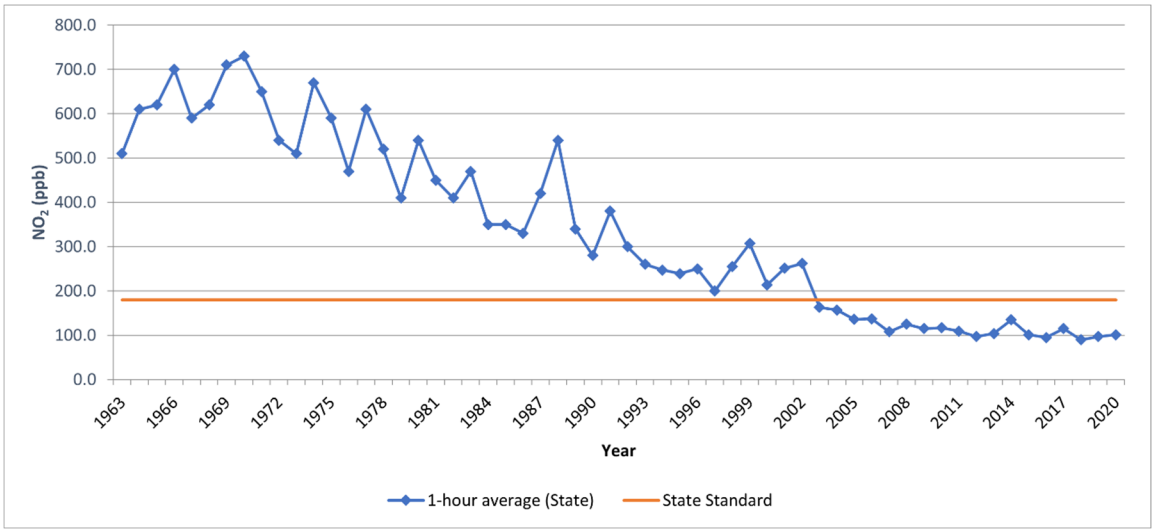
The most recent NO_2 data for the SCAB is shown in Figure 4.2-7, *SCAB 1 NO_2 Trend (Federal Standard)*, and Figure 4.2-8, *SCAB NO_2 Trend (State Standard)*. Over the last 50 years, NO_2 values have decreased significantly; the peak 1-hour national and State averages for 2020 are approximately 80 percent lower than what they were during 1963 (Urban Crossroads, 2024a, p. 33). The SCAB attained the State 1-hour NO_2 standard in 1994, bringing the entire State into attainment. A new State annual average standard of 0.030 parts per million (ppm) was adopted by the California Air Resources Board (CARB) in February 2007. The new standard is just barely exceeded in the SCAB. NO_2 is formed from NO_X emissions, which also contribute to O_3. As a result, the majority of the future emission control measures would be implemented as part of the overall O_3 control strategy. Many of these control measures would target mobile sources, which account for more than three-quarters of California's NO_X emissions, and are expected to bring the SCAQMD into attainment of the State annual average standard.

Figure 4.2-7 SCAB NO_2 Trend (Federal Standard)



Data from 2020 CARB, iADAM: Top Four Summary: CO 1-Hour Averages (1963-2020)
Source: (Urban Crossroads, 2024a, Table 2-11)

Figure 4.2-8 SCAB NO_2 Trend (State Standard)



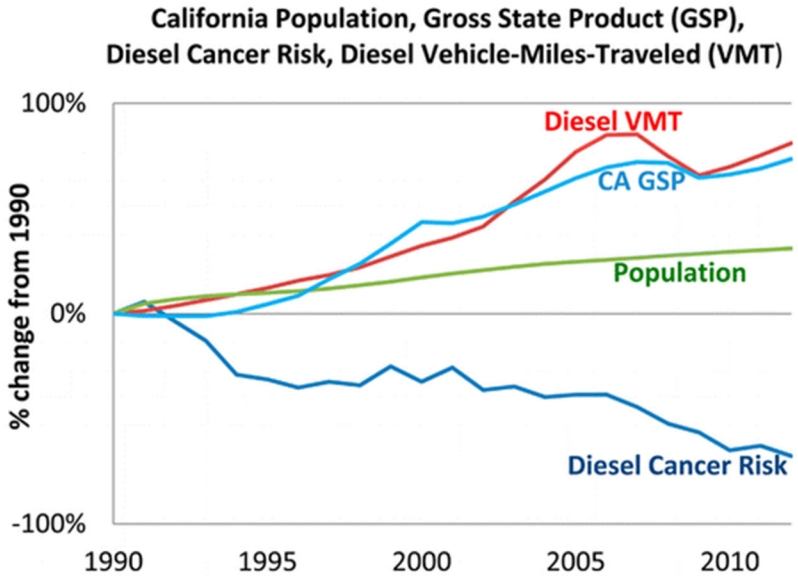
Data from 2020 CARB, iADAM: Top Four Summary: CO 1-Hour Averages (1963-2020)
Source: (Urban Crossroads, 2024a, Table 2-12)

❑ Toxic Air Contaminants

Toxic air contaminants (TACs) are a classification of air pollutants that have been attributed to carcinogenic and non-carcinogenic health risks. Beginning in the mid-1980s, the CARB adopted a series of regulations to reduce the amount of air toxic contaminant emissions resulting from mobile and stationary sources, such as cars, trucks, stationary sources, and consumer products. As a result of CARB's regulatory efforts, ambient concentrations of TACs have declined substantially across the

State. To reduce TAC emissions from mobile sources, CARB has required that all light- and medium-duty vehicles sold in California since 1996 be equipped with an on-board diagnostic system to alert drivers of potential engine problems (as approximately half of all tailpipe emissions result from malfunctioning emissions control devices). Also, since 1996, CARB has required the use of cleaner burning, reformulated gasoline in all light- and medium-duty vehicles. These two regulations resulted in an over 85 percent reduction in TAC emissions from light- and medium-duty vehicles in the State between 1990 and 2012 (Urban Crossroads, 2024a, p. 35). The CARB also implemented programs to retrofit diesel-fueled engines and facilitate the use of diesel fuels with ultra-low sulfur content to minimize the amount of diesel emissions and their associated TACs. As a result of CARB's programs, diesel emissions and their associated TACs fell by approximately 71 percent since 2000 despite an approximately 81 percent increase in miles traveled by diesel vehicles during that same time period, as shown on Figure 4.2-9, *Diesel Particulate Matter and Diesel Vehicle Miles Traveled Trends*. Moreover, the average statewide diesel particulate matter (DPM) emissions for Heavy Duty Trucks (HDT), in terms of grams of DPM generated per mile traveled, are projected to dramatically reduce due to regulatory requirements on vehicular emissions adopted by CARB and the Ports of Los Angeles and Long Beach (ibid.).

Figure 4.2-9 DPM and Diesel Vehicle Miles Traveled Trends



Source: (Urban Crossroads, 2024a, Exhibit 2-A)

2. *Local Air Quality*

❑ Criteria Pollutants

Ambient air pollutant concentrations in the Project area are summarized in Table 4.2-3, *Project Area Air Quality Monitoring Summary*. Local air quality data was collected from the SCAQMD air quality monitoring station located nearest to the Project Site: the Central San Bernardino Valley 2 monitoring station, which is located 4.6 miles southeast of the Site. Data was collected for the three most recent years for which data was available (2021-2023).

Table 4.2-3 Project Area Air Quality Monitoring Summary

Pollutant	Standard	Year		
		2021	2022	2023
O_3				
Maximum Federal 1-Hour Concentration (ppm)		0.142	0.128	0.143
Maximum Federal 8-Hour Concentration (ppm)		0.112	0.105	0.118
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	66	60	58
Number of Days Exceeding State/Federal 8-Hour Standard	> 0.070 ppm	101	103	87
CO				
Maximum Federal 1-Hour Concentration	> 35 ppm	2.0	1.7	1.6
Maximum Federal 8-Hour Concentration	> 20 ppm	1.6	1.4	1.2
NO_2				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	0.056	0.053	0.056
Annual Federal Standard Design Value		0.015	0.016	0.014
PM_{10}				
Maximum Federal 24-Hour Concentration (µg/m^3)	> 150 µg/m^3	111	177	177
Annual Federal Arithmetic Mean (µg/m^3)		39.3	38.0	30.0
Number of Days Exceeding Federal 24-Hour Standard	> 150 µg/m^3	0	1	1
Number of Days Exceeding State 24-Hour Standard	> 50 µg/m^3	79	65	12
$PM_{2.5}$				
Maximum Federal 24-Hour Concentration (µg/m^3)	> 35 µg/m^3	57.9	40.1	25.4
Annual Federal Arithmetic Mean (µg/m^3)	> 12 µg/m^3	11.9	11.3	10.2
Number of Days Exceeding Federal 24-Hour Standard	> 35 µg/m^3	1	2	0

ppm = Parts Per Million
µg/m^3 = Microgram per Cubic Meter
Data for O_3, CO, NO_2, PM_{10}, and $PM_{2.5}$ was obtained from SCAQMD Air Quality Data Tables.
Source: (Urban Crossroads, 2024a, Table 2-4)

❑ **Toxic Air Contaminants**

As part of preparation of the *MATES-V* study, the SCAQMD collected toxic air contaminant data at 10 fixed sites within the SCAB. None of the fixed monitoring sites are located within the vicinity of the Project Site; however, *MATES-V* extrapolates the excess cancer risk levels throughout the SCAB using mathematical modeling for specific geographic grids. *MATES-V* estimates an excess carcinogenic risk of approximately 487 in one million for the Project area, placing the Project area within the 82nd percentile for cancer risk in the SCAB (SCAQMD, 2024). For comparison, the prior version of the SCAQMD *MATES* analysis, *MATES-IV*, estimated the Project area was in the 92nd percentile for exposure risk with an excess cancer risk of 821 in one million. The trend in the Project area of improving toxic air contaminant risk levels mirrors the overall trend of improving air quality within the SCAB, as described earlier in this Subsection.

Notwithstanding the improvement in local toxic air contaminant risk levels modeled by SCAQMD, the census tract containing the Project Site is ranked by the State in the 89th percentile for pollution burden. Based on the census tract's demographic characteristics (e.g., population, density), its population burden correlates to the 49th percentile for disproportionate community pollution exposure. According to State of California Office of Environmental Health Hazard Assessment (OEHHA) ranking system for total environmental hazard exposure, which considers the pollution and population rankings, the total pollution burden for the Project area is in the 70th percentile for the State (OEHHA, 2024).

3. Project Site Air Quality

The Project Site is used for the sale and stockpile of aggregate resources excavated from the Vulcan Materials Company's Cajon Creek Quarry, which is located approximately 2.5 miles north of the Project Site. Resources mined from the Cajon Creek Quarry are loaded onto haul trucks and transported to the Project Site via an access road located adjacent to, and that crosses, the Cajon Wash. The materials stockpiled on the Project Site are sold as raw aggregates (sand and gravel) or processed on-site into concrete or asphalt. The Project Site contains numerous office buildings, maintenance buildings, storage buildings, production areas, and fueling and wash areas that support operations on the Site. More than two dozen pieces of heavy diesel off-road equipment operate on the Project Site daily (for an average of 12 hours per day) and more than 700 vehicle trips, including over 500 heavy truck trips, go to-and-from the Site daily. The operational activities on the Project Site produce air pollution, including DPM and dust (PM_{10} and $PM_{2.5}$).

4.2.2 Regulatory Framework

The following is a brief description of the federal, State, and local environmental laws and related regulations governing air quality emissions.

A. Federal Plans, Policies, and Regulations

1. Federal Clean Air Act

The Clean Air Act (CAA; 42 U.S.C. Section 7401 et seq.) is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes the Environmental Protection Agency (EPA) to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emissions of hazardous air pollutants, which include ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_x), sulfur dioxide (SO_2), particulate matter (PM_{10}), $PM_{2.5}$, and lead (Pb).

One of the goals of the CAA was to set and achieve NAAQS in every state by 1975 in order to address the public health and welfare risks posed by certain widespread air pollutants. The setting of these pollutant standards was coupled with directing the states to develop state implementation plans (SIPs), applicable to appropriate industrial sources in the state, in order to achieve these standards. The CAA was amended in 1977 and 1990 primarily to set new goals (dates) for achieving attainment of NAAQS since many areas of the country had failed to meet the deadlines.

The sections of the federal 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 address the urban air pollution problems of O_3 (smog), CO, and PM_{10}. Specifically, it clarifies how areas are designated and re-designated "attainment." It also allows EPA to define the boundaries of "nonattainment" areas: geographical areas whose air quality does not meet Federal air quality standards designed to protect public health. (EPA, 2023b) Mobile source emissions are regulated in accordance with the CAA Title II provisions. These standards are intended to reduce tailpipe emissions of hydrocarbons, CO, and NO_X on a phased-in basis that began in model year 1994. Automobile manufacturers also are required to reduce vehicle emissions resulting from the evaporation of gasoline during refueling. These provisions further require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas. (EPA, 2023c)

Section 112 of the Clean Air Act addresses emissions of hazardous air pollutants. Prior to 1990, CAA established a risk-based program under which only a few standards were developed. The 1990 Clean Air Act Amendments revised Section 112 to first require issuance of technology-based standards for major sources and certain area sources. "Major sources" are defined as a stationary source or group of stationary sources that emit or have the potential to emit 10 tons per year or more of a hazardous air pollutant or 25 tons per year or more of a combination of hazardous air pollutants. An "area source" is any stationary source that is not a major source. (EPA, 2023a)

For major sources, Section 112 requires that EPA establish emission standards that require the maximum degree of reduction in emissions of hazardous air pollutants. These emission standards are commonly referred to as "maximum achievable control technology" or "MACT" standards. Eight years after the technology-based MACT standards are issued for a source category, EPA is required to review those standards to determine whether any residual risk exists for that source category and, if necessary, revise the standards to address such risk. (EPA, 2023a)

2. SmartWay Program

The US EPA's SmartWay Program is a voluntary public-private program developed in 2004, that 1) provides a comprehensive and well-recognized system for tracking, documenting and sharing information about fuel use and freight emissions across supply chains; 2) helps companies identify and select more efficient freight carriers, transport modes, equipment, and operational strategies to improve supply chain sustainability and lower costs from goods movement; 3) supports global energy security and offsets environmental risk for companies and countries; and 4) reduces freight transportation-related emissions by accelerating the use of advanced fuel-saving technologies. This program is supported by major transportation industry associations, environmental groups, State and local governments, international agencies, and the corporate community.

3. National Emissions Standards for Hazardous Air Pollutants (NESHAPS) Program

National Emission Standards for Hazardous Air Pollutants (NESHAP) are stationary source standards for hazardous air pollutants. Hazardous air pollutants (HAPs) are those pollutants that are known or suspected to cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects. The EPA develops national enforcement initiatives that focus on significant environmental risks and noncompliance patterns. For Fiscal Years 2014 to 2016, the Cutting Hazardous Air Pollutants National Initiatives Strategy focuses on categories of sources that emit HAPs.

Sources subject to NESHAPs are required to perform an initial performance test to demonstrate compliance. To demonstrate continuous compliance, sources are generally required to monitor control device operating parameters which are established during the initial performance test. Sources may also be required to install and operate continuous emission monitors to demonstrate compliance. Consistent with EPA's Clean Air Act Stationary Source Compliance Monitoring Strategy, NESHAP sources that meet the Clean Air Act definition of "major source" generally receive a full compliance evaluation by the state or regional office at least once every two years.

B. State Plans, Policies, and Regulations

1. California Clean Air Act (CCAA)

The California Clean Air Act (CCAA) establishes numerous requirements for district plans to attain state ambient air quality standards for criteria air contaminants. The CCAA mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the State's ambient air quality standards, the California Ambient Air Quality Standards (CAAQS), by the earliest practical date. The California Air Resources Board (CARB) established the

CAAQS for all pollutants for which the federal government has NAAQS and, in addition, established standards for sulfates, visibility, hydrogen sulfide, and vinyl chloride. Generally, the CAAQS are more stringent than the NAAQS. For districts with serious air pollution, its attainment plan should include the following: no net increase in emissions from new and modified stationary sources; and best available retrofit technology for existing sources.

2. Air Toxic Hot Spots Act

The Air Toxic "Hot Spots" Information and Assessment Act of 1987, commonly known as AB 2588, (Health & Safety Code Sections 44300, et seq.) requires facilities emitting specified quantities of pollutants to conduct risk assessments describing the health impacts to neighboring communities created by their emissions of numerous specified hazardous compounds. If the district determines the health impact to be significant, neighbors must be notified. In addition, state law requires the facility to develop and implement a plan to reduce the health impacts to below significance, generally within five years. Additional control requirements for hazardous emissions from specific industries are established by the state and enforced by districts.

3. Air Quality Management Planning

The California Air Resources Board (CARB) and local air districts throughout the State are responsible for developing clean air plans to demonstrate how and when California will attain air quality standards established under both the CAA and CCAA. For the areas within California that have not attained air quality standards, CARB works with local air districts to develop and implement State and local attainment plans. In general, attainment plans contain a discussion of ambient air quality data and trends; a baseline emissions inventory; future year projections of emissions, which account for growth projections and already adopted control measures; a comprehensive control strategy of additional measures needed to reach attainment; an attainment demonstration, which generally involves complex modeling; and contingency measures. Plans may also include interim milestones for progress toward attainment. Air quality planning activities undertaken by CARB also include the development of policies, guidance, and regulations related to State and federal ambient air quality standards; coordination with local agencies on transportation plans and strategies; and providing assistance to local districts and transportation agencies.

4. California Air Resources Board Rules

The CARB enforces rules related to air pollutant emissions in the State of California. Rules with applicability to the Project include, but are not limited to, those listed below.

- CARB Rule 2480 (13 CCR 2480): Airborne Toxics Control Measure to Limit School Bus Idling and Idling at Schools, which limits nonessential idling for commercial trucks and school buses within 100 feet of a school.
- CARB Rule 2485 (13 CCR 2485): Airborne Toxic Control Measure to Limit Diesel-Fuel Commercial Vehicle Idling, which limits nonessential idling to five minutes or less for commercial trucks.

- CARB Rule 2449 (13 CCR 2449): In-Use Off-Road Diesel Idling Restricts, which limits nonessential idling to five minutes or less for diesel-powered off-road equipment.

5. Truck & Bus Regulation

Under the Truck and Bus Regulation, adopted by CARB in 2008, all diesel truck fleets operating in California are required to adhere to an aggressive schedule for upgrading and replacing heavy-duty truck engines. Older, more polluting trucks are required to be replaced first, while trucks that already have relatively clean engines are not required to be replaced until later. Pursuant to the Truck and Bus Regulation, all pre-1994 heavy trucks (trucks with a gross vehicle weight rating greater than 26,000 pounds) were removed from service on California roads by 2015. Between 2015 and 2020, pre-2000 heavy trucks were equipped with PM filters and upgraded or replaced with an engine that meets 2010 emissions standards. The upgrades/replacements occurred on a rolling basis based on model year. By 2023, all heavy trucks operating on California roads must have engines that meet 2010 emissions standards. Lighter trucks (those with a gross vehicle weight rating of 14,001 to 26,000 pounds) adhered to a similar schedule and were all replaced by 2020.

6. Advanced Clean Truck Regulation

In June 2020, CARB adopted a new Rule requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California will be required to be zero-emission. Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales. CARB reports that as of 2020, most commercially-available models of zero-emission vans, trucks and buses operate less than 100 miles per day. Commercial availability of electric-powered long-haul trucks is very limited. However, as technology advances over the next 20 years, zero-emission trucks will become suitable for more applications, and several truck manufacturers have announced plans to introduce market ready zero-emission trucks in the future.

7. Senate Bill 535 – Disadvantaged Communities

Senate Bill 535 ("SB 535"; De León, Chapter 830, 2012) recognizes the potential vulnerability of low-income and disadvantaged communities to poor air quality. Disadvantaged communities in California are specifically targeted for investment of proceeds from the State's cap-and-trade program. These investments are aimed at improving public health, quality of life, and economic opportunity in California's most burdened communities while at the same time reducing pollution that causes climate change. Authorized by the California Global Warming Solutions Act of 2006 (AB 32), the State's cap-and-trade program is one of several strategies that California uses to reduce greenhouse gas emissions that cause climate change. The funds must be used for programs that further reduce emissions of greenhouse gases. SB 535 requires that 25 percent of the proceeds from the Greenhouse Gas Reduction Fund go to projects that provide a benefit to disadvantaged communities. The California Environmental

Protection Agency (CalEPA) is charged with the duty to identify disadvantaged communities. CalEPA bases its identification of these communities on geographic, socioeconomic, public health, and environmental hazard criteria (Health and Safety Code, section 39711, subsection (a)). In this capacity, CalEPA currently defines a disadvantaged community, from an environmental hazard and socioeconomic standpoint, as a community that scores within the top 25 percent of the census tracts, as analyzed by the California Communities Environmental Health Screening Tool Version 3.0 (CalEnviroScreen).

8. Senate Bill 1000 – Environmental Justice in Local Land Use Planning

In an effort to address the inequitable distribution of pollution and associated health effects in low-income communities and communities of color, the Legislature passed and Governor Brown signed Senate Bill 1000 (SB 1000) in 2016, requiring local governments to identify environmental justice communities (called "disadvantaged communities") in their jurisdictions and address environmental justice in their general plans. This new law has several purposes, including to facilitate transparency and public engagement in local governments' planning and decision-making processes, reduce harmful pollutants and the associated health risks in environmental justice communities, and promote equitable access to health-inducing benefits, such as healthy food options, housing, public facilities, and recreation. SB 1000 requires environmental justice elements to identify objectives and policies to reduce unique or compounded health risks in disadvantaged communities. Generally, environmental justice elements will include policies to reduce the community's exposure to pollution through air quality improvement. SB 1000 affirms the need to integrate environmental justice principles into the planning process to prioritize improvements and programs that address the needs of disadvantaged communities.

9. Assembly Bill 617

Assembly Bill 617 (AB 617) was enacted into law in 2017 and relates to criteria air pollutants and toxic air contaminants from sources other than vehicles. In response to AB 617, the California Air Resources Board (CARB) established the Community Air Protection Program (CAPP or Program). The Program's focus is to reduce exposure in communities most impacted by air pollution. Communities around the State are working together to develop and implement new strategies to measure air pollution and reduce health impacts. This first-of-its-kind statewide effort includes community air monitoring and community emissions reduction programs. In addition, the Legislature appropriated funding to support early actions to address localized air pollution through targeted incentive funding to deploy cleaner technologies in these communities, as well as grants to support community participation in the AB 617 process. AB 617 also includes new requirements for accelerated retrofit of pollution controls on industrial sources, increased penalty fees, and greater transparency and availability of air quality and emissions data, which will help advance air pollution control efforts throughout the State. This new effort provides an opportunity to continue to enhance air quality planning efforts and better integrate community, regional, and State level programs to provide clean air.

C. *Local Plans, Policies, and Regulations*

1. SCAQMD Air Quality Management Plan

Under existing conditions, the NAAQS and CAAQS are exceeded in most parts of the SCAB. In response, and in conformance with California Health & Safety Code Section 40702 *et seq.* and the California CAA, the SCAQMD adopted an AQMP to plan for the improvement of regional air quality. AQMPs are updated regularly to more effectively reduce emissions and accommodate growth. Each version of the plan is an update of the previous plan and has a 20-year horizon with a revised baseline. The SCAQMD's most recent iteration of the AQMP was adopted in December 2022.

2. South Coast Air Quality Management District Rules

The SCAQMD enforces rules related to air pollutant emissions in the SCAB. Rules with applicability to the Project include, but are not limited to, those listed below.

- SCAQMD Rule 402 (Nuisance Odors): Prohibits the discharge of air contaminants that cause nuisance or annoyance to any considerable number of persons or to the public.
- SCAQMD Rule 403 (Fugitive Dust): Requires the implementation of best available dust control measures (BACMs) during activities capable of generating fugitive dust. Rule 403 also requires activities defined as "large operations" to notify the SCAQMD by submitting specific forms; a large operation is defined as any active operation on property containing 50 or more acres of disturbed surface area; or any earth moving operation with a daily earth-moving or throughput volume of 3,850 cubic meters (5,000 cubic yards), three times during the most recent 365-day period.
- SCAQMD Rule 431.2 (Low Sulfur Fuel): Requires the use of diesel fuels that adhere to sulfur content limits.
- SCAQMD Rule 1108 (Cutback Asphalt): Prohibits the use of asphalt that exceeds a specified percentage of VOCs.
- SCAQMD Rule 1186 (PM_{10} Emissions from Paved and Unpaved Roads, and Livestock Operations): Requires the use of street sweepers that meet minimum standards for cleaning capabilities.
- SCAQMD Rule 1301 (General): Provides pre-construction review requirements to ensure that new or relocated facilities do not interfere with progress in attainment of the NAAQS. Rule 1301 also limits emission increase of ammonia and ozone depleting compounds from new, modified, or relocated facilities by requiring the use of Best Available Control Technology (BACT).
- SCAQMD Rule 1401 (New Source Review of Toxic Air Contaminants): Prohibits a person from discharging into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any 1 hour that is as dark or darker in shade as that designated No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines.

- SCAQMD Rule 2305 (Warehouse Indirect Source Rule): Requires all operators of warehouses greater than or equal to 100,000 s.f. or indoor floor space to implement measures that reduce nitrogen oxides and particulate matter emissions and/or pay a fee to fund programs to improve regional air quality.

4.2.3 Basis for Determining Significance

The thresholds listed below are taken directly from CEQA Guidelines Appendix G and address the typical, adverse effects to regional and local air quality that could result from development projects. The proposed Project would result in a significant impact to air quality if the Project or any Project-related component would:

a. *Conflict with or obstruct implementation of the applicable air quality plan;*

b. *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard;*

c. *Expose sensitive receptors to substantial pollutant concentrations;*

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

Threshold "a" evaluates whether the proposed Project would conflict with the SCAQMD's *2022 AQMP*, which addresses state and federal requirements under the CAA. A conflict with the *AQMP* standards and requirements would inhibit the SCAQMD's ability to achieve State and federal standards for air quality. Pursuant to Chapter 12, Sections 12.2 and 12.3, of the SCAQMD *CEQA Air Quality Handbook*, a project would conflict with the *AQMP* if either of the following conditions were to occur:

- The Project would increase the frequency or severity of existing NAAQS and/or CAAQS violations, cause or contribute to new air quality violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the *AQMP*; or

- The Project would exceed the *2022 AQMP*'s future year buildout assumptions.

The evaluation under Threshold "b," follows the SCAQMD's cumulative impact analysis guidance in their *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*: "[T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR … Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant" (SCAQMD, 2003, pp. D-3). Accordingly, implementation of the Project would result in a cumulatively-considerable impact if the Project's construction and/or operational

activities exceed one or more of the SCAQMD's "Regional Thresholds" for criteria pollutant emissions, as summarized in Table 4.2-4, *Maximum Daily Regional Emissions Thresholds.*

Table 4.2-4 Maximum Daily Regional Emissions Thresholds

Pollutant	Regional Construction Threshold	Regional Operational Thresholds
NO_X	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM_{10}	150 lbs/day	150 lbs/day
$PM_{2.5}$	55 lbs/day	55 lbs/day
SO_X	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Pb	3 lbs/day	3 lbs/day

lbs/day = Pounds Per Day

For evaluation under Threshold "c," the Project would result in a significant direct or cumulatively considerable impact if any of the following were to occur:

- The Project's localized criteria pollutant emissions would exceed one or more of the applicable SCAQMD "Localized Thresholds" listed in Table 4.2-5, *Maximum Daily Localized Emissions Thresholds*;

Table 4.2-5 Maximum Daily Localized Emissions Thresholds

Pollutant	Averaging Time	Localized Construction Threshold	Localized Operational Thresholds
CO	1-Hour	20	20
CO	8 Hours	9	9
NO_2	1-Hour	0.18	0.18
PM_{10}	24 Hours	10.4	2.5
$PM_{2.5}$	24-Hours	10.4	2.5

Notes: PM_{10} and $PM_{2.5}$ concentrations are expressed in $\mu g/m^3$. All others are expressed in ppm.

- The Project would cause or contribute to a CO "Hot Spot," where the 1-hour State standard of 20.0 parts per million (ppm) or the 8-hour State standard of 9.0 ppm is exceeded; and/or

- The Project's toxic air contaminant emissions, like DPM, would expose sensitive receptor populations to an incremental cancer risk that exceeds the SCAQMD significance criteria of greater

than 10 in one million; and/or result in a non-carcinogenic health risk rating ("Acute Hazard Index") greater than 1.0.

For evaluation under Threshold "d," a significant impact would occur if the Project's construction and/or operational activities result in air emissions leading to an odor nuisance pursuant to SCAQMD Rule 402. SCAQMD Rule 402 ("Nuisance") and California Health & Safety Code, Division 26, Part 4, Chapter 3, Section 41700, which prohibit the emission of any material which causes nuisance to a considerable number of persons or endangers the comfort, health or safety of the public, including odors.

4.2.4 Methodology for Calculating Project-Related Air Quality Impacts

The California Emissions Estimator Model (CalEEMod) was used to calculate all Project-related air pollutant emissions (except for localized emissions and diesel particulate matter emissions from Project operations, refer to Subsection 4.2.4B, below). The CalEEMod is a Statewide land use emission computer model developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with the California Air Districts, including the SCAQMD, that provides a uniform platform to quantify potential criteria pollutant emissions associated with construction and operation of land development projects.

A. Methodology for Calculating Project Construction Emissions

1. Regional Pollutant Emissions

For purposes of the air quality analysis, the Project's construction activities are assumed to occur between October 2027 and June 2029. This assumption represents a conservative analysis scenario because, should construction occur later than the dates assumed in the analysis, construction equipment emissions would be the same or, more likely, lower than presented herein because federal, State, and local emissions regulations are becoming more stringent over time and the retirement of older (higher-polluting) equipment and replacement with newer (less-polluting) pieces of equipment is continually happening in response to State regulations and service needs (Urban Crossroads, 2024a, p. 43). The air quality analysis model utilizes the durations of each construction activity phase and the construction equipment fleet previously presented in EIR Section 3.0, *Project Description*. The analysis assumptions for Project construction are based on information provided by the Project Applicant and the experience and technical expertise of the Project's air quality technical expert (Urban Crossroads).

Refer to Section 4.4 of the Project's AQIA for more detail on the methodology utilized to calculate the Project's construction-related regional pollutant emissions.

2. Localized Pollutant Emissions

Project-related localized pollutant emissions were calculated in accordance with the SCAQMD's *Final Localized Significance Threshold (LST) Methodology*, and the SCAQMD-approved American Meteorological Society/EPA Regulatory Model (AERMOD) dispersion model was utilized. Emission concentrations were modeled at nine (9) receptor locations near the Project Site, including existing

residences east, west, and southwest of the Project Site, a school southwest of the Project Site, and an existing business east of the Project Site (see Figure 4.2-10).

The SCAQMD's *Final Localized Significance Threshold Methodology* indicates that off-site mobile emissions from development projects should be excluded from localized emissions analyses. Therefore, for purposes of calculating the Project's construction-related localized pollutant emissions, only emissions included in the CalEEMod on-site emissions outputs were considered.

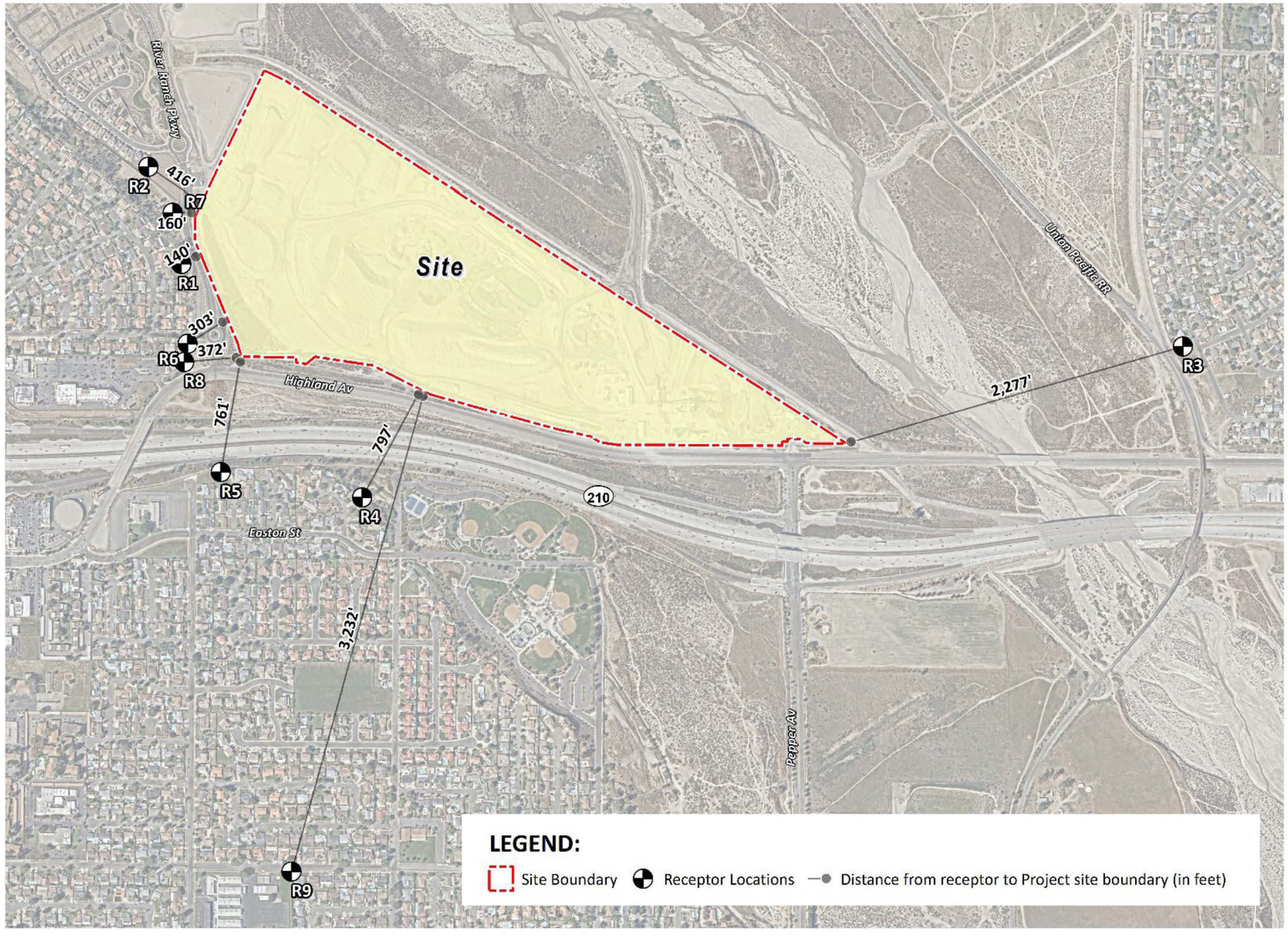
Refer to Section 4.6 of the Project's AQIA for more detail on the methodology utilized to calculate Project construction-related localized pollutant emissions.

3. Diesel Particulate Matter Emissions

Diesel particulate matter (DPM) emissions from construction equipment operating on the Project Site and haul trucks traveling to and from the Project Site were calculated with CalEEMod.

The potential health risks of Project-related DPM emissions were quantified at maximally-impacted sensitive receptor locations in accordance with the guidelines in the SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*. Pursuant to SCAQMD's recommendations, emissions were modeled using the American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) software program. Refer to Section 2.4 of the Project's HRA (*Technical Appendix C*) for a detailed description of the model inputs and equations used in the calculation of average particulate concentrations during construction of the Project and see Figure 4.2-10 for the location of maximally-impacted sensitive receptors uses in this analysis.

Health risks associated with exposure to DPM emissions at a given concentration are defined in terms of the probability of developing cancer or chronic non-cancer health effects as a result of exposure to DPM emissions at a given concentration. The cancer and non-cancer risk probabilities are determined through a series of equations to calculate unit risk factor, cancer potency factor, and chronic daily intake. The evaluation results in a maximum health risk value, which is merely a calculation of risk and does not necessarily mean that any individual will contract cancer or other non-cancer health concern as a result of the exposure. The equations and input factors utilized in the Project analysis were obtained from Office of Environmental Health Hazard Assessment (OEHHA). Refer to Sections 2.5 and 2.6 of the Project's HRA for a detailed description of the variable inputs and equations used in the calculations of receptor population health risks associated with Project construction.



Source(s): Urban Crossroads (08-26-2024)

Figure 4.2-10

Not to Scale

Maximally-Impacted Sensitive Receptors

B. Methodology for Calculating Project Operational Emissions

1. Regional Pollutant Emissions

The Project's operational-related regional pollutant emissions analysis quantifies air pollutant emissions from area sources (e.g., architectural coatings, consumer products, landscape maintenance equipment), energy sources, mobile sources, on-site cargo handling equipment, and a stationary source (i.e. a diesel-powered fire pump).

Mobile source emissions are the product of the number of daily vehicle trips generated by the Project, the composition of the Project's vehicle fleet (mix of passenger cars, motorcycles, light-heavy-duty trucks, medium-heavy-duty trucks, and heavy-heavy duty trucks), and the trip length (number of miles driven) by Project vehicles. The Project's average number of daily vehicle trips and vehicle fleet mix were determined using the methodology described in detail in EIR Subsection 4.11, *Transportation*. A travel length of 11.7 miles was used for Project-related passenger vehicles trips based on the vehicle miles traveled (VMT) screening analysis performed for the Project (refer to EIR Subsection 4.11 for more information related to the Project's VMT analysis). The travel length for Project-related heavy-duty truck trips is based on figures published by SCAQMD: 14.2 miles for 2- and 3-axle heavy-duty trucks and 40.0 miles for 4+-axle heavy-duty trucks.

The Project's operational analysis assumes the use of seven (7), 175 horsepower, natural gas-powered port-tractors (exterior cargo handling equipment) on the Project Site for up to four (4) hours per day for all 365 days of the year. In addition, the analysis assumes the use of a 300-horsepower diesel-powered fire pump for up to 1 hour per day, 1 day a week for up to 50 hours per year for routine maintenance/testing. The estimated area source emissions and energy source emissions analyses for the Project rely on default inputs within CalEEMod.

In addition, the Project's operational analysis accounts for the net reduction in existing daily emissions from heavy off-road equipment used in support of the existing mineral resources processing and sales use on the Project Site. As noted previously in this EIR (refer to Section 2.0), the mineral resources processed and sold at the Project Site under existing conditions are hauled to the Site from the Cajon Creek Quarry, located approximately 2.5 miles north of the Project Site. Upon closure of the existing mineral resources processing and sales facilities at the Project Site, hauling activities to the Project Site from the Cajon Creek Quarry will cease. The Project's air quality analysis accounts for the elimination of air pollution emissions from off-road haul trucks traveling between the Cajon Creek Quarry and the Project Site (refer to Section 3 of the Project's AQIA for additional discussion).

Refer to Section 4.5 of the Project's AQIA for detailed information on the methodology utilized to calculate regional pollutant emissions during Project operation.

2. Localized Pollutant Emissions

Project-related localized pollutant emissions were calculated in accordance with the SCAQMD's *Final Localized Significance Threshold (LST) Methodology*, and the SCAQMD-approved American Meteorological Society/EPA Regulatory Model (AERMOD) dispersion model was utilized. Emission concentrations were modeled at nine (9) receptor locations near the Project Site – the same receptors used in the construction-related localized pollutant emissions analysis (see Figure 4.2-10).

The SCAQMD's *Final Localized Significance Threshold Methodology* indicates that off-site mobile emissions from development projects should be excluded from localized emissions analyses. The CalEEMod outputs do not separate on-site and off-site emissions from mobile sources. As such, to establish a maximum potential impact scenario for analytic purposes, the modeled emissions include all on-site Project-related stationary (area) sources and on-site Project-related mobile emissions. To account for on-site mobile emissions, a trip length of 2.0 miles was utilized for both trucks and passenger cars.

Refer to Section 4.6 of the Project's AQIA for more detail on the methodology utilized to calculate Project construction-related localized pollutant emissions.

3. Diesel Particulate Matter Emissions

DPM emissions from trucks traveling to and from the Project Site were calculated using emission factors for PM_{10} generated with the EMissions FACtor 2021 model (EMFAC 2021). Refer to Section 2.3 of the Project's HRA for a detailed description of the model inputs and equations used in the estimation of the Project-related DPM emissions and see Figure 4.2-10 for the location of maximally-impacted sensitive receptors uses in this analysis.

The potential health risks of Project-related DPM emissions were quantified at maximally-impacted sensitive receptor locations in accordance with the guidelines in the SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*. Pursuant to SCAQMD's recommendations, emissions were modeled using the American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) software program.

Health risks associated with exposure to DPM emissions at a given concentration are defined in terms of the probability of developing cancer or chronic non-cancer health effects as a result of exposure to DPM emissions at a given concentration. The cancer and non-cancer risk probabilities are determined through a series of equations to calculate unit risk factor, cancer potency factor, and chronic daily intake. The evaluation results in a maximum health risk value, which is merely a calculation of risk and does not necessarily mean that any individual will contract cancer or other non-cancer health concern as a result of the exposure. The equations and input factors utilized in the Project analysis were obtained from Office of Environmental Health Hazard Assessment (OEHHA). Refer to Sections 2.4 and 2.5 of the Project's HRA for a detailed description of the variable inputs and equations used in the calculations of receptor population health risks associated with Project operations.

4. Health Impact Analysis

The SCAQMD has not identified a recommended analysis methodology or established thresholds of significance to evaluate the relationship between air pollution from development projects and potential health risks on local populations. Further, the SCAQMD and multiple other air pollution control districts in the State, including the San Joaquin Valley Air Pollution Control District, the Sacrament Metropolitan Air Quality Management District, and the Bay Area Air Quality Management District, have indicated that there are no reliable quantitative methodologies to correlate air pollution emissions from individual projects with specific health consequences because available air quality modeling tools are designed for regional assessments rather than project-specific evaluations (Urban Crossroads, 2025, pp. 5-6).

Notwithstanding, in order to disclose potential health impacts linked to air pollution emissions from the Project, the following models were utilized in the analysis provided in *Technical Appendix X*: Community Multiscale Air Quality Modeling System (CMAQ) and Comprehensive Air Quality Model with Extensions (CAMx), Environmental Benefits Mapping and Analysis Program-Community Edition (BenMAP-CE), and Co-Benefits Risk Assessment Health Impacts Screening and Mapping Tool (COBRA) (Urban Crossroads, 2025, pp. 6-7). The models consider air pollutant concentrations, population and economic data to evaluate potential health impacts in a given area. These models are intended for use by State and local governments to explore how changes in regulatory programs can affect human health. These programs have been employed in the analysis of Project-related health impacts due to the lack of guidance on these type of analyses from the SCAQMD or other air pollution control districts in the State and the lack of availability of modeling tools better equipped model project-level effects (Urban Crossroads, 2025, pp. 7-8).

In order to estimate regional health impacts that may result from criteria and precursor pollutants emitted by the proposed Project, the peak daily emissions for each Project scenario were added to the model that covers Riverside, San Bernardino, Los Angeles, and Orange counties and the resulting regional mortality level was compared to the regional mortality data for the period between 2020-2022 (Urban Crossroads, 2025, p. 8).

4.2.5 IMPACT ANALYSIS

Threshold a:	***Would the Project conflict with or obstruct implementation of the applicable air quality plan?***

The SCAQMD *2022 AQMP*, which is the applicable air quality plan for the Project area, addresses long-term air quality conditions for the SCAB. The criteria for determining consistency with the *2022 AQMP* are analyzed below.

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

Consistency Criterion No. 1 refers to violations of the NAAQS and CAAQS. Violations of the NAAQS and/or CAAQS would occur if the emissions resulting from the Project were to exceed the SCAQMD's localized emissions thresholds. As a conservative measure, the Project's regional emissions of VOC, NO_X, CO, SO_X, PM_{10}, and $PM_{2.5}$ also are considered in this consistency determination because if the Project's emissions of any of these pollutants would exceed the applicable SCAQMD regional thresholds, then these emissions could delay the SCAB's attainment of federal and/or State ozone or particulate matter standards. As disclosed under the analysis for Threshold "c," below, Project-related activities would not exceed SCAQMD localized emissions thresholds during construction or long-term operation and, thus, would not directly cause new violations of the NAAQS and/or CAAQS. However, as disclosed under the analysis for Threshold "b," below, the Project's regional construction- and operational-source emissions of VOCs would exceed applicable regional significance thresholds prior to implementation of mitigation measures, which could result in a long-term increase in the frequency or severity of existing air quality violations in the SCAB or delay the SCAQMD's ability to attain applicable air quality standards. The Project would conflict with Consistency Criterion No. 1.

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

The growth forecasts used in the *AQMP* to calculate future regional emissions levels are based on land use planning data provided by lead agencies via their general plan documentation. Development projects that increase the intensity of use on a specific property beyond the respective general plan's vision may result in increased stationary area source emissions and/or vehicle source emissions when compared to the *AQMP* assumptions. However, if a project does not exceed the growth projections in the applicable local general plan, then the project is consistent with the growth assumptions in the *AQMP*. The proposed Project exceeds the growth projections of the current County Policy Plan land use designation for the Project Site and, therefore, could generate air pollutant emissions not anticipated by the *2022 AQMP*. The Project would conflict with Consistency Criterion No. 2.

Conclusion

For the reasons outlined above, the Project would conflict with the *2022 AQMP* and, therefore, its implementation could result in air pollutant emissions that result in an environmental impact due to the exacerbation of existing air quality violations within the SCAB and the generation of unanticipated air pollutant emissions that could inhibit the SCAQMD's ability to achieve applicable air quality standards. This impact is significant and mitigation is required.

Threshold b:	***Would the Project 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?***

As noted earlier in this Subsection, the SCAB has a "non-attainment" designation for ozone (1- and 8-hour) and particulate matter ($PM_{2.5}$ and PM_{10}) under existing conditions; thus, any direct emissions of these pollutants or their precursors that exceed applicable SCAQMD significance thresholds would be considered significant.

A. Construction Emissions Impact Analysis

Peak emissions from Project construction are summarized in Table 4.2-6, *Peak Construction Emissions Summary*. Detailed air model outputs are presented in Appendix 4.1 of the Project's AQIA.

Table 4.2-6 Peak Construction Emissions Summary

Year	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer						
2027	0.00	0.00	0.00	0.00	0.00	0.00
2028	6.29	93.70	179.00	0.35	12.80	4.49
2029	142.00	66.70	144.00	0.18	15.10	4.23
Winter						
2027	4.54	94.20	178.00	0.35	12.80	4.52
2028	6.11	93.90	178.00	0.35	12.80	4.49
2029	142.00	67.40	130.00	0.18	15.10	4.23
Maximum Daily Emissions	**142.00**	**94.20**	**179.00**	**0.35**	**15.10**	**4.52**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	**YES**	**NO**	**NO**	**NO**	**NO**	**NO**

CalEEMod construction-source emissions are presented in Appendix 4.1 of the Project's AQIA.
Source: (Urban Crossroads, 2024a, Table 4-5)

As shown in Table 4.2-6, peak construction-related emissions of NO_X, CO, SO_X, and particulate matter (PM_{10} and $PM_{2.5}$) would not exceed the applicable SCAQMD regional thresholds. However, without mitigation, VOC emissions from Project construction would exceed the threshold established by the SCAQMD. VOCs are a precursor for ozone; accordingly, Project construction activities would 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. Mitigation is required.

B. Operational Emissions Impact Analysis

Peak emissions from Project operations are summarized on Table 4.2-7, *Peak Operational Emissions Summary*. The air model outputs for the operational analysis are provided in Appendix 4.2 of the Project's AQIA.

As summarized in Table 4.2-7, Project-related operational emissions of NO_X, CO, SO_X, PM_{10} and $PM_{2.5}$ would not exceed SCAQMD regional criteria thresholds. However, without mitigation, the Project would exceed regional thresholds of significance established by the SCAQMD for VOC emissions. Because VOCs are a precursor for ozone, emissions from Project operations would 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. Mitigation is required.

Table 4.2-7 Peak Operational Emissions Summary

Source	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer (Smog Season)						
Mobile Source	10.6	72.6	106	0.76	37.7	10.7
Area Source	58.5	0.68	81.3	<0.005	0.14	0.11
Energy Source	0	0	0	0	0	0
On-Site Equipment	0.82	2.63	115.11	0.00	0.21	0.19
Emergency Fire Pumps	0.98	2.75	2.51	<0.005	0.14	0.14
Gross Maximum Daily Emissions	**70.90**	**78.66**	**304.92**	**0.76**	**38.19**	**11.14**
Reduced Haul Truck Operations	*-0.71*	*-29.78*	*-20.43*	*-0.04*	*-0.71*	*-0.63*
Net Project Emissions	***70.19***	***48.88***	***284.49***	***0.72***	***37.48***	***10.51***
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**YES**	**NO**	**NO**	**NO**	**NO**	**NO**
Winter						
Mobile Source	10.1	76.1	96.6	0.75	37.7	10.7
Area Source	45.1	0	0	0	0	0
Energy Source	0	0	0	0	0	0
On-Site Equipment	0.82	2.63	115.11	0.00	0.21	0.19
Emergency Fire Pumps	0.98	2.75	2.51	<0.005	0.14	0.14
Gross Maximum Daily Emissions	**57.00**	**81.48**	**214.22**	**0.75**	**38.05**	**11.03**
Reduced Haul Truck Operations	*-0.71*	*-29.78*	*-20.43*	*-0.04*	*-0.71*	*-0.63*
Net Project Emissions	***56.29***	***51.70***	***193.79***	***0.71***	***37.34***	***10.40***
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**YES**	**NO**	**NO**	**NO**	**NO**	**NO**

CalEEMod operation-source emissions are presented in Appendix 4.2 of the Project's AQIA
Source: (Urban Crossroads, 2024a, Table 4-9)

If the Project were to utilize an OWTS in lieu of connection to the local sewer system, the emissions levels disclosed in Table 4.2-7 and the conclusions presented above would be unchanged, as the electricity used to power the OWTS would be produced by electrical generation facilities located outside of the State (and therefore excluded from evaluation under CEQA) or would be produced by electrical generation facilities in the SCAB but that are required to be offset through REgional CLean Air Incentives Market (RECLAIM) pollution credits (Urban Crossroads, 2024i, p. 2).

Threshold c: ***Would the Project expose sensitive receptors to substantial pollutant concentrations?***

The Project has the potential to expose sensitive receptors to substantial pollutant concentrations during construction and operation. The following analysis addresses the potential for Project-related activities to exceed applicable LSTs for criteria pollutant emissions; cause or contribute to CO "hot spots," and to generate toxic air pollutant emissions that could cause health hazards to nearby sensitive receptors.

A. Localized Criteria Pollutant Analysis

1. Construction Analysis

Table 4.2-8, *Localized Construction-Source Emissions Summary*, shows that localized emissions of CO, NO_2, and particulate matter (PM_{10} and $PM_{2.5}$) during Project construction would not exceed applicable SCAQMD thresholds. Detailed construction model outputs are presented in Appendix 4.1 of the Project's AQIA. Accordingly, Project construction would not expose any sensitive receptors in the vicinity of the Project Site to substantial criteria pollutant concentrations. Impacts would be less than significant.

Table 4.2-8 Localized Construction-Source Emissions Summary

Peak Construction	CO		NO_2	PM_{10}	$PM_{2.5}$
	Averaging Time				
	1-Hour	8-Hour	1-Hour	24-Hours	24-Hours
Peak Day Localized Emissions	0.05	0.02	1.58E-02	0.75	0.26
Background Concentration [A]	2.0	1.6	0.056		
Total Concentration	**2.05**	**1.62**	**0.07**	**0.75**	**0.26**
SCAQMD Localized Significance Threshold	20	9	0.18	10.4	10.4
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**

[A] Highest concentration from the last three years of available data. Per SCAQMD LST guidance, PM_{10} and $PM_{2.5}$ background concentrations are not considered.
Notes: PM_{10} and $PM_{2.5}$ concentrations are expressed in $\mu g/m^3$. All others are expressed in ppm.
Source: (Urban Crossroads, 2024a, Table 4-11)

2. Operational Analysis

Table 4.2-9, *Localized Operations-Source Emissions Summary*, shows that localized emissions from Project operations would not exceed the SCAQMD applicable thresholds for CO, NO_2, and particulate matter (PM_{10} and $PM_{2.5}$). Detailed localized operation model outputs are presented in Appendix 4.3 of the Project's AQIA. Accordingly, the Project would not expose any sensitive receptors in the vicinity of the Project Site to substantial pollutant concentrations. Impacts would be less than significant.

Table 4.2-9 Localized Operations-Source Emissions Summary

Peak Operations	CO		NO_2	PM_{10}	$PM_{2.5}$
	Averaging Time				
	1-Hour	8-Hour	1-Hour	24-Hours	24-Hours
Peak Day Localized Emissions	4.91E-02	3.22E-02	2.43E-03	0.61	0.19
Background Concentration [A]	2.0	1.6	0.056		
Total Concentration	**2.05**	**1.63**	**0.06**	**0.61**	**0.19**
SCAQMD Localized Significance Threshold	20	9	0.18	2.5	2.5
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**

[A] Highest concentration from the last three years of available data. Per SCAQMD LST guidance, PM_{10} and $PM_{2.5}$ background concentrations are not considered.
Notes: PM_{10} and $PM_{2.5}$ concentrations are expressed in $\mu g/m^3$. All others are expressed in ppm.
Source: (Urban Crossroads, 2024a, Table 4-12)

B. CO Hot Spot Impact Analysis

A CO "hot spot" is an isolated geographic area where localized concentrations of CO exceed the CAAQS one-hour (20 parts per million) or eight-hour (9 parts per million) standards. CO "hot spot" calculations were not performed for the Project because CO attainment in the SCAB was thoroughly analyzed as part of SCAQMD's *2003 AQMP* and the *1992 Federal Attainment for Carbon Monoxide Plan (1992 CO Plan).* The *2003 AQMP* and the *1992 CO Plan* found that peak CO concentrations in the SCAB were the byproduct of unusual meteorological and topographical conditions and were not the result of traffic congestion (Urban Crossroads, 2024a, p. 58). For context, the CO "hot spot" analysis performed for the *2003 AQMP* recorded a CO concentration of 9.3 parts per million (8-hour) at the Long Beach Boulevard/Imperial Highway intersection in Los Angeles County; however, only a small portion of the recorded CO concentrations (0.7 parts per million) were attributable to traffic congestion at the intersection, which exceeded 4,000 vehicles in the peak hour (ibid.). The majority of the recorded CO concentrations at the Long Beach Boulevard/Imperial Highway intersection (8.6 parts per million) were attributable to unique local meteorological conditions that resulted in elevated ambient air concentrations (ibid.). In comparison, ambient CO concentrations in the Project vicinity range between 1.6 and 2.0 parts per million (8-hour and 1-hour concentrations, respectively) – less than a quarter of the ambient CO concentrations recorded at the Long Beach Boulevard/Imperial Highway intersection (Urban Crossroads, 2024a, pp. 58-59). Further, data from other air pollution control districts in the State indicate that an individual development project would have to increase traffic volumes at a single intersection by between 24,000 and 44,000 vehicles per hour in order to generate substantial localized CO concentrations, whereas the Project would send less than 3,500 vehicle trips to any study area intersection the during the AM or PM peak hours (ibid.). Based on the relatively low local traffic congestion levels, low existing ambient CO concentrations in the Project Site vicinity, and the lack of any unusual meteorological and/or topographical conditions in the Project Site vicinity, the Project is not expected to cause or contribute to a CO "hot spot." Impacts would be less than significant.

C. *Toxic Air Contaminant Emissions Impact Analysis*

The following analysis evaluates the potential for implementation of the Project to result in acute and chronic health hazards – including cancer – at sensitive receptors in the vicinity of the Project Site. Detailed air dispersion model outputs and risk calculations are presented in Appendices 2.1 through 2.5 of the Project's HRA.

1. *Construction Analysis*

As part of Project construction, diesel-fueled equipment would operate on-site. Also, diesel-fueled trucks would travel to/from the Project Site to make deliveries of construction materials and equipment and to haul waste and debris from the Site. Diesel-fueled trucks produce DPM emissions, which is a toxic air contaminant and is known to be associated with acute and chronic health hazards – including cancer. The receptor location with the greatest potential exposure to Project construction-related DPM emissions is a proposed apartment development located on the west side of River Ranch Parkway approximately 850 feet north of Highland Avenue, approximately 160 feet west of the Project Site (see Figure 4.2-10). At this receiver location, the maximum incremental cancer risk attributable to the Project is 0.76 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million (Urban Crossroads, 2024b, p. 24). Also, the non-cancer risk health index would be ≤0.01, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0 (ibid.). Project construction would not directly cause or contribute in a cumulatively considerable manner to the exposure of receptors near the Project Site to substantial DPM emissions. Impacts would be less than significant.

2. *Operational Analysis*

The Project includes installation of an emergency generator for the building's fire pump, which would be diesel fueled and potentially would result in exposure of sensitive receptors to DPM. In addition, operation of the Project would generate/attract diesel-fueled truck traffic. Diesel-fueled trucks produce DPM, which is a toxic air contaminant associated with carcinogenic and non-carcinogenic health hazards. Project-related DPM health risks are summarized below.

At the maximally exposed individual receptor (MEIR) for operational emissions, which is a residence located at 2184 Oakdale Avenue, approximately 140 feet west of the Project Site (see Figure 4.2-10), the maximum incremental cancer risk attributable to Project-related DPM emissions is calculated to be 1.30 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million (Urban Crossroads, 2024b, p. 24). The non-cancer health risk index at the MEIR is estimated to be ≤0.01, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0 (ibid.). All other residential locations in the vicinity of the Project Site would be exposed to lower concentrations of Project-related DPM emissions than the MEIR due to their increased distance from Project-related operational activities and/or prevalent local wind patterns and, therefore, would be exposed to lesser risk than the MEIR identified above (ibid.). The Project would not directly cause or contribute to a cumulatively considerable manner to the exposure of residential receptors near the

Project Site to substantial DPM emissions. Impacts to residential receptors would be less than significant.

At the maximally exposed individual worker (MEIW), the existing business located approximately 372 feet west of the Project Site (see Figure 4.2-10), the maximum incremental cancer risk attributable to Project-related operational activities is calculated to be 0.10 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million (Urban Crossroads, 2024b, p. 25). The non-cancer health risk index at the MEIW is estimated to be ≤0.01, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0 (ibid.). All other places of business in the vicinity of the Project Site would be exposed to lower concentrations of Project-related DPM emissions than the MEIW due to their increased distance from Project-related operational activities and/or prevalent local wind patterns and, therefore, would be exposed to lesser risk than the MEIW identified above (ibid.). The Project would not directly cause or contribute to a cumulatively considerable manner to the exposure of worker receptors near the Project Site to substantial DPM emissions. Impacts to worker receptors would be less than significant.

At the maximally exposed individual school child (MEISC), Morgan Elementary School located approximately 3,232 feet south of the Project Site, the maximum incremental cancer risk attributable to Project-related DPM emissions is calculated to be 0.03 in one million, which is less than the significance threshold of 10 in one million (Urban Crossroads, 2024b, p. 25). The non-cancer health risk index at the MEISC is estimated to be ≤0.01, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0 (ibid.). All other schools in the vicinity of the Project Site would be exposed to lower concentrations of Project-related DPM emissions than the MEISC due to their increased distance from Project-related operational activities and/or prevalent local wind patterns and, therefore, would be exposed to lesser risk than the MEISC identified above (ibid.). The Project would not directly cause or contribute to a cumulatively considerable manner to the exposure of school receptors near the Project Site to substantial DPM emissions. Impacts to school receptors would be less than significant.

3. Total Exposure Analysis

The receptor location with the greatest potential total exposure to Project construction- and operational-related DPM emissions is a proposed apartment development, approximately 160 feet west of the Project Site. At this receiver location, the maximum incremental cancer risk attributable to the Project is 1.50 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million (Urban Crossroads, 2024b, p. 25). Also, the non-cancer risk health index would be ≤0.01, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0 (ibid.). Implementation of the Project would not directly cause or contribute in a cumulatively considerable manner to the exposure of receptors near the Project Site to substantial DPM emissions. Impacts would be less than significant.

4. Health Impact Analysis

The health impact analysis modeling performed for the Project predicted the following health indicators associated with the Project.

Table 4.2-10 Project Health Indicators

Health Indicator	
Total Asthma Symptoms	51.524
Total Incidence, Asthma	0.306
Total Incidence, Hay Fever/Rhinitis	1.974
Total ER Visits, Respiratory	0.086
Total Hospital Admits, All Respiratory	0.008
Total Mortality (low-high estimate)	0.059-0.102

Source: (Urban Crossroads, 2025, Table 1)

The Project's most conservative estimate for incremental increase in mortality is 0.102, which correlates to an increase in the regional mortality rate of 0.00007-percent (Urban Crossroads, 2025, p. 9). When compared to other development Projects in California that have undergone a similar health impact analysis – the Friant Ranch master planned community and the California State University Dominguez Hills master plan were used for comparative purposes in this analysis – the Project's incremental increase in mortality is substantially lower. Refer to *Technical Appendix X* for background on the Friant Ranch and California State University Dominguez Hills projects. The Friant Ranch project would result in an incremental increase in mortality approximately six times greater than the Project, while the California State Dominguez Hills project would result in an incremental increase approximately 45 times greater than the Project (ibid.). The CEQA analyses for the Friant Ranch and California State Dominguez Hills projects found that neither project would result in substantial health effects in their respective regions; thus, the proposed Project – with its substantially lower health risks – would be expected to result in similarly negligible health impacts (ibid.).

Threshold d: ***Would the Project result in other emissions (such as those leading to odors adversely affecting a substantial number of people?***

During construction activities on the Project Site, odors could be produced by construction equipment exhaust or from the application of asphalt and/or architectural coatings. However, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, any odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon the completion of the respective phase of construction. In addition, construction activities on the Project Site would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance. (Urban Crossroads, 2024a, pp. 63-64) Accordingly, the Project's construction would not create objectionable odors affecting a substantial number of people and all impacts would be less than significant.

During long-term operation, Project would operate as a warehouse distribution facility, which is not typically associated with the emission of objectionable odors. Temporary outdoor refuse storage could be a potential source of odor; however, Project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the County's solid waste regulations, thereby precluding any significant odor impact. Furthermore, the occupant(s) of the proposed warehouse building would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance during long-term operation. (Urban Crossroads, 2024a, pp. 63-64) As such, long-term operation of the Project would not create objectionable odors affecting a substantial number of people and all impacts would be less than significant.

4.2.6 Cumulative Impact Analysis

The area immediately surrounding the Project Site includes vacant parcels and parcels developed (or under construction) with residential or commercial uses. This cumulative impact analysis considers development of the proposed Project in conjunction with other nearby development projects and projected local growth.

The census tract containing the Project Site is ranked by OEHHA within the 70th percentile of communities in the State that are disproportionately burdened by multiple sources of pollution (OEHHA, 2024). As part of their *MATES-V* study, SCAQMD estimates an excess carcinogenic risk of approximately 487 in one million for the Project area (SCAQMD, 2024), which is an improvement from the *MATES-IV* study six years prior that found the Project area to have an excess cancer risk of approximately 821 in one million (ibid.). Thus, although air pollutant levels in the Project area remain elevated, the observed trend of local air conditions is improving.

As discussed under the analysis for Threshold "a," the Project would be inconsistent with the *2022 AQMP* due to VOC emissions exceeding SCAQMD regional significance thresholds and from producing air pollutant emissions that may exceed the projections within the *AQMP*. Therefore, there also is a potential for the Project to result in a cumulatively considerable effect on the environment due to an inconsistency with the *2022 AQMP*.

Based on SCAQMD guidance, any exceedance of a regional or localized threshold for criteria pollutants also is considered to be a cumulatively considerable effect, while air pollutant emissions that fall below applicable regional and/or localized thresholds are not considered cumulatively considerable. As discussed in the analysis under Threshold "b," the Project would exceed the applicable SCAQMD regional threshold of VOC emissions during construction and operation; therefore, the Project has the potential to result in cumulatively considerable effects to regional air quality. However, as discussed in the analysis under Threshold "c," the Project would not emit air pollutants during construction or operation at volumes that exceed the applicable SCAQMD localized thresholds and, thus, the Project would not generate cumulatively considerable local pollutant concentrations.

As indicated in the analysis of Threshold "d," above, there are no Project components that would expose sensitive receptors to objectionable odors. In addition, there are no known sources of offensive odors in the Project area. Because the Project's construction and operation would not create substantial and objectionable odors, there is no potential for odors from the Project Site to commingle with odors from nearby development projects and expose sensitive receptors to substantial, offensive odors. Accordingly, implementation of the Project would result in a less than significant cumulative impact related to odors.

4.2.7 Significance of Impacts Before Mitigation

Threshold a: Significant Direct and Cumulatively Considerable Impact. As discussed in the analysis under Threshold "b," the Project's construction- and operational-related VOC emissions exceed regional significance thresholds, which could contribute to region's ozone continued exceedance of ozone standards. In addition, the Project would develop the Project Site with land uses and an intensity not anticipated by the County Policy Plan and, thus, could result in air pollution not anticipated by the *2022 AQMP*.

Threshold b: Significant Direct and Cumulatively Considerable Impact. Project construction and operational activities would exceed the applicable SCAQMD regional thresholds for VOC emissions. VOCs are a precursor for ozone; therefore, the Project's emissions of substantial VOCs would contribute to the SCAB's non-attainment of federal and State ozone standards.

Threshold c: Less than Significant Impact. Implementation of the Project would not: 1) exceed applicable SCAQMD localized criteria pollution emissions thresholds during construction and operation; 2) would not expose sensitive receptors to toxic air contaminants (i.e., DPM) that exceed the applicable SCAQMD carcinogenic and non-carcinogenic risk thresholds; and 3) would not cause or contribute to the formation of a CO "hot spot."

Threshold d: Less than Significant Impact. The Project would not produce air emissions that would lead to unusual or substantial construction-related or operational-related odors. The Project is required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance.

4.2.8 Mitigation

The following mitigation measures (MMs) would reduce Project-related VOC emissions:

MM 4.2-1 Prior to building permit issuance, the Project Applicant or its successor in interest shall ensure a note is provided on building plans specifying that: 1) compliance with SCAQMD Rule 1113 is mandatory during application of all architectural coatings; 2) pre-coated building materials (e.g., metal awnings, bathroom stall dividers), shall be utilized to the maximum feasible extent; and 3) only "super compliant" paints, as defined in SCAQMD Rule 1113, shall be used for interior surfaces. Project contractors shall be required to comply with the note and maintain written records of such

compliance that can be inspected by San Bernardino County upon request. Compliance with this note shall be required during the lifetime of the Project (i.e., during future maintenance and re-application activities).

MM 4.2-2 Prior to building permit issuance, the Project Applicant or its successor in interest shall ensure that building plans demonstrate that exterior electrical outlets/receptacles are provided in proximity to landscaped areas such that electrical equipment may be used for on-site landscape maintenance activities.

MM 4.2-3 Prior to the issuance of a certificate of occupancy, the Project Applicant or its successor in interest shall provide documentation to San Bernardino County demonstrating that occupants/tenants of the Project Site will be informed that corded or battery-powered electric equipment shall be used for on-site landscape maintenance to the maximum feasible extent.

MM 4.2-4 Prior to the issuance of a certificate of occupancy, the Project Applicant or successor in interest shall provide documentation to San Bernardino County demonstrating that occupants/tenants of the Project Site will be informed that any cargo-handling equipment (e.g., yard trucks [hostlers], pallet jacks, forklifts) used on-site shall be battery electric; the use of diesel-, natural gas-, and gasoline-powered cargo handling equipment is prohibited on the Project Site.

4.2.9 Significance of Impacts After Mitigation

Threshold a: Less than Significant Impact with Mitigation Incorporated. As demonstrated in Tables Table 4.2-11 and Table 4.2-12, application of MMs 4.2-1 through 4.2-4 would reduce Project-related emissions of VOCs to levels below applicable SCAQMD significance thresholds during construction and operation. With VOC emissions reduced below applicable SCAQMD significance levels, the Project would neither increase the frequency or severity of existing air quality violations nor result in a substantial adverse environmental impact due to the contribution of air pollution that exceeds the growth assumptions in the *AQMP*. Impacts would be less than significant.

Threshold b: Less than Significant Impact with Mitigation Incorporated. As shown in Table 4.2-11, with implementation of MM 4.2-1, VOC emissions resulting from the Project construction would be reduced below the applicable significance criteria. Additionally, as summarized in Table 4.2-12, with implementation of MMs 4.2-1 through 4.2-4, VOC emissions resulting from the Project's operations would be reduced below the applicable significance criteria. Impacts would be less than significant.

Table 4.2-11 Peak Construction Emissions Summary – With Mitigation

Year	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer						
2027	0.00	0.00	0.00	0.00	0.00	0.00
2028	6.29	93.70	179.00	0.35	12.80	4.49
2029	67.90	66.70	144.00	0.18	15.10	4.23
Winter						
2027	4.54	94.20	178.00	0.35	12.80	4.52
2028	6.11	93.90	178.00	0.35	12.80	4.49
2029	67.30	67.40	130.00	0.18	15.10	4.23
Maximum Daily Emissions	**67.90**	**94.20**	**179.00**	**0.35**	**15.10**	**4.52**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

CalEEMod construction-source emissions are presented in Appendix 4.1 of the Project's AQIA.
Source: (Urban Crossroads, 2024a, Table 4-6)

Table 4.2-12 Peak Operational Emissions Summary – With Mitigation

Source	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer (Smog Season)						
Mobile Source	10.6	72.6	106	0.76	37.7	10.7
Area Source	41.3	0	0	0	0	0
Energy Source	0	0	0	0	0	0
On-Site Equipment	0	0	0	0	0	0
Emergency Fire Pumps	0.98	2.75	2.51	<0.005	0.14	0.14
Gross Maximum Daily Emissions	**52.88**	**75.35**	**108.51**	**0.76**	**37.84**	**10.84**
Reduced Haul Truck Operations	*-0.71*	*-29.78*	*-20.43*	*-0.04*	*-0.71*	*-0.63*
Net Project Emissions	***52.17***	***45.57***	***88.08***	***0.72***	***37.13***	***10.21***
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**
Winter						
Mobile Source	10.1	76.1	96.6	0.75	37.7	10.7
Area Source	41.3	0	0	0	0	0
Energy Source	0	0	0	0	0	0
On-Site Equipment	0	0	0	0	0	0
Emergency Fire Pumps	0.98	2.75	2.51	<0.005	0.14	0.14
Gross Maximum Daily Emissions	**52.38**	**78.85**	**99.11**	**0.75**	**37.84**	**10.84**
Reduced Haul Truck Operations	*-0.71*	*-29.78*	*-20.43*	*-0.04*	*-0.71*	*-0.63*
Net Project Emissions	***51.67***	***49.07***	***78.68***	***0.71***	***37.13***	***10.21***
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

CalEEMod operation-source emissions are presented in Appendix 4.2 of the Project's AQIA.
Source: (Urban Crossroads, 2024a, Table 4-10)

4.3 BIOLOGICAL RESOURCES

This Subsection evaluates the potential for Project-related actions to impact sensitive biological resources on or adjacent to the Project Site. The analysis in this Subsection is based, primarily, on information contained within the *Biological Technical Report for Pepper 210 Commerce Center Project Located in Unincorporated San Bernardino County, California* prepared by Glenn Lukos Associates, Inc. (hereinafter "GLA") and dated March 12, 2025 (GLA, 2025). This report ("Biology Report") is provided as *Technical Appendix D* to this EIR. All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.3.1 EXISTING CONDITIONS

A. *Vegetation Communities and Land Cover Types*

The Project Site supports the following land use-land cover types: Planted, Developed, Ornamental, and Settling Basins (GLA, 2025, p. 20). A summary of these land cover types is provided below.

- Planted: The western boundary Project Site contains approximately 2.9 acres of slopes that were revegetated with a native scrub seed mix to minimize erosion and provide an aesthetic/landscaped buffer between the adjacent residential community in accordance with the mining reclamation plan for the subject property. Species within the planted area include black sage (*Salvia mellifera*), California buckwheat scrub (*Eriogonum fasciculatum*), eucalyptus trees (*Eucalyptus spp.*), California sagebrush (*Artemisia californica*), white sage (*Salvia apiana*), deerweed (*Acmispon glaber*), and California croton (*Croton californicus*). The planted area was installed in 2001 and is irrigated and regularly maintained.

- Developed: The Project Site contains approximately 94.0 acres of developed areas where human disturbance has resulted in permanent modification of the existing landscape. These include the previous mining operation, paved areas, parking lots, corrugated metal buildings, concrete walkways, and other mining-related structures that occupy the site.

- Ornamental: Ornamental vegetation accounts for approximately 2.3 acres and primarily occurs adjacent in the southwestern boundary of the Project Site and along Highland Avenue. Ornamental vegetation within the Project Site is comprised of a variety species including Mexican fan palm (*Washingtonia robusta*), iceplant (*Carpobrotus edulis*), Indian laurel fig (*Ficus macrocarpa*), nasturtium (*Nasturtium* sp.), Peruvian pepper (*Schinus molle*), and several species of eucalyptus (*Eucalyptus* spp.).

- Settling Basins: The Project Site contains approximately 2.7 acres of settling basins. The settling basins are man-made and were constructed to contain surface runoff from the mineral resources processing and concrete and asphalt production and are generally not vegetated.

B. *Special-Status Plant Species*

The Project Site exhibits extensive disturbance that has eliminated native soils, seed banks, and vegetation in general from occurring on the Site. No special-status plants were detected at the Project Site, and none are expected to occur due to the disturbed conditions of the Site, lack of suitable habitat, and the results of the

focused plant survey (GLA, 2025, p. 21). Refer to Biology Report Table 4-2 for a complete list of special-status plants that were evaluated for the Project Site.

C. *Special-Status Wildlife Species*

The Project Site evidences extensive disturbance which has limited habitat to support special-status species. No special-status wildlife species were detected at the Project Site, and none are expected to occur due to the disturbed conditions of the site, lack of suitable habitat, and the results of the focused wildlife surveys and habitat assessment; the burrowing owl, California coastal gnatcatcher, and the San Bernardino Kangaroo rat were all confirmed absent through focused surveys/habitat assessments (GLA, 2025, pp. 31-38). Refer to Biology Report Table 4-3 for a complete list of special-status wildlife species that were evaluated for the Project Site.

D. *Nesting Birds*

The Project Site contains trees, shrubs, and ground cover that provide suitable habitat for nesting birds (GLA, 2025, p. 38).

E. *Jurisdictional Waters*

The Project Site does not contain wetlands, riparian/riverine, or vernal pool features that would be regulated by the Corps, CDFW, or Regional Board (GLA, 2025, p. 40).

4.3.2 Regulatory Framework

The Project Site is subject to State and federal regulations that were developed to protect natural resources, including: State- and federally-listed plants and animals; aquatic resources including rivers and creeks, ephemeral streambeds, wetlands, and areas of riparian habitat; other special-status species which are not listed as threatened or endangered by the State or federal governments; and other special-status vegetation communities. Provided below is an overview of the federal, State, and regional laws, regulations, and requirements that are applicable to the Project Site based on its location and the biological resources observed on the Site by GLA.

A. *Federal Plans, Policies, and Regulations*

1. *Endangered Species Act (ESA)*

The purpose of the federal Endangered Species Act (ESA) is to protect and recover imperiled species and the ecosystems upon which they depend (USFWS, 2017). It is administered by the U.S. Fish and Wildlife Service (USFWS) and the Commerce Department's National Marine Fisheries Service (NMFS). The USFWS has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NMFS are mainly marine wildlife such as whales and anadromous fish such as salmon. Under the ESA, species may be listed as either endangered or threatened. "Endangered" means a species is in danger of extinction throughout all or a significant portion of its range. "Threatened" means a species is likely to become endangered within the foreseeable future. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened.

The ESA makes it unlawful for a person to take a listed animal without a permit. Take is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct." Through regulations, the term "harm" is defined as "an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering." Listed plants are not protected from take, although it is illegal to collect or maliciously harm them on federal land. Protection from commercial trade and the effects of federal actions do apply for plants.

Critical habitat is the specific areas within the geographic area, occupied by the species at the time it was listed, that contain the physical or biological features that are essential to the conservation of endangered and threatened species and that may need special management or protection. Critical habitat may also include areas that were not occupied by the species at the time of listing but are essential to its conservation.

Section 7 of the ESA requires federal agencies to use their legal authorities to promote the conservation purposes of the ESA and to consult with the USFWS and NMFS, as appropriate, to ensure that effects of actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of listed species. During consultation, the "action" agency receives a "biological opinion" or concurrence letter addressing the proposed action. In the relatively few cases in which the USFWS or NMFS makes a jeopardy determination, the agency offers "reasonable and prudent alternatives" about how the proposed action could be modified to avoid jeopardy. It is extremely rare that a project ends up being withdrawn or terminated because of jeopardy to a listed species.

Section 10 of the ESA may be used by landowners including private citizens, corporations, tribes, states, and counties who want to develop property inhabited by listed species. Landowners may receive a permit to take such species incidental to otherwise legal activities, provided they have developed an approved habitat conservation plan (HCP). HCPs include an assessment of the likely impacts on the species from the proposed action, the steps that the permit holder will take to avoid, minimize, and mitigate the impacts, and the funding available to carry out the steps. HCPs may benefit not only landowners but also species by securing and managing important habitat and by addressing economic development with a focus on species conservation.

2. Migratory Bird Treaty Act (16 USC Section 703-712)

The Migratory Bird Treaty Act (MBTA) makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to federal regulations (USFWS, 2020). The migratory bird species protected by the MBTA are listed in 50 CFR 10.13. The USFWS has statutory authority and responsibility for enforcing the MBTA (16 U.S.C. 703-712). The MBTA implements Conventions between the United States and four countries (Canada, Mexico, Japan, and Russia) for the protection of migratory birds.

B. State Plans, Policies, and Regulations

1. California Endangered Species Act (CESA)

The California Endangered Species Act (CESA) states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved (CDFWa, n.d.). The California Department of Fish and Wildlife (CDFW) works with interested persons, agencies, and organizations to protect and preserve such sensitive resources and their habitats. CESA prohibits the take of any species of wildlife designated by the California Fish and Game Commission as endangered, threatened, or candidate species. CDFW may authorize the take of any such species if certain conditions are met.

Section 2081 subdivision (b) of the California Fish and Game Code (CFGC) allows CDFW to authorize take of species listed as endangered, threatened, candidate, or a rare plant, if that take is incidental to otherwise lawful activities and if certain conditions are met. These authorizations are commonly referred to as incidental take permits (ITPs).

If a species is listed by both the federal ESA and CESA, CFGC Section 2080.1 allows an applicant who has obtained a federal incidental take statement (federal Section 7 consultation) or a federal incidental take permit (federal Section 10(a)(1)(B)) to request that the Director of CDFW find the federal documents consistent with CESA. If the federal documents are found to be consistent with CESA, a consistency determination (CD) is issued and no further authorization or approval is necessary under CESA.

A Safe Harbor Agreement (SHA) authorizes incidental take of a species listed as endangered, threatened, candidate, or a rare plant, if implementation of the agreement is reasonably expected to provide a net conservation benefit to the species, among other provisions. SHAs are intended to encourage landowners to voluntarily manage their lands to benefit CESA-listed species. California SHAs are analogous to the federal safe harbor agreement program and CDFW has the authority to issue a consistency determination based on a federal safe harbor agreement.

2. Natural Community Conservation Planning Act (NCCP)

CDFW's Natural Community Conservation Planning (NCCP) program takes a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity (CDFWb, n.d.). The NCCP program began in 1991 as a cooperative effort to protect habitats and species. It is broader in its orientation and objectives than the California and Federal Endangered Species Acts, as these laws are designed to identify and protect individual species that have already declined in number significantly.

An NCCP identifies and provides for the regional protection of plants, animals, and their habitats, while allowing compatible and appropriate economic activity. Working with landowners, environmental organizations, and other interested parties, a local agency oversees the numerous activities that compose the development of an NCCP. CDFW and the USFWS provide the necessary support, direction, and guidance to NCCP participants.

There are currently 14 approved NCCPs (includes 6 subarea plans) and more than 20 NCCPs in the active planning phase (includes 10 subarea plans), which together cover more than 7 million acres and will provide conservation for nearly 400 special status species and a wide diversity of natural community types throughout California. The Project Site is not located within an area covered by an approved NCCP or an NCCP in the active planning phase (CDFWc, n.d.).

3. Native Plant Protection Act (NPPA) of 1977

The Native Plant Protection Act (NPPA) was enacted in 1977 and allows the Fish and Game Commission to designate plants as rare or endangered (CDFWd, n.d.). There are 64 species, subspecies, and varieties of plants that are protected as rare under the NPPA. The NPPA prohibits take of endangered or rare native plants, but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations.

4. Unlawful Take or Destruction of Nests or Eggs (CFGC Sections 3503.5-3513)

Section 3503.5 of the CFGC specifically protects birds of prey, stating: "It is unlawful to take, possess, or destroy any . . . [birds-of-prey] or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto" (CA Legislative Info, n.d.). Section 3513 of the CFGC duplicates the federal protection of migratory birds, stating: "It is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act" (ibid.).

C. Local Plans, Policies, and Regulations

1. County Policy Plan

The San Bernardino County general plan sets forth goals and policies related to the protection of biological resources. Goals and policies that may be applicable to the Project and/or Project Site are summarized below.

Goal NR-5: Biological Resources. An interconnected landscape of open spaces and habitat areas that promotes biodiversity and healthy ecosystems, both for their intrinsic value and for the value placed on them by residents and visitors.

Policy NR-5.5 Mitigation and future responsibilities. We require that new development satisfy habitat conservation responsibilities without shifting conservation responsibilities onto military property.

Policy NR-5.7 Development review, entitlement, and mitigation. We comply with state and federal regulations regarding protected species of animals and vegetation through the development review, entitlement, and environmental clearance processes.

Policy NR-5.8 Invasive species. We require the use of non-invasive plant species with new development and encourage the management of existing invasive plant species that degrade ecological function.

2. San Bernardino County Code of Ordinances

Chapter 88.01 (Plant Protection and Management) of the San Bernardino County Code of Ordinances provides regulations and guidelines for the management of specific trees, desert native, and riparian plant resources in the unincorporated areas of the County. Chapter 88.01 establishes the County review procedure, required permits, and replacement ratios for all regulated plants listed therein.

4.3.3 Basis for Determining Significance

The State Legislature has established it to be the policy of the State of California to "[p]revent the elimination of fish or wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities..." (Public Resources Code Section 21001(c)). CEQA Guidelines Section 15065(a) establishes that a project may have a significant effect where:

> *"The project has 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 wildlife community, reduce the number or restrict the range of an endangered, rare, or threatened species ..."*

Appendix G of the CEQA Guidelines is more specific in addressing biological resources and encompasses a broader range of resources to be considered, including: candidate, sensitive, or special status species; riparian habitat or other sensitive natural communities; federally-protected wetlands; fish and wildlife movement corridors; local policies or ordinances protecting biological resources; and, adopted Habitat Conservation Plans (HCPs). Accordingly, for the purpose of analysis in this EIR, the proposed Project would result in a significant impact to biological resources if the Project or any Project-related component would:

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

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

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

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

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

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.

4.3.4 Methodology for Evaluation

The biological resources impacts assessment is based on literature review, including a review of the California Natural Diversity Data Base (CNDDB), historical and current aerial photographs, USGS topographic maps, U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) soil survey maps, the National Hydrography Dataset, and National Wetlands Inventory, and a visit to the Project Site where existing biological resources on and adjacent to the Project Site were mapped. Refer to the Biology Report for detailed descriptions of the Project Site survey dates, scopes of study, and research and survey methodologies used in the biological resources analysis (GLA, 2025, pp. 2-8).

4.3.5 Impact Analysis

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

A. Impacts to Special-Status Plants

As noted previously, no special-status plants were detected at the Project Site and none are expected due to the heavily disturbed conditions of the Site, which has eliminated all native soils, seed banks, and native vegetation (GLA, 2025, p. 43). Off-site improvements provided by the Project are proposed within disturbed/developed public rights-of-ways and would not involve the modification of any natural or naturalized habitat that could support special-status plant species. The Project would result in no impact to special-status plant species.

B. Impacts to Special-Status Wildlife

No special-status wildlife species were detected at the Project Site and none are expected to occur due to the historical disturbances on the Project Site, which has removed all habitat from the subject property that is potentially suitable for locally-occurring special-status wildlife species, and the high-level of ongoing activity (including heavy-duty equipment and machinery that produces relatively high levels of noise) (GLA, 2025, p. 43).

Although no burrowing owl individuals or signs of burrowing owl use were observed on the Project Site during focused breeding season surveys conducted by GLA, the burrowing owl is a highly mobile species and the subject property contains areas of marginally-suitable habitat for the species (e.g., planted areas along the periphery of the Project Site). Accordingly, there is the potential for the species to occupy the Project Site prior to the start of construction. If burrowing owls are present on the Project Site at the time construction activities commence, potential impacts to the species would be significant and mitigation would be required.

Threshold b:	***Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?***

The Project Site does not contain riparian habitat, and the sage scrub present on the Site is planted, irrigated, and maintained and is not classified as a sensitive natural community (GLA, 2025, pp. 43-44).

A SBKR habitat assessment was conducted at the Project Site in 2022 (refer to Appendix D of *Technical Appendix* D). The northwestern portion of the Project Site, comprising approximately 7.6 acres, is mapped by the USFWS as critical habitat for the SBKR. None of the Critical Habitat within the Project Site is characterized as natural habitat/vegetation community: The mapped critical habitat on the Project Site is comprised of approximately 0.1 acre of Planted habitat and approximately 7.5 acres of Disturbed habitat. The Primary Constituent Elements (PCEs) for SBKR critical habitat are lacking from the Project Site due to the high degree of disturbance within the Project Site (GLA, 2025, pp. 39-40). The composition and distribution of the Planted habitat on the Project Site are in stark contrast to the naturally occurring native vegetation located in the adjacent Lytle Creek alluvial system, which makes up the majority of locally designated critical habitat and is where the Primary Constituent Elements (PCEs) described for SBKR occur (GLA, 2025, p. 45). The remaining over 98-percent of critical habitat on the Project Site are disturbed on an ongoing basis by mining uses on the Project Site. Because of the high degree of existing disturbances within the Project Site and the lack of PCEs supported by the critical habitat that is mapped on-site, the Project would not directly affect physical or biological features considered to be essential to the conservation of the SBKR (ibid.). The Project would not result in direct effects that are likely to jeopardize the continued existence of the SBKR or destroy/adversely modify its designated critical habitat.

Based on the analysis above, implementation of the Project would not have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the CDFW or the USFWS. Impacts would be less than significant.

Threshold c:	***Would the Project have 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?***

The Project Site does not contain any protected wetland or aquatic resources, including, but not limited to, natural drainages or water courses, wetland habitat, marsh, vernal pools, or coastal resources (GLA, 2025, p. 46). The Project Site does contain several settling ponds; however, these ponds are manmade features that capture excess wastewater from the mineral resources processing and concrete and asphalt production equipment on-site and do not support any natural habitats or provide any biological function. As such, the Project would not have a substantial adverse effect on State- or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. No impact would occur.

Threshold d: ***Would the Project 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?***

The Project Site does not contain natural surface drainage/watercourse or ponding features. Additionally, there are no water bodies on the Project Site that could support fish. The Project Site is adjacent to Lytle Creek; however, Lytle Creek is an ephemeral body of water that is dry most of the year and does not support a permanent population of fish and the Project would be required to provide a buffer from the existing flood control levee for Lytle Creek and, therefore, would not alter or impact Lytle Creek. Accordingly, there is no potential for the Project to interfere with the movement of native resident or migratory fish. The Project Site also does not serve as a wildlife corridor nor is it connected to an established corridor, and there are no native wildlife nurseries on or adjacent to the Site (GLA, 2025, p. 44). Therefore, there is no potential for the Project to impede the use of a native wildlife nursery site.

The Project would remove vegetation from the Project Site that provides potential roosting and nesting habitat for birds common to the Inland Empire area, although no nests were observed on the Project Site and no birds are known to nest on the Site (GLA, 2025, pp. 38, 45). Several non-sensitive bird species were observed on the Project Site, including but not limited to mourning dove, killdeer, red-winged blackbird, house finch, and lesser goldfinch (GLA, 2025, Appendix B). Although these species are not considered special-status or sensitive based on their prevalence in southern California, the MBTA and California Fish and Game Code are in place to protect these bird species, among others, while nesting. If Project construction is to occur during the avian nesting season (February 15 – September 1) and if active nests are present on the Project Site, significant impacts to nesting birds could occur. The Project's to impact nesting birds is a potentially significant impact for which mitigation is required.

Threshold e: ***Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

The County of San Bernardino Code of Ordinance Chapter 88.01 preserves and protects certain plants, including regulated desert native plants, regulated trees, and regulated riparian plants. The Project Site does not contain any plants regulated by Chapter 88.01 and no plants regulated by Chapter 88.01 have the potential to occur due to the location and physical characteristics of the Project Site. The Project would have no impact in this regard.

Threshold f: ***Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?***

The Project Site is not located within the boundaries of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan (CDFWc, n.d.). Therefore, no impact would occur.

4.3.6 Cumulative Impact Analysis

This cumulative impact analysis for biological resources considers development of the Project in conjunction with other development projects in the vicinity of the Project Site as well as buildout of surrounding unincorporated communities and the cities of Rialto and San Bernardino.

The Project Site does not contain any special-status plant species nor does the site have the potential to support such species. Therefore, the Project would not impact any special-status plant species and, thus, the Project would have no potential to contribute to a cumulative impact to special-status plant species.

Although no special-status plants or wildlife have been identified on the Project Site, the Site contains suitable habitat for burrowing owls. As such, it is reasonable to conclude that impacts to the burrowing owl habitat could occur in conjunction with development of other properties in the cumulative study area. Because the Project Site contains habitat suitable for use by the burrowing owl, implementation of the Project has the potential to contribute to a cumulatively considerable impact to the burrowing owl.

The Project would not impact any riparian or sensitive natural communities; therefore, there is no potential for the Project to contribute to a cumulatively considerable impact to these resources.

The Project would not impact any State-protected or federally-protected wetlands. Accordingly, the Project has no potential to contribute to a cumulatively considerable impact to State or federally protected wetlands.

The Project would remove vegetation from the Project Site that has the potential to support nesting birds protected by federal and State regulations. A wide range of habitat and vegetation types have the potential to support nesting birds; therefore, it is likely that other development projects within the cumulative study area also may impact nesting birds. Thus, the Project has the potential to contribute to a cumulatively considerable impact to nesting birds.

The Project would not conflict with any local policies or ordinances protecting biological resources. Other development projects in the cumulative study area would be required to comply with applicable local policies and/or ordinances related to the protection of biological resources as a standard condition of review/approval. Because the Project and cumulative development would be prohibited from violating applicable, local policies or ordinances related to the protection of biological resources, a cumulatively considerable impact would not occur.

The Project Site is not located within the boundaries of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Because there is no conservation plan applicable to the Project impact area, there is no potential for the Project to contribute to the violation of a conservation plan. No cumulative impact would occur.

4.3.7 Significance of Impacts Before Mitigation

Threshold a: Potential Significant Direct and Cumulatively Considerable Impact. Although no special-status plants or wildlife have been identified on the Project Site, the Site contains suitable habitat for burrowing owls. In the event the burrowing owl is present on the Project Site at the time construction commences, this would be a significant impact.

Threshold b.: Less than Significant Impact. The Project Site does not contain riparian and/or other sensitive natural habitats. The Project would affect mapped critical habitat for the SBKR; however, the mapped habitat that would be affected by the Project does not support any of the PCEs for the species and the loss of the mapped critical habitat on the Project Site would not jeopardize the survival of the SBKR or adversely modify its designated critical habitat.

Threshold c: No Impact. No State- or federally-protected wetlands are located on the Project Site; therefore, no impact to wetlands would occur.

Threshold d: Potential Significant Direct and Cumulatively Considerable Impact. There is no potential for the Project to interfere with the movement of fish or impede the use of a native wildlife nursery site. However, the Project has the potential to impact nesting migratory birds protected by the MBTA and California Fish and Game Code, should habitat removal occur during the nesting season and should nesting birds be present.

Threshold e: No Impact. The Project would not conflict with any local policies or ordinances protecting biological resources.

Threshold f: No Impact. The Project impact area is not located within the boundaries of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Therefore, no impact would occur.

4.3.8 Mitigation

The following mitigation measures address the Project's potential to impact the burrowing owl:

MM 4.3-1 A take avoidance survey for burrowing owls conducted in accordance with the CDFW 2012 Staff Report on Burrowing Owl Mitigation is required prior to future ground-disturbing activities (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging, etc.). The take avoidance survey shall be conducted within 30 days but no less than 14 days prior to ground-disturbing activities in all areas of the Project Site with suitable habitat, including the banks of the settling basins, the bare areas and slopes along the western and southwestern boundary of the Project Site, along the flood control berms along the northern boundary of the Project Site, and the bare area in the southeast corner.

a) If the pre-construction survey identifies no burrowing owls on the property, a grading permit may be issued and earthmoving activities can commence without restriction.

b) If burrowing owls have colonized the Project Site prior to the initiation of ground-disturbing activities, the Project biologist will demarcate a minimum 500-foot avoidance buffer (or larger, based on field observations) and will passively or actively relocate any burrowing owls, based on consultation with San Bernardino County and the California Department of Fish and Wildlife. Passive relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit. If ground disturbing activities occur, but the Project Site is left undisturbed for more than 30 days, a take avoidance survey will again be necessary to ensure that burrowing owl have not colonized the Site since it was last disturbed. If burrowing owls are found, the same coordination described above will be necessary.

The following mitigation measures would address the potential for Project construction to impact nesting birds, including migratory species.

MM 4.3-2 Vegetation clearing and ground disturbance shall be prohibited during the bird nesting season (January 31 through September 15), unless a bird nesting survey is completed in accordance with the following requirements:

a) A nesting bird survey shall be conducted on the Project Site and within suitable habitat located within a 500-foot radius of the Project Site by a qualified biologist within seven (7) days prior to initiating vegetation clearing or ground disturbance.

b) If the survey identifies the presence of active nests, then the nests shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (i) the adult birds have not begun egg-laying and incubation; or (ii) the juveniles from the occupied nests are capable of independent survival.

c) If the biologist is not able to verify any of the conditions from sub-item "b," above, then no disturbance shall occur within a buffer zone specified by the qualified biologist for each nest or nesting site. The buffer zone shall be species-appropriate (no less than 300-foot radius around the nest for non-raptors and no more than a 500-foot radius around the nest for raptors) and shall be sufficient to protect the nest from direct and indirect impacts from construction activities. The size and location of buffer zones, if required, shall be based on consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service and shall be subject to review and approval by San Bernardino County. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist, with County concurrence, verifies that the nests are no longer occupied and/or juvenile birds can survive independently from the nests.

4.3.9 Significance of Impacts After Mitigation

Threshold a: Less than Significant Impact with Mitigation. Implementation of MM 4.3-1 would ensure that pre-construction surveys are conducted for the burrowing owl to determine the presence or absence of the species on the Project Site. If present, the mitigation measure provides performance criteria that requires avoidance and/or relocation of burrowing owls in accordance with CDFW protocol. With implementation of the required mitigation, potential direct and cumulatively considerable impacts to the burrowing owl would be reduced to below a level of significance.

Threshold d: Less than Significant Impact with Mitigation. Implementation of MM 4.3-2 would ensure that pre-construction surveys are conducted for nesting birds protected by State and federal regulations in the event that vegetation is removed from the Project Site during the breeding season. If nesting birds are present on the Project Site, the mitigation requires avoidance of active bird nests in conformance with accepted protocols and regulatory requirements. With implementation of the required mitigation, potential direct and cumulatively considerable impacts to nesting birds protected by State and federal regulations would be reduced to below a level of significance.

4.4 CULTURAL RESOURCES

The analysis in this Subsection is based on a cultural resources report prepared by Brian F. Smith and Associates, Inc. (hereinafter, "BFSA"). This report, titled "Cultural Resources Study for the Pepper 210 Commerce Center Project" and dated February 22, 2024 (BFSA, 2024), is included as *Technical Appendix E* to this EIR.

Confidential information has been redacted from *Technical Appendix E* for purposes of public review. In addition, much of the written and oral communication between Native American tribes, the County, and BFSA is considered confidential in respect to places that may have traditional tribal cultural significance (Gov. Code Section 65352.4), and although relied upon in part for the preparation of this EIR Subsection, those communications are treated as confidential and are not available for public review. Under existing law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (Cal. Code Regs. Section 15120(d)).

4.4.1 EXISTING CONDITIONS

A. Prehistoric and Protohistoric Resources

1. Regional Setting

The Project Site is located within an area of California referred to as the Inland Empire. The Paleo Indian Period, Archaic Period Milling Stone Horizon, Late Prehistoric Shoshonean Period, and Protohistoric Period are the four general prehistoric cultural periods represented in the Inland Empire, each of which are summarized below. Refer to *Technical Appendix E* for a more detailed discussion about the prehistoric cultural periods in the Inland Empire (BFSA, 2024, pp. 1.0-1 through 1.0-8).

- Paleo Indian Period (Late Pleistocene: 11,500 to circa 9,000 years before the present [YBP]): The Paleo Indian Period is associated with the terminus of the late Pleistocene (12,000 to 10,000 YBP). The late Pleistocene environment was cool and moist, allowing for glaciation in the mountains and the formation of deep, pluvial lakes in the deserts and basin lands; however, by the terminus of the late Pleistocene, the climate became warmer, causing glaciers to melt, sea levels to rise, greater coastal erosion, large lakes to recede and evaporate, extinction of Pleistocene megafauna, and major vegetation changes. The coastal shoreline at 10,000 YBP, depending upon the area of the coast, was near the 30-meter isobath, or two to six kilometers further west than its present location.

  Paleo Indians were likely attracted to multiple habitat types, including mountains, marshlands, estuaries, and lakeshores, and likely subsisted using a more generalized hunting, gathering, and collecting adaptation while utilizing a variety of resources including birds, mollusks, and both large and small mammals.

- Archaic Period (Early and Middle Holocene: circa 9,000 to 1,300 YBP): The Archaic Period of prehistory begins with the onset of the Holocene circa 9,000 YBP. The transition from the Pleistocene to the Holocene was a period of major environmental change throughout North America. The general

warming trend caused sea levels to rise, lakes to evaporate, and drainage patterns to change. In southern California, the general climate at the beginning of the early Holocene was marked by cool/moist periods and an increase in warm/dry periods and sea levels. The coastal shoreline at 8,000 YBP, depending upon the particular area of the coast, was near the 20-meter isobath, or one to four kilometers further west than its present location. The rising sea level during the early Holocene created rocky shorelines and bays along the coast by flooding valley floors and eroding the coastline.

The warming trend and rising sea levels generally continued until the late Holocene (4,000 to 3,500 YBP). At the beginning of the late Holocene, sea levels stabilized, rocky shores declined, lagoons filled with sediment, and sandy beaches became widespread. Many former lagoons became saltwater marshes surrounded by coastal sage scrub by the late Holocene. The sedimentation of the lagoons was significant in that it had profound effects upon the types of resources available to prehistoric peoples. Habitat was lost for certain large mollusks, but habitat was gained for other small mollusks. The changing lagoon habitats resulted in the decline of larger shellfish, loss of drinking water, and loss of Torrey Pine nuts, causing a major depopulation of the coast as people shifted inland to reliable freshwater sources and intensified their exploitation of terrestrial small game and plants. The Archaic Period in southern California is associated with several different cultures, complexes, traditions, periods, and horizons, including San Dieguito, La Jolla, Encinitas, Milling Stone, Pauma, and Intermediate.

- Late Prehistoric Period (Late Holocene: 1,300 YBP to 1790): Circa 1,350 YBP, a Shoshonean-speaking group from the Great Basin region moved into San Bernardino County, marking the transition into the Late Prehistoric Period. This period was characterized by higher population densities and elaborations in social, political, and technological systems. Economic systems diversified and intensified during this period, with the continued elaboration of trade networks, the use of shell-bead currency, and the appearance of more labor-intensive, yet effective, technological innovations. Technological developments during this period included the introduction of the bow and arrow and the introduction of ceramics. Other hallmarks of the Late Prehistoric Period include extensive trade networks as far reaching as the Colorado River Basin and cremation of the dead.

- Protohistoric Period (late Holocene: 1790 to Present): Prior to the arrival of the Spanish missionaries, the Project Site and general vicinity were within an area where the traditional territories of three Native American groups adjoined and overlapped: the Cahuilla, Serrano, and, potentially, the Vanyume Indians.

  The Cahuilla occupied territory that included the San Bernardino Mountains, Orocopia Mountain, and the Chocolate Mountains to the west, Salton Sea and Borrego Springs to the south, Palomar Mountain and Lake Mathews to the west, and the Santa Ana River to the north. The Cahuilla are a Takic-speaking people closely related to their Gabrielino and Luiseño neighbors. They differ from the Luiseño and Gabrielino in that their religion is more similar to the Mohave tribes of the eastern deserts than the Chingichngish cult of the Luiseño and Gabrielino. Cahuilla villages were typically permanent and located on low terraces in canyons in proximity to water sources. These locations proved to be rich in food resources and afforded protection from prevailing winds. Villages had areas that were publicly

owned as well as areas that were privately owned by clans, families, or individuals. Each village was associated with a particular lineage and series of sacred sites that included unique petroglyphs and pictographs. Villages were occupied throughout the year; however, during a several-week period in the fall, most of the village members relocated to mountain oak groves to take part in acorn harvesting.

The Serrano and Vanyume, however, were primarily hunters and gatherers. Individual family dwellings were likely circular, domed structures. Vegetal staples varied with locality; acorns and piñon nuts were found in the foothills, and mesquite, yucca roots, cacti fruits, and piñon nuts were found in or near the desert regions. Diets were supplemented with other roots, bulbs, shoots, and seeds. Deer, mountain sheep, antelopes, rabbits, and other small rodents were among the principal food packages. Various game birds, especially quail, were also hunted. Bows and arrows were used for large game, while smaller game and birds were killed with curved throwing sticks, traps, and snares. Occasionally, game was communally hunted, often during mourning ceremonies. In general, manufactured goods included baskets, some pottery, rabbit skin blankets, awls, arrow straighteners, sinewbacked bows, arrows, fire drills, stone pipes, musical instruments (rattles, rasps, whistles, bullroarers, and flutes), feathered costumes, mats, bags, storage pouches, and nets. Food acquisition and processing required the manufacture of additional items such as knives, stone or bone scrapers, pottery trays and bowls, bone or horn spoons, and stirrers. Mortars, made of either stone or wood, and metates were also manufactured. The Serrano occupied an area east of present-day Los Angeles: the San Bernardino Mountains east of Cajon Pass and at the base of and north of the mountains near Victorville, east to Twentynine Palms, and south to the Yucaipa Valley. The territory of the Vanyume was covered by small and relatively sparse populations focused along the Mojave River and extending as far southwest as the Cajon Pass and portions of Hesperia.

2. Project Site Conditions

BFSA surveyed the Project Site for the presence of prehistoric and protohistoric archaeological resources. BFSA noted that the entire Project Site was heavily disturbed from historical mining and ongoing aggregate materials processing activities on the Site. BFSA did not observe any prehistoric or protohistoric resources on the Project Site (BFSA, 2024a, p. 3.0-8).

BFSA also performed an archaeological records search through the South Central Coastal Information Center (SCCIC) at California State University (CSU), Fullerton. The records search provided information regarding previous archaeological studies in the Project area and any previously recorded sites within a one-half mile radius of the Project site. The results of this records search indicate that no prehistoric or protohistoric artifacts have been recorded on the Project Site while two prehistoric resource sites (a core isolate and reburial of potential human remains) were recorded within a one-half mile radius of the Site (BFSA, 2024a, pp. 1.0-23 to 1.0-25).

B. Historic Resources

1. Regional Setting

The general historical setting for the southern California region and the Project area is summarized below. Refer to *Technical Appendix E* for a more detailed discussion of the local historic setting.

European exploration along the California coast began in 1542 with the landing of Juan Rodríguez Cabrillo and his men at San Diego Bay. Sixty years after the Cabrillo expeditions, an expedition under Sebastián Vizcaíno made an extensive and thorough exploration of the Pacific coast. The historic background of the Project area begins with the Spanish colonization of Alta California. The first Spanish colonizing expedition reached southern California in 1769 with the intention of converting and civilizing the indigenous populations, as well as expanding the knowledge of and access to new resources in the region.

In 1772, Pedro Fages, Comandante of Alta California, and a small force of soldiers under his command became the first Europeans to set foot in the San Bernardino Valley. They were followed in the next few years by two other early Spanish explorers, Juan Bautista de Anza and Francisco Garcés, who traveled through the valley in the mid-1770s. Despite these early visits, for the next 40 years the inland valley received little impact from the Spanish colonization activities in Alta California, which were concentrated predominantly in the coastal regions.

Following the establishment of Mission San Gabriel in 1771, the San Bernardino Valley became nominally a part of the vast landholdings of that mission. The name "San Bernardino" was bestowed on the region at least by 1819, when a mission asistencia and an associated rancho were officially established under that name in present-day Loma Linda. After gaining independence from Spain in 1821, the Mexican government began in 1834 the process of secularizing the mission system in Alta California, which in practice meant the confiscation of the Franciscan missions' land holdings, to be distributed later among prominent citizens of the province. The resulting land grants, known as "ranchos," covered expansive portions of California and, by 1846, more than 600 land grants had been issued by the Mexican government. The Project Site is located within the former Rancho Muscupiabe land grant; the area derived its name from the nearby Serrano village called *Muscupiabit*.

Used primarily as cattle ranches, the ranchos around San Bernardino saw little development until the mid-19th century. In 1851, Captain Andrew Lytle led the Mormon Battalion and Mormon settlers to the San Bernardino area. Lytle Creek Wash, located approximately two miles south of the Project Site, was named after Captain Lytle. The first Mormon settlers camped at Sycamore Grove, which is located within the Glen Helen Regional Park (approximately 5 miles northwest of the Project Site). Lytle Creek experienced a gold rush in the 1860s and was home to several hydraulic mining operations. Due to silt and downstream pollution caused by this form of mining, hydraulic mining was eventually outlawed by the State of California.

William Pierce purchased Rancho Muscupiabe in 1870. In 1927, J.B. Roof, Inc., a Los Angeles land development company, purchased the former rancho and the neighboring properties, eventually totaling 11,00 acres. J.B. Roof, Inc. wanted to develop the area into small rural residential farm lots. Roads and water service were developed to serve one-to-ten-acre parcels. Vineyards, orchards, and various field crops were planted and

cultivated. After World War II, population growth accelerated, and the area began a transition from agricultural use to a more suburban residential character.

The Rialto area south of the Project Site began to be settled by pioneers in the mid-1850s, and vineyards, citrus orchards, and ranches soon prospered. Citrus became an important commodity in Rialto's early growth and at one time seven packing plants were in use sorting, packing and shipping citrus to all areas of the country. In 1913, Foothill Boulevard became Route 66 a section of the transcontinental Highway System and, the following year, the Pacific Electric Company completed its rail line through the City of Rialto. By 1950, Rialto had grown to house a population of 3,156. In 1956, it more than quadrupled to 15,359, and then continued to rise. Today the population in Rialto is over 100,000.

C. *Project Site Conditions*

BFSA surveyed the Project Site for the presence of historic archaeological resources. A total of 12 structures and buildings were observed on the property. According to aerial photographs and archival research, four metal buildings and two plant structures (the concrete and asphalt batch plants) were constructed between 1946 and 1955. The remaining eight structures and buildings, including a portable gravel mining plant, a lube bay, gas pumps, a wash bay, a gable-roofed building, and an asphalt plant office building were built between 1979 and 1995 and are modern in age. Archival research indicates that the T.R.G. Co. opened the facilities on the Project Site for business in 1947. Prior to the T.R.G. Co.'s development of the aggregate mining and processing facilities on the Project Site, the subject property was vacant and seasonally impacted by the Lytle Creek Wash.

BFSA also conducted an archaeological records search for a one-half mile radius around the Project Site. According to the records search results, two historic resources have been recorded within the boundaries of the Project Site (SBR-6706H and SBR-6903H).

- Site SBR-6706H is the location of a historic spreading ground complex comprised of shallow ditches that was built in 1932 by the Fontana Union Water Company. It consists of a large, 2,200,000-square-meter tract of land primarily on the east side of Lytle Creek containing remnants of the spreading ground. The site record form indicates small remnants of Site SBR-6706H are located throughout" the area. Site SBR-6706H was evaluated as not significant in 2004 due to a lack of integrity resulting from wildfire, flooding, and surrounding development. Although the southeast end of Site SBR-6706H is recorded as extending into the northwest portion of the Project Site, no evidence of Site SBR-6706H was located by BFSA during the 2023 survey of the property. (BFSA, 2024 p. 1.0-23)

- Site SBR-6903H was recorded in 1991 in the northwest corner of the Project Site as two historic irrigation feature loci including water control gateposts, ditches, standpipes, and water pipe laterals. No date of construction was provided in the site record form for the features; however, it was noted that the site had been extensively disturbed by the construction of a modern levee and by mining activities in the site vicinity. The site was evaluated in 1991 as not significant because of a lack of historic integrity. No evidence of SBR-6903H was observed by BFSA during the 2023 survey of the Project Site. (BFSA, 2024 p. 1.0-23)

An additional three historic resources have been recorded off-site, within a half-mile radius of the Project Site including two historic refuse deposits and historic concrete and iron building foundations. None of the recorded historic resources in the Project Site vicinity were determined to be significant.

4.4.2 Regulatory Framework

The following is a brief description of environmental laws and related regulations governing archaeological and historic resources.

A. Federal Plans, Policies, and Regulations

1. National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) was passed primarily to acknowledge the importance of protecting our nation's heritage (NPS, 2021a). While Congress recognized that national goals for historic preservation could best be achieved by supporting the drive, enthusiasm, and wishes of local citizens and communities, it is understood that the federal government must set an example through enlightened policies and practices. In the words of the Act, the federal government's role would be to "provide leadership" for preservation, "contribute to" and "give maximum encouragement" to preservation, and "foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony."

NHPA and related legislation sought a partnership among the federal government and the states that would capitalize on the strengths of each. The federal government, led by the National Park Service (NPS) provides funding assistance; basic technical knowledge and tools; and a broad national perspective on America's heritage. The states, through State Historic Preservation Officers (SHPOs) appointed by the governor of each state, would provide matching funds, a designated state office, and a statewide preservation program tailored to state and local needs and designed to support and promote state and local historic preservation interests and priorities.

An Advisory Council on Historic Preservation (ACHP), the first and only federal entity created solely to address historic preservation issues, was established as a cabinet-level body of Presidentially-appointed citizens, experts in the field, and federal, state, and local government representatives, to ensure that private citizens, local communities, and other concerned parties would have a forum for influencing federal policy, programs, and decisions as they impacted historic properties and their attendant values.

Section 106 of NHPA granted legal status to historic preservation in federal planning, decision-making, and project execution. Section 106 requires all federal agencies to take into account the effects of their actions on historic properties, and provide ACHP with a reasonable opportunity to comment on those actions and the manner in which federal agencies are taking historic properties into account in their decisions.

A number of additional executive and legislative actions have been directed toward improving the ways in which all federal agencies manage historic properties and consider historic and cultural values in their planning and assistance. Executive Order 11593 (1971) and, later, Section 110 of NHPA (1980, amended 1992), provided the broadest of these mandates, giving federal agencies clear direction to identify and consider

historic properties in federal and federally assisted actions. The National Historic Preservation Amendments of 1992 further clarified Section 110 and directed federal agencies to establish preservation programs commensurate with their missions and the effects of their authorized programs on historic properties.

2. National Register of Historic Places (NRHP)

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation (NPS, 2021b). Authorized by the NHPA of 1966, the NPS's National Register of Historic Places (NRHP) is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archaeological resources.

To be considered eligible, a property must meet the National Register Criteria for Evaluation. This involves examining the property's age, integrity, and significance, as follows:

- Age and Integrity. Is the property old enough to be considered historic (generally at least 50 years old) and does it still look much the way it did in the past?

- Significance. Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were important in the past? With significant architectural history, landscape history, or engineering achievements? Does it have the potential to yield information through archaeological investigation about our past?

Nominations can be submitted to a SHPO from property owners, historical societies, preservation organizations, governmental agencies, and other individuals or groups. The SHPO notifies affected property owners and local governments and solicits public comment. If the owner (or a majority of owners for a district nomination) objects, the property cannot be listed but may be forwarded to the NPS for a Determination of Eligibility (DOE). Listing in the NRHP provides formal recognition of a property's historical, architectural, or archaeological significance based on national standards used by every state.

Under Federal Law, the listing of a property in the National Register places no restrictions on what a non-federal owner may do with their property up to and including destruction, unless the property is involved in a project that receives Federal assistance, usually funding or licensing/permitting. National Register listing does not lead to public acquisition or require public access.

3. National Historic Landmarks Program

National Historic Landmarks (NHLs) are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting the heritage of the United States (NPS, 2021c). Today, over 2,600 historic places bear this national distinction. Working with citizens throughout the nation, the NHL Program draws upon the expertise of NPS staff who guide the nomination process for new Landmarks and provide assistance to existing Landmarks.

4. Native American Graves Protection and Repatriation Act (NAGPRA)

The Native American Graves Protection and Repatriation Act (NAGPRA; Public Law 101-601; 25 U.S.C. 3001-3013) describes the rights of Native American lineal descendants, Indian tribes, and Native Hawaiian organizations with respect to the treatment, repatriation, and disposition of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony, referred to collectively in the statute as cultural items, with which they can show a relationship of lineal descent or cultural affiliation (NPS, 2021d).

One major purpose of this statute is to require that federal agencies and museums receiving Federal funds inventory holdings of Native American human remains and funerary objects and provide written summaries of other cultural items. The agencies and museums must consult with Indian Tribes and Native Hawaiian organizations to attempt to reach agreements on the repatriation or other disposition of these remains and objects. Once lineal descent or cultural affiliation has been established, and in some cases the right of possession also has been demonstrated, lineal descendants, affiliated Indian Tribes, or affiliated Native Hawaiian organizations normally make the final determination about the disposition of cultural items. Disposition may take many forms from reburial to long term curation, according to the wishes of the lineal descendent(s) or culturally affiliated Tribe(s).

The second major purpose of the statute is to provide greater protection for Native American burial sites and more careful control over the removal of Native American human remains, funerary objects, sacred objects, and items of cultural patrimony on Federal and tribal lands. NAGPRA requires that Indian tribes or Native Hawaiian organizations be consulted whenever archaeological investigations encounter, or are expected to encounter, Native American cultural items or when such items are unexpectedly discovered on Federal or tribal lands. Excavation or removal of any such items also must be done under procedures required by the Archaeological Resources Protection Act. This NAGPRA requirement is likely to encourage the in-situ preservation of archaeological sites, or at least the portions of them that contain burials or other kinds of cultural items.

Other provisions of NAGPRA: (1) stipulate that illegal trafficking in human remains and cultural items may result in criminal penalties; (2) authorizes the Secretary of the Interior to administer a grants program to assist museums and Indian Tribes in complying with certain requirements of the statute; (3) requires the Secretary of the Interior to establish a Review Committee to provide advice and assistance in carrying out key provisions of the statute; authorizes the Secretary of the Interior to penalize museums that fail to comply with the statute; and, (5) directs the Secretary to develop regulations in consultation with this Review Committee.

B. State Plans, Policies, and Regulations

1. California Administrative Code, Title 14, Section 4308

Section 4308, *Archaeological Features*, of Title 14 of the California Administrative Code provides that: “No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value” (NPS, n.d.).

2. California Code of Regulations Title 14, Section 1427

California Code of Regulations Title 14, Section 1427 provides that: "No person shall collect or remove any object or thing of archaeological or historical interest or value, nor shall any person injure, disfigure, deface or destroy the physical site, location or context in which the object or thing of archaeological or historical interest or value is found" (NAHC, n.d.).

3. California Register of Historic Resources

The State Historical Resources Commission has designed this program for use by state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources. The Register is the authoritative guide to the state's significant historical and archaeological resources (OHP, n.d.). The California Register program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; identifies historical resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA.

In order for a resource to be included on the Register of Historic Resources, the resources must meet one of the following criteria:

- Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1).
- Associated with the lives of persons important to local, California or national history (Criterion 2).
- Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values (Criterion 3).
- Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation (Criterion 4).

For resources included on the Register of Historic Resources, environmental review may be required under CEQA if property is threatened by a project. Additionally, local building inspectors must grant code alternatives provided under State Historical Building Code. Further, the local assessor may enter into contract with property owner for property tax reduction pursuant to the Mills Act. A property owner also may place his or her own plaque or marker at the site of the resource.

Consent of owner is not required, but a resource cannot be listed over an owner's objections. The State Historical Resources Commission (SHRC) can, however, formally determine a property eligible for the California Register if the resource owner objects.

4. Assembly Bill 52 (AB 52)

California Assembly Bill 52 (AB 52) (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources (OPR, 2017a). By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process.

The Public Resources Code now establishes that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." (Pub. Resources Code, Section 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. (Pub. Resources Code, Section 21080.3.1.)

If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Public Resources Code Section 20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources. These rules apply to projects that have a notice of preparation for an environmental impact report or negative declaration or mitigated negative declaration filed on or after July 1, 2015.

Section 21074 of the Public Resources Code defines "tribal cultural resources." In brief, in order to be considered a "tribal cultural resource," a resource must be either:

(1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or

(2) a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource.

In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe.

5. State Health and Safety Code

California Health and Safety Code (HSC) Section 7050.5(b) requires that excavation and disturbance activities must cease "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery…" until the coroner can determine regarding the circumstances, manner, and cause of any death. The coroner is then required to make recommendations concerning the treatment and disposition of the

human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. Section 7051 specifies that the removal of human remains from "internment or a place of storage while awaiting internment" with the intent to sell them or to dissect them with "malice or wantonness" is a public offense punishable by imprisonment in a state prison. Lastly, HSC Sections 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that "all California Indian human remains and cultural items are to be treated with dignity and respect." It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims. (CA Legislative Info, n.d.)

California Health and Safety Code, Section 5097.98 states that whenever the commission receives notification of a discovery of Native American human remains pursuant to HSC subdivision (c) of Section 7050.5, it shall immediately notify those persons that are the most likely descendants. The descendants may inspect the site and make recommendations to the landowner as to the treatment of the human remains. The landowner shall ensure that the immediate vicinity around the remains is not damaged or disturbed by further development activity until coordination has occurred with the descendants regarding their recommendations for treatment, taking into account the possibility of multiple human remains. The descendants shall complete their inspection and make recommendations within 48 hours of being granted access to the site.

6. California Code of Regulations Section 15064.5

The California Code of Regulations, Title 14, Chapter 3, Section 15064.5 (the State CEQA Guidelines) establishes the procedure for determining the significance of impacts to archaeological and historical resources, as well as classifying the type of resource. Cultural resources are aspects of the environment that require identification and assessment for potential significance. The evaluation of cultural resources under CEQA is based upon the definitions of resources provided in CEQA Guidelines Section 15064.5, as follows:

- A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4850 et seq.).

- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to

be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4852) including the following:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

- The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

C. *Local Plans, Policies, and Regulations*

1. County Policy Plan

The Cultural Resources Element of the San Bernardino County general plan sets forth goals and policies related to the protection of archaeological and tribal cultural resources. Goals and policies that may be applicable to the Project and/or Project Site are summarized below.

Goal CR-1: Tribal Cultural Resources. Tribal cultural resources that are preserved and celebrated out of respect for Native American beliefs and traditions.

Policy CR-1.1: Tribal notification and coordination. We notify and coordinate with tribal representatives in accordance with state and federal laws to strengthen our working relationship with area tribes, avoid inadvertent discoveries of Native American archaeological sites and burials, assist with the treatment and disposition of inadvertent discoveries, and explore options of avoidance of cultural resources early in the planning process.

Policy CR-1.3: Mitigation and avoidance. We consult with local tribes to establish appropriate project-specific mitigation measures and resource-specific treatment of potential cultural resources. We require project applicants to design projects to avoid known tribal cultural resources, whenever possible. If avoidance is not possible, we require appropriate mitigation to minimize project impacts on tribal cultural resources.

Policy CR-1.4: Resource monitoring. We encourage active participation by local tribes as monitors in surveys, testing, excavation, and grading phases of development projects with potential impacts on tribal resources.

Goal CR-2: Historic and Paleontological Resources. Historic resources (buildings, structures, or archaeological resources) and paleontological resources that are protected and preserved for their cultural importance to local communities as well as their research and educational potential.

Policy CR-2.3: Paleontological and archaeological resources. We strive to protect paleontological and archaeological resources from loss or destruction by requiring that new development include appropriate mitigation to preserve the quality and integrity of these resources. We require new development to avoid paleontological and archeological resources whenever possible. If avoidance is not possible, we require the salvage and preservation of paleontological and archeological resources.

4.4.3 Basis for Determining Significance

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects related to cultural resources that could result from development projects. The Project would result in a significant impact to cultural resources if the Project or any Project-related component would:

a. *Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.*

b. *Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5.*

c. *Disturb any human remains, including those interred outside of formal cemeteries.*

4.4.4 Methodology for Evaluation

The analysis of potential impacts to pre/protohistoric and historic archaeological resources is based on a cultural resources records search through SCCIC at CSU Fullerton, historic background research, a review of historic aerial photographs, and a comprehensive archaeological survey of the Project Site.

4.4.5 Impact Analysis

Threshold a:	***Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?***

During field reconnaissance of the Project Site, the Project Archaeologist (BFSA) observed 16 structures on the subject property; six (6) structures met the minimum age threshold to be considered historic resources. BFSA performed a historic structure analysis and evaluated the structures for integrity and eligibility for listing on the California Register of Historical Resources (CRHR); this analysis is documented in detail in *Technical Appendix E* (refer to Pages 3.0-8 to 3.0-50). BFSA determined that none of structures on the Project Site are historically or architecturally significant under any CEQA criteria due to a lack of association with any significant persons or events and because the structures are not representative of significant examples of a specific architectural style. As such, BFSA concluded that the demolition and removal of these structures from the Project Site would not constitute an adverse impact (BFSA, 2024, p. 4.0-1)

Notwithstanding, the Project Site has been occupied and in continual use since the 1940s and there is a reasonable possibility that historic resources – buried over decades or along the perimeter of the Site where there has been no or minimal historic disturbances – may be present beneath the Site's subsurface and may be encountered by initial ground-disturbing activities associated with Project construction. If any historic resources are unearthed during Project construction that meet the definition of historical resource pursuant to CEQA Guidelines Section 15064.5 and are disturbed/damaged by Project construction activities, impacts to those historic cultural resources would be significant.

Threshold b: ***Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?***

BFSA conducted a cultural resources inventory of the Project Site, which included a records search through the SCCIC at CSU Fullerton and an intensive pedestrian survey of the Site. The results of this records search indicate that no pre/protohistoric cultural resources are located on the Project Site and no pre/protohistoric resources were observed on the Project Site (BFSA, 2024, p. 3.0-50). Therefore, implementation of the Project would not cause a substantial adverse change in the significance of a known prehistoric archeological resource pursuant to CEQA Guidelines Section 15064.5.

Given the lack of any previously identified pre/protohistoric sites within or near the property and the magnitude of ground disturbances on the Project Site over the previous 70-plus years, there is little potential for any pre/protohistoric resources to be present or disturbed by the proposed development. Notwithstanding, Lytle Creek and the adjacent area is generally a sensitive area for pre/protohistoric resources due to its proximity to travel routes and villages used by Native American tribes culturally affiliated with the area, and there are portions of the Project Site (generally limited to the property's perimeter) where there has been little or limited historic disturbances and could, in theory, contain pre/protohistoric archaeological resources. If any pre/protohistoric cultural resources are unearthed during Project construction that meet the definition of an archaeological resource pursuant to CEQA Guidelines Section 15064.5 and are disturbed/damaged by Project construction activities, impacts to those pre/protohistoric cultural resources would be potentially significant.

Threshold c: ***Would the Project disturb any human remains, including those interred outside of formal cemeteries?***

The Project Site does not contain a cemetery and no known formal cemeteries are located within the immediate Project Site vicinity (Google Earth, 2024). Field surveys conducted on the Project Site did not identify the presence of any human remains and no human remains are known to exist beneath the surface of the site. Nevertheless, the remote potential exists that human remains may be unearthed during grading and excavation activities associated with Project construction.

If human remains are unearthed during Project construction, the construction contractor would be required by law to comply with California Health and Safety Code Section 7050.5 "Disturbance of Human Remains." According to Section 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner is required to contact the Native American

Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code Section 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials. With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, any potential impacts to human remains, including human remains of Native American ancestry, that may result from development of the Project would be less than significant.

4.4.6 Cumulative Impact Analysis

The potential for implementation of the Project to contribute to cumulative impacts to historical resources was analyzed in conjunction with other projects located in areas that were once similarly influenced by the aggregate mining industry of San Bernardino County. Record searches and field surveys indicate the absence of significant historical sites and resources on the Project Site; therefore, implementation of the Project has no potential to contribute towards a significant cumulative impact to known historical sites and/or resources. Nonetheless, the potential exists for subsurface historic archaeological resources that meet the CCR Section 15064.5 definition of a significant historical resource to be discovered on the Project Site – and other development project sites in the region – during construction activities. Thus, the Project has the potential to contribute to a significant cumulative impact to historic archaeological sites and/or resources, if such resources are encountered during Project construction.

The potential for Project construction to result in cumulatively considerable impacts to pre/protohistoric archaeological resources were also analyzed in conjunction with other projects located in the traditional use areas of Native American tribes that are affiliated to the Project Site, which includes areas proximate to the Project Site as well as buildout of surrounding unincorporated communities and the cities of Rialto and San Bernardino. Development activities on the Project Site would not impact any known prehistoric archaeological resources and the likelihood of uncovering previously unknown prehistoric archaeological resources during Project construction are low due to the magnitude of disturbance that has occurred on the Site due to historic agriculture uses. Nonetheless, the potential exists for subsurface prehistoric archaeological resources that meet the CCR Section 15064.5 definition of a significant archaeological resource to be discovered on the Project Site – and other development project sites in the region – during construction activities. Accordingly, the Project has the potential to contribute to a significant cumulative impact to prehistoric archaeological sites and/or resources. Therefore, the Project would potentially result in a cumulatively considerable impact to prehistoric archaeological resources if such resources are unearthed during Project construction.

Mandatory compliance with the provisions of California Health and Safety Code Section 7050.5 as well as Public Resources Code Section 5097 *et seq.*, would assure that all future development projects within the

region treat human remains that may be uncovered during development activities in accordance with prescribed, respectful and appropriate practices, thereby avoiding significant cumulative impacts.

4.4.7 Significance of Impacts Before Mitigation

Threshold a: Potentially Significant Direct and Cumulatively Considerable Impact. No known historic resources are present on the Project Site. Nonetheless, the potential exists for Project-related construction activities to result in a potentially direct and cumulatively considerable impact to significant buried/masked historic resources should such resources be discovered during Project-related construction activities.

Threshold b: Potentially Significant Direct and Cumulatively Considerable Impact. No known prehistoric resources are present on the Project Site. Nonetheless, the potential exists for Project-related construction activities to result in a potentially direct and cumulatively considerable impact to significant subsurface prehistoric archaeological resources should such resources be discovered during Project-related construction activities.

Threshold c: Less than Significant Impact. In the unlikely event that human remains are discovered during Project grading or other ground disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097 *et seq*. Mandatory compliance with State law would ensure that any discovered human remains are appropriately treated and would preclude the potential for significant impacts.

4.4.8 Mitigation

The following mitigation measures address the potential for Project construction activities to impact significant archaeological resources that may be discovered during ground-disturbing construction activities.

MM 4.4-1 Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to San Bernardino County that an archaeologist that meets the latest version of the Secretary of the Interior Professional Qualifications Standards (hereafter "Project Archaeologist") has been retained to conduct the training and monitoring activities described in Mitigation Measure (MM) 4.4-2 and MM 4.4-3.

MM 4.4-2 Prior to the issuance of a grading permit, the Project Applicant or construction contractor shall provide evidence to San Bernardino County that the construction site supervisors and crew members involved with grading and trenching operations have received training by the Project Archaeologist to recognize archaeological resources (historic and prehistoric) should such resources be unearthed during ground-disturbing construction activities. The training will include a brief review of the cultural sensitivity of the area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of archaeological resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new supervisorial construction

personnel involved with grading and trenching operations that begin work on the Project Site after the initial training session must take the training prior to beginning work on-site.

MM 4.4-3 The Project Archaeologist shall conduct monitoring during all grading, trenching, and excavation activities delineated in Figure 5.0-1 of the Project's Cultural Resources Study (EIR Technical Appendix E). The Project Archaeologist shall be equipped to salvage artifacts if they are unearthed to avoid construction delays. Should the Project Archaeologist determine during construction activities that there are no archaeological resources within the Project's disturbance area or should the archaeological sensitivity be reduced to low, archaeological monitoring activities can be reduced to spot-checking or may be allowed to cease.

MM 4.4-4 In the event that suspected cultural resources are discovered during Project construction activities:

a. 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 assess the find. Work on the other portions of the Project Site 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 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.

b. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA, are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, which shall be provided to San Bernardino County and the YSMN for review and comment. The Project Archaeologist shall monitor the remainder of ground-disturbing Project construction activities and implement the Plan accordingly.

c. 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 Section 7050.5 and that code enforced for the duration of the project.

d. At the completion of the basic field analysis and documentation or laboratory analysis, any recovered resource(s) shall be processed and curated according to current professional repository standards. The collections and associated records shall be donated to an appropriate curation facility, or, the artifacts may be delivered to the YSMN or appropriate Native American Tribe(s) if that is recommended by San Bernardino County. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to San Bernardino County, the South Central Coastal Information Center at California State University, Fullerton, and the YSMN or appropriate Native American Tribe(s).

4.4.9 Significance of Impacts After Mitigation

Thresholds a and b: Less than Significant Impact with Mitigation. Implementation of MMs 4.4-1 through 4.4-4 would ensure the proper identification and subsequent treatment of any significant archaeological resources that may be encountered during ground-disturbing activities associated with Project construction. With implementation of the required mitigation, the Project's potential impacts to important archaeological resources would be reduced to less than significant. Cumulatively considerable impacts would likewise be reduced to less than significant.

4.5 ENERGY

The analysis in this Subsection is based primarily on information contained in a technical report prepared by Urban Crossroads, Inc. titled, "Pepper 210 Commerce Center Energy Analysis," dated July 30, 2024 (Urban Crossroads, 2024c). The technical report is included as *Technical Appendix F* to this EIR. Refer to Section 7.0, *References*, for a complete list of reference sources used in this Subsection.

4.5.1 EXISTING CONDITIONS

A. *Electricity*

The Project Site is located within the service area of Southern California Edison. SCE provides electricity to more than 15 million persons in 15 counties and 180 incorporated cities, within a service area encompassing approximately 50,000 square miles. SCE generates electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. SCE also purchases from independent power producers and utilities, including out-of-state suppliers. (Urban Crossroads, 2024c, p. 10)

B. *Natural Gas*

The Project Site is located within the service area of the Southern California Gas Company (SoCalGas). SoCalGas provides service to approximately 5.9 million customers. Natural gas from out-of-state production basins is delivered into California via the interstate natural gas pipeline system. The gas transported to California via the interstate pipelines, as well as some of the California-produced gas, is delivered into SoCalGas intrastate natural gas transmission pipeline systems (commonly referred to as California's "backbone" pipeline system). The backbone pipeline system delivers natural gas to the local transmission and distribution pipeline systems or to natural gas storage fields. (Urban Crossroads, 2024c, p. 12)

C. *Transportation Energy*

Gasoline and other vehicle fuels are commercially-provided commodities. The Department of Motor Vehicles (DMV) identified 36.2 million registered vehicles in California, and those vehicles consume an estimated 17.2 billion gallons of fuel each year. Gasoline (and other vehicle fuels) are commercially provided commodities that are sold via commercial outlets. (Urban Crossroads, 2024c, p. 15)

4.5.2 REGULATORY FRAMEWORK

A. *Federal Plans, Policies and Regulations*

1. *Intermodal Surface Transportation Efficiency Act (ISTEA)*

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) promotes the development of inter-modal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA requires that Metropolitan Planning Organizations (MPOs) address energy-related factors, including the adoption of specific policies that define the social, economic,

energy, and environmental considerations that guide transportation decisions, when developing regional transportation plans and programs. The responsible MPO for the Project area is the Southern California Association of Governments (SCAG) and applicable regional transportation plan/sustainable communities strategy (RTP/SCS) for the Project area is *Connect SoCal*.

2. The Transportation Equity Act for the 21st Century (TEA-21)

The TEA-21 was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of good transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety.

B. State Plans, Policies, and Regulations

1. Integrated Energy Policy Report

Senate Bill 1389 (Bowen, Chapter 568, Statutes of 2002) requires the California Energy Commission (CEC) to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing California's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the State's economy; and protect public health and safety. The CEC prepares these assessments and associated policy recommendations every two years, with updates on alternate years, as part of the Integrated Energy Policy Report (IEPR).

The IEPR applicable to the Project's environmental analysis, the 2022 IEPR, continues to work towards improving electricity, natural gas, and transportation fuel energy use in California. Additionally, energy reliability, western electricity integration, gasoline cost factors and price spikes, the role of hydrogen in California's clean energy future, fossil gas transition and distributed energy resources are topics discussed within the 2022 IEPR.

2. State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies several strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled (VMT) and accommodate pedestrian and bicycle access.

3. California Code Title 24, Part 6, Energy Efficiency Standards

The California Energy Commission (CEC) first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. The standards are updated periodically to allow for the inclusion of new energy efficiency technologies and methods, since energy efficient buildings require less electricity, with the most recent updates (2022 version) becoming effective on January 1, 2023. Each edition of the Energy Efficiency Standards build upon, and improve the efficiencies, of the outgoing standards: The CEC anticipates that the 2022 code will provide $1.5 billion in consumer benefits and reduce GHG emissions by 10 million metric tons from energy savings.

4. Pavley Fuel Efficiency Standards (AB 1493)

California Assembly Bill 1493 ("Pavley Fuel Efficiency Standards"), enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Under this legislation, CARB adopted regulations to reduce GHG emissions from non-commercial passenger vehicles (cars and light-duty trucks). Although aimed at reducing GHG emissions specifically, a co-benefit of the Pavley standards is an improvement in fuel efficiency and consequently a reduction in fuel consumption.

5. California Renewable Portfolio Standards (RPS)

The CEC implements and administers portions of California's Renewables Portfolio Standard (RPS). Under the existing RPS, electric utilities are required to meet retail sales targets for electricity from renewable sources, with sales targets increasing into the future.

6. Senate Bill 350 (SB 350) – Clean Energy and Pollution Reduction Act of 2015

In October 2015, the legislature approved, and the Governor signed, SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the renewables portfolio standard (RPS), higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 45 percent by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the California Public Utility Commission (CPUC), the CEC, and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electrify transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

C. *Local Plans, Policies, and Regulations*

1. County Policy Plan

The San Bernardino County general plan sets forth goals and policies related to energy usage and energy efficiency. Goals and policies that may be applicable to the Project and/or Project Site are summarized below.

Natural Resources Element

Goal NR-1: Air Quality. Air quality that promotes health and wellness of residents in San Bernardino County through improvements in locally-generated emissions.

Policy NR-1.8. Construction and Operations. We invest in County facilities and fleet vehicles to improve energy efficiency and reduce emissions. We encourage County contractors and other builders and developers to use low-emission construction vehicles and equipment to improve air quality and reduce emissions.

Policy NR-1.9 Building design and upgrades. We use the CALGreen Code to meet energy efficiency standards for new buildings and encourage the upgrading of existing buildings to incorporate design elements, building materials, and fixtures that improve environmental sustainability and reduce emissions.

Renewable Energy & Conservation Element

Goal RE-1: Energy Conservation and Efficiency. The County will pursue energy efficiency tools and conservation practices that optimize the benefits of renewable energy.

Policy RE-1.1. Continue implementing the energy conservation and efficiency measures identified in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan.

4.5.3 Basis for Determining Significance

The thresholds listed below are taken from Appendix G to the CEQA Guidelines and address the typical, adverse effects to the environment that could result from a development project's energy consumption. The Project would result in a significant impact under the topic of energy if the Project or any Project-related component would:

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

b. *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.*

Under Threshold "a," the Project would be considered to result in wasteful, inefficient, or unnecessary consumption of energy if energy consumed by the Project's construction and/or operation cannot be

accommodated with existing available resources and energy delivery systems, and requires and/or consumes more energy than industrial uses in California of similar scale and intensity.

Under Threshold "b," the Project would be considered to result in a significant impact if any component of the Project resulted in a substantial effect on the environment due to a conflict with a State or local renewable energy or energy efficiency plan.

4.5.4 Methodology for Calculating Project Energy Demands

Information from the CalEEMod (version 2022.1.1.21) outputs from the Project's AQIA (see *Technical Appendix B*) was utilized to detail the Project's construction equipment, transportation energy demands, and facility energy demands. These outputs are referenced in Appendices 5.1 through 5.2 of the Project's energy analysis report (see *Technical Appendix F*). Additionally, CARB's EMFAC2021 model was used to calculate emission rates, fuel consumption, and VMT for light duty vehicles, light-heavy duty trucks, medium-heavy duty trucks, and heavy-heavy duty trucks traveling to and from the Project Site during construction and operational activities. Data from the EMFAC2021 model outputs are included in Appendix 5.3 of the Project's energy analysis report.

4.5.5 Impact Analysis

Threshold a:	***Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?***

A. Energy Use During Project Construction

Project construction activities would require the use of fuels (gasoline and diesel) and electricity. Project construction would represent a "single-event" energy demand and would not require an on-going or permanent commitment of energy resources. Project construction activities are calculated to consume approximately 1,626,828 kilowatt hours (kWh) of electricity, approximately 378,395 gallons of diesel fuel from operation of construction equipment, 10,464 gallons of diesel fuel from construction vendor trips, and 38,141 gallons of fuel from construction worker trips. (Urban Crossroads, 2024c, p. 40) Detailed calculations for all components of the Project's construction energy use are provided in Appendix 5.1 of the Project's energy analysis report (see to *Technical Appendix F*).

The equipment used for Project construction would conform to CARB regulations and State emissions (and related fuel efficiency) standards. There are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive or less energy efficient than is used for comparable activities elsewhere in the region; or equipment that would not conform to current emissions standards. Additionally, Project construction activities would be required to comply with State law (Code of Regulations Title 13, Motor Vehicles, Section 2449(d)(3)) and CARB Air Toxic Control Measures that place restrictions on the length of time that diesel-powered equipment and vehicles can idle before powering down (thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment). Lastly, Project construction contractors would be required to comply with applicable CARB regulations regarding

retrofitting, repowering, or replacement of older, less-efficient diesel off-road construction equipment. (Urban Crossroads, 2024c, p. 37) Accordingly, the equipment and vehicles employed in construction of the Project would not result in inefficient, wasteful, or unnecessary consumption of fuel.

Indirectly, the Project would realize construction energy efficiencies and energy conservation through the bulk purchase, transport and use of construction materials. Use of materials in bulk reduces energy demands associated with preparation and transport of construction materials as well as the transport and disposal of construction waste and solid waste in general, with concomitant reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations. (Urban Crossroads, 2024c, p. 40)

As supported by the preceding discussion, the Project's construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

B. Energy Use During Project Operation

Project operations would include transportation energy demands (energy consumed by passenger cars and trucks accessing the Project Site), facility energy demands (energy consumed by building operations and property maintenance activities). Project-related traffic trips are calculated to consume 1,057,825 gallons of fuel annually, and operation of the proposed building is calculated to consume 10,598,834 kWh of electricity and 592 gallons of fuel annually. Refer to Appendices 5.2 and 5.3 of the Project's energy analysis report for detailed calculations of all components of the Project's operational energy use (see *Technical Appendix F*). If the Project utilizes an OWTS for wastewater disposal in lieu of connection to the local sewer system, an additional 127,860 kWh of electricity would be used per year which would bring the Project's total electricity demand to 10,726,694 kWh (Urban Crossroads, 2024i, p. 3).

The proposed Project incorporates contemporary, energy-efficient/energy-conserving design and operational programs (including the enhanced building/utility energy efficiencies mandated by the Energy Code and CalGreen). The Project will be subject to compliance with 2022 Energy Code and CalGreen standards, which became effective on January 1, 2023, and mandate energy conservation features that are more stringent (energy-conserving) than prior versions of the respective codes. In addition, as discussed in more detail in Subsection 4.7, *Greenhouse Gas Emissions*, of this EIR, the Project will incorporate numerous design measures that are intended to reduce greenhouse gas emissions which in turn reduce the proposed building's energy demand (see Mitigation Measure 4.7-1 for a list of the 11 energy efficiency design measures required of the Project). Project building operations would not result in the inefficient, wasteful, or unnecessary consumption of energy due to mandatory Energy Code and CalGreen compliance. Furthermore, the Project Site is within the existing service areas of SCE and SoCalGas, is capable of being served by both energy providers (even though the Project does not propose to utilize natural gas), and implementation of the Project would not cause or result in the need for additional energy facilities or energy delivery systems. From a transportation energy perspective, the Project Site's location proximate to regional and local roadway systems would tend to minimize VMT within the region, acting to minimize regional vehicle energy demands.

Subsection 4.14, *Transportation*, of this EIR further describes how the Project would reduce the average VMT in the County. Lastly, the Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT, nor associated excess and wasteful vehicle energy consumption. (Urban Crossroads, 2022c, pp. 39-41)

As supported by the preceding discussion, the Project's operational energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Threshold b: ***Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?***

The following analysis addresses the Project's consistency with the applicable federal, State, and local regulations for renewable energy or energy efficiency.

A. Consistency with Federal Energy Plans

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 SCAG is not planning for intermodal facilities on, through, or adjacent to the Project Site.

The Transportation Equity Act for the 21st Century (TEA-21)
The Project supports the planning processes emphasized under TEA-21. The Project Site minimizes regional vehicle miles traveled (VMT) due to its proximate access to the Interstate freeway system. Specifically, the VMT for the Project is approximately 6.4 percent below the average employment land use in the County (Urban Crossroads, 2024f, p. 4). (Refer to EIR Subsection 4.11, *Transportation*, for additional discussion of Project-related VMT.) The Project is therefore consistent with, and would not otherwise interfere with, nor obstruct implementation of TEA-21.

B. Consistency with State Energy Plans

Integrated Energy Policy Report
The IEPR provides policy recommendations to be implemented by energy providers in California. Electricity would be provided to the Project by SCE. SCE's Clean Power and Electrification Pathway (CPEP) builds on existing State programs and policies that support the IEPR goals of improving electricity, natural gas, and transportation fuel energy use in California and, therefore, SCE is consistent with, would not otherwise interfere with, nor would obstruct implementation of the goals presented in the 2023 IEPR. Because the Project obtains electricity from a service provider (SCE) that is consistent with the 2023 IEPR, the Project would not contribute to a conflict with the 2023 IEPR nor interfere with implementation of the goals presented in the 2023 IEPR.

Additionally, the Project would comply with the applicable Title 24 standards which would ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary. As such, development of the Project would support the goals presented in the 2023 IEPR.

State of California Energy Plan

The Project Site is located with proximate access to the Interstate freeway system. The location of the Project Site facilitates access, minimizes VMT (which, as noted above, would be 6.4 percent less than the existing County average for employment land uses), and takes advantage of existing infrastructure systems. Because the Project would not require the use of energy to construct new infrastructure or transportation facilities, and because Project employees would utilize less energy resources to travel to/from their place of employment than the average worker in San Bernardino County (due to below-average VMT), the Project supports the recommended urban design and planning strategies identified under the State of California Energy Plan. Accordingly, the Project is consistent with, would not otherwise interfere with, nor would obstruct implementation of the State of California Energy Plan.

Title 24 Building Energy Standards

The Project will design the building shell and building components, such as windows, roof systems, electrical and lighting systems, and heating, ventilating, and air conditioning systems to meet Title 24 Building Energy Standards, including its Energy Efficiency (Part 6) and Green Building (Part 11) standards, which would be confirmed by the County during the building permit review process. On this basis, the Project is determined to be consistent with, and would not interfere with, nor otherwise obstruct implementation of the energy efficiency standards within Title 24.

Pavley Fuel Efficiency Standards (AB 1493)

AB 1493 is not directly 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. Notwithstanding, all model year 2009-2016 passenger cars and light duty truck vehicles traveling to and from the Project Site are required by law to comply with the legislation's fuel efficiency requirements.

California Renewable Portfolio Standards (SB 1078)

California's RPS is not directly 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. Notwithstanding, energy directly or indirectly supplied to the Project Site by electric corporations is required by law to comply with SB 1078.

Senate Bill 350 (SB 350) – Clean Energy and Pollution Reduction Act of 2015

Energy directly or indirectly supplied to the Project Site by electric corporations is required by law to comply with SB 350. No feature of the Project would interfere with implementation of the requirements under SB 350.

C. *Consistency with Local Energy Plans*

County Policy Plan

The Project's design would comply with the County's *Greenhouse Gas Emissions Reduction Plan Update* (GHG Reduction Plan) by incorporating design measures into the proposed building to minimize energy consumption. As part of the County's plan review and permit issuance, design measures from the GHG Reduction Plan will be incorporated into the Project design to ensure the Project can achieve a minimum of 100 points from Table 2, *Screening Table for Implementing GHG Performance Standards for Commercial Development and Public Facilities* (see detailed discussion in EIR Subsection 4.7). Accordingly, no component of the Project would conflict with or interfere with the implementation of Policy RE-1.1 of the County Policy Plan.

D. *Conclusion*

As supported by the preceding analysis, the Project would not conflict with or obstruct a federal, State or local plan for renewable energy or energy efficiency and a less than significant impact would occur.

4.5.6 Cumulative Impact Analysis

Development within the cumulative study area, which includes areas proximate to the Project Site as well as buildout of surrounding unincorporated communities and the cities of Rialto and San Bernardino would be required to comply with the same applicable federal, State, and local regulatory measures aimed at reducing fossil fuel consumption and the conservation of energy. Accordingly, the Project would not cause or contribute to a significant cumulatively considerable impact related to conflicts with a State or local plan for renewable energy or energy efficiency.

4.5.7 Significance of Impacts Before Mitigation

Threshold a: Less than Significant Impact. The amount of energy and fuel consumed by construction and operation of the Project would not be inefficient, wasteful, or unnecessary. Furthermore, the Project would not cause or result in the need for additional energy facilities or energy delivery systems.

Threshold b: Less than Significant Impact. The Project would not cause or result in the need for additional energy production or transmission facilities. The Project would not conflict with or obstruct the achievement of energy conservation goals within the State of California identified in State and local plans for renewable energy and energy efficiency.

4.5.8 Mitigation

Impacts would be less than significant; therefore, mitigation is not required.

4.6 GEOLOGY & SOILS

The analysis in this Subsection is based primarily on information contained within the following technical reports:

- *Geotechnical Feasibility Report Pepper 210 Commerce Center, 20080 N. Highland Avenue Rialto, California 92377*, prepared by Tetra Tech and dated September 7, 2023 (Tetra Tech, 2023).
- *Paleontological Assessment for the Pepper 210 Commerce Center Project, Proj-2022-00182, San Bernardino County, California APN 264-431-18*, prepared by BFSA and dated February 6, 2024 (BFSA, 2024b).

These reports are presented as *Appendices G* and *H* to this EIR, respectively. Additional sources of information used to support the analysis in this Subsection include the San Bernardino County general plan and its EIR and County Development Code. All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.6.1 EXISTING CONDITIONS

The Project Site is located within the southwestern edge of the Lytle Creek flood plain and is underlain by thick sequences of alluvial deposits. However, much of the ground surface has been modified over the last 70+ years by commercial aggregate mining and processing operations. Past ground modifications included open pit mining of the westerly half of the property at varying depths and up to a depth of approximately 45-50 feet below the original ground surface. Backfilling of the open pits within the property has continued periodically over the decades. The central portion of the Site was used to maintain construction water ponds and for mixing, drying and onsite disposal of wash plant fines and concrete debris. The eastern areas of the property are believed to have had little to no history of open pit mining. This area of the Project Site is expected to be underlain by local accumulations of fill material associated with underground utilities and local structures. As a result, the distribution of the geologic units varies substantially across the Site.

A. Soils

1. Artificial Fill

Variable thicknesses of artificial fill soils primarily associated with mine reclamation backfill and spoils from past aggregate stockpiles and trucking operations are present throughout the Project Site. The fill soils generally consist of brown to gray, loose to medium dense silty sand, poorly graded sand with silt, gravelly sand or olive brown to grayish brown, firm to very stiff lean clay, and silt or sandy silt. Varying amounts of cobbles and boulders up to two (2) feet were also encountered. Locally, trace amount of refuse (e.g., plastic, nails, wire glass, etc.) was encountered within the fill. Because of the history of the Project Site, fill materials are ubiquitously present over most of the property. In the western half, significant thicknesses of reclamation backfill of former mining pit excavations (up to depths of 50 feet) are anticipated based on a comparison of historic topographic data of the mining pit bottom and the current surface topography. Elsewhere, a thin veneer of fill soils, typically less than five (5) feet thick, was encountered. (Tetra Tech, 2023, p. 6)

2. Colluvium (Qcol)

Colluvium locally mantles the natural slopes on the Project Site and is present as wedge-shaped deposits along the base of sloping terrain on-site. Where encountered within the Site, colluvial soils are comprised of dark grayish brown to olive gray silty sand that is typically fine grained with scattered gravel and occasional cobbles up to eight (8) inches in diameter. The colluvium is locally porous and contains scattered roots and rootlets. Up to 3.5 feet of colluvium was identified at various locations along the southwesterly perimeter of the Project Site. (Tetra Tech, 2023, p. 7)

3. Younger Alluvium (Qaly)

Holocene-age younger alluvium (Qaly) were deposited within the Project Site by ancestral Lytle Creek. Where observed in trench excavations, these alluvial sediments varied in lithology and physical characteristics, both laterally and vertically, as a result of the chaotic depositional history associated with Lytle Creek outflow. The alluvium is commonly gray to light gray to light brownish gray to olive brown and is comprised of varying distributions of sand, silt, gravel, cobbles and boulders. The deposits are crudely stratified to well stratified, markedly channelized in areas, and locally cross-bedded. Clasts are subangular to subrounded and often imbricated. Fine-grained sequences of overbank materials comprised of sandy silt with trace clay and silty sand were typically encountered within the upper 10 feet of the ground surface and to a lesser extent at greater depths. (Tetra Tech, 2023, p. 7)

4. Older Alluvium (Qoal)

Pleistocene-age, older alluvium is buried beneath the younger alluvium within the Project Site and is exposed locally at the ground surface within the southwestern perimeter of the property. In general appearance, the coarse-grained older alluvium is similar to the younger alluvium in that it is comprised of varying distributions of sand, silt, gravel, cobbles and boulders. The deposits are also crudely stratified to well stratified, markedly channelized in areas, and locally cross-bedded. Clasts are generally crystalline and subrounded, however, in many locations crystalline clasts exhibit in-place granular disintegration characteristics referred to as grus. The coarse-grained older alluvium sequences are generally less friable as compared to the younger alluvium and exhibit a weakly cemented texture with matrix materials varying in color from light yellowish brown and light olive brown. (Tetra Tech, 2023, pp. 7-8)

B. Groundwater

Groundwater was not encountered in any of the exploratory borings or trenches completed by Tetra Tech to the maximum depths of exploration (51.5 feet). Additionally, the seismic refraction survey within the northwestern portion of the site did not identify subsurface anomalies consistent with groundwater to depths of up to approximately 80 feet beneath the Project Site. (Tetra Tech, 2023, p. 8)

The Project Site is located within the Upper Santa Ana Valley Groundwater Basin. Based on the most recent groundwater records compiled by the California Department of Water Resources (updated Spring 2021), groundwater is anticipated to be at least 300 feet below the ground surface in the Project area. (Tetra Tech, 2023, p. 8)

C. Seismic Hazards

The Project Site is located within the northern terminus of the Peninsular Ranges physiographic province which is characterized by northwest-trending ranges, valleys, and geomorphic features controlled by the San Andreas Fault Zone and associated fault systems, including the San Jacinto fault. Collectively, the San Andreas fault and the San Jacinto fault transfer most of the Pacific – North America plate motion through southern California and produce recurrent surface rupturing earthquakes. The Project Site located southeast of the junction of the San Andreas and San Jacinto faults. (Tetra Tech, 2023, p. 9)

1. Fault Rupture

Fault rupture can occur along pre-existing, known active fault traces; however, fault rupture also can splay from known active faults or rupture along unidentified fault traces. Holocene-active faulting, defined as ruptured ground surface within the last 11,700 years, associated with the San Jacinto fault zone was observed within the westerly-to-southwesterly reach of the Project Site and could occur within the eastern reach of the Project Site. (Tetra Tech, 2023, pp. 11-12, 18-19).

2. Liquefaction and Seismic Settlement

Liquefaction is a phenomenon in which loose, saturated, relatively cohesion-less soil deposits lose shear strength during strong seismic ground motions, which causes the soil to behave as a viscous liquid. Liquefaction is generally limited to the upper 50 feet of subsurface soils and is, generally, associated with shallow groundwater. Groundwater was not encountered in any of the exploratory borings and is anticipated to be at least 300 feet below the ground surface. Therefore, liquefaction is not considered a hazard at the Project Site (Tetra Tech, 2023, p. 12).

Seismic settlement can occur in saturated materials due to liquefaction or in dry materials due to densification of the soil matrix. The on-site native alluvial deposits are dense to very dense and exhibit the potential for settlement (Tetra Tech, 2023, p. 12).

D. Geologic Hazards

1. Lateral Spreading

Lateral spreading is a liquefaction-induced ground failure that occurs on gentle slopes or on nearly level (or gently inclined) ground with a free face (e.g., riverbank, road cuts). Due to absence of liquefaction potential at the Project Site, lateral spreading is not considered to be a hazard at the subject property (Tetra Tech, 2023, p. 12).

2. Landslides

Ascending slopes up to 58 feet in height border the southwestern perimeter of the Project Site and generally vary from approximately 1.5(H):1(V) to 2(H):1(V) in gradient. The north and east perimeter of the Site is bordered by a flood control levee with 2(H):1(V) slopes rising about 20 feet above the adjacent grades. This levee is operated and maintained by the United States Army Corps of Engineers. These perimeter slopes

generally consist of medium dense to dense granular soils. The majority of the Site is relatively flat and not subject to landsliding. (Tetra Tech, 2023, pp. 12-13)

3. Expansive Soils

Expansive soils are characterized by their ability to undergo significant volume changes (shrink or swell) due to variations in moisture content. Changes in soil moisture content can result from precipitation, landscape irrigation, utility leakage, roof drainage, perched groundwater, drought, or other factors which can cause unacceptable settlement or heave that could adversely affect the performance of structures or slabs supported on grade. Based on review of past laboratory testing and visual classification, the on-site native and fill soils are considered to be non-expansive (Tetra Tech, 2023, p. 13).

4. Collapsible Soils

Collapse is typically exhibited in geologically young, unconsolidated, low-density, loose, dry soils commonly present in arid to semi-arid regions. Collapsible soils are usually composed of granular particles that are supported by a clay or silt matrix that can be chemically cemented in place creating a porous structure. The bonds supporting this porous structure have enough shear strength to support loads at low moisture contents, however, once water is introduced the cemented bond structure breaks down and the granular particles are re-arranged causing significant volume loss. Due to the uncompacted nature of fill soils across the Project Site, there is potential for soil collapse on the subject property (Tetra Tech, 2023, p. 13).

5. Subsidence

Land subsidence is the lowering of the ground surface due to extraction or lowering of groundwater levels or other fluids (e.g., oil) within the subsurface soil pores. The fluid withdrawal causes the alluvial sediments in the basin to compact. Damage caused by subsidence can be visible soil cracks, fissures, or surface depression. The Project Site is in an area mapped by the United States Geological Survey (USGS) where historical land subsidence has been recorded. The historical subsidence has been attributed to groundwater level declines due to irrigation wells to support agriculture and post-World War II urbanization through the mid-1950s. (Tetra Tech, 2023, p. 14)

E. Paleontological Setting

Paleontological resources are the remains of prehistoric life that have been preserved in geologic strata. These remains are called fossils and include bones, shells, teeth, and plant remains (including their impressions, casts, and molds) in the sedimentary matrix, as well as trace fossils such as footprints and burrows. Fossils are considered older than 5,000 years of age but may include younger remains (subfossils) when viewed in the context of local extinction of the organism or habitat, for example. (BFSA, 2024b, p. 6)

Paleontological sensitivity is based on a number of factors, including the documented presence of fossiliferous resources on a site or in nearby areas, the presence of documented fossils within a particular geologic formation or lithostratigraphic unit, and whether or not the original depositional environment of the sediments is one that might have been conducive to the accumulation of organic remains that might have become fossilized over time. Holocene alluvium (younger than 11,700 years old) is generally considered to be geologically too young

to contain significant nonrenewable paleontological resources (i.e., fossils) and is typically assigned a low paleontological sensitivity. Pleistocene (over 11,700 years old) alluvial and alluvial fan deposits in the Inland Empire, however, often yield important terrestrial vertebrate fossils, such as extinct mammoths, mastodons, giant ground sloths, extinct species of horse, bison, camel, saber-toothed cats, and others. These Pleistocene sediments are typically accorded a high paleontological resource sensitivity. (BFSA, 2024b, p. 7)

The sedimentary deposits on the Project Site are very coarse, which usually correlates with a low potential to yield fossils because the rapid, catastrophic mode of deposition and destructive nature of coarse deposits are not favorable for the preservation of animal remains (BFSA, 2024b, p. 8). Furthermore, the geologically young age of deposits across the Project Site, the lack of known fossil specimens or fossil localities near the Project Site, and the lack of observed paleontological resources, or evidence indicating the potential presence of paleontological resources, on the Project Site further support a low paleontological sensitivity for the Project Site (BFSA, 2024b, pp. 6-7).

4.6.2 Regulatory Framework

The following is a brief description of the federal, state, and local environmental laws and regulations related to geology and soils hazards and that also are applicable to the Project and/or Project Site.

A. Federal Plans, Policies, and Regulations

1. Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters (EPA, 2020a). The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man- made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

B. State Plans, Policies, and Regulations

1. Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act (A-P Act) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The A-P Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults (CA Legislative Info, n.d.). The A-P Act requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones) around the surface traces of active faults and to issue appropriate maps. ["Earthquake Fault Zones" were called "Special Studies Zones" prior to January 1, 1994.] The maps are distributed to all affected cities, counties, and state

agencies for their use in planning and controlling new or renewed construction. Local agencies must regulate most development projects within the zones. Projects include all land divisions and most structures for human occupancy. Single family wood-frame and steel-frame dwellings up to two stories not part of a development of four units or more are exempt. However, local agencies can be more restrictive than state law requires.

Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed buildings will not be constructed across active faults. An evaluation and written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (generally 50 feet).

The Project Site is located within the State of California Alquist-Priolo (A-P) Earthquake Fault Zone for the active San Jacinto fault zone. Active faulting associated with the San Jacinto fault zone was observed within the westerly-to-southwesterly and easterly reaches of the Project Site. (Tetra Tech, 2023, pp. 11-12, 18-19)

2. Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code, Chapter 7.8, Section 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. The purpose of the SHMA is to minimize loss of life and property through the identification, evaluation, and mitigation of seismic hazards (DOC, n.d.).

Staff geologists in the Seismic Hazards Program gather existing geological, geophysical, and geotechnical data from numerous sources to produce the Seismic Hazard Zone Maps. They integrate and interpret these data regionally to evaluate the severity of the seismic hazards and designate as Zones of Required Investigation (ZORI) those areas prone to liquefaction and earthquake–induced landslides. Cities and counties are then required to use the Seismic Hazard Zone Maps in their land use planning and building permit processes. The SHMA requires site-specific geotechnical investigations be conducted within the ZORI to identify and evaluate seismic hazards and formulate mitigation measures prior to permitting most developments designed for human occupancy.

3. Natural Hazards Disclosure Act

The Natural Hazards Disclosure Act, effective June 1, 1998 (as amended June 9, 1998), requires that sellers of real property and their agents provide prospective buyers with a "Natural Hazard Disclosure Statement" when the property being sold lies within one or more state-mapped hazard areas, including a Seismic Hazard Zone (CA Legislative Info).

The law requires the State Geologist to establish regulatory zones (Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps). These maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling construction and development. Single-family frame dwellings up to two stories not part of a development of four or more units are exempt from the state requirements. However, local agencies can be more restrictive than state law requires.

Before a development permit can be issued or a subdivision approved, cities and counties must require a site-specific investigation to determine whether a significant hazard exists at the site and, if so, recommend measures to reduce the risk to an acceptable level. The investigation must be performed by state-licensed engineering geologists and/or civil engineers.

4. California Building Standards Code (Title 24)

California Code of Regulations (CCR) Title 24 is reserved for state regulations that govern the design and construction of buildings, associated facilities, and equipment (CBSC, 2022, p. 6). These regulations are also known as building standards (reference California Health and Safety Code Section 18909). Health and Safety Code (state law) Section 18902 gives CCR Title 24 the name California Building Standards Code (CBSC).

The CBSC in CCR Title 24 is published by the California Building Standards Commission and it applies to all building occupancies (see Health and Safety Code Sections 18908 and 18938) throughout the State of California. Cities and counties are required by state law to enforce CCR Title 24 (HSC Section 17958; HSC Section 17960; HSC Section 18938(b); HSC Section 18948, n.d.). Cities and counties may adopt ordinances making more restrictive requirements than provided by CCR Title 24, because of local climatic, geological, or topographical conditions. Such adoptions and a finding of need statement must be filed with the California Building Standards Commission (HSC Section 17958.7; HSC Section 18941.5).

5. Porter-Cologne Water Control Act

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water (SWRCB, 2014). The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code Section 13000 *et seq*.), the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established the State Water Resources Control Board ("State Water Board") and nine Regional Water Quality Control Boards (RWQCBs) (based on hydrogeologic barriers) which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews RWQCB decisions. In addition, the State Water Board allocates rights to the use of surface water. The RWQCBs have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The State Water Board and RWQCBs have numerous non-point source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The RWQCBs regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The State Water Board and the RWQCBs can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. In addition, regional water quality control plans (basin plans) have been adopted by each of the RWQCBs and are updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. The Project Site is located in the Santa Ana River Watershed, which is within the purview of the Santa Ana RWQCB. The Santa Ana's RWQCB's *Santa Ana River Basin Water Quality Control Plan* is the governing water quality plan for the region.

6. California Public Resources Code

Public Resources Code Section 5097.5 states that "A person shall not knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands" (CA Legislative Info, 1965a).

Public Resources Code Section 30244 states that, "Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required" (CA Legislative Info, 1976).

C. Local Plans, Policies, and Regulations

1. County Policy Plan

San Bernardino County's general plan sets forth goals and policies related to natural environmental hazards and paleontological resources. Goals and policies that may be applicable to the Project and/or Project site are summarized below.

Natural Resources Element

Goal HZ-1: Natural Environmental Hazards. Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by natural environmental hazards and adaptation to potential changes in climate.

Policy HZ-1.2: New development in environmental hazard areas. We require all new development to be located outside of the environmental hazard areas listed below. For any lot or parcel that does not have sufficient buildable area outside of such hazard areas, we require adequate mitigation, including designs that allow occupants to shelter in place and to have sufficient time to evacuate during times of extreme weather and natural disasters.

- *Flood: 100-year flood zone, dam/basin inundation area*
- *Geologic: Alquist Priolo earthquake fault zone; County-identified fault zone; rockfall/debris-flow hazard area, medium or high liquefaction area (low to high and localized), existing and County-identified landslide area, moderate to high landslide susceptibility area)*
- *Fire: high or very high fire hazard severity zone*

Policy HZ-1.8: Wind erosion hazards. We require new development in medium-high or high wind erosion hazard areas to minimize the effects of wind-blown soil through building and site design features such as fencing, surface treatment or pavement, attenuation or wind barriers, architectural features, building materials, and drought resistant landscaping.

Cultural Resources Element

Goal CR-2: Historic and Paleontological Resources. Historic resources (buildings, structures, or archaeological resources) and paleontological resources that are protected and preserved for their cultural importance to local communities as well as their research and educational potential.

Policy CR-2.3: Paleontological and archaeological resources. We strive to protect paleontological and archaeological resources from loss or destruction by requiring that new development include appropriate mitigation to preserve the quality and integrity of these resources. We require new development to avoid paleontological and archeological resources whenever possible. If avoidance is not possible, we require the salvage and preservation of paleontological and archeological resources.

2. San Bernardino County Multi-Jurisdictional Local Hazard Mitigation Plan

The County's *Multi-Jurisdictional Local Hazard Mitigation Plan* (*MJLHMP*) is a plan that the County reviews, monitors, and updates approximately every five years to reflect changing conditions and new information regarding potential hazards within the County. The most current version was approved in 2017 (San Bernardino County, 2017). The *MJLHMP* addresses hazards associated with earthquakes, wind surges, wildfire, landslides, floods, terrorism, climate change and drought. The *MJLHMP* includes mitigation measures to address earthquake and landslide concerns on a community-wide level, including but not limited to measures for evaluating proposed developments for geologic hazards and developing public education and awareness materials regarding vegetation and erosion control.

3. San Bernardino County Development Code

The San Bernardino County Development Code (Section 87.08.020) requires development projects to be evaluated by a preliminary soils report that identify site-specific geologic and seismic conditions and provide

site-specific recommendations to preclude adverse impacts from soils related hazards and problems. These reports shall recommend corrective action to preclude any structural damage/hazards that may be caused by geological hazards or unstable soils. (San Bernardino County, 2024a)

San Bernardino County Development Code (Section 85.11.030) also requires development projects to incorporate an erosion control plan into proposed clearing/grubbing, stockpile, grading, or demolition activities to minimize water- and windborne erosion. The erosion control plan is required to be approved by County staff prior to the issuance of the applicable construction permit. (San Bernardino County, 2024a)

4. San Bernardino County Code of Ordinances

The San Bernardino County Code of Ordinances (Section 35.0118) requires all projects subject to the MS4 permit to prepare and submit a Water Quality Management Plan (WQMP), which shall include proposed structural best management practices (BMPs) and source and treatment control BMPs to infiltrate and/or adequately treat the projected stormwater and urban runoff for the development project. (San Bernardino County, 2024b)

5. San Bernardino County Building Code

The San Bernardino County Building Code is based on the CBSC and is supplemented with local amendments. The Building Code regulates the construction, alteration, repair, moving, demolition, conversion, occupancy, use, and maintenance of all buildings and structures in the County. The Building Code is included in Title 6, Division 3, Chapter 1 of the County's Code of Ordinances. (San Bernardino County, 2024b)

6. SCAQMD Rule 403 (Fugitive Dust)

SCAQMD Rule 403 (Fugitive Dust) requires the implementation of best available dust control measures during active operations capable of generating fugitive dust. The purpose of this Rule is to minimize the amount of particulate matter in the ambient air as a result of anthropogenic fugitive dust sources (SCAQMD, 2005).

4.6.3 Basis for Determining Significance

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects related to geology and soils that could result from development projects. The Project would result in a significant impact related to geology, soils, or paleontological resources if the Project or any Project-related component would:

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;*
   ii. *Strong seismic ground shaking;*
   iii. *Seismic-related ground failure, including liquefaction; or*

iv. Landslides.

b. Result in substantial soil erosion or the loss of topsoil;

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

d. Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2019), creating substantial direct or indirect risks to life or property;

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

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

4.6.4 Methodology for Evaluation

The analysis of potential geology, soils, and paleontological resources-related impacts is based upon investigations prepared specifically for the Project Site. The investigations included site reconnaissance, review of published reports, maps and aerial photographs, field exploration, laboratory testing, engineering analysis, and soil borings. The County's General Plan and information sources from State and Federal agencies also were reviewed to establish the Project Site's existing conditions and likelihood of environmental effects.

4.6.5 Impact Analysis

Threshold a:	***Would the Project 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.
	ii. Strong seismic ground shaking?
	iii. Seismic-related ground failure, including liquefaction?
	iv. Landslides?

A. Rupture of Known Earthquake Fault

The Project Site contains at least one active fault breaks associated with the San Jacinto fault. Per State law, structures intended for human occupancy are prohibited over known active faults. The Project is designed so that no portion of any proposed building overlies the known on-site fault on the western portion of the Project Site or potential faulting on the eastern portion of the Site, and the Project's design incorporates the fault setback recommendations from the Project's geotechnical engineer (Tetra Tech, 2023, Appendix C). The Project's design complies with the requirements of State law, including the A-P Act, and, therefore, would not

directly or indirectly expose people or structures to substantial adverse effects related to ground rupture. Impacts would be less than significant.

B. Strong Seismic Ground Shaking

The Project Site is located in a seismically active area of southern California and is expected to experience moderate to severe ground shaking during the lifetime of the Project. As a mandatory condition of Project approval, the Project Applicant would be required to construct the proposed building in accordance with the CBSC and the County Building Code, which is based on the CBSC with local amendments. The CBSC and County Building Code, which have been specifically tailored for California earthquake conditions, provide building standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures.

In addition, the CBSC (Chapter 18) and the County Development Code (Section 87.08.020) require development sites to be evaluated for potential geologic hazards and for preliminary soils reports to identify property-specific recommendations to preclude adverse effects involving unstable soils and strong seismic ground-shaking, including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and depths, and selection of appropriate structural systems. The Project Applicant retained a professional geotechnical firm, Tetra Tech, to prepare geotechnical report for the Project; this report is included as *Technical Appendix G* to this EIR. The geotechnical report includes recommendations for design, construction, and grading considerations based on the Site-specific geological conditions and the Project's specific design. The recommendations included seismic design considerations, geotechnical design considerations, site grading recommendations, construction considerations, foundation design and construction, floor slab design and construction, retaining wall design and construction, and pavement design parameters. This geotechnical report is considered "Preliminary" and is subject to review by the County Building and Safety Division prior to issuance of grading and building permits to ensure the requirements of CBSC and County Development Code are met and properly addressed by the Project's construction plans. The County will condition the Project to comply with the Site-specific ground preparation and construction recommendations contained in the reviewed geotechnical report. With mandatory compliance with these standard and Site-specific design and construction measures, implementation of the Project would not directly or indirectly expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking. Impacts would be less than significant.

C. Seismic-Related Ground Failure

According to available mapping data and Project Site observations, the Project Site is not subject to liquefaction hazards; further, all on-site fill soils would be over excavated and re-compacted as engineered fill as part of the Project to preclude the potential for substantial seismic soil settlement (Tetra Tech, 2023, p. 12). Although the Project Site is not subject to substantial seismic-related ground failure hazards, the Project would be required to be designed and constructed in accordance with applicable seismic safety guidelines, including the standard requirements of the CBSC and County Building Code, as noted above. Furthermore, and pursuant to the requirements of County Development Code Section 87.08.020, the Project would be required (via conditions of approval) to comply with the grading and construction recommendations contained within the

Project's geotechnical report to further reduce the risk of seismic-related ground failure. Impacts would be less than significant.

D. Landslides

Tetra Tech concluded that the Project Site and surrounding area are not subject to substantial landslide risk (Tetra Tech, 2023, p. 13). No impact would occur.

Threshold b: Would the Project result in substantial soil erosion or the loss of topsoil?

A. Construction-Related Erosion Impacts

Development of the Project would result in grading and construction activities that would expose and disturb on-site soils. Disturbed soils would be subject to potential erosion during rainfall events or high winds.

Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects – like the Project – that include construction activities, such as clearing, grading, and/or excavation that disturb at least one (1) acre of total land area. In addition, the Project would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Program*. Compliance with the NPDES permit and the *Santa Ana River Basin Water Quality Control Program* involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP will specify the BMPs that the Project Applicant will be required to implement during construction activities to ensure that waterborne pollution – including erosion/sedimentation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Lastly, the Project would be required to implement an erosion and dust control plan pursuant to County Development Code Section 85.11.030 (and to ensure compliance with SCAQMD Rule 403) to minimize water- and windborne erosion. Mandatory compliance with the SWPPP and the erosion control plan would ensure that the Project's implementation does not violate any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated with construction activities would be less than significant and no mitigation measures would be required.

B. Post-Development Erosion Impacts

Upon Project build-out, the site would be covered by a building, landscaping, and impervious surfaces (e.g., parking lots). Stormwater runoff from the site would be captured, treated to reduce waterborne pollutants (including sediment), and would percolate beneath the Project Site via infiltration basins or be conveyed from the site via an underground storm drain system. Upon completion of Project buildout, the amount of erosion that would occur on the Project Site would be minimal and less than existing conditions.

To meet the requirements of the County's Municipal Storm Water Permit, and in accordance with San Bernardino County Code of Ordinances Section 35.0118, the Project Applicant would be required to prepare

and implement a WQMP, which is a Site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters, under long-term conditions via BMPs. The WQMP is required to identify an effective combination of erosion control and sediment control measures (i.e., BMPs) to reduce or eliminate sediment discharge to surface water from storm water and non-storm water discharges. The preliminary WQMP for the Project, which is provided as *Technical Appendix L* of this EIR, identifies preventive, low impact development BMPs (such as the use of permeable surfaces across the Site and infiltration basins), non-structural source control BMPs (such as vacuum sweeping of parking lots), and structural source control BMPs (such as utilizing efficient irrigation systems that minimize overspray), to minimize erosion. The WQMP also is required to establish a post-construction implementation and maintenance plan to ensure on-going, long-term erosion protection. Compliance with the WQMP will be required as a condition of approval for the Project, as will the long-term maintenance of erosion and sediment control features. Because the Project would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, the Project would result in less than significant impacts related to soil erosion.

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

As part of the Project, all fill soils across the Project Site would be over excavated and re-compacted as engineered fill, which would fully attenuate any potential for soil instability on the Project Site (Tetra Tech, 2023, pp. 12, 16). Impacts would be less than significant.

Threshold d ***Would the Project 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?***

Tetra Tech determined that soils on the Project Site non-expansive (Tetra Tech, 2023, p. 13). Accordingly, the Project Site does not contain expansive soils and, as such, would not create substantial direct or indirect risks to life or property associated with the presence of expansive soils. No impacts would occur.

[Note: Threshold "d" is based on Appendix G of the CEQA Guidelines and references Table 18-1-B of the 1994 Uniform Building Code (UBC) which has been superseded by the 2016 CBSC. The 2016 CBSC references ASTM D-4829, a standard procedure for testing and evaluating the expansion index (or expansion potential) of soils established by ASTM International, which was formerly known as the American Society for Testing and Materials (ASTM). ASTM D-4829 was used as the standard for evaluating the Project's potential impact related to expansive soils in the above analysis.]

Threshold e: ***Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?***

The Project is designed to connect to the existing Rialto Water Services (RWS) sewer conveyance and wastewater treatment system as its primary wastewater disposal option. Under this primary design option, the Project would not include septic tanks or alternative wastewater disposal systems on-site. If the Project does not connect to the RWS sewer and wastewater treatment system, the Project would construct an onsite

wastewater treatment system (OWTS), which would rely on the percolation of treated wastewater into the ground. The native alluvial soils that underlie the Project Site are highly permeable (Tetra Tech, 2023, Appendix D), and would support the installation of an OWTS on the Project Site. Any OWTS for the Project would be designed to not exceed the percolation rates for on-site soils and would be required to demonstrate adequate percolation in order to be permitted by the RWQCB. Accordingly, implementation of the Project would result in a less than significant impact related to the use or performance of septic tanks and/or alternative wastewater systems.

Threshold f: ***Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

As noted earlier in this Subsection, there are no known unique paleontological resources or unique geologic features on the Project Site under existing conditions. Further, the very coarse sedimentary deposits found on the Project Site typically do not have a high potential to yield fossils, because their rapid, catastrophic mode of deposition and destructive nature are usually not favorable conditions for the preservation of animal remains (BFSA, 2024b, p. 8). Based on the foregoing, BFSA concluded that the likelihood of discovering important, non-renewable paleontological resources on the Project Site to be low (BFSA, 2024b, pp. 7-8). Thus, impacts would be less than significant and no mitigation is required.

4.6.6 Cumulative Impact Analysis

Except for erosion hazards, potential hazardous effects related to geologic and soil conditions addressed under Thresholds "a," "c," "d," and "e" are unique to the Project site, and inherently restricted to the specific property proposed for development. That is, issues including fault rupture, seismic ground shaking, liquefaction, landslides, and expansive soils would involve effects to (and not from) a proposed development project, are specific to conditions on the subject property, and are not influenced or exacerbated by the geologic and/or soils hazards that may occur on other, off-site properties. Further, as noted in the foregoing analysis, all potential Project-related direct and indirect impacts related to potential hazardous effects related to geologic and soil conditions would be precluded through mandatory compliance with the CBSC, County Development Code, County Code of Ordinances, other standard regulatory requirements, and the site-specific geotechnical recommendations contained within the Project's Geotechnical Report, which will be incorporated into the Project's design via conditions of approval. Because of the site-specific nature of these potential hazards and the measures to address them, there would be no direct or indirect connection to similar potential issues or cumulative effects to or from other properties.

As discussed under Threshold "b," regulatory requirements mandate that the Project incorporate design measures during construction and long-term operation to ensure that significant erosion impacts do not occur. Other development projects in the vicinity of the Project Site and projected development within the cumulative study area (buildout of surrounding unincorporated communities and the cities of Rialto and San Bernardino) would be required to comply with the same regulatory requirements as the Project to preclude substantial adverse water and wind erosion impacts. Because the Project and other projects within the cumulative study area would be subject to similar mandatory regulatory requirements to control erosion hazards during construction and long-term operation, cumulative impacts associated with wind and water erosion hazards would be less than significant.

Due to the presence of alluvial deposits at the Project Site with a very low sensitivity for paleontological resources and the lack of any known nearby fossil specimens or fossil localities, the Project and other nearby development activities that occur within the same type of alluvial soils that are present on the Project Site would not result in cumulative impacts to paleontological resources (Threshold "f"). Accordingly, a cumulatively considerable impact would not occur.

4.6.7 Significance of Impacts Before Mitigation

Threshold a: Less than Significant Impact. Implementation of the Project would not expose people or structures to substantial direct or indirect adverse effects related to liquefaction or fault rupture. The Project Site is subject to seismic ground shaking associated with earthquakes; however, mandatory compliance with local and State regulatory requirements, building codes, and the Project's geotechnical report would ensure that the Project minimizes potential hazards related to seismic ground shaking to less than significant levels.

Threshold b: Less than Significant Impact. Implementation of the Project would not result in substantial soil erosion or loss of topsoil. The Project Applicant would be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities and adhere to a Storm Water Pollution Prevention Plan (SWPPP), and prepare an erosion control plan to minimize water and wind erosion. Following completion of development, the Project's owner or operator would be required by law to implement a Water Quality Management Plan (WQMP) during operation, which would preclude substantial erosion impacts in the long-term.

Threshold c: Less than Significant Impact. Project construction involves the over excavation and re-compaction of all fill soils on the Project Site, which would adequately attenuate the potential for soil instability or collapse. Impacts would be less than significant.

Threshold d: No Impact. The Project Site contains soils with no susceptibility to expansion; therefore, the Project would not create substantial direct or indirect risks to life or property associated with the presence of expansive soils.

Threshold e: Less than Significant Impact. The Project Site contains soils that can accommodate an OWTS in the event the Project does not connect to the RWS sewer conveyance and wastewater treatment system.

Threshold f: Less than Significant Impact. The Project Site has a low potential to yield significant paleontological resources. Accordingly, the potential for the Project to directly or indirectly destroy a unique paleontological resource or site is considered less than significant.

4.6.8 Mitigation

The Project would not result in significant impacts or be exposed to substantial hazards from geology and soils. No mitigation is required.

4.7 GREENHOUSE GAS EMISSIONS

The analysis provided in this Subsection evaluates whether greenhouse gas (GHG) emissions resulting from the Project have the potential to contribute substantially to Global Climate Change (GCC) and its associated environmental effects. This analysis is based on a report prepared by Urban Crossroads, Inc. titled, "Pepper 210 Commerce Center Greenhouse Gas Analysis," dated August 26, 2024 (Urban Crossroads, 2024d). The GHG analysis report (GHGA) is included as *Technical Appendix I* to this EIR. All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.7.1 EXISTING CONDITIONS

A. *Introduction to Global Climate Change*

GCC is defined as the change in average meteorological conditions on Earth with respect to temperature, precipitation, and storms. Most scientists believe that the climate shift taking place since the Industrial Revolution is occurring at a quicker rate and magnitude than in the past due to human activity and industrialization. Scientific evidence suggests that GCC is the result of increased concentrations of GHGs in planet Earth's atmosphere, including carbon dioxide, methane, nitrous oxide, and fluorinated gases. (Urban Crossroads, 2024d, p. 8)

An individual land development project is not capable of generating the magnitude of GHG emissions necessary to cause a discernible effect on global climate; however, individual development projects may cumulatively contribute to GCC by generating GHGs that combine with other regional and global sources of GHGs. (ibid.)

B. *Greenhouse Gases*

Carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O) emissions are the focus of evaluation in this Subsection because these gases are the primary contributors to GCC resulting from land development projects. Although other substances, such as fluorinated gases, also contribute to GCC, sources of fluorinated gases are not well-defined and no accepted emissions factors or methodology exist to accurately calculate the emissions of these gases. (Urban Crossroads, 2024d, pp. 8-9)

A global warming potential (GWP) value represents the effectiveness of a gas to trap heat in the atmosphere. Individual GHGs have varying GWP values, as assigned by the Intergovernmental Panel on Climate Change (IPCC). The atmospheric lifetime and GWP of selected GHGs are summarized in Table 4.7-1, *GWP and Atmospheric Lifetime of Select GHGs*. As shown in Table 4.7-1, GWP values range from 1 for CO_2 up to 23,900 for Sulfur Hexafluoride (SF_6).

Table 4.7-1 GWP and Atmospheric Lifetime of Select GHGs

Gas	Atmospheric Lifetime (years)	GWP (100-year time horizon)	
		2nd Assessment Report	6th Assessment Report
CO_2	Multiple	1	1
CH_4	11.8	21	28
N_2O	109	310	273
HFC-23	228	11,700	14,600
HFC-134a	14	1,300	1,526
HFC-152a	1.6	140	164
SF_6	3,200	23,900	25,200

Data from IPCC Second Assessment Report, 1995 and IPCC Sixth Assessment Report, 2022
Source: (Urban Crossroads, 2024d, Table 2-2)

The information presented below and on the following pages summarizes information from the Project's GHGA regarding various gases that contribute to GCC. For more information about these gases and their associated human health effects, refer to Section 2.3 of *Technical Appendix I* and the reference sources cited therein.

- **Water Vapor (H_2O)** is the most abundant and variable GHG in the atmosphere. Changes in the concentration of water vapor in the atmosphere are a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity rises (in essence, the air is able to 'hold" more water when it is warmer), leading to more water vapor in the atmosphere. The higher concentration of water vapor in the atmosphere is then able to absorb more indirect thermal energy radiated from the Earth, further warming the atmosphere and causing the evaporation cycle to perpetuate. This is referred to as a "positive feedback loop." The extent to which this positive feedback loop will continue is unknown as there are also dynamics that hold the positive feedback loop in check. As an example, when water vapor increases in the atmosphere, more of it will eventually also condense into clouds, which are able to reflect incoming solar radiation and thereby allow less energy to reach the Earth's surface and heat it up. There are no human health effects from water vapor itself; however, certain pollutants can dissolve in water vapor and the water vapor can then act as a pollutant-carrying agent.

- **Carbon Dioxide (CO_2)** is an odorless and colorless GHG that is emitted from natural and man-made sources. Natural CO_2 sources include: the decomposition of dead organic matter; respiration of bacteria, plants, animals and fungus; evaporation from oceans; and volcanic outgassing. Man-made CO_2 sources include: the burning of coal, oil, natural gas, and wood. Since the industrial revolution began in the mid-1700s, human activities that produce CO_2 have increased dramatically. As an example, prior to the industrial revolution, CO_2 concentrations in the atmosphere were stable

at 280 parts per million (ppm). Today, they are around 370 ppm, an increase of more than 30 percent. Exposure to CO_2 in high concentrations can cause adverse human health effects, but outdoor (atmospheric) levels are not high enough to be detrimental to human health.

- **Methane (CH_4)** absorbs thermal radiation (i.e., retains heat) extremely effectively. Over the last 50 years, human activities such as rice cultivation, cattle ranching, natural gas combustion, and coal mining have increased the concentration of methane in the atmosphere. Other man-made sources include fossil-fuel combustion and biomass burning. No human health effects are known to occur from atmospheric exposure to methane; however, methane is an asphyxiant that may displace oxygen in enclosed spaces.

- **Nitrous Oxide (N_2O)** concentrations began to rise in the atmosphere at the beginning of the industrial revolution. N_2O can be transported into the stratosphere, be deposited on the Earth's surface, and be converted to other compounds by chemical reaction. N_2O is produced by microbial processes in soil and water, including reactions that occur in nitrogen-containing fertilizer. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. N_2O also is used as an aerosol spray propellant, as a preservative in potato chip bags, and in rocket engines and in race cars. Also, known as laughing gas, N_2O is a colorless GHG that can cause dizziness, euphoria, and hallucinations. In small doses, it is considered harmless; however, heavy and extended use can cause brain damage.

- **Chlorofluorocarbons (CFCs)** are gases formed synthetically by replacing all hydrogen atoms in CH_4 or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are non-toxic, non-flammable, insoluble and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs were first synthesized in 1928 and have no natural source. CFCs were used for refrigerants, aerosol propellants and cleaning solvents. Due to the discovery that they can destroy stratospheric ozone, a global effort to halt their production was undertaken and has been extremely successful, so much so that levels of CFCs are now remaining steady or declining. However, due to their long atmospheric lifetime, some of the CFCs will remain in the atmosphere for over 100 years.

- **Hydrofluorocarbons (HFCs)** are synthetic, man-made chemicals that are used as a substitute for CFCs and have one of the highest global warming potential ratings. The HFCs with the largest measured atmospheric abundances are (in order from largest to smallest), HFC-23 (CHF_3), HFC-134a (CF_3CH_2F), and HFC-152a (CH_3CHF_2). No human health effects are known to result from exposure to HFCs, which are man-made and used for applications such as automobile air conditioners and refrigerants.

- **Perfluorocarbons (PFCs)** are primarily produced for aluminum production and semiconductor manufacture. PFCs have stable molecular structures and do not break down through chemical processes in the lower atmosphere. Because of this, PFCs have very long lifetimes, between 10,000

and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6). No human health effects are known to result from exposure to PFCs.

- **Sulfur Hexafluoride (SF_6)** is an inorganic, odorless, colorless, nontoxic, nonflammable gas. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection. In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing.

- **Nitrogen Trifluoride (NF_3)** is a colorless gas with a distinctly moldy odor. The World Resources Institute (WRI) indicates that NF_3 has a 100-year GWP of 17,200. NF_3 is used in industrial processes and is produced in the manufacturing of semiconductors, Liquid Crystal Display (LCD) panels, types of solar panels, and chemical lasers. Long-term or repeated exposure may affect the liver and kidneys and may cause fluorosis.

C. *Greenhouse Gas Emissions Inventory*

1. *Global and National*

Based on the latest available data (through 2020), industrialized nations produced approximately 28,026,643 gigagrams (Gg) of carbon dioxide equivalent (CO2e) emissions. In 2020, the United States was the world's second-largest emitter of GHGs, producing 5,981,354 Gg CO_2e. (Urban Crossroads, 2024d, p. 16)

2. *State of California*

Based on the most recent GHG inventory data compiled by the CARB, California emitted an average of approximately 369.2 million metric tons (MMT) of CO_2e per year between 2000-2020. This total represents approximately six (6) percent of the GHGs generated by the United States) (Urban Crossroads, 2024d, p. 16)

3. *Project Site*

The Project Site is used for the sale and stockpile of aggregate resources excavated from the Vulcan Materials Company's Cajon Creek Quarry, which is located approximately 2.5 miles north of the Project Site. Resources mined from the Cajon Creek Quarry are loaded onto haul trucks and transported to the Project Site via an access road located adjacent to, and that crosses, the Cajon Wash. The materials stockpiled on the Project Site are sold as raw aggregates (sand and gravel) or processed on-site into concrete or asphalt. The Project Site contains numerous office buildings, maintenance buildings, storage buildings, production areas, and fueling and wash areas that support operations on the Site. More than two dozen pieces of heavy diesel off-road equipment operate on the Project Site daily (for an average of 12 hours per day) and more than 700 vehicle trips, including over 500 heavy truck trips, go to-and-from the Site daily. The operational activities on the Project Site produce air pollution, including GHGs.

D. Potential Effects of Climate Change in California

Reports published by the California Climate Change Center (CCCC) and California Natural Resources Agency document California's vulnerabilities to the potential effects of climate change, which are summarized below and include, but are not limited to:

- **Human Health Effects.** Climate change can affect the health of Californians by increasing the frequency, duration, and intensity of conditions conducive to air pollution formation, oppressive heat, and wildfires. The primary concern is not the change in average climate, but rather the projected increase in extreme conditions that are responsible for the most serious health consequences. In addition, climate change has the potential to influence asthma symptoms and the incidence of infectious disease. (CCCC, 2006, p. 26)

- **Water Resource/Supply Effects.** Although most climate model simulations predict relatively moderate changes in precipitation over the 21st century, rising temperatures are expected to lead to diminishing snow accumulation in mountainous watersheds, including the Sierra Nevada. Warmer conditions during the last few decades across the western United States have already produced a shift toward more precipitation falling as rain instead of snow, and snowpacks over the region have been melting earlier in the spring. Delays in snow accumulation and earlier snowmelt can have cascading effects on water supplies, natural ecosystems, and winter recreation. (CCCC, 2006, p. 14)

- **Agriculture Effects.** Agriculture, along with forestry, is the sector of the California economy that is most likely to be affected by a change in climate. California agriculture is a $68 billion industry. California is the largest agricultural producer in the nation and accounts for 13% of all U.S. agricultural sales, including half of the nation's total fruits and vegetables. Regional analyses of climate trends over agricultural regions of California suggest that climate change is already affecting the agriculture industry. Over the period 1951 to 2000, the growing season has lengthened by about a day per decade, and warming temperatures resulted in an increase of 30 to 70 growing degree days per decade, with much of the increase occurring in the spring. Climate change affects agriculture directly through increasing temperatures and rising CO2 concentrations, and indirectly through changes in water availability and pests. (CCCC, 2006, p. 19)

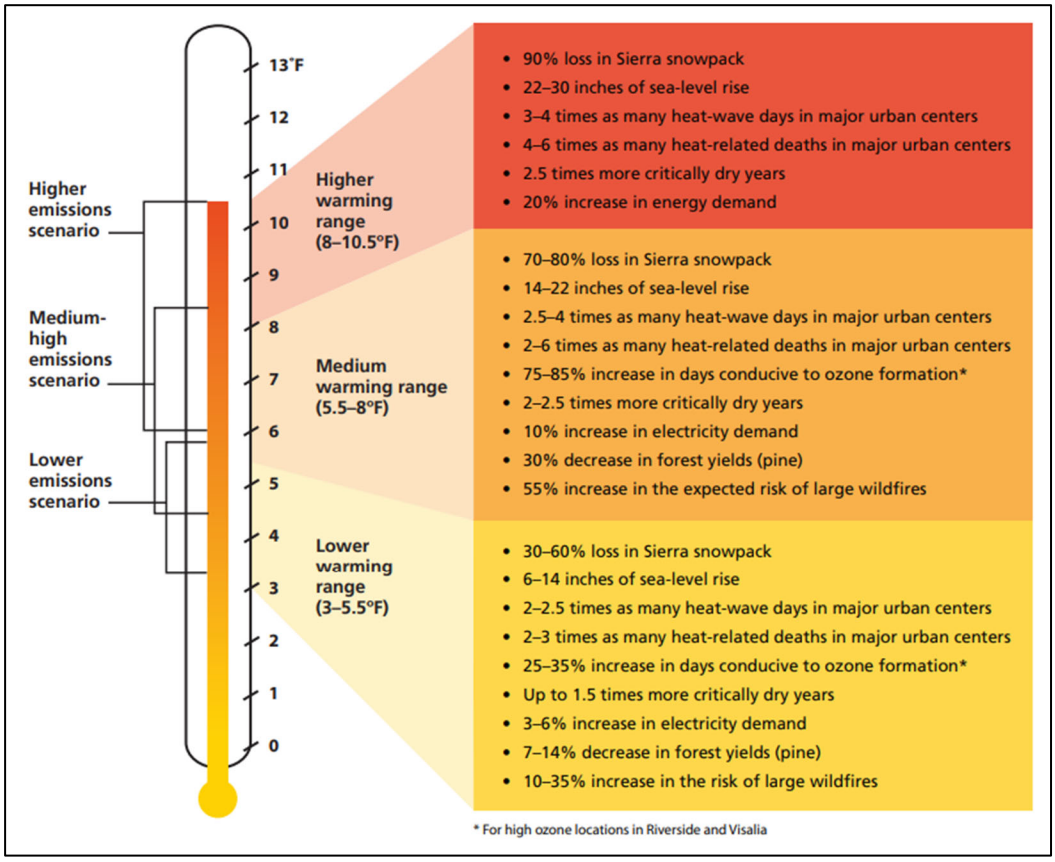
- **Forest and Landscape Effects.** Climate changes and increased CO_2 concentrations are expected to alter the extent and character of forests and other ecosystems. The distribution of species is expected to shift; the risk of climate-related disturbance such as wildfires, disease, and drought is expected to rise; and forest productivity is projected to increase or decrease – depending on species and region. In California, these ecological changes could have measurable implications for both market (e.g., timber industry, fire suppression and damages costs, public health) and nonmarket (e.g., ecosystem services) values. (CCCC, 2006, p. 22)

- **Sea Level Effects.** Coastal observations and global model projections indicate that California's open coast and estuaries will experience rising sea levels during the next century. Sea level rise

already has affected much of the coast in southern California, Central California, and the San Francisco Bay and estuary. These historical trends, quantified from a small set of California tide gages, have approached 0.08 inches per year (in/yr), which are rates very similar to those estimated for global mean sea level. So far, there is little evidence that the rate of rise has accelerated, and indeed the rate of rise at California tide gages has flattened since about 1980. However, projections indicate that substantial sea level rise, even faster than the historical rates, could occur during the next century. (CCCC, 2006, p. 10)

The potential impacts of GCC in California are further illustrated in Figure 4.7-10, *Summary of Projected Global Warming Impact, 2070-2099*.

Figure 4.7-1 Summary of Projected Global Warming Impact, 2070-2099



Source: (Urban Crossroads, 2024d, Exhibit 2-A)

4.7.2 Regulatory Framework

The following is a brief description of the federal, state, and local environmental laws and related regulations related to GHG emissions.

A. International Plans, Policies, and Regulations

1. Kyoto Protocol

The Kyoto Protocol is an international agreement linked to the United Nations Framework Convention on Climate Change, which commits its Parties by setting internationally binding emission reduction targets. Recognizing that developed countries are principally responsible for the current high levels of GHG emissions in the atmosphere as a result of more than 150 years of industrial activity, the Protocol places a heavier burden on developed nations under the principle of "common but differentiated responsibilities." (UNFCCC, n.d.)

The Kyoto Protocol was adopted in Kyoto, Japan, on December 11, 1997 and entered into force on February 16, 2005. The detailed rules for the implementation of the Protocol were adopted at Conference of the Parties (COP) 7 in Marrakesh, Morocco, in 2001, and are referred to as the "Marrakesh Accords." Its first commitment period started in 2008 and ended in 2012. (UNFCCC, n.d.)

On December 8, 2012, in Doha, Qatar, the "Doha Amendment to the Kyoto Protocol" was adopted. The amendment includes:

- New commitments for Annex I Parties to the Kyoto Protocol who agreed to take on commitments in a second commitment period from January 1, 2013, to December 31, 2020;
- A revised list of greenhouse gases (GHG) to be reported on by Parties in the second commitment period; and
- Amendments to several articles of the Kyoto Protocol which specifically referenced issues pertaining to the first commitment period and which needed to be updated for the second commitment period. (UNFCCC, n.d.)

On December 21, 2012, the amendment was circulated by the Secretary-General of the United Nations, acting in his capacity as Depositary, to all Parties to the Kyoto Protocol in accordance with Articles 20 and 21 of the Protocol. (UNFCCC, n.d.)

During the first commitment period, 37 industrialized countries and the European Community committed to reduce GHG emissions to an average of five percent against 1990 levels. During the second commitment period, Parties committed to reduce GHG emissions by at least 18 percent below 1990 levels in the eight-year period from 2013 to 2020; however, the composition of Parties in the second commitment period is different from the first. (UNFCCC, n.d.)

2. *The Paris Agreement*

The Paris Agreement builds upon the Convention and – for the first time – brings all nations into a common cause to undertake ambitious efforts to combat climate change and adapt to its effects, with enhanced support to assist developing countries to do so. As such, it charts a new course in the global climate effort. (UNFCCC, n.d.)

The Paris Agreement's central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. Additionally, the agreement aims to strengthen the ability of countries to deal with the impacts of climate change. To reach these ambitious goals, appropriate financial flows, a new technology framework and an enhanced capacity building framework will be put in place, thus supporting action by developing countries and the most vulnerable countries, in line with their own national objectives. The Agreement also provides for enhanced transparency of action and support through a more robust transparency framework. (UNFCCC, n.d.)

The Paris Agreement requires all Parties to put forward their best efforts through "nationally determined contributions" (NDCs) and to strengthen these efforts in the years ahead. This includes requirements that all Parties report regularly on their emissions and on their implementation efforts. (UNFCCC, n.d.)

In 2018, Parties will take stock of the collective efforts in relation to progress towards the goal set in the Paris Agreement and to inform the preparation of NDCs. There will also be a global stock-taking every five years to assess the collective progress towards achieving the purpose of the Agreement and to inform further individual actions by Parties. (UNFCCC, n.d.)

The Paris Agreement entered into force on November 4, 2016, thirty days after the date on which at least 55 Parties to the Convention accounting in total for at least an estimated 55% of the total global greenhouse gas emissions have deposited their instruments of ratification, acceptance, approval, or accession with the Depositary. (UNFCCC, n.d.)

On June 1, 2017, President Donald Trump announced he would begin the process of withdrawing the United States from the Paris Agreement. In accordance with articles within the Paris Agreement, the earliest effective date for the United States' withdrawal from the Agreement was November 4, 2020, at which time the withdraw became official. On January 20, 2021, President Biden signed the executive order for the United States to rejoin the Paris Agreement, which became official on February 19, 2021.

B. ***Federal Plans, Policies, and Regulations***

1. *Clean Air Act*

Coinciding with the 2009 meeting of international leaders in Copenhagen, on December 7, 2009, the EPA issued an Endangerment Finding under § 202(a) of the Clean Air Act (CAA), opening the door to federal regulation of GHGs. The Endangerment Finding notes that GHGs threaten public health and

welfare and are subject to regulation under the CAA. To date, the EPA has not promulgated regulations on GHG emissions, but it has begun to develop them.

Previously the EPA had not regulated GHGs under the CAA because it asserted that the Act did not authorize it to issue mandatory regulations to address Global Climate Change (GCC) and that such regulation would be unwise without an unequivocally established causal link between GHGs and the increase in global surface air temperatures. In *Massachusetts v. Environmental Protection Agency et al.* (127 S. Ct. 1438 [2007]); however, the U.S. Supreme Court held that GHGs are pollutants under the CAA and directed the EPA to decide whether the gases endangered public health or welfare. The EPA had also not moved aggressively to regulate GHGs because it expected Congress to make progress on GHG legislation, primarily from the standpoint of a cap-and-trade system. However, proposals circulated in both the House of Representative and Senate have been controversial and it may be some time before the U.S. Congress adopts major climate change legislation. The EPA's Endangerment Finding paves the way for federal regulation of GHGs with or without Congress.

C. *State Plans, Policies, and Regulations*

1. *Title 24 Building Energy Standards*

The California Energy Commission (CEC) first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods. The latest revisions (2022 Building Energy Efficiency Standards) became effective on January 1, 2023. The 2019 Building Energy Efficiency Standards already were 7 percent more efficient than the previous (2016) Building Energy Efficiency Standards for residential construction and 30 percent more efficient than the previous Standards for non-residential construction. (CEC, 2018) (The 2016 Building Energy Efficiency Standards already were 28 percent more efficient for residential construction and 5 percent more efficient for nonresidential construction than the 2013 Building Energy Efficiency Standards they replaced.)

Part 11 of Title 24 is referred to as the California Green Building Standards Code (CALGreen Code). The purpose of the CALGreen Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality." The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). Unless otherwise noted in the regulation, all newly constructed buildings in California are subject of the requirements of the CALGreen Code.

2. *Pavley Fuel Efficiency Standards (AB 1493)*

Assembly Bill 1493 ("Pavley Fuel Efficiency Standards") required the CARB to adopt the nation's first GHG emission standards for automobiles. On September 24, 2009, CARB adopted amendments to the "Pavley" regulations that reduce greenhouse gas (GHG) emissions in new passenger vehicles from model year 2009 through 2016. These amendments were part of California's commitment toward a nation-wide program to reduce new passenger vehicle GHGs from 2012 through 2016. CARB's September amendments cement California's enforcement of the Pavley rule starting in 2009 while providing vehicle manufacturers with new compliance flexibility. The amendments also prepare California to harmonize its rules with the federal rules for passenger vehicles.

The U.S. EPA granted California the authority to implement GHG emission reduction standards for new passenger cars, pickup trucks, and sport utility vehicles on June 30, 2009. The first California request to implement GHG standards for passenger vehicles, known as a waiver request, was made in December 2005, and was denied by the EPA in March 2008. That decision was based on a finding that California's request to reduce GHG emissions from passenger vehicles did not meet the CAA requirement of showing that the waiver was needed to meet "compelling and extraordinary conditions." With the granting of the waiver, it is estimated that the Pavley regulations reduced GHG emissions from California passenger vehicles by about 22 percent in 2012 and about 30 percent in 2016, all while improving fuel efficiency and reducing motorists' costs.

The CARB has adopted a new approach to passenger vehicles – cars and light trucks – by combining the control of smog-causing pollutants and greenhouse gas emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and zero-emission vehicles in California.

3. *Executive Order S-3-05*

Executive Order (EO) S-3-05 documents GHG emission reduction goals, creates the Climate Action Team and directs the Secretary of the California EPA to coordinate efforts with meeting the GHG reduction targets with the heads of other state agencies. The EO requires the Secretary to report back to the Governor and Legislature biannually to report: progress toward meeting the GHG goals; GHG impacts to California; and applicable Mitigation and Adaptation Plans. EO S-3-05 goals for GHG emissions reductions include: reducing GHG emissions to 2000 levels by the year 2010; reducing GHG emissions to 1990 levels by the year 2020; and reducing GHG emissions to 80 percent below 1990 levels by 2050.

4. *California Assembly Bill 32 – Global Warming Solutions Act of 2006*

In September 2006, Governor Schwarzenegger signed Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020, which represents a reduction of approximately 15 percent below emissions expected under a "business as usual" scenario. Pursuant to AB 32, the CARB must adopt regulations to achieve the maximum technologically feasible and cost-effective GHG emission reductions. The full implementation of AB 32 will help mitigate risks associated with climate change, while improving

energy efficiency, expanding the use of renewable energy resources, cleaner transportation, and reducing waste.

AB 32 specifically required that CARB do the following:

- Prepare and approve a Scoping Plan for achieving the maximum technologically feasible and cost-effective reductions in GHG emissions from sources or categories of sources of GHGs by 2020, and update the Scoping Plan every five years.
- Maintain and continue reductions in emissions of GHG beyond 2020.
- Identify the statewide level of GHG emissions in 1990 to serve as the emissions limit to be achieved by 2020.
- Identify and adopt regulations for discrete early actions that could be enforceable on or before January 1, 2010.
- Adopt a regulation that establishes a system of market-based declining annual aggregate emission limits for sources or categories of sources that emit GHG emissions.
- Convene an Environmental Justice Advisory Committee to advise the Board in developing and updating the Scoping Plan and any other pertinent matter in implementing AB 32.
- Appoint an Economic and Technology Advancement Advisory Committee to provide recommendations for technologies, research, and GHG emission reduction measures.

In December 2008, CARB approved the initial Scoping Plan, which included a suite of measures to sharply cut GHG emissions. CARB's original determination was that to achieve the 1990 emission level in 2020 a reduction in GHG emissions of approximately 28.5 percent would be needed in the absence of new laws and regulations. The Scoping Plan evaluated opportunities for sector-specific reductions, integrates all CARB and Climate Action Team (CAT) early actions and additional GHG reduction measures, identifies additional measures to be pursued as regulations, and outlines the role of the cap-and-trade program.

In May 2014, CARB approved the First Update to the Climate Change Scoping Plan (Update), which builds upon the initial Scoping Plan with new strategies and recommendations. The Update highlights California's progress toward meeting the near-term 2020 GHG emission reduction goals, highlights the latest climate change science and provides direction on how to achieve long-term emission reduction goal described in Executive Order S-3-05. Based on the revised emissions level projections, achieving the 1990 emissions level in 2020 would require a reduction of approximately 15.3 percent from the "business as usual" condition (down from the original estimate of 28.5 percent).

5. Executive Order B-30-15

On April 29, 2015, Governor Brown issued Executive Order B-30-15, which sets a goal to reduce GHG emissions in California to 40 percent below 1990 levels by 2030. The 2030 target serves as a

benchmark goal on the way to achieving the GHG reductions goal set by former Governor Schwarzenegger via Executive Order S-3-05 (i.e., 80 percent below 1990 greenhouse gas emissions levels by 2050).

6. Senate Bill 32

On September 8, 2016, Governor Brown signed the Senate Bill (SB) 32. SB 32 requires the State to reduce statewide GHG emissions to 40 percent below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The new legislation builds upon the AB 32 goal of 1990 levels by 2020 and provides an intermediate goal to achieving S-3-05, which sets a statewide greenhouse gas reduction target of 80 percent below 1990 levels by 2050.

In December 2017, CARB adopted the Second Update to the Scoping Plan, which identifies the State's post-2020 reduction strategy. The Second Update reflects the 2030 target of a 40 percent GHG emissions reduction below 1990 levels set by SB 32. The Second Update builds upon the Cap- and-Trade Regulation; the Low Carbon Fuel Standard; much cleaner cars, trucks and freight movement; cleaner, renewable energy; and strategies to reduce methane emissions from agricultural and other wastes to reduce GHG emissions.

7. California Senate Bill No. 1368 (SB 1368)

In 2006, the State Legislature adopted Senate Bill (SB) 1368 (Perata, Chapter 598, Statutes of 2006), which directs the California Public Utilities Commission (CPUC) to adopt a GHG emission performance standard (EPS) for the future power purchases of California utilities. SB 1368 seeks to limit carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than five years from resources that exceed specified emissions criteria. Accordingly, SB 1368 effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. SB 1368 will lead to dramatically lower GHG emissions associated with California energy demand.

8. Executive Order S-01-07

Executive Order (EO) S-01-07 is effectively known as the Low Carbon Fuel Standard (LCFS). The Executive Order seeks to reduce the carbon intensity of California's passenger vehicle fuels by at least 10 percent by 2020. The LCFS requires fuel providers in California to ensure that the mix of fuel they sell into the California market meet, on average, a declining standard for GHG emissions measured in CO_2e grams per unit of fuel energy sold.

9. Senate Bill 1078

Senate Bill (SB) 1078 establishes the California Renewables Portfolio Standard Program, which requires electric utilities and other entities under the jurisdiction of the California Public Utilities Commission to meet 20% of their renewable power by December 31, 2017 for the purposes of increasing the diversity, reliability, public health, and environmental benefits of the energy mix.

10. Senate Bill 107

SB 107 directed California Public Utilities Commission's Renewable Energy Resources Program to increase the amount of renewable electricity (Renewable Portfolio Standard) generated per year, from 17% to an amount that equals at least 20% of the total electricity sold to retail customers in California per year by December 31, 2010.

11. Executive Order S-14-08

On November 17, 2008, Governor Schwarzenegger signed Executive Order S-14-08, revising California's existing Renewable Portfolio Standard (RPS) upward to require all retail sellers of electricity to serve 33% of their load from renewable energy sources by 2020. In order to meet this new goal, a substantial increase in the development of wind, solar, geothermal, and other "RPS eligible" energy projects will be needed. Executive Order S-14-08 seeks to accelerate such development by streamlining the siting, permitting, and procurement processes for renewable energy generation facilities. To this end, S-14-08 issues two directives: (1) the existing Renewable Energy Transmission Initiative will identify renewable energy zones that can be developed as such with little environmental impact, and (2) the California Energy Commission (CEC) and the California Department of Fish and Wildlife (CDFW) will collaborate to expedite the review, permitting, and licensing process for proposed RPS-eligible renewable energy projects.

12. Senate Bill 97

By enacting SB 97 in 2007, California's lawmakers expressly recognized the need to analyze GHGs as a part of the CEQA process. SB 97 required the Governor's Office of Planning and Research (OPR) to develop, and the Natural Resources Agency to adopt, amendments to the CEQA Guidelines addressing the analysis and mitigation of greenhouse gas emissions. Those CEQA Guidelines amendments clarified several points, including the following:

- Lead agencies must analyze the GHG emissions of proposed projects, and must reach a conclusion regarding the significance of those emissions. (See CEQA Guidelines Section 15064.4.)
- When a project's GHG emissions may be significant, lead agencies must consider a range of potential mitigation measures to reduce those emissions. (See CEQA Guidelines Section 15126.4(c).)
- Lead agencies must analyze potentially significant impacts associated with placing projects in hazardous locations, including locations potentially affected by climate change. (See CEQA Guidelines Section 15126.2(a).)
- Lead agencies may significantly streamline the analysis of GHGs on a project level by using a programmatic GHG emissions reduction plan meeting certain criteria. (See CEQA Guidelines Section 15183.5(b).)

- CEQA mandates analysis of a proposed project's potential energy use (including transportation-related energy), sources of energy supply, and ways to reduce energy demand, including through the use of efficient transportation alternatives. (See CEQA Guidelines, Appendix F.)

The CEQA Guideline amendments do not identify a quantitative threshold of significance for GHG emissions, nor do they prescribe assessment methodologies or specific mitigation measures. Instead, they call for a "good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project." The amendments encourage lead agencies to consider many factors in performing a CEQA analysis and preserve lead agencies' discretion to make their own determinations based upon substantial evidence. The amendments also encourage public agencies to make use of programmatic mitigation plans and programs from which to tier when they perform individual project analyses. The GHG analysis thresholds incorporated into the CEQA Guidelines' Environmental Checklist (Guidelines Appendix G) are addressed in this EIR. The amendments to the CEQA Guidelines implementing SB 97 became effective on March 18, 2010.

CEQA Guidelines Section 15064.4 was further amended in 2018 to assist agencies in determining the significance of GHG emissions. This Section gives discretion to the lead agency whether to: (1) use a model or methodology to quantify GHG emissions resulting from a project, and which model or methodology to use; or (2) rely on a qualitative analysis or performance-based standards. CEQA does not provide guidance to determine whether the project's estimated GHG emissions are significant or cumulatively considerable.

13. Senate Bill 375

The Sustainable Communities and Climate Protection Act of 2008 (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008) supports the State's climate action goals to reduce greenhouse gas (GHG) emissions through coordinated transportation and land use planning with the goal of more sustainable communities. Under the Sustainable Communities Act, CARB sets regional targets for GHG emissions reductions from passenger vehicle use. In 2010, CARB established these targets for 2020 and 2035 for each region covered by one of the State's metropolitan planning organizations (MPO). CARB will periodically review and update the targets, as needed.

Each of California's MPOs must prepare a "sustainable communities strategy" (SCS) as an integral part of its regional transportation plan (RTP). The SCS contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet its GHG emission reduction targets. Once adopted by the MPO, the RTP/SCS guides the transportation policies and investments for the region. CARB must review the adopted SCS to confirm and accept the MPO's determination that the SCS, if implemented, would meet the regional GHG targets. If the combination of measures in the SCS would not meet the regional targets, the MPO must prepare a separate "alternative planning strategy" (APS) to meet the targets.

The Sustainable Communities Act also establishes incentives to encourage local governments and developers to implement the SCS or the APS. Developers can get relief from certain environmental review requirements under CEQA if their new residential and mixed-use projects are consistent with a region's SCS (or APS) that meets the targets (see Cal. Public Resources Code Sections 21155, 21155.1, 21155.2, 21159.28.).

D. Local Plans, Policies and Regulations

1. San Bernardino County Regional Greenhouse Gas Reduction Plan

San Bernardino County first adopted the *Greenhouse Gas Reduction Plan* in September 2011; an update to the *Greenhouse Gas Reduction Plan* was adopted in September 2021. The *Greenhouse Gas Reduction Plan* provides an inventory of GHG emissions within unincorporated areas of the County and establishes GHG emissions reduction targets for unincorporated areas of the County that would comply with the mandate of SB 32 (i.e., 40 percent below 2020 levels by the year 2030).

The *Greenhouse Gas Reduction Plan* also provides guidance on the methodology to be used to analyze the GHG emissions of proposed development projects within unincorporated areas of San Bernardino County, establishes the criteria to be used to determine the significance of the GHG emissions during the CEQA review process, and establishes a list of standard conditions of approval that would be applied to all development projects to reduce County-wide GHG emissions. Related to CEQA review, the *Greenhouse Gas Reduction Plan* establishes a two-step for development projects. First, a screening threshold of 3,000 metric tons of carbon dioxide equivalent (MTCO2e) per year is used to determine if further analysis is required. If a development project were to produce GHG emissions of less than 3,000 MTCO2e per year, then that Project would be considered to be a "less than significant" emitter of GHGs that would not prevent the County of achieving the GHG reduction mandate of SB 32. If a development project were to produce more than 3,000 MTCO2e per year, then the project is required to either achieve a minimum of 100 points from the applicable screening tables provided in the *Greenhouse Gas Reduction Plan* or provide alternative mitigation that would achieve GHG emissions reductions equivalent to those that would be realized by achieving 100 points from the applicable screening table. Upon achieving at least 100 points from the screening table, or equivalent GHG emissions reductions, the development project would be considered to have a less than significant effect from GHG emissions and would be consistent with the County's GHG emissions reduction target to satisfy SB 32.

2. County Policy Plan

The Natural Resources Element of the San Bernardino County general plan sets forth goals and policies related to GHG emissions. Goals and policies that may be applicable to the Project and/or Project Site are summarized below.

Goal NR-1: Air Quality. Air quality that promotes health and wellness of residents in San Bernardino County through improvements in locally-generated emissions.

Policy NR-1.7: Greenhouse gas reduction targets. We strive to meet the 2040 and 2050 greenhouse gas emission reduction targets in accordance with state law.

Policy NR-1.9 Building design and upgrades. We use the CALGreen Code to meet energy efficiency standards for new buildings and encourage the upgrading of existing buildings to incorporate design elements, building materials, and fixtures that improve environmental sustainability and reduce emissions.

4.7.3 Basis for Determining Significance

The thresholds listed below are taken from Appendix G to the CEQA Guidelines and address a development project's potential to result in significant impacts due to GHG emissions. Neither the CEQA Statute nor the CEQA Guidelines prescribe specific methodologies and significance criteria for determining the significance of GHG emissions impacts. The CEQA Guidelines emphasize the lead agency's discretion to determine the appropriate thresholds consistent with the manner in which other impact categories are handled in CEQA. CEQA case law has upheld local agencies' discretion to determine the significance of GHG emissions impacts. The proposed Project would result in a significant impact to greenhouse gas emissions if the Project or any Project-related component would:

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

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

As part of the November, 30, 2015, decision in *Center for Biological Diversity v. California Department of Fish and Wildlife ("Newhall Ranch")*, the California Supreme Court outlined four potential pathways that CEQA compliance documents could use to determine if GHG emissions from a specific project would be significant under Threshold "a":

1. Substantiation of Project Reductions from "Business as Usual" (BAU). A lead agency may use a BAU comparison based on the CARB Scoping Plan's methodology if it also substantiates the reduction a particular project must achieve to comply with statewide goals. The Court suggested a lead agency could examine the "data behind the Scoping Plan's business-as-usual model" to determine the necessary project level reductions from new land use development at the proposed location;

2. Compliance with Regulatory Programs or Performance-based Standards. A lead agency might assess consistency with the State's GHG reduction goal in whole or part by looking to compliance with regulatory programs designed to reduce greenhouse gas emissions from particular activities;

3. Compliance with GHG Reduction Plans or Climate Action Plans (CAPs). A lead agency may utilize "geographically specific GHG emission reduction plans" such as

climate action plans or greenhouse gas emission reduction plans to provide a basis for the tiering or streamlining of project-level CEQA analysis; or

4. Compliance with Local Air District Thresholds. A lead agency may rely on "existing numerical thresholds of significance for greenhouse gas emissions" adopted by, for example, local air districts.

Based on the foregoing guidance from the California Supreme Court and CEQA Guidelines Section 15064.4, the County selects Option #3 listed above and will rely on compliance with the County's *Greenhouse Gas Reduction Plan* (2021) in the determination of significance of Project-related GHG emissions. The *Greenhouse Gas Reduction Plan* utilizes a GHG emissions screening threshold of 3,000 $MTCO_2e$ per year to identify development projects that clearly result in less than significant volumes of GHG emissions and do not require further study (i.e., projects that do not exceed the screening threshold) and projects that would generate substantial GHG emissions that require mitigation (i.e., projects that exceed the screening threshold). The County's *Greenhouse Gas Reduction Plan* is a geographically-specific GHG emissions reduction plan that was adopted by the County for purposes of reducing County-wide GHG emissions in a manner consistent with SB 32 and applicable State legislation. For purposes of evaluation under CEQA, the County determined that GHG emissions from a private development project found to be consistent with the *Greenhouse Gas Reduction Plan* would result in a less than significant impact to the environment pursuant to Threshold "a" (refer to Appendix A of the *Greenhouse Gas Reduction Plan*).

4.7.4 Methodology for Estimating Greenhouse Gas Emissions

The California Emission Estimator Model (CalEEMod, v2022.1, released May 2022), developed by the California Air Pollution Control Officers Association (CAPCOA) in collaboration with the SCAQMD and air pollution control districts across the State, was used to quantify GHG emissions from Project-related construction and operational activities. CalEEMod is the software analysis tool recommended by SCAQMD for the quantification of GHG emissions associated with the construction and operation of land development projects because it is the only software model maintained by CAPCOA and incorporates locally-approved emission factors and methodologies for estimating pollutant emissions. Inputs and outputs from the model runs for both Project-related construction and operational activities are provided in Appendices 3.1 and 3.2 of the Project's GHGA (*Technical Appendix I*).

Although CalEEMod is a comprehensive analysis tool, CalEEMod is limited to quantifying GHG emissions that are known as of the date of release of the model; therefore, there may be sources of GHG emissions that are not known (or not quantifiable) at this time but may be measurable by the time the Project is constructed and operational. Furthermore, CalEEMod relies on data published by the CARB and other data sources to be representative of local/regional averages which may not be completely representative of the Project's construction and/or operational characteristics (and may slightly underestimate or overestimate the Project's emissions). Lastly, not all of the CalEEMod calculation data files are known or publicly available for review, although it is reasonable to assume

that the data contained in CalEEMod is accurate and grounded in science because CalEEMod is developed by CAPCOA in collaboration with 35 local air pollution control districts.

A life-cycle analysis (LCA), which assesses economy-wide GHG emissions from construction (i.e., the processes in manufacturing and transporting all raw materials used in the project development and infrastructure) and operation, was not conducted for the Project due to the lack of scientific consensus on LCA methodology. A LCA depends on emission factors or econometric factors that are not well established for all processes as of the date the NOP for this EIR was published. Additionally, SCAQMD recommends analyzing a project's direct and indirect GHG emissions generated within California in-lieu of an LCA because a project's life-cycle effects could extend beyond California and these effects might not be well understood or well documented and/or infeasible to mitigate.

A. Methodology for Estimating Project-Related Construction Emissions

The Project's construction-related GHG emissions were calculated using the same methodology, construction schedule information, and equipment fleet information that were used to calculate construction-related criteria air pollutant emissions, and as previously described in detail in EIR Subsection 4.2, *Air Quality*. Refer to EIR Subsection 4.2 and Appendix 3.1 of the Project's GHGA (*Technical Appendix I*) for a detailed description of the methodology used to calculate the Project's construction GHG emissions.

In accordance with the SCAQMD recommendations, the Project's construction-related GHG emissions were quantified, amortized over a 30-year period, and then added to the sum of the Project's annual operational GHG emissions.

B. Methodology for Estimating Project-Related Operational Emissions

The Project's operational GHG emissions were calculated using the same methodology that was used to calculate operational criteria air pollutant emissions, and as previously described in detail in EIR Subsection 4.2, *Air Quality*. Refer to EIR Subsection 4.2 and Appendices 3.1 and 3.2 of the Project's GHGA (*Technical Appendix I*) for a detailed description of the methodology used to calculate the Project's operational GHG emissions.

4.7.5 Impact Analysis

Threshold a: ***Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?***

Project operations, including amortized emissions from construction activities, would generate net GHG emissions of approximately 12,831.61 $MTCO_2e$ per year, as summarized in Table 4.7-2, *Project GHG Emissions*. Project-related GHG emissions would exceed the screening threshold outlined in the County's *Greenhouse Gas Reduction Plan* and, thus, would be considered a significant impact on the environment.

Table 4.7-2 Project GHG Emissions (Before Mitigation)

Emission Source	Emissions (MT/yr)				
	CO_2	CH_4	N_2O	Refrigerants	Total CO_2e
Annual construction-related emissions amortized over 30 years	200.30	0.01	0.01	0.08	202.83
Mobile	9,937.00	0.70	1.35	8.98	10,365.00
Area	37.90	<0.005	<0.005	0.00	38.10
Energy	1,664.00	0.16	0.02	0.00	1,674.00
Water	92.00	1.86	0.04	0.00	152.00
Waste	157.00	15.70	0.00	0.00	549.00
Refrigerants	0.00	0.00	0.00	<0.005	<0.005
Stationary Sources	11.40	<0.005	<0.005	0.00	11.50
Operation Equipment					331.57
Gross Project CO_2e (All Sources without OWTS)	**13,324.00**				
Reduced Haul Truck Operations	*-492.39*				
Total Net CO_2e (All Sources without OWTS)	**12,831.61**				
Total Net CO_2e (All Sources with OWTS)	**12,969.81**				

Data from CalEEMod output, see Appendix 3.2 of the Project's GHGA for detailed model outputs.
Source: (Urban Crossroads, 2024d, Table 3-7; Table 3-8; Urban Crossroads, 2024i, Table 1)

If the Project utilizes an OWTS for wastewater disposal in lieu of connection to the local sewer system, an additional 138.20 MT/yr of CO_2e would be emitted as "energy source" emissions from the generation of electricity needed to power the OWTS (Urban Crossroads, 2024i, p. 3). Under this scenario, the Project's total net CO_2e emissions would be 12,969.81 MT/yr, which is a significant impact and mitigation would be required.

Threshold b: ***Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?***

In April 2015, Governor Edmund Brown Jr. signed EO B-30-15, which advocated for a statewide GHG-reduction target of 40 percent below year 1990 levels by 2030 and 80 percent below 1990 levels by 2050. In September 2016, Governor Brown signed SB 32. SB 32 formally established a statewide goal to reduce GHG emissions to 40 percent below year 1990 levels by 2030.

To date, no statutes or regulations have been adopted to translate the year 2050 GHG reduction goal into comparable, scientifically-based statewide emission reduction targets. Rendering a significance

determination for year 2050 GHG emissions relative to EO B-30-15 would be speculative because EO B-30-15 establishes a goal more than 25 years into the future; no agency with GHG subject matter expertise has adopted regulations to achieve these statewide goals at the project-level; and, available analytical models cannot presently quantify all project-related emissions in those future years. Further, due to the technological shifts anticipated and the unknown parameters of the regulatory framework in 2050, available GHG models and the corresponding technical analyses are subject to limitations for purposes of quantitatively estimating the Project's emissions in 2050. For these reasons, the remainder of this analysis will focus on the Project's potential to conflict with applicable local and/or State GHG reduction plans, policies, and regulations that are in place to achieve the mandate for GHG reductions by 2030.

The Project provides for the construction and operation of a warehouse building that would include contemporary, energy-efficient/energy-conserving design features and operational procedures. Warehouse land uses are not inherently energy intensive and the total Project energy demands would be comparable to, or less than, other goods movement projects of similar scale and configuration due to the Project's modern construction and requirement to be constructed in accordance with the most recent CBSC. The CBSC includes the California Energy Code (Title 24, Part 6 of the California Code of Regulations) and the California Green Building Standards Code (Title 24, Part 11 of the California Code of Regulations). These regulations were established in 1978 and 2008, respectively, in response to legislative mandates to reduce California's energy consumption and provide for more sustainable development. The standards are updated approximately every three years to improve energy efficiency, water efficiency, and material and resource conservation by allowing incorporation of new building efficiency technologies and construction methods/best practices. The Project would be required to comply with all applicable provisions of the CBSC. As such, the Project's energy, water, and resource demands would be minimized through design features and operational programs that, in aggregate, would ensure that the Project would comply with – or exceed – incumbent CBSC efficiency requirements, thereby minimizing GHG emissions produced from construction, energy consumption, and water use.

CARB prepared the 2017 (superseded) and 2022 Scoping Plan Updates to identify measures that would achieve the emissions reduction goal of SB 32. Research conducted by the Lawrence Berkeley National Laboratory confirmed that, California would meet the year 2030 GHG reduction target established by SB 32 through implementation of the policy framework identified in the Scoping Plan (Urban Crossroads, 2024d, p. 29). The Project would be required to comply with applicable current and future regulatory requirements promulgated through the 2022 Scoping Plan. Specifically, no component of the Project would conflict with transportation sector policies aimed at reducing GHG emissions, including but not limited to: Advanced Clean Cars II, Advanced Clean Trucks, Advanced Clean Fleets, Zero Emission Forklifts, the Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, In-use Off-Road Diesel-Fueled Fleets Regulation, Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, Amendments to the Inuse Off-Road Diesel-Fueled Fleets Regulation, carbon pricing through the Cap-and-Trade Program, and the Low Carbon Fuel Standard. Additionally, the Project includes design features related to water and solid conservation that will further reduce Project GHG emissions. (Urban Crossroads,

2024d, p. 50) Accordingly, the Project would not interfere with the State's ability to achieve the year GHG-reduction targets established by SB 32

The *2016-2040 RTP/SCS* was prepared to ensure that the SCAG region attains the per capita vehicle miles targets for passenger vehicles identified by CARB as required by Senate Bill 375 (and, thus, meeting associated regional GHG emissions targets). As explained in EIR Section 4.14, *Transportation*, the Project would not conflict with applicable measures of the *2016-2040 RTP/SCS* and, therefore, would not interfere with the region's ability to minimize GHG emissions from transportation sources.

As described on the preceding pages, implementation of the Project would neither conflict with the State's ability to achieve effective GHG reduction mandates nor conflict with applicable policies and plans related to GHG emissions reductions. Further, implementation of the Project would not actively interfere with any future federally-, State-, or locally-mandated retrofit obligations (such as requirements to use new technologies such as diesel particulate filters, emissions upgrades to a higher tier equipment, etc.) that are enacted or promulgated to legally require development projects to assist in meeting State-adopted GHG emissions reduction targets, including those established under EO S-3-05, EO B-30-15, or SB 32. Notwithstanding, as demonstrated under the response to Threshold "a," Project-related GHG emissions would exceed the screening threshold established by the County's *Greenhouse Gas Reduction Plan*, which represents a potential conflict with an applicable local GHG reduction plan. The potential conflict with the County's *Greenhouse Gas Reduction Plan* could result in local GHG emissions that exceed State GHG reduction mandates and result in a substantial adverse environmental impact. The Project's potential conflict with the County's *Greenhouse Gas Reduction Plan* is identified as a significant impact and mitigation is required.

4.7.6 Cumulative Impact Analysis

GCC occurs as the result of global emissions of GHGs. An individual development project does not have the potential to result in direct and significant GCC-related effects in the absence of cumulative sources of GHGs. The CEQA Guidelines emphasize that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (See CEQA Guidelines Section 15130[f]). Accordingly, the analysis provided in Subsection 4.7.5 reflects an analysis of the potential cumulative effects related to the Project's GHG emissions, which concludes the Project would generate cumulatively considerable GHG emissions that may have a significant impact on the environment because the Project would exceed the GHG emissions screening threshold established by the County's *Greenhouse Gas Reduction Plan*.

4.7.7 Significance of Impacts Before Mitigation

Threshold a: Cumulatively Considerable Impact. The Project would exceed the County's significance threshold of 3,000 $MTCO_2e$ per year. As such, the Project would generate substantial, cumulatively considerable GHG emissions that may have a significant impact on the environment.

Threshold b: Cumulatively Considerable Impact. Without mitigation, the Project would not be consistent with the County's *Greenhouse Gas Reduction Plan*, which would be a cumulatively considerable impact. The Project otherwise would not conflict with applicable regulations, policies, plans, and policy goals that would further reduce GHG emissions.

4.7.8 MITIGATION

The mitigation measures (MMs) listed below address the cumulatively considerable GHG emissions associated with the Project:

MM 4.7-1 Prior to the issuance of a building permit, the Project Applicant shall provide documentation to the San Bernardino County Land Use Services Department (Planning Division) that demonstrates the design measures listed in EIR Table 4.7-3 have been incorporated into the Project design, or that alternative design measures are provided that would achieve a minimum of 100 points from Table 2, Screening Table for Implementing GHG Performance Standards for Commercial Development and Public Facilities, of the *County of San Bernardino Greenhouse Gas Reduction Plan Update* (adopted September 2021).

Table 4.7-3 GHG Reduction Design Measures

Feature	Description	Points
Windows	Enhanced Window Insulation (0.32 U-factor, 0.25 SHGC)	5
Thermal Storage of Building	Thermal storage is a design characteristic that helps keep a constant temperature in the building. Common thermal storage devices include strategically placed water filled columns, water storage tanks, and thick masonry walls.	2
	Modest Thermal Mass (10% of floor or 10% of walls 12" or more thick exposed concrete or masonry with no permanently installed floor covering such as carpet, linoleum, wood, or other insulating materials	
Artificial Lighting	Very High Efficiency Lights (100% of in-unit fixtures are high efficiency)	8
All-Electric Buildings	All electric buildings reduce GHG emissions, as the grid electricity they use is generated using less carbon over time. Grid electricity in California will be 60 percent renewable energy by 2030 and 100 percent renewable energy by 2040.	15
Water Efficient Landscaping	Only low water using plants	3
Water Efficient Irrigation Systems	Weather based irrigation control systems combined with drop irrigation (demonstrate 20% reduced water use)	3
Toilets	Water Efficient Toilets/Urinals (1.5 gpm)	3
Faucets	Water Efficient faucets (1.28 gpm)	2

Table 4.7-3 GHG Reduction Design Measures

Feature	Description	Points
Worker& Customer Based Electric Vehicle Chargers	Installation of Level 2 240-volt AC Fast Chargers for passenger electric vehicles (31 total)	155
Recycling	Provide separated recycling bins within each commercial building/floor and provide large external recycling collection bins at central location for collection truck pick-up	2
	TOTAL POINTS EARNED BY PROJECT	***198***

In addition, MMs 4.2-2, 4.2-3, and 4.2-4, as previously presented in EIR Subsection 4.2, *Air Quality*, shall apply.

4.7.9 Significance of Impacts After Mitigation

Thresholds "a" and "b:" Less-than-Significant Impact with Mitigation. MM 4.7-1 requires the Project to include design measures that would reduce GHG emissions. The GHG-reduction measures provided by the Project must achieve a minimum of 100 points from the applicable screening table within the *County of San Bernardino Greenhouse Gas Reduction Plan Update.* As stated in the *County of San Bernardino Greenhouse Gas Reduction Plan Update*, development projects that achieve 100 points "... are consistent with the Plan and therefore will be determined to have a less than significant individual and cumulative impact for GHG emissions" (San Bernardino County, 2021; Appendix A, Page 6). Accordingly, implementation of MM 4.7-1 would ensure that GHG emissions from the Project would not have a significant impact on the environment and would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. After mitigation, the Project's impact would be less than significant.

Application of MM 4.7-1 is sufficient to reduce the Project's potential effects related to GHG emissions to a less than significant level. Notwithstanding, MMs 4.2-2, 4.2-3, and 4.2-4, which are required to reduce Project-related VOC emissions (see EIR Subsection 4.2), would further reduce GHG emissions associated with the Project. Table 4.7-4, below, summarizes Project-related GHG emissions following the implementation of MMs 4.2-2, 4.2-3, and 4.2-4. Additional MMs related to GHG emissions, including but not limited to the requirement for a partial or full electric truck fleet – which is not feasible due to operational constraints (i.e., limited battery capacity, low operational range, long charge times), insufficient charging infrastructure, and inadequate electrical transmission grid infrastructure as further elaborated in *Technical Appendix X* – are not warranted as the MMs required by this EIR are adequate to ensure compliance with the *County of San Bernardino Greenhouse Gas Reduction Plan Update* and reduce potential effects related to GHG emissions to a less than significant level (Urban Crossroads, 2025, pp. 9-13).

Table 4.7-4 Project GHG Emissions – With Mitigation

Emission Source	Emissions (MT/yr)				
	CO_2	CH_4	N_2O	Refrigerants	Total CO_2e
Annual construction-related emissions amortized over 30 years	200.30	0.01	0.01	0.08	202.83
Mobile	9,937.00	0.70	1.35	8.98	10,365.00
Area	0.00	0.00	0.00	0.00	0.00
Energy	1,664.00	0.16	0.02	0.00	1,674.00
Water	92.00	1.86	0.04	0.00	152.00
Waste	157.00	15.70	0.00	0.00	549.00
Refrigerants	0.00	0.00	0.00	<0.005	<0.005
Stationary Sources	11.40	<0.005	<0.005	0.00	11.50
Operation Equipment					0.00
Gross Project CO_2e (All Sources without OWTS)	**13,285.90**				
Reduced Haul Truck Operations	*-492.39*				
Total Net CO_2e (All Sources without OWTS)	**12,461.94**				
Total Net CO_2e (All Sources with OWTS)	**12,600.12**				

Data from CalEEMod output, see Appendix 3.2 of the Project's GHGA for detailed model outputs.
Source: (Urban Crossroads, 2024d, Table 3-8; Urban Crossroads, 2024i, Table 1)

4.8 HAZARDS & HAZARDOUS MATERIALS

In this EIR, the term "toxic substance" is defined as a substance that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may present an unreasonable risk of injury to human health or the environment. Toxic substances include chemical, biological, flammable, explosive, and radioactive substances.

In this EIR, the term "hazardous material" is defined as a substance that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may: 1) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed of, or otherwise mismanaged; or 2) cause or contribute to an increase in mortality or an increase in irreversible or incapacitating illness.

Hazardous waste is defined in the California Code of Regulations, Title 22, Section 66261.3. The defining characteristics of hazardous waste are: ignitability (oxidizers, compressed gases, and extremely flammable liquids and solids), corrosivity (strong acids and bases), reactivity (explosives or generates toxic fumes when exposed to air or water), and toxicity (materials listed by the U.S. Environmental Protection Agency [EPA] as capable of inducing systemic damage to humans or animals). Certain wastes are called "Listed Wastes" and are found in the California Code of Regulations, Title 22, Sections 66261.30 through 66261.35. Wastes appear on the lists because of their known hazardous nature or because the processes that generate them are known to produce hazardous wastes (which are often complex mixtures).

The information and analysis presented in this Subsection is based in part on information presented in the following documents:

- *Phase I Environmental Site Assessment, Vulcan Materials Company, 2350 and 2400 West Highland Avenue, San Bernardino County, California 92407*, prepared by Tetra Tech and dated March 27, 2020 (Tetra Tech, 2020).
- *Phase I Environmental Site Assessment Addendum, Vulcan Materials Company, 2350 and 2400 West Highland Avenue, San Bernardino County, California 92407,* prepared by Tetra Tech and dated May 10, 2022 (Tetra Tech, 2022).

These documents are included as *Appendices J* and *K* to this EIR, respectively. All other references used in this Subsection are listed in EIR Section 7.0, *References*.

4.8.1 EXISTING CONDITIONS

A. Project Site Conditions

1. Historical Review

Tetra Tech reviewed various sources of information to determine the historical uses of the Project Site, including historical aerial photographs, historical topographic maps, Environmental Data Resources (EDR) collection of regulatory database records, county and city directories, historical site occupants, and historical ownership records. Refer to *Appendix J* of this EIR for more detailed information from the historical review.

According to the historical records reviewed by Tetra Tech, the Project Site was undeveloped or vacant land with Lytle Creek Wash crossing the Site from at least 1896 until 1938. A levee was constructed adjacent to the northeast border of the Project Site by 1949 and the subject property was no longer depicted as part of the Lytle Creek Wash. By 1949, the Project Site was occupied by a gravel pit, a processing area, a sand and gravel plant, and several buildings (most of which are still present on the Site). By 1959, the concrete plant and asphalt plant and their associated buildings were present on the Project Site. Use of the Project Site for mining and/or mineral resources processing and the production and sale of concrete, asphalt, and aggregates has continued uninterrupted to present day, although the location of the structures and equipment on the Project Site have changed over time. (Tetra Tech, 2020, pp. 11, 13-15)

As noted in the Phase I ESA, Tetra Tech reviewed historical records reporting that, in the early 1950s, the Project Site was part of a landfill/disposal facility at which waste was burned and buried. Tetra Tech found no evidence of any landfilling on the Project Site and found no evidence of such facility existing on the Project Site when reviewing historic aerial photographs and topographic maps. Further research conducted by Tetra Tech found that the historic disposal site was located outside of the Project Site boundary (approximately 850 feet to the north, within the present Lytle Creek Wash). The disposal site was closed before 1955 and grading/revegetation was completed in 1994. Based on the location of the disposal site, types of materials reportedly disposed, and subsurface testing data, Tetra Tech concluded that the historic disposal site was not an environmental hazard to the Project Site (Tetra Tech, 2022, p. 2).

2. Regulatory Records Review

A review of databases and files from federal, State, and local environmental regulatory agencies was conducted to identify use, generation, storage, treatment or disposal of hazardous materials and chemicals, or release incidents of such materials which may impact the Project Site. A summary of the research results is provided below and on the following pages, detailed information is provided in the Project's Phase I ESA (refer to *Appendix J*).

- The Project Site is listed on the State's MINES database as a former open pit sand or gravel mine that was closed with no intent to resume (Tetra Tech, 2020, p. 21). In addition, the Project Site was listed in the MINES database for the Cajon Creek (19455 South Cajon Avenue) mining facility; however, based on the address provided and the reference to Cajon Creek, this facility is the off-site sand and gravel pit that provides materials to the Project Site. This facility is listed in the MINES database as an active open mine (Tetra Tech, 2020, p. 21).
- The Project Site was listed in the Hazardous Waste Tracking System (HWTS) database as a hazardous waste facility in 2005. This listing was reported to have been inactivated in 2006 (Tetra Tech, 2020, p. 21).
- The State Water Resources Control Board's GeoTracker website contains three listings related to the Project Site (Tetra Tech, 2020, pp. 22-24):
    - Industrial Asphalt was cited as the operator of a leaking underground storage tank (LUST) on the Project Site. This facility was reported to have had a release of diesel that impacted the soil, but

the release had been addressed to the satisfaction of the San Bernardino County Fire Department, Hazardous Waste Division and the case was closed.

- Vulcan Materials was listed as the operator of numerous underground storage tanks (USTs) on the Project Site.
- The Project Site was listed as a disposal facility that was active from the early 1950s and likely closed before 1955. [Note: As previously disclosed in Subsection 4.8.1A.1, further research conducted by Tetra Tech determined the disposal facility was located off-site and north of the Project Site.]

- The Project Site is listed on South Coast Air Quality Management District (SCAQMD) databases for permits issued to CalMat Co. in for storage tank aggregate in 1984; amine treating in 1990; aggregate production/crushing in 1992, 2001, 2002, 2005, 2006, and 2016; storage and dispensing gasoline in 1990, 2005, and 2014; and ambient temperature baghouse in 2016 (Tetra Tech, 2020, pp. 23-23).
- The Project Site is listed in numerous San Bernardino County Fire Department records dating to 1984 related to the generation and handling/storage of hazardous materials and wastes on-site (Tetra Tech, 2020, pp. 23-24).

3. Field Reconnaissance

Tetra Tech conducted a visual inspection of the Project Site and immediately abutting area. The Project Site was observed to contain three facilities operating within its boundaries – a sand and gravel plant, a concrete plant, and an asphalt plant.

The sand and gravel plant has an office building, a maintenance shop building, a lube bay, an equipment wash area, and various small storage or electrical containers. A fuel dispensing area with diesel USTs and a waste oil UST is present west of the lube bay. An equipment wash area is used to steam clean equipment. The main activities of the sand and gravel plant include receiving source materials from an off-site sand and gravel pit, and processing, storing, and selling those materials to customers (or transporting them to on-site concrete and asphalt plants).

The concrete plant has an office building, a storage building, temporary materials storage area, and concrete production area. Source materials from the sand and gravel plant are stored at the concrete plant, then transferred via a conveyer belt, mixed with fly ash and concrete additive to produce the concrete, which is then transferred to trucks for off-site use.

The asphalt plant has an office building, a maintenance shop building, a materials laboratory building, and various small storage or electrical containers. The asphalt plant includes a drier, an elevator to move source materials, a separator to separate materials into different sizes, and a mixer. The asphalt is mixed and then transferred to trucks for off-site use. The materials laboratory building is used to analyze the composition of source materials provided by the sand and gravel plant.

A summary of the potentially hazards materials and/or substances observed on the Project Site is provided below. Refer to the Project's Phase I ESA (*Appendix J*) for a detailed description of all observations made on the Project Site.

Underground Storage Tanks (USTs)

The following USTs are reported to be present at the site:

- One 20,000-gallon diesel UST, one 12,000-gallon diesel UST, one 3,500 oil UST, and one 4,500-gallon waste oil UST in the fuel dispensing area to the west of the lube bay at the sand and gravel plant. The 12,000-gallon diesel, 3,500-gallon oil, and 4,500-gallon waste oil USTs are part of a three-way split UST.
- Two combined USTs containing PG-6410 asphalt oil and totaling 103.14 tons, one 51.20-ton UST containing PG-7010 asphalt oil, and one empty 10,000-gallon UST located to the east of the asphalt mixing area at the asphalt plant.

Aboveground Storage Tanks (ASTs)

The following ASTs were observed at the site:

- One 1,000-gallon gasoline AST located to the north of the lube bay at the sand and gravel plant.
- One 300-gallon AST containing drive train fluid, three 250-gallon ASTs containing automatic transmission fluid, hydraulic oil, and gear oil, respectively, and two 150-gallon ASTs containing gear lubricant and Vectron diesel engine oil, respectively, in the lube bay at the sand and gravel plant.
- One 325,000-pound cement AST, one 150,000-pounds fly ash AST, and five 1,000-gallon ASTs of concrete additives in the mixing area of the concrete plant.
- One 10,000-gallon AST containing SC-800 asphalt oil located to the east of the asphalt mixing area at the asphalt plant.
- One 8,500-gallon container of Guardtop asphalt emulsion located to the west of the asphalt mixing area at the asphalt plant.
- One 250-gallon propane AST along the south border of the asphalt plant.
- Multiple water ASTs throughout the materials storage area in the west portion of the sand and gravel plant.

Asbestos-Containing Materials (ACMs)

Based on the age of construction of the on-site buildings (from the 1940s to 1950s), it is possible that ACMs are present. Observed or inferred suspect ACMs at the Project Site include: vinyl flooring and associated mastic and/or backing, carpet mastic, drywall and associated joint compound, window caulk, roofing materials, and concrete slabs/joint compound in expansion joints.

Lead-Based Paint (LBP) and Other Lead-Containing Materials (LCMs)

Based on the age of construction of the on-site buildings (from the 1940s to 1950s), it is possible that LBP and other LCMs (such as ceramic tiles) are present.

Hazardous Materials Usage

In addition to the contents of the ASTs and USTs noted above, the following hazardous materials were observed during the site reconnaissance:

- A 500-pound liquid nitrogen tank, three flammable-rated cabinets containing approximately 50 gallons of flammable materials, including mineral spirits, oil, lubricant, grease, and spray paint/cleaner, and welding gases in the shop in the sand and gravel plant.
- One 275-gallon tote of diesel exhaust fluid, one 55-gallon drum of pyroplex grease, and one flammable-rated cabinet containing approximately 20 gallons of flammable materials, including brake parts cleaner and WD-40, in the lube bay at the sand and gravel plant.
- One 55-gallon drum of pyroplex grease and approximately 200 gallons of maintenance chemicals (grease/transmission fluid) in the hazardous materials/waste storage area located to the west of the maintenance shop building at the sand and gravel plant.
- Three 55-gallon drums of clear sealant in the equipment wash area at the sand and gravel plant.
- Two flammable-rated cabinets containing approximately 15 gallons of flammable materials, including spray paint/cleaner/oil/lubricant and propane, and welding gases in the shop at the asphalt plant.
- One 275-gallon tote of asphalt additive located to the south of the mixing area of the asphalt plant.
- One 275-gallon tote of foaming agent for dust control along the north border of the asphalt plant.
- Two 275-gallon totes of asphalt release agent along the south border of the asphalt plant.
- Fifty-two 5-gallon containers of asphalt emulsion located to the south of the office building at the asphalt plant.

Hazardous Waste Management

In addition to the large waste oil UST noted above, the following hazardous wastes were observed during the site reconnaissance:

- One 30-gallon aqueous parts washer in the maintenance shop building at the sand and gravel plant.
- Four 55-gallon drums of oily debris, four 55-gallon drums of waste filters, two 55-gallon drums of waste aerosol containers, two 55-gallon drums of waste antifreeze, and four 55-gallon drum of waste oil in a covered hazardous materials/waste oil storage area located to the west of the maintenance shop building at the sand and gravel plant.

Polychlorinated Biphenyls (PCBs)

Fluorescent lighting is utilized within the buildings on the Project Site. Fluorescent light ballasts manufactured prior to 1979 may contain small quantities of PCBs. Due to access limitations, the light ballasts were not examined for labels indicating their PCB content. No evidence of damage to or leakage from the light ballasts was observed during the site inspection. The presence of potentially PCB-containing fluorescent lighting (ballasts) is considered to be a *de minimis* condition. Window caulking and concrete slabs, particularly joint compound in expansion joints, can also contain PCBs.

Mercury

Fluorescent lighting (bulbs/tubes) was observed at the Project Site. Fluorescent bulbs/tubes contain mercury. Evidence of damage or leakage was not observed. The presence of fluorescent lighting (bulbs/tubes) is considered to be a *de minimis* condition.

Wastewater

Domestic wastewater generated on the Project Site is discharged to on-site septic systems.

4.8.2 Regulatory Setting

Hazardous materials and hazardous wastes are regulated by various federal, State, and local regulations to protect public health and the environment. This section summarizes the overall regulatory framework governing hazardous materials management that is applicable to the Project and/or the Project Site.

A. Federal Plans, Policies, and Regulations

1. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Superfund Amendments and Reauthorization Act (SARA)

The Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA or Superfund, provides a Federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment (EPA, 2023e). Through CERCLA, the Environmental Protection Agency (EPA) was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup. EPA cleans up orphan sites when potentially responsible parties cannot be identified or located, or when they fail to act. Through various enforcement tools, EPA obtains private party cleanup through orders, consent decrees, and other small party settlements. EPA also recovers costs from financially viable individuals and companies once a response action has been completed.

EPA is authorized to implement the Act in all 50 states and U.S. territories. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies.

The Superfund Amendments and Reauthorization Act (SARA) of 1986 reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and

technical requirements were added to the legislation, including additional enforcement authorities. Also, Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA).

2. Resource Conservation and Recovery Act (RCRA)

The Resource Conservation and Recovery Act (RCRA) gives EPA the authority to control hazardous waste from the "cradle-to-grave;" this includes the generation, transportation, treatment, storage, and disposal of hazardous waste (EPA, 2023f). RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

3. Hazardous Materials Transportation Act (HMTA)

The Hazardous Materials Transportation Act of 1975 (HMTA) empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property." (OSHA, n.d.)

Hazardous materials regulations are subdivided by function into four basic areas:

- Procedures and/or Policies 49 CFR Parts 101, 106, and 107
- Material Designations 49 CFR Part 172
- Packaging Requirements 49 CFR Parts 173, 178, 179, and 180
- Operational Rules 49 CFR Parts 171, 173, 174, 175, 176, and 177

The HMTA is enforced by use of compliance orders [49 U.S.C. 1808(a)], civil penalties [49 U.S.C. 1809(b)], and injunctive relief (49 U.S.C. 1810). The HMTA (Section 112, 40 U.S.C. 1811) preempts state and local governmental requirements that are inconsistent with the statute, unless that requirement affords an equal or greater level of protection to the public than the HMTA requirement.

4. Hazardous Materials Transportation Uniform Safety Act of 1990

In 1990, Congress enacted the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) to clarify the maze of conflicting state, local, and federal regulations. Like the HMTA, the HMTUSA requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in intrastate, interstate, and foreign commerce (OSHA, n.d.). The Secretary also retains authority to designate materials as hazardous when they pose unreasonable risks to health, safety, or property.

The statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials.

5. Occupational Safety and Health Act (OSHA)

Congress passed the Occupational and Safety Health Act (OSHA) to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions (EPA, 2023g). In order to establish standards for workplace health and safety, the Act also created the National Institute for Occupational Safety and Health (NIOSH) as the research institution for OSHA. OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states.

6. Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures (EPA, 2023h). Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

Various sections of TSCA provide authority to:

- Require, under Section 5, pre-manufacture notification for "new chemical substances" before manufacture.
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found.
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a "significant new use" that could result in exposures to, or releases of, a substance of concern.
- Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list.
- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements.
- Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce.
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all submissions as well as voluntary "For Your

Information" (FYI) submissions. The latter are not required by law, but are submitted by industry and public interest groups for a variety of reasons.

B. State Plans, Policies, and Regulations

1. Cal/OSHA and the California State Plan

Under an agreement with OSHA, since 1973 California has operated an occupational safety and health program in accordance with Section 18 of the federal OSHA (OSHA, n.d.). The State of California's Department of Industrial Relations administers the California Occupational Safety and Health Program, commonly referred to as Cal/OSHA. The State of California's Division of Occupational Safety and Health (DOSH) is the principal agency that oversees plan enforcement and consultation. In addition, the California State program has an independent Standards Board responsible for promulgating State safety and health standards, and reviewing variances. It also has an Appeals Board to adjudicate contested citations and the Division of Labor Standards Enforcement to investigate complaints of discriminatory retaliation in the workplace.

Pursuant to 29 CFR 1952.172, the California State Plan applies to all public and private sector places of employment in the state, with the exception of federal employees, the United States Postal Service, private sector employers on Native American lands, maritime activities on the navigable waterways of the United States, private contractors working on land designated as exclusively under federal jurisdiction and employers that require federal security clearances. Cal/OSHA is the only agency in the state authorized to adopt, amend, or repeal occupational safety and health standards or orders. In addition, the Standards Board maintains standards for certain things not covered by federal standards or enforcement, including: elevators, aerial passenger tramways, amusement rides, pressure vessels and mine safety training. The Cal/OSHA enforcement unit conducts inspections of California workplaces in response to a report of an industrial accident, a complaint about an occupational safety and health hazard, or as part of an inspection program targeting industries with high rates of occupational hazards, fatalities, injuries or illnesses.

2. California Hazardous Waste Control Law

The Hazardous Waste Control Law (HWCL) (Health and Safety Code [HSC], Division 20, Chapter 6.5, Section 25100, et seq.) is the primary hazardous waste statute in California (CA Legislative Info, n.d.). The HWCL implements RCRA as a "cradle-to-grave" waste management system in the state. It specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure its proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reuse as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning and broadening requirements for permitting facilities that treat hazardous waste. It also regulates a number of waste types and waste management activities not covered by federal law.

3. California Code of Regulations (CCR), Titles 5, 17, 22 and 26

A variety of California Code of Regulation (CCR) titles address regulations and requirements for generators of hazardous waste. Title 5 contains the California Plumbing Code which, in Appendix H, establishes detailed standards for the capping, removal, fill, and disposal of cesspools, septic tanks, and seepage pits. Title 17, Division 1, Chapter 8, defines and regulates handling and disposal of lead-based paint. Any detectable amount

of lead is regulated. Title 22 contains detailed compliance requirements for hazardous waste generators, transporters, and facilities for treatment, storage, and disposal. Because California is a fully-authorized state according to RCRA, most regulations (i.e., 40 CFR 260, *et seq.*) have been duplicated and integrated into Title 22. However, because the Department of Toxic Substances Control (DTSC) regulates hazardous waste more stringently than the EPA, the integration of state and federal hazardous waste regulations that make up Title 22 does not contain as many exemptions or exclusions as does 40 CFR 260. Title 22 also regulates a wider range of waste types and waste management activities than does RCRA. To aid the regulated community, California has compiled hazardous materials, waste, and toxics-related regulations from CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24 and 27 into one consolidated listing: CCR Title 26 (Toxics).

4. Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

California's Unified Program, overseen by the California Environmental Protection Agency (CalEPA), protects Californians from hazardous waste and hazardous materials by ensuring local regulatory agencies consistently apply statewide standards when they issue permits, conduct inspections, and engage in enforcement activities. The Unified Program is a consolidation of multiple environmental and emergency management programs, including the following:

- Aboveground Petroleum Storage Act (APSA) Program;
- Area Plans for Hazardous Materials Emergencies;
- California Accidental Release Prevention (CalARP) Program;
- Hazardous Materials Release Response Plans and Inventories (Business Plans);
- Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statements (HMIS) (California Code)
- Hazardous Waste Generator and Onsite Hazardous Waste Treatment (tiered permitting) Programs; and
- Underground Storage Tank Program.

State agency partners involved in the implementation of the Unified Program are responsible for setting program element standards, working with CalEPA to ensure program consistency, and providing technical assistance to the California Unified Program Agencies (CUPAs) and Program Agencies (PAs). The state agencies involved with the Unified Program include CalEPA, Department of Toxic Substances Control (DTSC), the Governor's Office of Emergency Services (Cal OES), CAL FIRE – Office of the State Fire Marshall (CAL FIRE-OSFM), and the State Water Resources Control Board.

5. License to Transport Hazardous Materials

Caltrans regulates hazardous materials transportation on all interstate roads (California Vehicle Code, Section 32000.5, *et seq*). Within California, the State agencies with primary responsibility for enforcing federal and State regulations and for responding to transportation emergencies are the California Highway Patrol and Caltrans. Together, federal and State agencies determine driver-training requirements, load labeling procedures, and container specifications for vehicles transporting hazardous materials.

6. California Hazardous Materials Release Response Plan and Inventory Law of 1985

The Business Plan Act requires preparation of Hazardous Materials Business Plans and disclosure of hazardous materials inventories, including an inventory of hazardous materials handled, plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee training in safety and emergency response procedures for businesses that handle, store, or transport hazardous materials in amounts exceeding specified minimums (California Health and Safety Code, Division 20, Chapter 6.95, Article 1). Statewide, DTSC has primary regulatory responsibility for management of hazardous materials, with delegation of authority to local jurisdictions that enter into agreements with the State. Local agencies are responsible for administering these regulations.

Several state agencies regulate the transportation and use of hazardous materials to minimize potential risks to public health and safety, including CalEPA and the California Emergency Management Agency. The California Highway Patrol and California Department of Transportation (Caltrans) enforce regulations specifically related to the transport of hazardous materials. Together, these agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roadways.

7. California Government Code (CGC) Section 51178

This section specifies that the Director of CalFire, in cooperation with local fire authorities, shall identify areas that are Very High Fire Hazard Severity Zones (VHFHSZ) in Local Responsibility Areas (LRAs), based on consistent statewide criteria, and the expected severity of fire hazard. Per CGC Section 51178, a local agency may, at its discretion, exclude an area within its jurisdiction that has been identified as a VHFHSZ, if certain conditions are met and/or specific findings can be made regarding the availability of effective fire protection services within the affected area.

C. Local Plans, Policies, and Regulations

1. County Policy Plan

San Bernardino County's general plan sets forth goals and policies related to natural environmental and human-generated hazards. Goals and policies that may be applicable to the Project and/or Project Site are summarized below.

Hazards Element

Goal HZ-1: Natural Environmental Hazards. Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by natural environmental hazards and adaptation to potential changes in climate.

Policy HZ-1.13: Fire protection planning. We require that all new development in County-designated Fire Safety Overlay and/or CAL FIRE-designated Very High Fire Hazard Severity Zones meet the requirements of the California Fire Code and the California Building Code as amended by the County Fire Protection District, including Title 14 of the California Code of Regulations fire safety requirements for any new development within State Responsibility Areas, as well as provide and maintain a Fire Protection Plan or Defensible

Space/Fuel Modification Plan and other pre-planning measures in accordance with the County Code of Ordinances.

Policy HZ-1.14: Long-term fire hazard reduction and abatement. We require proactive vegetation management/hazard abatement to reduce fire hazards on existing private properties, along roadsides of evacuation routes out of wildfire prone areas, and other private/public land where applicable, and we require new development to enter into a long-term maintenance agreement for vegetation management in defensible space, fuel modification, and roadside fuel reduction in the Fire Safety Overlay and/or Very High Fire Hazard Severity Zones.

Policy HZ-1.15: Evacuation route adequacy. We coordinate with CAL FIRE, California's Office of Emergency Services, and other local fire districts to identify strategies that ensure the maintenance and reliability of evacuation routes potentially compromised by wildfire, including emergency evacuation and supply transportation routes.

Goal HZ-2: Human-Generated Hazards. People and the natural environment protected from exposure to hazardous materials, excessive noise, and other human-generated hazards.

Policy HZ-2.1: Hazardous waste facilities. We regulate and buffer hazardous waste facilities to protect public health and avoid impacts on the natural environment.

Policy HZ-2.2: Database of hazardous materials. We maintain up-to-date databases of the storage, use, and production of hazardous materials, based on federally- and state-required disclosure and notification, to appropriately respond to potential emergencies.

Policy HZ-2.3: Safer alternatives. We minimize the use of hazardous materials by choosing and by encouraging others to use non-toxic alternatives that do not pose a threat to the environment.

Policy HZ-2.4: Truck routes for hazardous materials. We designate truck routes for the transportation of hazardous materials through unincorporated areas and prohibit routes that pass through residential neighborhoods to the maximum extent feasible.

Policy HZ-2.5: Community education. We engage with residents and businesses to promote safe practices related to the use, storage, transportation, and disposal of hazardous materials.

2. San Bernardino County Multi-Jurisdictional Local Hazard Mitigation Plan

The County's *Multi-Jurisdictional Local Hazard Mitigation Plan* (*MJLHMP*) is a plan that the County reviews, monitors, and updates approximately every five years to reflect changing conditions and new information regarding potential hazards within the County. The *MJLHMP* addresses hazards associated with wildfire, as well as other natural hazards such as earthquakes, wind surges, landslides, floods, terrorism, climate change and drought. The *MJLHMP* includes mitigation measures to address wildfire hazards on a community-wide

level, including but not limited to measures for construction of emergency access roads in high-fire hazard areas, establishment of fire hazard (weed) abatement programs, and establishment of a wildfire taskforce.

3. Local Permitting Requirements

The aforementioned federal and State hazardous materials regulations require all businesses that handle more than a specified amount of hazardous materials or extremely hazardous materials to obtain a hazardous materials permit and submit a business plan to its local Certified Unified Program Agency (CUPA). The CUPA also ensures local compliance with all applicable hazardous materials regulations. The CUPA for the Project is the San Bernardino County Fire Department, Hazardous Materials Division. The San Bernardino County Fire Department, Hazardous Materials Division also manages the following hazardous waste programs: 1) Hazardous Materials Release Response Plans and Inventory; 2) California Accidental Release Program; 3) Underground Storage Tanks; 4) Aboveground Petroleum Storage Act/Spill Prevention, Control, and Countermeasure Plan; 5) Hazardous Waste Generation and Onsite Treatment; and 6) Hazardous Materials Management Plans and Inventory.

4.8.3 Basis for Determining Significance

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects related to hazards and hazardous materials that could result from development projects. The Project would result in a significant impact to hazards and hazardous materials if the Project or any Project-related component would:

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

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

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

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

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

f. *Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan.*

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

4.8.4 Methodology for Evaluation

The analysis of potential hazards and hazardous materials-related impacts is based upon hazardous materials investigations prepared specifically for the Project Site. The investigations included a site reconnaissance, review of published reports, maps, and aerial photographs, and soil testing. The analysis also included a review of the San Bernardino County general plan and its EIR, information sources from State and federal agencies, a review of applicable airport land use plans, hazardous materials mapping, fire hazard mapping, and other resource databases.

4.8.5 Impact Analysis

Before Project construction can begin, the current user of the Project Site is responsible for closing the existing mineral resources processing and sales facilities in accordance with Reclamation Plan 90M-11, which was subject to previous CEQA review and approved by San Bernardino County on July 10, 1990. Reclamation of the Project Site will generally entail backfilling of all mining pits, draining and filling of all settling ponds, removal of all on-site structures, removal of all on-site equipment, removal of all on-site waste, and erosion control. Pursuant to approved Reclamation Plan 90M-11 and its conditions of approval, "[a]t the time of termination of the operation for any reason, all equipment, structures and refuse associated with the operation shall be removed from the site, all hazards mitigated, and reclamation initiated within 90 days, as per the approved Mine Reclamation Plan" (see Condition #51). Accordingly, upon completion of site reclamation, the Project Site will be returned to the Project Applicant as a completely cleared property free of manmade hazards and hazardous materials, which forms the basis of the following analysis.

Threshold a:	***Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***
Threshold b:	***Would the Project 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?***

Implementation of the Project would require grading across the entire Project Site and construction and long-term operation of an industrial warehouse building on the site. In the event any hazards or hazardous materials were to be present on the Project Site or any hazardous materials were to be used or stored on the Project Site during construction or long-term operation, the Project would have the potential to expose workers on-site, the public, and/or the environment to a substantial hazard. The analysis below evaluates the potential for the Project to result in a substantial hazard to people or the environment during any stage of the Project.

A. Impact Analysis for Existing Site Conditions

As noted above, the current user of the Project Site would remove and remediate all hazards from the Project Site as part of the reclamation plan for the Site's existing use. All conditions of the reclamation plan must be satisfied before San Bernardino County or the State's Division of Mine Reclamation will close the Project Site's mining case and allow re-development of the Site to proceed. Thus, the Project Site would be free of all hazardous materials prior to initiation of any Project-related activities. Based on the foregoing information, none of the existing conditions or features on the Project Site would represent a substantial hazard to the public

or the environment during development of the Project. Developing the Project Site would result in a less than significant hazard to the public or the environment from the disposal or release of hazardous materials.

B. Impact Analysis for Temporary Construction-Related Activities

Heavy equipment (e.g., dozers, excavators, tractor) would operate on the subject property during construction of the Project. Heavy equipment is typically fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which is considered hazardous if improperly stored or handled. Also, materials such as paints, adhesives, solvents, fertilizers, and other substances typically used in building construction would be located on the Project Site during construction. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. Construction contractors would be required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited requirements imposed by the Environmental Protection Agency (EPA), US Department of Transportation regulations listed in the Code of Federal Regulations (Title 49, Hazardous Materials Transportation Act); California Department of Transportation standards; California Department of Toxic Substances Control (DTSC), SCAQMD, Santa Ana Regional Water Quality Control Board (RWQCB), and the California Department of Industrial Relations Division of Occupational Safety and Health (DOSH), better known as Cal/OSHA. With mandatory compliance to applicable hazardous materials regulations, the Project would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials during the construction phase. Impacts would be less than significant.

C. Impact Analysis for Long-Term Operation

The Project Site would be developed with an industrial warehouse building; the future building user(s) are not yet identified. Hazardous materials storage is not expected to occur within the building or on the Project Site; however, the future user(s) of the Project could use hazardous chemicals and/or materials that are pre-packaged for distribution and use during routine Project operations and maintenance, including but not limited to aerosols, cleaners, fertilizers, lubricants, paints or stains, solvents, and fuels (e.g., gasoline, propane). Handling of these materials is extensively regulated at the local, State and federal levels.

State and federal community-right-to-know laws allow the public access to information about the amounts and types of chemicals in use at local businesses. Laws also are in place that require businesses to plan and prepare for possible chemical emergencies. Any business that handles hazardous materials (as defined in Section 25500 of California Health and Safety Code, Division 20, Chapter 6.95) will require a permit from the San Bernardino County Fire Department Hazardous Materials Division in order to register the business as a hazardous materials handler.

Such businesses also are required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the San Bernardino County Fire Department and the State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business, and to prepare a Hazardous Materials Business Emergency Plan (HMBEP). An HMBEP is a written set of procedures and information created to help minimize the effects and extent of a release or threatened release of a hazardous material.

With mandatory regulatory compliance, the Project would not pose a significant hazard to the public or the environment through the routine transport, use, storage, emission, or disposal of hazardous materials, nor would the Project increase the potential for accident conditions which could result in the release of hazardous materials into the environment. Impacts in this regard are considered less than significant.

Threshold c: ***Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

No existing or proposed schools are located within one-quarter mile of the Project Site. The nearest schools are located a minimum of one-half mile from the Project Site. Additionally, the Project does not include elements or aspects that would create or otherwise result in hazardous emissions. Accordingly, the Project has no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, and/or wastes within one-quarter mile of an existing or proposed school. No impact would occur.

Threshold d: ***Would the Project 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?***

As detailed under Subsection 4.8.1A.2, the Project Site is listed on numerous hazardous materials databases, several of which are regulated by Government Code Section 65962.5. These listings are due to historical and current uses on the Site. As also noted previously in this section, the current user of the Project Site would remove and remediate all hazards from the Project Site as part of the reclamation plan for the Site's existing use. All conditions of the reclamation plan must be satisfied before San Bernardino County or the State's Division of Mine Reclamation will close the Project's mining case and allow re-development to proceed. Thus, the Project Site would be free of all hazardous materials prior to initiation of any Project-related activities. Based on the foregoing information, there are no components of the Project that would be affected by an existing hazardous materials site or that could cause harm to the environment by causing the release of hazardous materials from a site regulated by Government Code Section 65962.5. Impacts would be less than significant.

Threshold 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?***

The Project Site is not located within two miles of an airport. The closest airport is the San Bernardino International Airport located over nine miles southeast of the Project Site. Accordingly, implementation of the Project would not result in an airport-related hazard for people living or working in the Project area and impacts would be less than significant.

Threshold f: ***Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route (San Bernardino County, 2022a; San Bernardino County, 2022b). The Project does not propose or require permanent alteration of vehicle circulation routes. Nor does the Project propose or require facilities or operations that would interfere with any identified emergency response or emergency evacuation plan. In accordance with County policies, coordination with the local fire and police departments during construction would ensure that potential interference with emergency response and evacuation efforts are avoided. Further, the Project Applicant would be responsible for the preparation and submittal of a Construction Area Traffic Management Plan to be reviewed and approved by the County. Typical elements and information incorporated in the Plan would include, but would not be limited to:

- Name of on-site construction superintendent and contact phone number.
- Identification of Construction Contract Responsibilities - For example, for excavation and grading activities, describe the approximate depth of excavation, and quantity of soil import/export (if any).
- Identification and Description of Truck Routes - to include the number of trucks and their staging location(s) (if any).
- Identification and Description of Material Storage Locations (if any).
- Location and Description of Construction Trailer (if any).
- Identification and Description of Traffic Controls - Traffic controls shall be provided per the *Manual of Uniform Traffic Control Devices* (MUTCD) if the occupation or closure of any traffic lanes, parking lanes, parkways or any other public right-of-way is required. If the right-of-way occupation requires configurations or controls not identified in the MUTCD, a separate traffic control plan must be submitted to the County for review and approval. All right-of-way encroachments would require permitting through the County.
- Identification and Description of Parking - Estimate the number of workers and identify parking areas for their vehicles.
- Identification and Description of Maintenance Measures - Identify and describe measures taken to ensure that the work site and public right-of-way would be maintained (including dust control).

The Plan would be reviewed and approved by the County prior to the issuance of building permits. The Plan and its requirements would also be provided to all contractors as one required component of building plan/contract document packages. Based on the preceding, the potential for the Project to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan is therefore considered less than significant.

Threshold g: ***Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.***

On the north and east, the Project Site is abutted by the Lytle Creek Wash, which is classified as a "high" fire hazard severity zone by Cal Fire and a "very high" fire hazard severity zone by the San Bernardino County General Plan (Cal Fire, 2024; San Bernardino County, 2022a, Policy Map HZ-5). Urban development abuts the Project Site on the west and south; there is no risk of wildland fires from these areas. The proposed warehouse building would be set back from the Lytle Creek Wash by more than 200 feet, with non/low-flammable improvements (i.e., pavement and irrigated landscaping) providing a buffer between the building and the Wash. Additionally, the Project would incorporate fire prevention and fire suppression design features to minimize the potential demand placed on County Fire. The proposed warehouse building would be of concrete tilt-up construction. Concrete is non-flammable building material and concrete tilt-up buildings have a lower fire hazard risk than typical wood-frame construction. The Project also would install fire hydrants on-site – the County reviewed the Project's Site plan to ensure proper spacing of hydrants on-site to provide adequate coverage – and would provide paved primary and secondary emergency access to the Project Site to support County Fire – and evacuation of the Site – in the event of a fire emergency. Lastly, the proposed warehouse building would feature a fire alarm system and fire suppression system that would "knock down" any flames inside the building to minimize its spread and provide workers maximum opportunity to exit the building. Based on the design features incorporated into the Project, implementation of the Project would not expose people or structures of a significant risk or loss, injury, or death involving wildland fires. Impacts would be less than significant.

4.8.6 Cumulative Impact Analysis

Because the issue of hazards and hazardous materials tend to be site-specific in nature, the cumulative study area includes existing and planned developments within a one-mile radius of each Project Site. A one-mile radius is appropriate because that is the standard distance used in regulatory database searches of properties that may generate or store toxic materials.

As discussed above under the responses to Thresholds "a" and "b," the Project's construction and operation would be required to comply with all applicable federal, State, and local regulations to ensure proper use, storage, and disposal of hazardous substances. Such uses also would be subject to additional review and permitting requirements by the San Bernardino County Fire Department. Similarly, any other developments in the area proposing the construction of uses with the potential for use, storage, or transport of hazardous materials also would be required to comply with applicable federal, State, and local regulations, and such uses would be subject to additional review and permits from their local oversight agency. Therefore, the potential for release of toxic substances or hazardous materials into the environment, either through accidents or due to routine transport, use, or disposal of such materials, would not be cumulatively considerable.

The Project Site is not located within one-quarter mile of a school; therefore, the Project has no potential effect on students in relation to the use, handling, and transport of hazardous materials and would have no impact.

Although the existing and historic uses of the Project Site are listed on several hazardous materials databases compiled pursuant to Government Code Section 65962.5, the current user of the Project Site is required to

remove and remediate all hazardous substances from the Site before the Project Applicant would be allowed to begin construction of the Project. Accordingly, the Project Site would be free of all hazardous materials prior to implementation of the Project and, therefore, construction and operation of the Project has no potential to contribute to a cumulative impact related to the release of hazardous materials from a site regulated by Government Code Section 65962.5.

The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route; thus, there is no potential for the Project to contribute to any cumulative impacts associated with an adopted emergency response plan or emergency evacuation plan.

The Project's design does not include any component that could exacerbate the local wildland fire hazard risk; therefore, the Project would not contribute to a cumulatively considerable hazard due to wildland fire hazards.

4.8.7 Significance of Impacts Before Mitigation

Thresholds a and b: Less than Significant Impact. During Project construction and operation, mandatory compliance with federal, State, and local regulations would ensure that the Project would not create a significant hazard to the environment due to routine transport, use, disposal, or upset of hazardous materials.

Threshold c: No Impact. The Project site is not located within one-quarter mile of any existing or proposed school. Accordingly, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Impacts to schools located more than one-quarter mile of the Project site would be less than significant.

Threshold d: Less than Significant Impact. Although the Project Site is included on hazardous materials site databases regulated by Government Code Section 65962.5, due to historical and current uses on the Site, the current user of the Project Site would remove and remediate all hazards from the Project Site as part of the reclamation plan for the Site's existing use. All conditions of the reclamation plan must be satisfied before San Bernardino County or the State's Division of Mine Reclamation will close the Project's mining case and allow re-development to proceed. Thus, the Project Site would be free of all hazardous materials prior to initiation of any Project-related activities.

Threshold e: Less than Significant Impact. The Project Site is not located within two miles of an airport. The closest airport is the San Bernardino International Airport located over nine miles southeast of the Project Site. Accordingly, implementation of the Project would not result in an airport-related hazard for people living or working in the Project area and impacts would be less than significant.

Threshold f: Less than Significant Impact. The Project does not propose or require permanent alteration of vehicle circulation routes. Nor does the Project propose or require facilities or operations that would interfere with any identified emergency response or emergency evacuation plan. Further, the Project Applicant would be responsible for the preparation and submittal of a construction area traffic management plan to be reviewed and approved by the County.

Threshold g: Less than Significant Impact. Warehouse uses such as the Project, are predominantly concrete structures which are not typically susceptible to fire. Project plans would be reviewed by the County and affected purveyors to ensure conformance with applicable fire code standards, thereby further reducing potential wildfire hazard impacts. Additionally, in the event of fire, County fire suppression services would be available to the Project Site. The potential for the Project to expose people or structures to a significant risk involving wildland fires is less than significant.

4.8.8 Mitigation

The Project would result in less than significant impacts related to hazards and hazardous materials and no mitigation is required.

4.9 HYDROLOGY & WATER QUALITY

The information and analysis presented in this Subsection is based in part on information presented in the following documents:

- *Preliminary Drainage Report, DRNSTY-2023-00002, Pepper 210 Commerce Center, Rialto, California*, prepared by Kimley-Horn and Associates, Inc. and dated November 2023 (Kimley-Horn, 2023a).
- *Water Quality Management Plan for: Pepper 210 Commerce Center*, prepared by Kimley-Horn and Associates, Inc. and dated November 2023 (Kimley-Horn, 2023b).

These reports are provided as *Technical Appendices L and M*, respectively, to this EIR. All other information sources referenced in this Subsection are listed in EIR Section 7.0, *References*.

4.9.1 EXISTING CONDITIONS

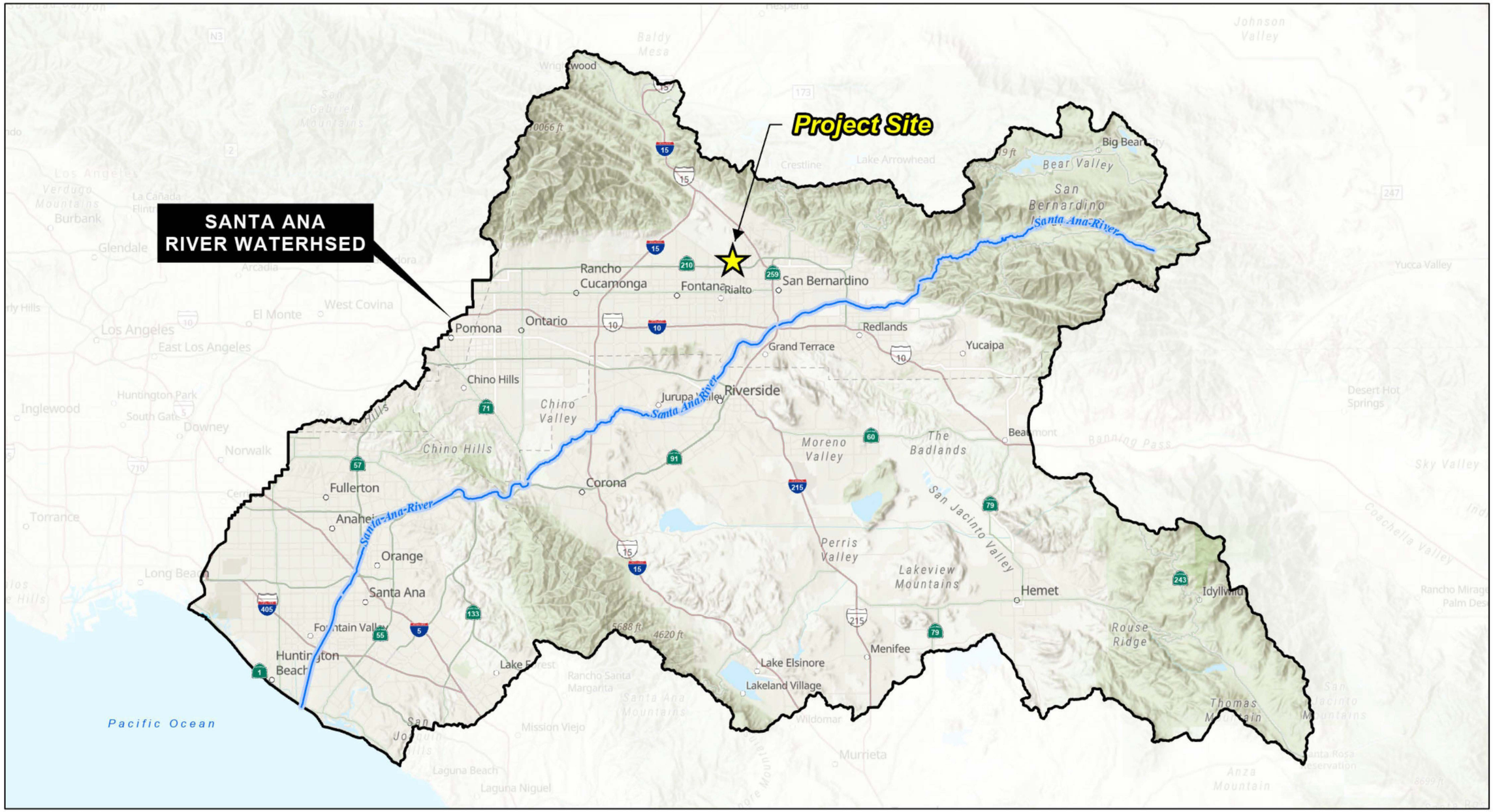
A. *Regional Hydrology*

The Project Site is located within the 2,650-acre Santa Ana River watershed. Within the Santa Ana River watershed, the Santa Ana River is the principal surface flow water body within the region. The Santa Ana River rises in Santa Ana Canyon in the southern San Bernardino Mountains and runs southwesterly across San Bernardino, Riverside, and Orange Counties, where it discharges into the Pacific Ocean at the City of Huntington Beach. The total length of the Santa Ana River and its major tributaries is approximately 700 miles. The location of the Project Site within the Santa Ana River watershed is illustrated on Figure 4.9-1, *Santa Ana River Watershed Map*.

B. *Site Hydrology*

The Project Site's existing stormwater drainage pattern is illustrated on Figure 4.9-2, . Under existing conditions, the Project Site overland flows from the west to the east. There is an existing San Bernardino County Flood Control District culvert on the southeast corner of the Site that collects drainage, outlets through the existing flood control levee that abuts the Project Site, and discharges into the Lytle Creek Wash. The Lytle Creek Wash connects to Lytle Creek Channel by way of Lytle Creek Basin and, eventually, connects to the Santa Ana River (Kimley-Horn, 2023a, p. 2-1).

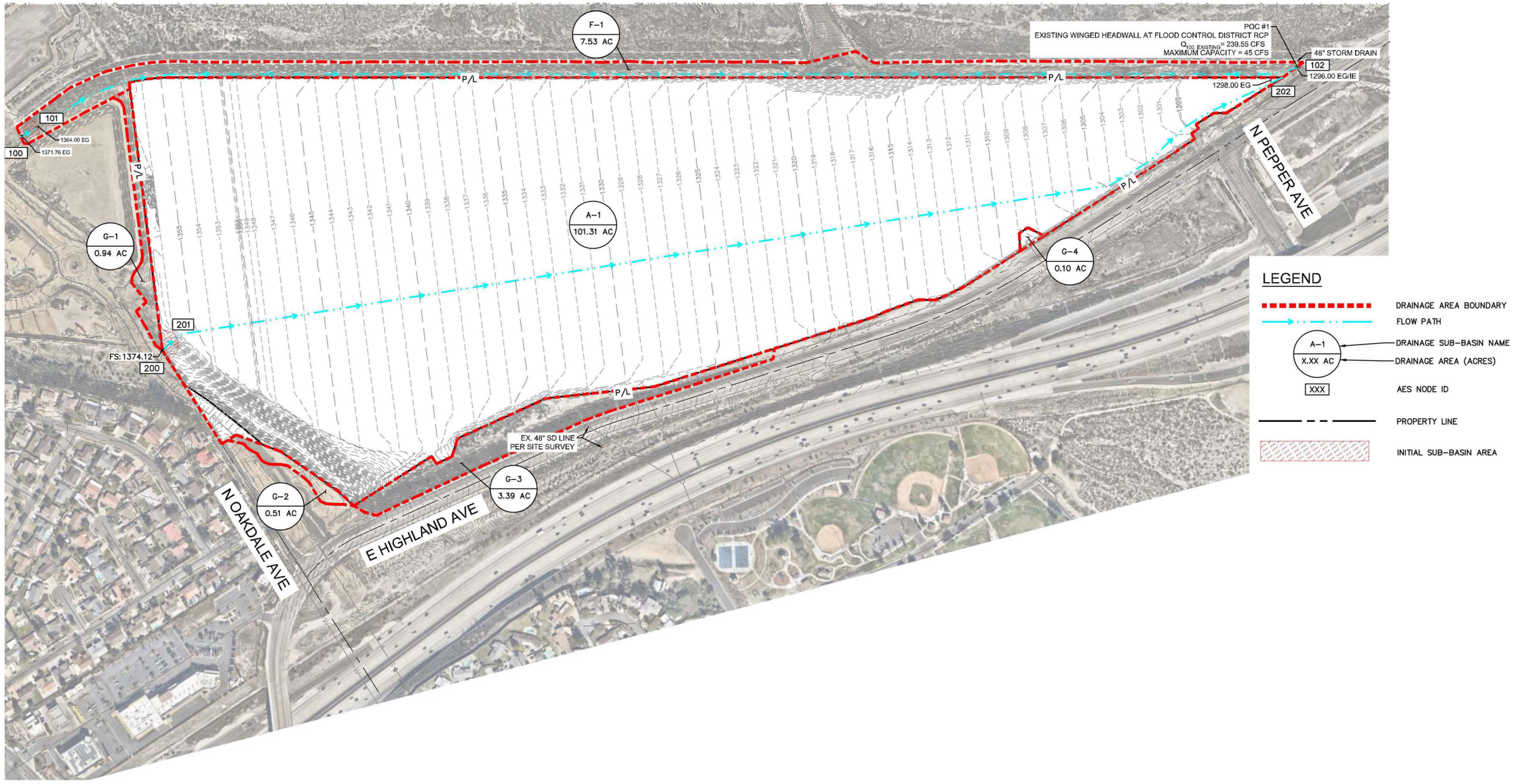
Offsite runoff within Highland Avenue is conveyed east towards the Lytle Creek Wash within an asphalt berm. Highland Avenue also has an existing 48-inch storm drain lateral conveying flows to the south towards the Santa Ana River. Runoff from the Project Site does not flow to this offsite pipe. (Kimley-Horn, 2023a, p. 3-1)



Source(s): Esri, SAWPA (2023)

Figure 4.9-1

Santa Ana River Watershed Map



Source(s): Kimley Horn (11-17-2023)

Not to Scale

Figure 4.9-2

Existing Drainage Conditions

C. Flooding and Inundation

The Project Site is located within Flood Zone X, which has less than a 0.2% annual chance of flood hazard, and is thus outside of the 500-year floodplain. The Project Site is southerly adjacent to the Lytle Creek Wash, which falls within Flood Zone A and has a 1% annual chance of flood hazard (100-year flood). (FEMA, 2016)

According to Figure HZ-3, *Dam and Basin Hazards*, of the County Policy Plan, the Project Site is not located within any mapped dam inundation area.

D. Groundwater

Groundwater was not encountered in any of the exploratory borings or trenches completed by Tetra Tech to the maximum depths of exploration (51.5 feet). Additionally, the seismic refraction survey within the northwestern portion of the site did not identify subsurface anomalies consistent with groundwater to depths of up to approximately 80 feet beneath the Project Site. (Tetra Tech, 2023, p. 8)

The Project Site is located within the Upper Santa Ana Valley Groundwater Basin (Rialto-Colton subbasin). Based on the most recent groundwater records compiled by the California Department of Water Resources (updated Spring 2021), groundwater is anticipated to be at least 300 feet below the ground surface in the Project area. (Tetra Tech, 2023, p. 8)

4.9.2 Regulatory Framework

The following is a brief description of the federal, state, and local environmental laws and related regulations related to hydrology and water quality that are applicable to the Project and/or Project Site.

A. Federal Plans, Policies, and Regulations

1. Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the EPA has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man- made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. (EPA, 2020)

B. State Plans, Policies, and Regulations

1. Porter-Cologne Water Control Act

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water (SWRCB, 2024). The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code Section 13000 *et seq*.), the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine RWQCBs (based on hydrogeologic barriers) and the State Water Board, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews RWQCB decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The State Water Board and RWQCBs have numerous non-point source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The RWQCBs regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The SWRCB and the RWQCBs can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. In addition, regional water quality control plans (basin plans) have been adopted by each of the RWQCBs and are updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. The Project Site is located in the Santa Ana River Watershed, which is within the purview of the Santa Ana RWQCB. The Santa Ana's RWQCB's *Santa Ana River Basin Water Quality Control Plan* is the governing water quality plan for the region.

2. California Water Code

The California Water Code is the principal state law regulating water quality in California. Water quality provisions must be complied with as contained in numerous code sections including: 1) the Health and Safety Code for the protection of ground and surface waters from hazardous waste and other toxic substances; 2) the Fish and Game Code for the prevention of unauthorized diversions of any surface water and discharge of any substance that may be deleterious to fish, plant, animal, or bird life; 3) the Harbors and Navigation Code for the prevention of the unauthorized discharge of waste from vessels into surface waters; and 4) the Food and Agriculture Code for the protection of groundwater which may be used for drinking water supplies (CA Legislative Info, n.d.). The California Department of Fish and Wildlife (CDFW), through provisions of the Fish & Game Code (Sections 1601 - 1603) is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. CDFW regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by CDFW.

Surface water quality is the responsibility of the RWQCB, water supply and wastewater treatment agencies, and city and county governments. The principal means of enforcement by the RWQCB is through the development, adoption, and issuance of water discharge permits. RWQCB basin plans establish water quality objectives that are defined as the limits or levels of water quality constituents or characteristics for the reasonable protection of beneficial uses of water.

3. California Toxics Rule (CTR)

The California Toxics Rule (CTR) fills the gap in California's water quality standards necessary to protect human health and aquatic life beneficial uses (SWRCB, 2016, pp. 14-15). The CTR criteria are similar to those published in the National Recommended Water Quality Criteria. The CTR supplements, and does not change or supersede, the criteria that EPA promulgated for California waters in the National Toxics Rule (NTR). The human health NTR and CTR criteria that apply to drinking water sources (those water bodies designated in the Basin Plans as municipal and domestic supply) consider chemical exposure through consumption of both water and aquatic organisms (fish and shellfish) harvested from the water. For waters that are not drinking water sources (e.g., enclosed bays and estuaries), human health NTR and CTR criteria only consider the consumption of contaminated aquatic organisms. The CTR and NTR criteria, along with the beneficial use designations in the Basin Plans and the related implementation policies, are the directly applicable water quality standards for toxic priority pollutants in California waters.

4. Watershed Management Initiative (WMI)

The State and Regional Water Boards are currently focused on looking at entire watersheds when addressing water pollution. The Water Boards adopted the Watershed Management Initiative (WMI) to further their goals. The WMI establishes a broad framework overlying the numerous federal and State mandated priorities. As such, the WMI helps the Water Boards achieve water resource protection, enhancement and restoration while balancing economic and environmental impacts. The integrated approach of the WMI involves three main ideas:

- Use water quality to identify and prioritize water resource problems within individual watersheds. Involve stakeholders to develop solutions.
- Better coordinate point source and nonpoint source regulatory efforts. Establish working relationships between staff from different programs.
- Better coordinate local, state, and federal activities and programs, especially those relating to regulations and funding, to assist local watershed groups. (SWRCB, 2017)

5. Sustainable Groundwater Management Act (SGMA)

The 2014 Sustainable Groundwater Management Act (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 (DWR, n.d.). Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. The DWR categorizes the priority of groundwater basins (DWR, 2020). For critically over-drafted basins, that will be 2040. For the remaining high and medium priority basins, 2042 is the deadline. The SGMA also requires local public agencies and Groundwater Sustainability Agencies (GSAs) in high- and medium-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs. GSPs are detailed road maps for how groundwater basins will reach long term sustainability.

C. Local Plans, Policies, and Regulations

1. County Policy Plan

The San Bernardino County general plan sets forth goals and policies related to stormwater drainage, natural environmental hazards (i.e., flooding), and groundwater resources. Goals and policies that may be applicable to the Project and/or Project Site are summarized below.

Infrastructure & Utilities Element

Goal IU-1: Water Supply. Water supply and infrastructure are sufficient for the needs of residents and businesses and resilient to drought.

Policy IU-1.7: Areas vital for groundwater recharge. We allow new development on areas vital for groundwater recharge when stormwater management facilities are installed onsite and maintained to infiltrate predevelopment levels of stormwater into the ground.

Policy IU-1.8: Groundwater management coordination. We collaborate with watermasters, groundwater sustainability agencies, water purveyors, and other government agencies to ensure groundwater basins are being sustainably managed. We discourage new development when it would create or aggravate groundwater overdraft conditions, land subsidence, or other "undesirable results" as defined in the California Water Code. We require safe yields for groundwater sources covered by the Desert Groundwater Management Ordinance.

Goal IU-3: Stormwater Drainage. A regional stormwater drainage backbone and local stormwater facilities in unincorporated areas that reduce the risk of flooding.

Policy IU-3.2: Local flood control. We require new development to install and maintain stormwater management facilities that maintain predevelopment hydrology and hydraulic conditions.

Natural Resources Element

Goal HZ-1: Natural Environmental Hazards. Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by natural environmental hazards and adaptation to potential changes in climate.

Policy HZ-1.2: New development in environmental hazard areas. We require all new development to be located outside of the environmental hazard areas listed below. For any lot or parcel that does not have sufficient buildable area outside of such hazard areas, we require adequate mitigation, including designs that allow occupants to shelter in place and to have sufficient time to evacuate during times of extreme weather and natural disasters.

- Flood: 100-year flood zone, dam/basin inundation area
- Geologic: Alquist Priolo earthquake fault zone; County-identified fault zone; rockfall/debris-flow hazard area, medium or high liquefaction area (low to high and localized), existing and County-identified landslide area, moderate to high landslide susceptibility area)
- Fire: high or very high fire hazard severity zone

Policy HZ-1.4: 500-year flood zone. We may collaborate with property owners in the Valley region to establish funding and financing mechanisms to mitigate flood hazards in identified 500-year flood zones.

Policy HZ-1.8: Wind erosion hazards. We require new development in medium-high or high wind erosion hazard areas to minimize the effects of wind-blown soil through building and site design features such as fencing, surface treatment or pavement, attenuation or wind barriers, architectural features, building materials, and drought resistant landscaping.

2. San Bernardino County Development Code

The San Bernardino County Development Code (Section 85.11.030) requires development projects to incorporate an erosion control plan into proposed clearing/grubbing, stockpile, grading, or demolition activities to minimize water- and windborne erosion. The erosion control plan is required to be approved by County staff prior to the issuance of the applicable construction permit. (San Bernardino County, 2024a)

3. San Bernardino County Code of Ordinances

The San Bernardino County Code of Ordinances (Section 35.0118) requires all projects subject to the MS4 permit to prepare and submit a Water Quality Management Plan (WQMP), which shall include proposed structural best management practices (BMPs) and source and treatment control BMPs to infiltrate and/or

adequately treat the projected stormwater and urban runoff for the development project. (San Bernardino County, 2024b)

4. SCAQMD Rule 403 (Fugitive Dust)

SCAQMD Rule 403 (Fugitive Dust) requires the implementation of best available dust control measures during active operations capable of generating fugitive dust. The purpose of this Rule is to minimize the amount of particulate matter in the ambient air from anthropogenic fugitive dust sources (SCAQMD, 2005).

4.9.3 Basis for Determining Significance

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address the typical adverse hydrology and water quality effects that could result from development projects. The Project would result in a significant impact to hydrology and water quality if the Project or any Project-related component would:

a. *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;*

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

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

   i. *Result in substantial erosion or siltation on- or off-site;*
   ii. *Substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site;*
   iii. *Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems of provide substantial additional sources of polluted runoff; or*
   iv. *Impede or redirect flood flows;*

d. *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or*

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

4.9.4 Methodology for Evaluation

The analysis of potential hydrology and water quality-related impacts is based upon the hydrology calculations and preliminary water quality management plan prepared specifically for the Project Site. The hydrology calculations were prepared using the San Bernardino County Rational Method program (AES software). The preliminary water quality management plan for the Project was prepared based on the technical guidance document for water quality management plans within the Santa Ana River Watershed and utilizes the water

quality management plan template for the Santa Ana River Watershed, both published by San Bernardino County. The San Bernardino County general plan and information sources from State and Federal agencies were researched to establish the Project Site's existing conditions and likelihood of environmental effects.

4.9.5 IMPACT ANALYSIS

Figure 4.9-3 illustrates the Project Site's post-development drainage conditions, forming the basis for the following discussions.

Threshold a: ***Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?***

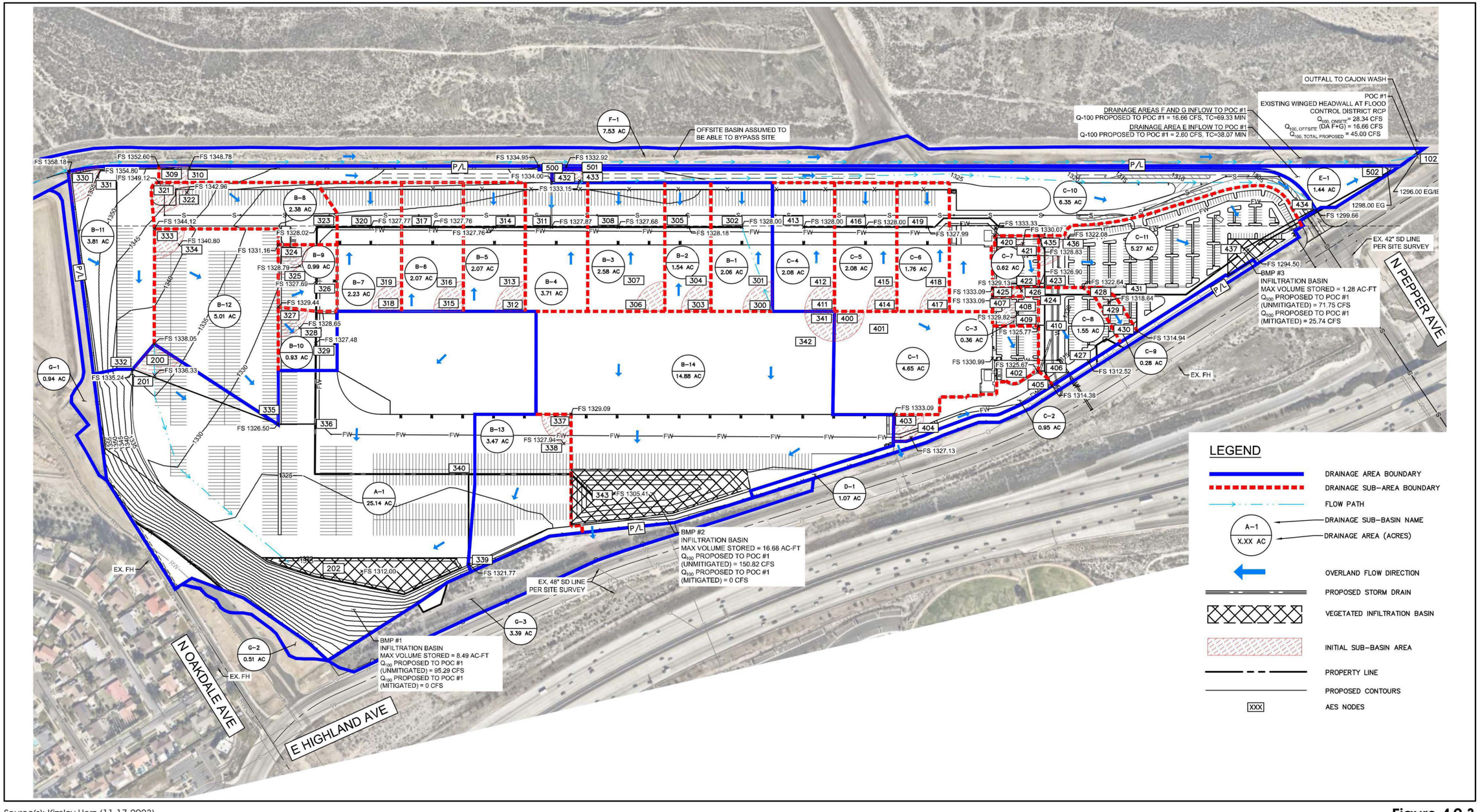
The Project Applicant would be required to comply with Section 402 of the Clean Water Act, which authorizes the NPDES permit program that covers point sources of pollution discharging to a water body. The NPDES program would require the Project Applicant and/or construction contractor to prepare a SWPPP and obtain authorization to discharge stormwater under an NPDES construction stormwater permit because the Project would result in construction on a site that is larger than one acre.

The Project Applicant also would be required to comply with regional and local requirements to implement the California Porter-Cologne Water Quality Control Act (Section 13000 *et seq.*, of the California Water Code), which requires that comprehensive regional water quality control plans be developed for all waters within the State of California (such as the Basin Plan and the IRWMP for the Santa Ana River Watershed). The Project Site is located within the jurisdiction of the Santa Ana RWQCB.

A. Construction-Related Water Quality Impacts

Construction of the Project would involve grading, paving, utility installation, building construction, and landscaping activities, which have the potential to generate silt, debris, organic waste, chemicals, paints, and other solvents; should these materials come into contact with water that reaches the groundwater table or flows off-site, the potential exists for the Project's construction activities to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during Project construction in the absence of any protective or avoidance measures.

Pursuant to the requirements of the Santa Ana RWQCB and the San Bernardino County Code of Ordinances (Section 35.0118), the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. Compliance with the NPDES permit program involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) that the Project's construction contractors would be required to implement during construction activities to ensure that potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to,



Source(s): Kimley Horn (11-17-2023)

Not to Scale

Figure 4.9-3

Proposed Drainage Plan

sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Additionally, pursuant to the County's Development Code (Section 85.11.030), the Project Applicant also would be required to implement an erosion control plan to minimize water- and windborne erosion. Mandatory compliance with the SWPPP and the erosion control plan would ensure that the Project's construction does not violate any water quality standards or waste discharge requirements. Therefore, water quality impacts associated with construction activities would be less than significant.

B. Post-Development Water Quality Impacts

The Project Applicant would be required to prepare and implement a Water Quality Management Plan (WQMP) to demonstrate compliance with the County's NPDES municipal stormwater permit, and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. The WQMP is a site-specific post-construction water quality management program designed to address the potential release of pollutants of concern for downstream receiving waters and other water pollutants through the use of BMPs. Implementation of the WQMP ensures on-going, long-term protection of the watershed basin. The preliminary WQMP for the Project is included as *Technical Appendix L* to this EIR. As identified in the preliminary WQMP, the Project is designed to include structural source control BMPs that include infiltration basins, as well as operational source control BMPs (including but not limited to: the installation of water-efficient landscape irrigation systems, storm drain system stenciling and signage, and implementation of a trash and waste storage areas) to minimize, prevent, and/or otherwise appropriately treat stormwater runoff flows before they are discharged into the municipal storm drain system. Compliance with the preliminary WQMP would be required as a condition of Project approval pursuant to County Code of Ordinances Section 35.0118, and long-term maintenance of on-site BMPs would be required to ensure their long-term effectiveness.

Additionally, the NPDES program requires certain land uses, including the industrial land uses proposed by the Project, to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program, unless an exemption has been granted. On April 1, 2014, the California State Water Resources Control Board adopted a new NPDES permit for storm water discharge associated with industrial activities (referred to as the "Industrial General Permit"). This permit was amended in 2015 and 2018 and is effective as of as of July 1, 2020. (SWRCB, 2020) Under this currently effective NPDES Industrial General Permit, the Project would be required to prepare a SWPPP for operational activities and implement a long-term water quality sampling and monitoring program or receive an exemption. Because the permit is dependent upon a detailed accounting of all operational activities and procedures, and the Project's building users and their operational characteristics are not known at this time, details of the operational SWPPP (including BMPs) or potential exemption to the SWPPP operational activities requirement cannot be determined with certainty at this time. However, based on the performance requirements of the NPDES Industrial General Permit, the Project's mandatory compliance with all applicable water quality regulations would further reduce potential water quality impacts during long-term operation.

The Project is designed to connect to the existing municipal sewer conveyance and wastewater treatment system as its primary wastewater disposal option. If the Project does not connect to the municipal sewer and wastewater treatment system, the Project would construct an onsite wastewater treatment system (OWTS),

which would rely on active and/or passive water treatment systems and the percolation of treated wastewater into the ground. Any OWTS for the Project would be required to meet minimum water quality standards set by the State before water could be released for percolation and in order to be permitted by the RWQCB. Accordingly, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade ground water quality during long-term operation.

Based on the foregoing analysis, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during long-term operation. Impacts would be less than significant.

Threshold b:	***Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?***

The Project would not contribute to groundwater depletion, nor discernibly interfere with groundwater recharge. Water is provided throughout the area by the West Valley Water District (WVWD). Groundwater which may be consumed by the Project and the area as a whole is recharged pursuant to the District's policies and programs. The Project would not impinge on, nor would otherwise affect, designated recharge areas. Additionally, on-site storm water would be directed to the proposed water infiltration basins, maximizing the percolation of on-site storm water runoff into the groundwater basin.

Direct additions or withdrawals of groundwater are not proposed by the Project. Further, construction proposed by the Project will not involve substructures at depths or other subsurface features that would significantly impair or alter the direction or rate of flow of groundwater.

Based on the preceding discussions, the Project's potential impacts to groundwater availability, quality, or recharge capabilities, are considered less-than-significant.

Threshold c:	***Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:*** ***i. Result in substantial erosion or siltation on- or off-site?*** ***ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*** ***iii. Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*** ***iv. Impede or redirect flood flows?***

The following analysis evaluates the potential for Project-related development activities to adversely affect water quality from erosion or stormwater runoff, or cause or exacerbate on- or off-site flooding.

A. *Erosion and Siltation*

Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one (1) acre of total land area. Compliance with the NPDES permit program involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP will specify the BMPs that the Project Applicant will be required to implement during construction activities to ensure that waterborne pollution – including erosion/sedimentation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Lastly, the Project would be required to implement an erosion and dust control plan pursuant to County Development Code Section 85.11.030 (and to ensure compliance with SCAQMD Rule 403) to minimize water- and windborne erosion. Mandatory compliance with the SWPPP and the erosion control plan would ensure that the Project's implementation does not violate any water quality standards or waste discharge requirements during construction activities. Based on the foregoing information, water quality impacts associated with Project construction activities would be less than significant.

During operation of the Project, the Project Applicant would be required to prepare and implement a WQMP, which is a Project Site-specific post-construction water quality management program that will be implemented to minimize erosion and siltation, pursuant to County Code of Ordinances Section 35.0118. The WQMP is required to identify an effective combination of erosion control and sediment control measures (i.e., Best Management Practices) to reduce or eliminate sediment discharge to surface water from storm water and non-storm water discharges. The WQMP also is required to establish a post-construction implementation and maintenance plan to ensure on-going, long-term erosion protection. Compliance with the WQMP is required as a condition of approval for the Project, as is the long-term maintenance of erosion and sediment control features. The preliminary WQMP for the Project is provided as *Technical Appendix L* to this EIR. Because the Project Applicant would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, Project operation would result in less than significant impacts related to soil erosion and sedimentation.

B. *Stormwater Runoff Discharge*

Improvements proposed as part of the Project include grate inlets, cleanouts, varying sizes of storm drainage pipe (12", 30", 36", and 48"), and three vegetated infiltration basins. Stormwater generated by the Project will be captured and conveyed to the infiltration basins through overland sheet flow as well as underground piping. Stormwater unable to infiltrate in the basins will eventually be discharged to the existing culvert inlet at the southeast corner of the site.

Drainage structures were designed for the Project according to the procedures and methodologies outlined in the San Bernardino County Flood Control District Standard Plans and Detention Basin Design Criteria for San Bernardino County. The Project's storm drain system has been designed to capture and retain on-site

stormwater runoff generated during a 100-year storm event. No new or expanded off-site storm drain facilities beyond those proposed as part of the Project are required to accommodate stormwater runoff from the Project Site. Accordingly, the design of the Project would minimize the risk of on- and off-site flooding during long-term development conditions, and alterations to the drainage characteristics of the Project Site (i.e., drainage pattern and flow rate) would be less than significant.

C. *Water Quality*

As discussed in detail under Threshold "a" and earlier under this Threshold (refer to sub-item "A"), the Project's construction contractors would be required to comply with a SWPPP and the Project's owner or operator would be required to comply with a SWQMP to ensure that Project-related construction activities and operational activities do not result in substantial amounts of polluted runoff. The Project would not result in substantial additional sources of polluted runoff and impacts would be less than significant.

D. *Flood Flows*

The Project Site is located within Flood Zone X, which has less than a 0.2% annual chance of flood hazard, and, thus, is outside of the 100-year floodplain. Accordingly, the Project Site is not expected to be inundated by flood flows and the Project would not impede flood flows. No impact would occur.

Threshold d: ***In flood hazard, tsunami, or seiche zones, would the Project risk release of pollutants due to project inundation?***

Tsunamis and seiches are inundation hazards associated with seismic activity. A tsunami is a sea wave generated by large-scale displacements of the ocean floor that causes a sudden surge of water onto the land. Seiches are earthquake-induced displacements of water within an enclosed or partially enclosed body of water, such as a lake, that cause water to oscillate back and forth onto land. The Project Site is over 1,300 feet above sea level, is not located near a lake or partially enclosed body of water and is located outside of a designated Tsunami Inundation Area. Therefore, hazards associated with a tsunami or seiches are not anticipated at the Project Site. Additionally, according to County Policy Plan Figure HZ-3, *Dam and Basin Hazards*, the Project Site is not located within any mapped dam inundation area. The Project Site is not otherwise subject to potential flood hazards or inundation hazards. Based on the preceding, the potential for the Project to result in release of pollutants due to Project inundation is considered less than significant.

Threshold e: ***Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?***

As discussed in Threshold "a" above, the Project Site is located within the Santa Ana River Basin and Project-related construction and operational activities would be required to comply with the Santa Ana RWQCB's regulations by preparing and adhering to a SWPPP and WQMP. As also discussed in Threshold "a" above, implementation of the Project would not conflict with or obstruct the *Santa Ana River Basin Water Quality Control Plan* and impacts would be less than significant.

The Project Site is located within the Rialto-Colton subbasin of the Upper Santa Ana Valley Groundwater Basin. The Rialto-Colton subbasin is part of the adjudicated San Bernardino Basin Area. Adjudicated groundwater basins, like the San Bernardino Basin Area, are exempt from the 2014 Sustainable Groundwater Management Act (SGMA) because such basins already operate under a court-ordered management plan to ensure their long-term sustainability. No component of the Project would obstruct or prevent implementation of the management plan for the San Bernardino Basin Area. As such, the Project's construction and operation would not conflict with any sustainable groundwater management plan. Impacts would be less than significant.

4.9.6 Cumulative Impact Analysis

The cumulative impact analysis considers construction and operation of the Project in conjunction with other development projects in the vicinity of the Project Site and projects located in the Santa Ana River Basin and the Upper Santa Ana Valley Groundwater Basin.

A. Water Quality

Project construction and the construction of other projects in the cumulative study area would have the potential to contribute waterborne pollution, including erosion and siltation, to the Santa Ana River Watershed. Pursuant to the requirements of the State Water Resources Control Board and the Santa Ana RWQCB, all construction projects that disturb one (1) or more acres of land area are required to obtain coverage for construction activities under the State's General Construction NPDES Permit. In order to obtain coverage, an effective site-specific SWPPP is required to be developed and implemented for all development projects over one acre. The SWPPP must identify potential on-site pollutants and identify an effective combination of erosion control and sediment control measures to reduce or eliminate discharge of pollutants to surface waters. In addition, the Project Applicant and all cumulative developments in the Santa Ana River Basin would be required to comply with the RWQCB-established water quality standards for ground and surface waters of the region. Compliance with these mandatory regulatory requirements, would ensure that development projects within the Santa Ana River watershed, including the proposed Project, would not contribute substantially to water quality impairments during construction.

Operational activities on the Project Site would be required to comply with the Project's WQMP to minimize the amount of waterborne pollution, including erosion and sediment, discharged from the site. Other development projects within the watershed would similarly be required by law to prepare and implement site-specific WQMPs to ensure that runoff does not substantially contribute to water quality violations. Accordingly, operation of the Project would not contribute to cumulatively considerable water quality effects.

B. Groundwater Supplies and Management

The Project would not physically impact any groundwater recharge facilities. The Project incorporates permeable landscape areas and other design features (i.e., infiltration basins) that would allow surface runoff to percolate into the groundwater basin. Other development projects would similarly be required by the lead agency for the project to incorporate design features (e.g., through minimum landscaped area requirements and site-specific WQMP requirements) that facilitate percolation and minimize surface runoff. Lastly, the Rialto-Colton subbasin is part of the larger Upper Santa Ana Valley Groundwater Basin, which is an adjudicated

basin that operates under a court-ordered management plan to ensure the long-term sustainability of the Basin. No component of the Project would obstruct with or prevent implementation of the Basin's management plan and other development projects within the Basin would be prohibited from any activity that would endanger the health and sustainability of the groundwater basin. Based on the lack of impacts to groundwater recharge facilities, the provision of design measures that would facilitate percolation, and compliance with the Basin's groundwater management plan, cumulative development would not result in a considerable, adverse effect to local groundwater supplies.

C. *Flooding*

Construction of the Project and other development projects within the Santa Ana River Watershed would be required to comply with federal, State, and local regulations and applicable regional and local master drainage plans to mitigate flood hazards both on- and off-site. Compliance with federal, State, and local regulations and applicable drainage plans would require development sites to be protected from flooding during peak storm events (i.e., 100-year storm) and would not allow development projects to expose downstream properties to increased flooding risks during peak storm events. In addition, future development proposals within the Santa Ana River Watershed would be required to prepare hydrologic and hydraulic calculations, subject to review and approval by the responsible City/County Engineer, to demonstrate that substantial on- and/or off-site flood hazards would not occur. Because the Project and all other developments throughout the Santa Ana River Basin, would need to comply with federal, State, and local regulations to ensure that stormwater discharges do not substantially exceed existing volumes or exceed the volume of available conveyance infrastructure, a substantial cumulative impact related to flood hazards would not occur.

Additionally, the Project Site is not located within a special flood hazard area or in an area subject to inundation. Accordingly, development on the Project Site would have no potential to impede or redirect flood flows and a cumulatively considerable impact would not occur.

4.9.7 Significance of Impacts Before Mitigation

Threshold a: Less than Significant Impact. The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Adherence to a SWPPP and WQMP is required as part of the Project's implementation to address construction- and operational-related water quality.

Threshold b: Less than Significant Impact. The Project would not physically impact any groundwater recharge facilities. The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the Basin.

Threshold c: Less than Significant Impact. The Project would be required to comply with applicable water quality regulatory requirements to minimize erosion and siltation. Additionally, the Project would not result in flooding on- or off-site or impede/redirect flood flows. Lastly, the Project would not create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Threshold d: No Impact. The Project Site would not be subject to inundation from tsunamis, seiches, or other hazards.

Threshold e: Less than Significant Impact. The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

4.9.8 Mitigation

Impacts would be less than significant; therefore, mitigation is not required.

4.10 LAND USE AND PLANNING

Local land use plans, policies, and development regulations control the types, configurations, and intensities of land uses within the community. Changes in land use patterns resulting from new development can affect overall characteristics of an area, and may result in physical impacts to the environment. This EIR section discusses the Project's consistency with applicable land use and planning policies adopted by the County and other governing agencies for the purpose of reducing adverse effects on the environment. All references used in this analysis are listed in EIR Section 7.0, *References*.

4.10.1 EXISTING CONDITIONS

A. Existing Land Use and Development

The Project Site is generally northwest of the Highland Avenue and Pepper Avenue intersection and is bordered by Highland Avenue to the south and River Ranch Parkway to the west. An existing levee abuts the Project Site to the north, beyond which is the Cajon Wash.

Between the late 1940s and approximately 1998/1999, the Project Site was mined for aggregate resources. Mining activities ceased on the Project Site in the late 1990s due to the depletion of economically viable aggregate resources. Since mining activities ceased at the Project Site, the property has been used for stockpiling and sale of aggregate resources excavated from the Vulcan Materials Company's Cajon Creek Quarry, which is located approximately 2.5 miles north of the Project Site. Resources mined from the Cajon Creek Quarry are loaded onto haul trucks and transported to the Project Site via an access road located adjacent to, and that crosses, the Cajon Wash. The materials stockpiled on the Project Site are sold as raw aggregates (sand and gravel) or processed on-site into concrete or asphalt. The Project Site contains numerous office buildings, maintenance buildings, storage buildings, production areas, and fueling and wash areas that support operations on the Site. Almost the entire Project Site is used for materials stockpiling and production and settling basins. Slopes along the western and southern edge of the Project Site are planted and maintained for beautification purposes.

Site operations include the processing and sale of aggregate, concrete, and asphalt. Typical hauling, staging, and production hours on the Project Site are 3:30am to 3:30pm, Monday through Saturday. The hours of hauling, staging and production activities may be extended – and can occur on Sundays during the peak construction season (i.e., the time of year with dry weather and longer daylight hours), or may be reduced in the time of year when demand is low (i.e., the time of year with inclement weather and short daylight hours). Sales activities occur on the Project Site between 4:00am and 4:00pm, Monday through Friday. All aspects of the operations on the Project Site produce noise – which can be substantial for certain activities – and, also, produce dust, which requires street sweeping and the use of water trucks multiple times per day.

Existing land uses adjacent to the Project Site are summarized below.

North: A flood control levee borders the site immediately to the north, beyond which is the Cajon Wash.

West: An established single-family residential neighborhood and an under-construction master-planned residential community (River Ranch) is located west of the Project Site, across River Ranch Parkway, in the City of Rialto.

South: Highland Avenue is located immediately to the south of the Project Site, beyond which is SR 210. Single-family residential land uses and Frisbie Park, in the City of Rialto, are located south of SR 210.

East: A flood control levee and the Cajon Wash are located to the east of the Project Site. A rail corridor and a mix of single-family residential, commercial, and industrial land uses in the City of San Bernardino and unincorporated community of Muscoy are located to the east of the Cajon Wash.

The existing land uses on the Project Site and adjacent properties are illustrated on EIR Figure 2-4.

B. General Plan

The San Bernardino County Policy Plan, which is a component of the larger Countywide Plan, serves as the general plan for San Bernardino County and is the prevailing planning document for unincorporated areas of San Bernardino County. In this EIR, the phrases "County Policy Plan" and "general plan" have the same meaning and significance and may be used interchangeably. The County Policy Plan designates the Project Site for "Resource Land Management (RLM)" land uses. The RLM land use designation is intended to "[m]anage, preserve, and protect natural resources such as agricultural/grazing lands, watersheds, minerals, and wildlife habitat areas, as well as open space areas not otherwise protected or preserved" (San Bernardino County, 2022, p. 10 (Land Use Element)). The RLM land use applied to the Project Site facilitates the existing use of the property, which is mineral resources processing and sales. The RLM land use designation does not allow the land use proposed by the Project; thus, the Project requires a Land Use Category Change.

C. Zoning

San Bernardino County applies Resource Conservation (RC) zoning to the Project Site. The RC zoning district "… provides sites for open space and recreational activities, single-family homes on very large parcels and similar and compatible uses" (San Bernardino County, 2024, § 82.01.020). The RC zoning district does not allow the land use proposed by the Project; thus, the Project requires a Zoning District Amendment.

4.10.2 Regulatory Framework

The following is a brief description of applicable federal, State, and local environmental laws and related regulations related to land use and planning.

A. State Plans, Policies, and Regulations

1. California Planning and Zoning Law

The legal framework in which California cities and counties exercise local planning and land use functions is set forth in the California Planning and Zoning Law, Sections 65000-66499.58. Under California planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. These requirements include the inclusion of seven mandatory elements described in the Government Code, including a section on land use. Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals; diagrams and maps that incorporate data and analysis; and mitigation measures.

2. Office of Planning and Research (OPR) General Plan Guidelines

Each city and county in California must prepare a comprehensive, long term general plan to guide its future. To assist local governments in meeting this responsibility, the Governor's Office of Planning and Research (OPR) is required to adopt and periodically revise guidelines for the preparation and content of local general plans pursuant to Government Code Section 65040.2. The General Plan Guidelines, which incorporate commonly accepted principles of contemporary planning practice, are advisory, not mandatory. Nevertheless, it is the State's only official document explaining California's legal requirements for general plans. Planners, decision-making bodies, and the public depend upon the General Plan Guidelines for help when preparing local general plans.

3. Subdivision Map Act

The Subdivision Map Act ("Map Act") vests in the cities and counties the power to regulate and control the design and improvement of subdivisions within its boundaries. Each city must adopt an ordinance regulating and controlling subdivisions for which the Map Act requires a tentative and final or parcel map. The authority for a city or county to regulate land use, including subdivisions, flows from the general police power. However, the Map Act sets forth certain mandates that must be followed for subdivision processing. A city can impose conditions on the subdivision process when the Map Act is silent, but it cannot regulate contrary to specific provisions contained in the Map Act. The Map Act's primary goals are:

- To encourage orderly community development by providing for the regulation and control of the design and improvement of the subdivision, with a proper consideration of its relation to adjoining areas;

- To ensure that the areas within the subdivision that are dedicated for public purposes will be properly improved by the subdivider so that they will not become an undue burden on the community; and
- To protect the public and individual transferees from fraud and exploitation.

The Map Act is applied in conjunction with other state land use laws such as the general plan, specific plans, zoning, CEQA, and the Permit Streamlining Act. The Map Act provides for regulation of land divisions by a city or county and is interpreted and enforced by the city or county.

4. Senate Bill 375 (SB 375)

Senate Bill 375 (SB 375) is a comprehensive land use law that aims to incentivize development in urban areas and areas near major transportation and transit facilities to minimize GHG emissions across the State. SB 375 includes five primary components.

The first is regional GHG emissions targets. CARB's Regional Targets Advisory Committee guides the adoption of targets to be met by 2035 for each Metropolitan Planning Organization (MPO) in the State. These targets, which MPOs may propose themselves, are updated every eight years in conjunction with updates to housing and transportation plans and forecasts.

Second, metropolitan planning organizations (MPOs) are required to prepare a Sustainable Communities Strategy (SCS) that provides a plan for meeting regional GHG targets. The SCS and a companion Regional Transportation Plan (RTP) must be consistent with each other, including action items and financing decisions. If the SCS does not meet the regional GHG target, the MPO must produce an Alternative Planning Strategy that details an alternative plan to meet the GHG reduction target.

Third, SB 375 requires that regional general plan housing elements and transportation plans be synchronized on eight-year schedules. In addition, Regional Housing Needs Assessment (RHNA) allocation numbers must conform to the SCS. If local jurisdictions are required to rezone land as a result of changes in the housing element, rezoning must take place within three years.

Fourth, SB 375 provides CEQA streamlining incentives for preferred development types. Certain residential or mixed-use projects qualify if they conform to the SCS. Transit-oriented developments (TODs) also qualify if they (1) are at least 50% residential, (2) meet density requirements, and (3) are within 0.5-mile of a transit stop. The degree of CEQA streamlining is based on the degree of compliance with these development preferences.

Finally, MPOs must use transportation and air emissions modeling techniques consistent with guidelines prepared by the California Transportation Commission (CTC). Regional Transportation Planning Agencies, cities, and counties are encouraged, but not required, to use travel demand models consistent with the CTC guidelines.

B. Local Plans, Policies, and Regulations

1. SCAG Regional Transportation Plan and Sustainable Communities Strategy

The Southern California Association of Governments (SCAG) is a regional agency established pursuant to California Government Code Section 6500, also referred to as the Joint Powers Authority law. SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). The Project Site is within SCAG's regional authority. In April 2024, SCAG adopted the *2024-2050 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) ("RTP/SCS")*; also referred to herein as "*Connect SoCal*" with goals to: 1) build and maintain an integrated multimodal transportation network; 2) develop, connect and sustain communities that are livable and thriving; 3) create a healthy region for the people of today and tomorrow; and 4) support a sustainable, efficient and productive regional economic environment that provides opportunities for all residents. Performance measures and funding strategies also are included to ensure that the adopted goals are achieved through implementation of the RTP.

Connect SoCal includes long-range regional transportation plans, regional transportation improvement programs, regional housing needs allocations, and other plans for the region. *Connect SoCal* also provides objectives for meeting emissions reduction targets set forth by the California Air Resources Board (CARB); these objectives were provided in a direct response to Senate Bill 375 (SB 375) which was enacted to reduce greenhouse gas emissions from automobiles and light trucks through integrated transportation, land use, housing, and environmental planning. *Connect SoCal* is updated periodically to allow for the consideration and inclusion of new transportation strategies and methods.

2. County Policy Plan

The San Bernardino County Policy Plan is a policy document that reflects the County's vision for the future of unincorporated areas under its jurisdiction. The General Plan is organized into 11 chapters, also known as elements, that contain a series of policies to guide the County's vision for future growth.

3. SCAQMD Air Quality Management Plan

An Air Quality Management Plan (AQMP) is a plan for the regional improvement of air quality, authorized by California Health & Safety Code Section 40702 *et seq.* and the California Clean Air Act. AQMPs are updated regularly to more effectively reduce emissions and accommodate growth. Each version of the plan is an update of the previous plan and has a 20-year horizon with a revised baseline. The South Coast Air Quality Management District's most recent iteration of the AQMP was adopted in December 2022.

4. San Bernardino County Congestion Management Plan

The *San Bernardino County Congestion Management Program (CMP)* was prepared by the San Bernardino Associated Governments (since re-named as the San Bernardino County Transportation Authority, SBCTA). The intent of the *CMP* is to create a link between land use, transportation, and air

quality planning decisions and to prompt reasonable growth management programs that would more effectively utilize new and existing transportation funds to alleviate traffic congestion and related impacts and improve air quality. The *San Bernardino CMP* was first adopted in November 1992 and has since been updated 12 times, with the most recent comprehensive update in June 2016.

4.10.3 Basis for Determining Significance

The thresholds listed below are from CEQA Guidelines Appendix G and address the typical, adverse effects related to land use and planning that could result from development projects. The Project would result in a significant impact related to land use and planning if the Project or any Project-related component would:

a. *Physically divide an established community.*

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

4.10.4 Methodology for Evaluating Land Use and Planning Impacts

The analysis of potential land use impacts considers whether the Project is inconsistent with adopted plans and policies that are applicable to the Project Site and/or the Project's proposed land uses. The determination of inconsistency with applicable land use policies and ordinances is based upon a review of the planning documents previously identified in this section that regulate land use or guide land use decisions pertaining to the Project Site. CEQA Guidelines Section 15125(d) requires that an EIR discuss conflicts with applicable plans that the decision-makers should address. Evaluations are made as to whether a project is inconsistent with such plans. Projects are considered consistent with regulatory plans if they are compatible with the general intent of the plans and would not preclude the attainment of their primary goals. The intention of the evaluation of consistency with regulatory plans is to determine if non-compliance would result in a significant physical impact on the environment.

4.10.5 Impact Analysis

Threshold a: ***Would the Project physically divide an established community?***

The physical division of an established community is typically associated with construction of a linear feature, such as major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and an outlying area. The Project Site has been heavily impacted by mining-associated uses for over 75 years. No residences or other housing exists within the Project Site and the Project Site does not offer access to or from an established community. No residents would be displaced by the Project, nor does the Project include the construction of a linear feature that would disrupt the physical arrangement of any neighboring residential communities or impair access to such communities. Additionally, the Project would be developed within the confines of the Project Site – which is already physically separated from surrounding land uses by manufactured slopes and fencing (on the west and north), a levee and the Cajon Wash (on the north and east), and Highland Avenue (on the south) – and would not introduce

improvements that would bisect or transect, or otherwise impede access to or from the surrounding communities. Based on the preceding analysis, implementation of the Project would not result in the physical disruption or division of an established community. No impact would occur.

Threshold b: ***Would the Project 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?***

A. County Policy Plan

The Project proposes an amendment to the County Policy Plan land use map to change the Project Site's land use designation from Resource Land Management (RLM) to General Industrial (GI). Approval of the General Plan Amendment (along with the Specific Plan that is proposed as part of the Project) would eliminate any potential inconsistency between proposed land use and the Project Site's land use designation. As demonstrated by the information disclosed in this EIR and analysis provided herein (and summarized in Table 4.10-1), the Project would not result in a substantial adverse environmental impact due to a conflict with any applicable goal or policy from the County Policy Plan that was adopted for the purpose of avoiding or mitigating an environmental effect, including goals and policies from the Land Use, Housing, Infrastructure & Utilities, Transportation & Mobility, Natural Resources, Renewable Energy & Conservation, Cultural Resources, Hazards, Personal & Property Protection, Economic Development, and/or Health & Wellness elements. Impacts would be less than significant.

Table 4.10-1 Policy Plan Consistency Analysis

Policy Plan Element	Project Consistency Discussion
Built Environment	
Land Use	No conflict identified. The Project furthers the County's goal for fiscally sustainable growth by redeveloping a property that is occupied by an industrial use nearing the end of its economic productivity. The proposed use of the Project Site would increase local economic output, generate income for local workers, and generate tax revenue for the County (Andrew Chang & Co, 2025). The Project is not incompatible with the existing use of the Project Site, and incorporates a site design and design measures to maximize compatibility with surrounding land uses. Lastly, the Project provides additional job opportunities in the Valley region; the County has specifically targeted the Valley region for job creation to improve the County's jobs-housing ratio and minimize the need for County residents to commute long distances to work.

Table 4.10-1 Policy Plan Consistency Analysis

Policy Plan Element	Project Consistency Discussion
Housing	No conflict identified. The Project does not include housing. The Project Site is not designated for residential land uses under existing conditions and the approved Reclamation Plan for the Project Site does not permit residential land uses. Further, the Project Site contains physical constraints (i.e., seismic faults) that limit the development potential of the Project Site for residential land uses. No component of the Project would prevent or obstruct the development of new housing or the County's promotion of affordable housing and incentives for new housing.
Infrastructure & Utilities	No conflict identified. As demonstrated by the analysis presented in Section 4.16, *Utilities and Service Systems*, the Project would not conflict with or otherwise interfere with utility services in the County.
Transportation & Mobility	No conflict identified. The Project's design is consistent with applicable County roadway design standards. The Project Site's location with direct access to the Pepper Ave. on/off-ramps to SR 210 support the County's goal of locating good movement uses with efficient access to the State highway system to minimize the use of local roads and total vehicle miles traveled (VMT). Section 4.14, *Transportation*, presents the VMT analysis that was prepared for the Project and demonstrates that the Project meets applicable County VMT significance standards.
Resources and Conservation	
Natural Resources	No conflict identified. The analysis presented herein in Sections 4.1, *Aesthetics;* 4.2, *Air Quality;* 4.3, *Biological Resources;* 4.7, *Greenhouse Gas Emissions;* 4.9, *Hydrology & Water Quality;* 4.11, *Mineral Resources*; and 5.0, *Other CEQA Considerations* supports the conclusion that the Project would not cause a significant environmental impact due to a conflict with an applicable County general plan policy.
Renewable Energy & Conservation	No conflict identified. The Project would be consistent with applicable energy efficiency programs and would comply with applicable State and local building code requirements for energy conservation. See EIR Section 4.5, *Energy*, for a detailed analysis of potential environmental effects related to the Project's energy use.

Table 4.10-1 Policy Plan Consistency Analysis

Policy Plan Element	Project Consistency Discussion
Cultural Resources	No conflict identified. As supported by the analysis presented in EIR Sections 4.4, *Cultural Resources* and 4.15, *Tribal Cultural Resources*, no Project component or action would conflict with applicable County general plan related to archaeology, historical, or tribal cultural resources.
Safety and Security	
Hazards	No conflict identified. As demonstrated by the analysis presented in the EIR sections listed below, the Project would not expose people or the environment to substantial human-generated hazards and would not exacerbate any known substantial natural environmental hazards. Refer to EIR Sections 4.2, *Air Quality;* 4.6, *Geology and Soils;* 4.8, *Hazards and Hazardous Materials; 4.9, Hydrology and Water Quality; 4.12, Noise; and 4.17, Wildfire* for additional detail.
Personal & Property Protection	No conflict identified. As demonstrated in EIR Section 4.13, *Public Services*, the Project would not conflict with or otherwise interfere with the provision of law enforcement, fire protection, and emergency response services in the County.
Economy and Wellness	
Economic Development	No conflict identified. This element would be implemented by the County. No component of the Project would prevent or obstruct the County from promoting and facilitating local economic development.
Health & Wellness	No conflict identified. This element would be implemented by the County. No component of the Project would prevent or obstruct the County from promoting and developing local health and wellness programs.

B. SCAG Connect SoCal

As shown in Table 4.10-2, the Project would not result in a substantial environmental effect due to a conflict with *Connect SoCal*. Impacts would be less than significant.

Table 4.10-2 Connect SoCal Consistency Analysis

2024-2050 RTP/SCA Regional Planning Policies	Project Consistency
Mobility	No Conflict Identified. There are no components of the Project that would interfere with local access or mobility, nor would any component of the Project foreseeably result in substantial safety hazards to motorists or pedestrians, as discussed in EIR Section 4.14, *Transportation*.

Table 4.10-2 Connect SoCal Consistency Analysis

2024-2050 RTP/SCA Regional Planning Policies	Project Consistency
	Connect SoCal indicates that there have been significant drivers of change in the goods movement industry including emerging and new technologies, more complex supply chain strategies, evolving consumer demands and shifts in trade policies. Warehouse distribution and e-commerce continues to be one of the most influential factors shaping goods movement. When addressing environmental strategies for goods movement, *Connect SoCal* acknowledges that effective environmental strategies for distribution and heavy-duty truck travel should come from private sector technological advances. It is anticipated that the future user(s) of the Project will participate in EPA's SmartWay program as do many trucking fleet operators (or will encourage their contractors to do so). The EPA's SmartWay Transportation Partnership helps companies achieve their freight supply chain sustainability goals by providing credible tools, data, and standards for measuring, benchmarking, and improving environmental performance. This section also includes policies directed toward County and regional staff and decision-makers related to complete streets, transit and multimodal integration, transportation demand management, and transportation funding that are not applicable to the Project. No component of the Project would conflict with these policies.
Communities	No Conflict Identified. The Project Site is not designated for residential land uses. There are no components of the Project that would interfere with local access or mobility, nor would any component of the Project foreseeably result in substantial safety hazards to motorists or pedestrians, as discussed in EIR Section 4.14, *Transportation*. Additionally, the proposed land use would diversify the County's economy and bring employment opportunities closer to the local workforce. Co-locating jobs near commercial uses and housing reduces greenhouse gas emissions caused by long commutes and performing errands and contributes to integrated development patterns.
Environment	No Conflict Identified. The Project Site does not contain any natural habitat or agricultural lands, and the Site does not function as a wildlife corridor. The proposed Project would represent an improvement to localized air pollution concentrations as compared to the long-standing uses at the Project Site which generate substantial diesel

Table 4.10-2 Connect SoCal Consistency Analysis

2024-2050 RTP/SCA Regional Planning Policies	Project Consistency
	particulate matter and dust emissions. Additionally, the proposed land use would bring employment opportunities closer to the local workforce. Co-locating jobs near commercial uses and housing reduces greenhouse gas emissions caused by long commutes and performing errands and contributes to integrated development patterns. Further, the Project incorporates various measures related to building design, landscaping, and energy systems to promote energy efficiency, thereby minimizing greenhouse gas emissions. This section also includes policies directed toward County and regional staff and decision-makers related to clean transportation and climate resilience that are not directly applicable to the Project.
Economy	Not Applicable. These policies provide direction to County and regional staff and decision-makers and are not directly applicable to the proposed Project. No component of the Project would interfere with the *Connect SoCal* policies related to goods movement, broadband, universal basic mobility, workforce development, and/or tourism. It should be noted that the Project would improve the regional economy by creating a new warehouse facility with the objective of creating new jobs resulting in a new regional income source that would increase the local tax base. Additionally, the Project would meet contemporary industry standards to support advancements in transportation and goods movement technologies.

Source: (SCAG, 2024b, pp. 113-121)

C. *SCAQMD AQMP*

The Project's consistency with the SCAQMD *2022 AQMP* was addressed in detail in EIR Section 4.2, *Air Quality*. As concluded in EIR Subsection 4.2, implementation of the Project would not result in NAAQS or CAAQS violations nor would it substantially contribute to an existing air quality violation or substantially prevent the achievement of air quality goals from the *2022 AQMP* after the application of required mitigation. Implementation of the Project would not result in environmental effects due to a conflict with the *2022 AQMP* that was not already fully disclosed in Section 4.2.

D. *San Bernardino County Congestion Management Plan*

The Project's consistency with the *San Bernardino County CMP* is addressed in EIR Section 4.14, *Transportation*. As concluded in EIR Section 4.14, the Project would not result in a substantial environmental impact due to a conflict with the *San Bernardino County CMP*. Impacts would be less than significant.

4.10.6 Cumulative Impact Analysis

Under existing conditions, the Project Site is physically separated from neighboring land uses by physical barriers (e.g., manufactured slopes, levees, public streets). The Project does not include any component that has the potential to alter the surrounding pattern of future development. Accordingly, the Project would not cumulatively contribute to the physical division of an established community.

The Project requires a Land Use Category change and a Zoning District Amendment and also includes a Specific Plan (which is required by State law to be consistent with the San Bernardino County general plan). Development within the cumulative study area, which includes areas proximate to the Project Site as well as buildout of surrounding unincorporated communities and the cities of Rialto and San Bernardino, would also be subject to site-specific environmental and planning reviews to ensure consistency with applicable regional and local plans reviewed in this section. Therefore, cumulatively considerable impacts from cumulative projects related to policy consistency would be less than significant.

4.10.7 Significance of Impacts Before Mitigation

Threshold a: No Impact. The Project would not physically divide an established community.

Threshold b: Less than Significant Impact. The Project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect beyond those effects already disclosed throughout this EIR.

4.10.8 Mitigation

Impacts would be less than significant; therefore, mitigation is not required.

4.11 MINERAL RESOURCES

This Subsection describes the potential mineral resources that are located on or beneath the Project Site and in the Project Site vicinity and evaluates the potential effects that the Project may have on these resources. The following analysis is based on information presented within the San Bernardino County general plan and its EIR, as well as the following documents:

- *Geotechnical Feasibility Report Pepper 210 Commerce Center, 20080 N. Highland Avenue Rialto, California 92377*, prepared by Tetra Tech and dated September 7, 2023 (Tetra Tech, 2023);
- *Statement of Mineral Resource Classification Impact Potential for Property located at 2400 Highland Road, San Bernardino, CA. APN 0264-431-18*, prepared by EnviroMine and dated July 10, 2023 (EnviroMine, 2023); and
- Correspondence from Vulcan Materials Company to San Bernardino County Land Use Services Department, dated November 13, 2023 (Vulcan Materials Company, 2023).

These documents are appended to this EIR as *Appendices G, N*, and *O*, respectively. All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.11.1 EXISTING CONDITIONS

Mining operations began at the Project Site in the late 1940s and continued until 1998 or 1999, when all economically viable aggregate resources became depleted and the excavation pits were backfilled. Since mining activities ceased on the Project Site, the Project Site has been used for stockpiling and sale of aggregate resources excavated from the Vulcan Materials Company's Cajon Creek Quarry, which is located approximately 2.5 miles north of the Project Site.

A. Geology

The Project Site is located within the southwestern edge of the Lytle Creek flood plain and is underlain by thick sequences of alluvial deposits. The distribution of the geologic units varies substantially across the Site. Much of the ground surface has been modified over the last 70+ years by commercial aggregate mining and processing operations. Past ground modifications included open pit mining of the westerly half of the property at varying depths and up to a depth of approximately 45-50 feet below the original ground surface. Backfilling of the open pits within the property has continued periodically over the decades. The central portion of the Site was used to maintain construction water ponds and for mixing, drying and onsite disposal of wash plant fines and concrete debris. The eastern areas of the property are believed to have had little to no history of open pit mining; this area of the Project Site is expected to be underlain by local accumulations of fill material associated with underground utilities and local structures. The surficial geologic units encountered within the subject site consist of Holocene-age artificial fill (Af), colluvium (Qcol) and younger alluvium (Qaly). Pleistocene-age older alluvium (Qoal) was encountered locally at the ground surface and beneath the Holocene surficial units. (Tetra Tech, 2023, p. 6)

B. Mineral Resources Potential

The Surface Mining and Reclamation Act of 1975 (SMARA) requires the State Geologist to classify land according to the presence, absence, or likely occurrence of significant mineral deposits in certain areas of the State subject to urban expansion or land uses incompatible with mining. Classifications include:

- MRZ-1: Areas where adequate geologic information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ-2a: Areas underlain by mineral deposits where geologic data show that significant measured or indicated resources are present.
- MRZ-2b: Areas underlain by mineral deposits where geologic information indicates that significant inferred resources are present.
- MRZ-3a: Areas containing known mineral deposits that may qualify as mineral resources.
- MRZ-3b: Areas containing inferred mineral deposits that may qualify as mineral resources.
- MRZ-4: Areas where geologic information does not rule out either the presence or absence of mineral resources.
- SZ Areas: Contain unique or rare occurrences of rocks, minerals, or fossils that are of outstanding scientific significance.
- IRA Areas: County-identified or State-identified areas where production and information indicates that significant minerals are present.

San Bernardino County is divided into three regions of mineral resource zones: the Valley, Mountain, and Desert Regions. The Project Site is located within the Valley Region. Nearly the entire Valley Region is designated either MRZ-2 (about 113,500 acres) or MRZ-3 (about 174,000 acres) (San Bernardino County, 2019, p. 5.11-4; San Bernardino County, 2022a, Policy Map NR-4). The State Geologist has classified the Project Site and surrounding area as MRZ-2, which indicates an area of known significant mineral resources, due to the presence of substantial deposits of portland cement concrete-grade aggregate within and adjacent to the Cajon Wash and Lytle Creek Wash (California Geological Survey, 2008).

4.11.2 Regulatory Framework

The following is a brief description of the regulatory setting related to the topic of mineral resources and that are applicable to the Project and/or Project Site.

A. State Plans, Policies, and Regulations

1. Surface Mining and Reclamation Act of 1975

The Surface Mining and Reclamation Act of 1975 (SMARA) Public Resources Code (PRC), Sections 2710-2796 provides a comprehensive surface mining and reclamation policy for surface mining operations in the State to assure that adverse environmental impacts are minimized and mined lands are reclaimed to a usable condition. The SMARA requires the State Geologist to classify land according to the presence, absence, or likely occurrence of significant mineral deposits in certain areas of the State subject to urban expansion or land

uses incompatible with mining. The SMARA also encourages the production, conservation, and protection of the State's mineral resources and requires the State Mining and Geology Board to adopt State policy for the reclamation of mined lands and the conservation of mineral resources. (DOC, n.d.)

B. Local Plans, Policies, and Regulations

1. County Policy Plan

The Natural Resources Element of the San Bernardino County general plan sets forth goals and policies related to the protection of mineral resources. Goals and policies that may be applicable to the Project and/or Project Site are summarized below.

Goal NR-6: Mineral Resources. Mineral resource zones that allow extraction industries to continue supporting the regional and national economy while minimizing negative impacts on the public and natural environment.

Policy NR-6.1 Mineral resource areas. We prioritize the conservation of land area with mineral resources by prohibiting or discouraging development of land that would substantially preclude the future development of mining facilities in areas classified as Mineral Resource Zone (MRZ) 2a, 2b, or 3a.

Policy NR-6.2 Mining operations and reclamation. We require and monitor mineral extraction activities to ensure that the operation and reclamation of mined lands is consistent with the State Surface Mining and Reclamation Act of 1975 (SMARA).

Policy NR-6.3 Conservation of construction aggregate. We encourage the continued operation of existing mining facilities and streamline the permitting of new mining facilities (consistent with the Policy Plan and other local, state, and federal regulations) to establish aggregate resources that are sufficient to satisfy 50 years of county demand.

4.11.3 Basis for Determining Significance

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects to mineral resources that could result from development projects. The Project would result in a significant impact related to mineral resources if the Project or any Project-related component would:

a. *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.*
b. *Result in the loss of availability of a locally-important mineral resource recover site delineated on a local general plan, specific plan, or other land use plan.*

4.11.4 Methodology for Evaluation

The analysis of potential impacts to mineral resources is based upon review of published reports, maps and aerial photographs, field reconnaissance, and historic data of mineral resources extraction at the Project Site. The County's General Plan and information sources from State and Federal agencies also were reviewed to establish the Project Site's existing conditions and likelihood of environmental effects.

4.11.5 Impact Analysis

Threshold a:	***Would the Project result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?***

As previously noted, the Project Site is classified under SMARA as MRZ-2, due to the substantial deposits of portland cement concrete-grade aggregate that are known to occur within and adjacent to the Cajon Wash and Lytle Creek Wash. Aggregate mining began on the Project Site in the 1940s and continued until the late 1990s. During that time, all but approximately 30 acres of the Project Site were excavated at depths up to 50 feet below the natural ground surface and backfilled once mining activities were complete. The approximately 30 acres of the Project Site that have not been mined comprise the southeast portion of the Project Site; this area is occupied with the buildings and stationary equipment (e.g., concrete batch plant, asphalt plant) associated with on-site processing and sales activities. No mining activities have occurred on the Project Site since the late 1990s; all aggregate resources that are stockpiled, processed, and sold at the Project Site under existing conditions are mined from the Cajon Creek Quarry (located approximately 2.5 miles north of the Project Site).

All economically viable mineral resources that were once located on the Project Site have been depleted by historic mining activities (EnviroMine, 2023). According to the current user of the Project Site, the volume of aggregate resources that are present on the approximately 30 acres of the Project Site that have not been mined to-date are not economically feasible to mine and process for sale (Vulcan Materials Company, 2023). It also bears noting that the geometry of the Project Site and the proximity to a flood control levee that forms the northern and eastern boundary of the Project Site further limits potential mining in the un-mined area, as no grading buffer area is required to be maintained adjacent to the levee and, outside of the buffer area, excavation activities must maintain a gradual slope that is not conducive to extractive mining techniques. Lastly, redevelopment of the Project Site would have no effect on the local or regional availability of aggregate resources mined from the Cajon Creek Quarry, as the current user of the Project Site (Vulcan Materials Company) plans to re-locate their processing and sales facility closer to the existing quarry and to an area permitted for such activities within the approved Calmat Cajon Creek Specific Plan, which was approved by the City of San Bernardino in 1993 and subject to prior CEQA review.

Based on the foregoing information, implementation would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State. No impact would occur.

Threshold b: ***Would the Project 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?***

The San Bernardino County general plan does not designate the Project Site as a locally-important mineral resource recovery site. No specific plans or other land use plans identify the Project Site as a locally-important mineral resource site, either. No impact would occur.

4.11.6 Cumulative Impact Analysis

No economically viable mineral resources would be lost as part of development of the Project Site. Nor would the Project affect any off-site mineral resource recovery efforts. No cumulatively-considerable impacts would occur.

4.11.7 Significance of Impacts Before Mitigation

Threshold a: No Impact. The Project Site no longer contains any known mineral resources that would be of value to the region or the residents of the State. Accordingly, with implementation of the proposed Project there would be no impact to known mineral resources.

Threshold b: No Impact. The Project would not 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, and no impact would occur.

4.11.8 Mitigation Measures

No significant impacts to mineral resources would occur with implementation of the proposed Project; thus, mitigation measures are not required.

4.12 NOISE

This Subsection addresses the environmental issue of noise, including existing noise levels in the Project area and the Project's potential to introduce new or elevated sources of noise. The analysis contained herein incorporates information contained in a technical report prepared by Urban Crossroads, Inc., titled "Pepper 210 Commerce Center, Noise and Vibration Analysis" ("Noise Analysis"), dated January 25, 2024. The report is included as *Technical Appendix P* to this EIR. Refer to Section 7.0, *References*, for a complete list of reference sources used in the analysis presented in this Subsection.

4.12.1 EXISTING CONDITIONS

A. Noise Fundamentals

1. Noise Definitions

Noise is simply defined as "unwanted sound." Sound becomes unwanted when it interferes with normal activities, when it causes physical harm, or when it has adverse effects on health. Because the range of sound that the human ear can detect is large, the scale used to measure sound intensity is based on multiples of 10 (the logarithmic scale). The unit of measure to describe sound intensity is the decibel (dB). A sound increase of 10 dB represents a ten-fold increase in sound energy and is perceived by the human ear as being roughly twice as loud. A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise sources by discriminating against very low and very high frequencies of the audible spectrum (i.e., frequencies that are not audible to the human ear). The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). Normal conversation at three feet is roughly 60 dBA, while a jet engine is 110 dBA at approximately 100 feet. (Urban Crossroads, 2024e, pp. 7-8)

2. Noise Descriptors

Environmental noise descriptors are generally based on averages, rather than instantaneous, noise levels. The most used noise descriptor is the equivalent level (L_{eq}). L_{eq} represents a steady-state sound level and is not measured directly but is calculated from sound pressure levels typically measured in dBA. Consequently, L_{eq} can vary depending on the time of day. (Urban Crossroads, 2024e, p. 8)

Peak hour or average noise levels, while useful, do not completely describe a given noise environment. Noise levels lower than peak hour may cause a disturbance if they occur during times when quiet is most desirable, namely evening and nighttime (sleeping) hours. To account for this, the Community Noise Equivalent Level (CNEL), representing a composite 24-hour noise level is utilized. The CNEL is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours. The time-of-day corrections require the addition of five (5) decibels to dBA L_{eq} sound levels in the evening from 7:00 p.m. to 10:00 p.m., and the addition of 10 decibels to dBA L_{eq} sound levels at night between 10:00 p.m. and 7:00 a.m. These additions are made to account for the noise sensitive time periods during the evening and night hours when sound appears louder. CNEL does not represent the actual sound level heard at any time, but rather represents the total sound exposure. The County relies on the 24-hour CNEL level to assess land use compatibility with transportation-related noise sources. (ibid.)

3. Sound Propagation

When sound propagates over a distance, it changes in level and frequency content. The manner in which noise reduces with distance depends on geometric spreading, ground absorption, atmospheric effects, shielding, and reflection. (ibid.)

4. Geometric Spreading

Sound from a localized source (i.e., a stationary point source) propagates uniformly outward in a spherical pattern. The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source. Highways consist of several localized noise sources on a defined path and hence can be treated as a line source, which approximates the effect of several point sources. Noise from a line source propagates outward in a cylindrical pattern, often referred to as cylindrical spreading. Sound levels attenuate at a rate of 3 dB for each doubling of distance from a line source. (ibid.)

5. Ground Absorption

The path of travel for noise to a receiver is usually very close to the ground. Noise attenuation from ground absorption and reflective wave canceling adds to the attenuation associated with geometric spreading. For acoustically hard sites (i.e., sites with a reflective surface between the source and the receiver, such as a parking lot or body of water), no excess ground attenuation is assumed. For acoustically absorptive or soft sites (i.e., those sites with an absorptive ground surface between the source and the receiver such as soft dirt, grass, or scattered bushes and trees), an excess ground attenuation value of 1.5 dB per doubling of distance is normally assumed. When added to the cylindrical spreading, the ground attenuation results in an overall drop-off rate of 4.5 dB per doubling of distance from a line source. (Urban Crossroads, 2024e, pp. 8-9)

6. Atmospheric Effects

Receptors located downwind from a noise source can be exposed to increased noise levels relative to calm conditions, whereas locations upwind can have lowered noise levels. Other factors that may affect noise levels include air temperature, humidity, and turbulence. (Urban Crossroads, 2024e, p. 9)

7. Shielding

A large object or barrier in the path between a noise source and a receiver can substantially attenuate noise levels at the receiver. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source. Solid objects or barriers are most effective at attenuating noise levels. Effective noise barriers can reduce noise levels by 10 to 15 dBA. Noise barriers, however, do have limitations. For a noise barrier to work, it must be high enough and long enough to block the path of the noise source. Shielding by trees and other such vegetation that blocks the line-of-sight typically provides the perception of reduction noise levels; however, for vegetation to provide a noticeable noise reduction (up to 5 dBA of noise reduction), the vegetation area must be at least 15 feet in height, 100 feet wide and dense enough to completely obstruct the line-of sight between the source and the receiver. (ibid.)

8. *Response to Noise*

Approximately 15 percent of the population has a very low tolerance for noise and will object to any noise not of their own making, even in the quietest environment, while approximately 20 to 30 percent of the population will not complain even in very severe noise environments. Thus, a variety of reactions can be expected from people exposed to noise in any given environment. Despite this variability in behavior on an individual level, the population can be expected to exhibit the following responses to changes in noise levels: an increase of 1 dBA cannot be perceived except in carefully controlled laboratory experiments; a change of 3 dBA is considered "barely perceptible;" and a change of 5 dBA is considered "readily perceptible." (Urban Crossroads, 2024e, p. 10)

9. *Vibration*

Vibration is the periodic oscillation of a medium or object. Sources of groundborne vibration 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, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, groundborne vibrations may be described by amplitude and frequency. Vibration is often described in units of velocity (inches per second) and decibels (dB) and is denoted as VdB. The background vibration-velocity level in residential areas is generally 50 VdB. Groundborne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels. (Urban Crossroads, 2024e, p. 11)

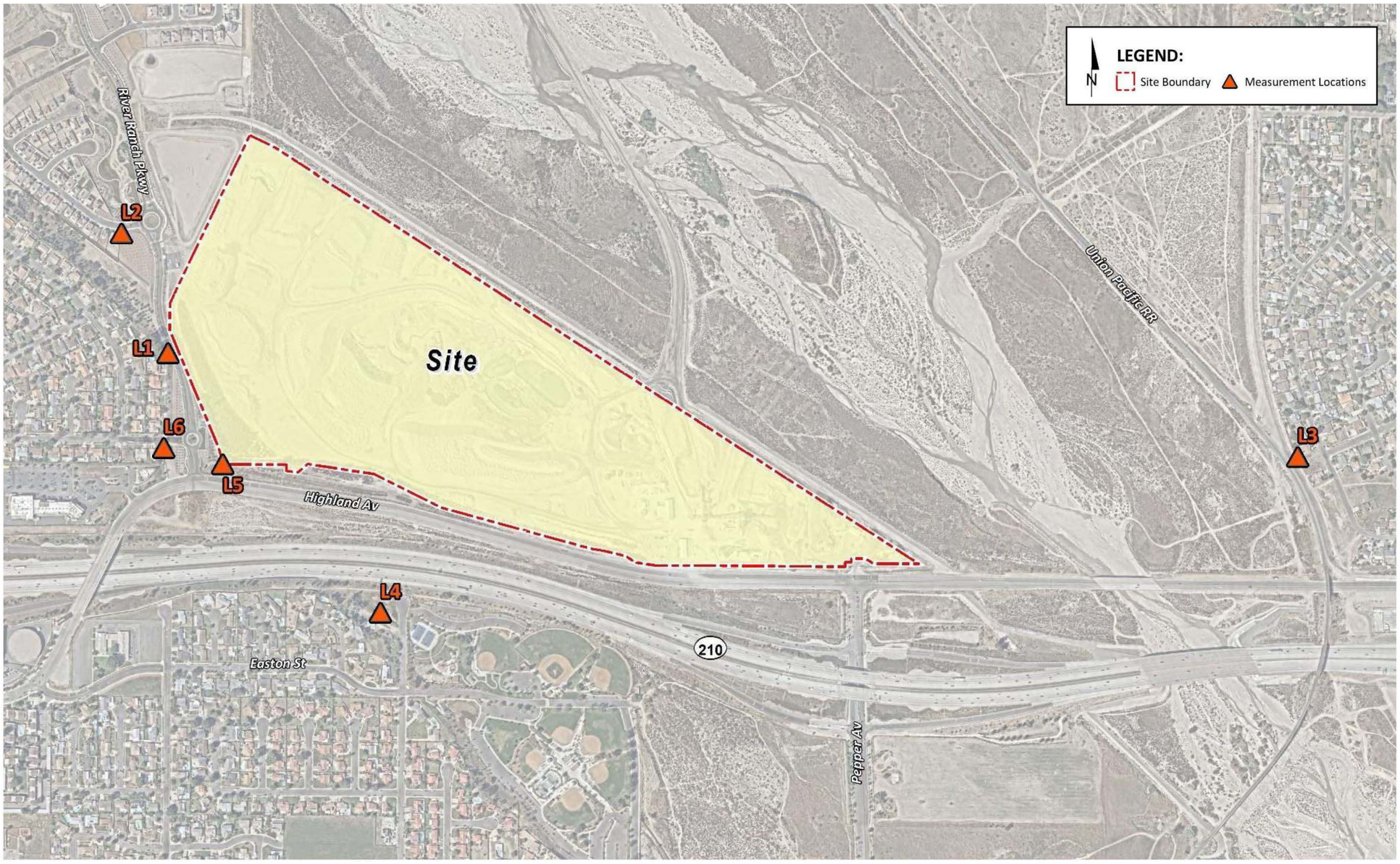
B. *Existing Study Area Ambient Noise Conditions*

To assess the existing noise level environment, 24-hour noise level measurements were taken at six locations in the Project study area. The noise measurement locations are identified in Figure 4.12-1, *Noise Measurement Locations*. The results of the existing noise level measurements are summarized below.

Table 4.12-1 Ambient Noise Level Measurements

Location	Description	Energy Average Noise Level (dBA L_{eq})	
		Daytime	Nighttime
L1	West of Project Site, near residence at 2184 N Oakdale Ave.	57.8	52.7
L2	West of Project Site, near residence at 2344 Powell Dr.	58.4	51.9
L3	East of the Project Site and the Union Pacific Railroad, near residence at 2382 Duffy St.	59.9	59.3
L4	South of the Project Site and SR 210, near residence at 1951 Joyce Ave.	69.6	66.9
L5	Southwest corner of the Project Site, near entrance to the River Ranch community.	58.6	54.7
L6	West of Project Site, near residence at 2132 N Oakdale Ave.	58.9	53.4

Source: (Urban Crossroads, 2024e, Table 5-1)



Source(s): Urban Crossroads (01-25-2024)

Figure 4.12-1

Not to Scale

Noise Measurement Locations

Noise measurement worksheets for the hourly noise levels and the minimum and maximum observed noise levels at each measurement location are provided in the Noise Analysis (refer to *Technical Appendix O*). In general, the existing background ambient noise in the Project area is primarily from operations on the Project Site (including the operation of off-road equipment, operation of the asphalt batch plant and concrete plant) and traffic noise along the local arterial roadway network and SR 210.

4.12.2 Regulatory Framework

The following is a brief description of the federal, State, and local environmental laws and regulations related to noise that are applicable to the Project, the Project Site, and/or the surrounding area.

A. Federal Plans, Policies, and Regulations

1. Noise Control Act of 1972

The Noise Control Act of 1972 establishes a national policy to promote an environment for all Americans free from noise that jeopardizes their health and welfare (EPA, 2023i). The Act also serves to (1) establish a means for effective coordination of Federal research and activities in noise control; (2) authorize the establishment of Federal noise emission standards for products distributed in commerce; and (3) provide information to the public respecting the noise emission and noise reduction characteristics of such products.

While primary responsibility for control of noise rests with State and local governments, Federal action is essential to deal with major noise sources in commerce, control of which require national uniformity of treatment. The Environmental Protection Agency (EPA) is directed by Congress to coordinate the programs of all Federal agencies relating to noise research and noise control.

2. Federal Transit Administration

The Federal Transit Administration (FTA) published a *Noise and Vibration Impact Assessment Manual*, which provides guidance for preparing and reviewing the noise and vibration sections of environmental documents (FTA, 2018). The manual sets forth the methods and procedures for determining the level of noise and vibration impact resulting from most federally-funded transit projects and for determining what can be done to mitigate such impact.

The *Noise and Vibration Impact Assessment* manual also establishes criteria for acceptable ground-borne vibration, which are expressed in terms of root mean square (rms) velocity levels in decibels and the criteria for acceptable ground-borne noise are expressed in terms of A-weighted sound levels. The FTA identifies three categories of land uses and provides Ground-Based Vibration (GBV) and Ground-Based Noise (GBN) criteria for each category of land use.

3. Federal Highway Administration

The Federal Highway Administration (FHWA) is the agency responsible for administering the Federal-aid highway program in accordance with Federal statutes and regulations. The FHWA developed the noise regulations as required by the Federal-Aid Highway Act of 1970 (Public Law 91-605, 84 Stat. 1713). The regulation, 23 CFR 772 *Procedures for Abatement of Highway Traffic Noise and Construction Noise*, applies

to highway construction projects where a State department of transportation has requested Federal funding for participation in the project (FHWA, 2017). The regulation requires the highway agency to investigate traffic noise impacts in areas adjacent to federally-aided highways for proposed construction of a highway on a new location or the reconstruction of an existing highway to either significantly change the horizontal or vertical alignment or increase the number of through-traffic lanes. If the highway agency identifies impacts, it must consider abatement. The highway agency must incorporate all feasible and reasonable noise abatement into the project design.

The FHWA regulations for mitigation of highway traffic noise in the planning and design of federally aided highways are contained in Title 23 of the United States Code of Federal Regulations Part 772. The regulations contain noise abatement criteria, which represent the upper limit of acceptable highway traffic noise for different types of land uses and human activities. The regulations do not require meeting the abatement criteria in every instance. Rather, they require highway agencies make every reasonable and feasible effort to provide noise mitigation when the criteria are approached or exceeded. Compliance with the noise regulations is a prerequisite for the granting of Federal-aid highway funds for construction or reconstruction of a highway.

4. Construction-Related Hearing Conservation

The Occupational Safety and Health Administration (OSHA) hearing conservation program is designed to protect workers with significant occupational noise exposures from hearing impairment even if they are subject to such noise exposures over their entire working lifetimes. Standard 29 CFR, Part 1910 indicates the noise levels under which a hearing conservation program is required to be provided to workers exposed to high noise levels (OSHA, 2002).

Note: Consistent with the CEQA Guidelines, this analysis does not evaluate the noise exposure of construction workers within the Project Site, and instead, evaluates the Project-related construction noise levels at the nearby sensitive receiver locations in the Project study area. Further, periodic exposure to high noise levels in short duration, such as Project construction, is typically considered an annoyance and not impactful to human health. It would take several years of exposure to high noise levels to result in hearing impairment.

B. State Plans, Policies, and Regulations

1. State of California Noise Requirements

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State law requires that each county and city in the State of California adopt a General Plan that includes a Noise Element, which is to be prepared according to guidelines adopted by the Governor's Office of Planning and Research.

2. OPR General Plan Guidelines

Though not adopted by law, the *2017 California General Plan Guidelines*, published by the California Governor's OPR, provides guidance for local agencies in preparing or updating General Plans. The *Guidelines* provide direction on the required Noise Element portion of the General Plans. The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels. The *Guidelines* state that General Plan policies and standards must be sufficient to serve as a guideline for compliance with sound transmission control requirements, and directly correlate to the Land Use, Circulation, and Housing Elements. The *Guidelines* also state that the Noise Element must be used to guide decisions concerning land use and the location of new roads and transit facilities since these are common sources of excessive noise levels. The San Bernardino County general plan addresses the topic of noise in the Hazards Element (see discussion below).

3. Building Standards Code

The State of California's noise insulation standards are codified in the California Code of Regulations, Title 24, Building Standards Administrative Code, Part 2, and the California Building Standards Code (CBSC, 2022). These noise standards are applied to new construction in California for the purpose of controlling interior noise levels resulting from exterior noise sources.

C. Local Plans, Policies, and Regulations

1. County Policy Plan

The Hazards Element of the San Bernardino County general plan sets forth goals and policies related to noise as summarized below. Goals and policies that may be applicable to the Project and/or Project Site are summarized below.

Goal HZ-2: People and the natural environment protected from exposure to hazardous materials, excessive noise, and other human-generated hazards.

Policy HZ-2.7: Truck delivery areas. We encourage truck delivery areas to be located away from residential properties and require associated noise impacts to be mitigated.

Policy HZ-2.9: Control sound at the source. We prioritize noise mitigation measures that control sound at the source before buffers, soundwalls, and other perimeter measures.

2. *San Bernardino County Development Code*

Title 8 of the San Bernardino County Development Code establishes the noise level limits for mobile, stationary, and construction-related noise sources.

❑ Operational Noise Standards

Section 83.01.080[c] establishes the noise level standards for stationary noise sources, which are summarized in Table 4.12-2, below.

Table 4.12-2 San Bernardino County Standards for Stationary Noise Sources

Affected Land Uses (Receiving Noise)	7 am-10 pm Leq	10 pm-7 am Leq
Residential	55 dB(A)	45 dB(A)
Professional Services	55 dB(A)	55 dB(A)
Other Commercial	60 dB(A)	60 dB(A)
Industrial	70 dB(A)	70 dB(A)
Leq = (Equivalent Energy Level). The sound level corresponding to a steady-state sound level containing the same total energy as a time-varying signal over a given sample period, typically 1, 8 or 24 hours.		
dB(A) = (A-weighted Sound Pressure Level). The sound pressure level, in decibels, as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound, placing greater emphasis on those frequencies within the sensitivity range of the human ear.		
Ldn = (Day-Night Noise Level). The average equivalent A-weighted sound level during a 24-hour day obtained by adding 10 decibels to the hourly noise levels measured during the night (from 10 pm to 7 am). In this way Ldn takes into account the lower tolerance of people for noise during nighttime periods.		

It should be noted that Table 4.12-2 establishes stationary noise standards for average noise energy (i.e., dBA L_{eq}). Development Code Section 83.01.080(c)(2) allows noise levels that exceed those listed in Table 4.12-2 over short periods of time, as summarized below:

- The noise standard for the receiving land use specified in Table 4.12-2 for a cumulative period of no more than 30 minutes in an hour (L_{50});
- The noise standard for the receiving land use specified in Table 4.12-2 plus 5 dBA for a cumulative period of no more than fifteen minutes in an hour (L_{25});
- The noise standard for the receiving land use specified in Table 4.12-2 plus 10 dBA for a cumulative period of no more than five minutes in an hour (L_8);
- The noise standard for the receiving land use specified in Table 4.12-2 plus 15 dBA for a cumulative period of more than one minute in an hour (L_2); and /or
- The noise standard for the receiving land use specified in Table 4.12-2 plus 20 dBA for any period.

Further, Section 83.01.080[e] indicates that if the existing ambient noise level already exceeds any of the exterior noise level limit categories, then the allowable standard shall be adjusted to reflect the ambient conditions.

❑ Transportation Noise Standards

Section 83.01.080[d] establishes the County's mobile source noise standards, which are summarized in Table 4.12-3, below.

Table 4.12-3 San Bernardino County Standards for Mobile Noise Sources

Land Use		Ldn (or CNEL) dB(A)	
Categories	Uses	Interior (1)	Exterior (2)
Residential	Single and multi-family, duplex, mobile homes	45	60 (3)
Commercial	Hotel, motel, transient housing	45	60 (3)
	Commercial retail, bank, restaurant	50	N/A
	Office building, research and development, professional offices	45	65
	Amphitheater, concert hall, auditorium, movie theater	45	N/A
Institutional/Public	Hospital, nursing home, school classroom, religious institution, library	45	65
Open Space	Park	N/A	65

Notes:
(1) The indoor environment shall exclude bathrooms, kitchens, toilets, closets and corridors.
(2) The outdoor environment shall be limited to:
- Hospital/office building patios
- Hotel and motel recreation areas
- Mobile home parks
- Multi-family private patios or balconies
- Park picnic areas
- Private yard of single-family dwellings
- School playgrounds

(3) An exterior noise level of up to 65 dB(A) (or CNEL) shall be allowed provided exterior noise levels have been substantially mitigated through a reasonable application of the best available noise reduction technology, and interior noise exposure does not exceed 45 dB(A) (or CNEL) with windows and doors closed. Requiring that windows and doors remain closed to achieve an acceptable interior noise level shall necessitate the use of air conditioning or mechanical ventilation.

CNEL = (Community Noise Equivalent Level). The average equivalent A-weighted sound level during a 24-hour day, obtained after addition of approximately five decibels to sound levels in the evening from 7 p.m. to 10 p.m. and 10 decibels to sound levels in the night from 10 p.m. to 7 a.m.

❑ Construction Noise

San Bernardino County Development Code Section 83.01.080[g][3] indicates that construction activity is considered exempt from County noise level standards between the hours of 7:00 a.m. to 7:00 p.m. except on Sundays and Federal holidays.

❑ Vibration

The San Bernardino County Development Code Section 83.01.090(a) establishes a maximum vibration standard of 0.2 inches per second (in/sec) peak particle velocity (PPV) when measured at or beyond the lot line.

4.12.3 Basis for Determining Significance

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects related to noise that could result from development projects. The Project would result in a significant noise impact if the Project or any Project-related component would result in:

a. *Result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.*

b. *Result in generation of excessive groundborne vibration or groundborne noise levels.*

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

In relation to Threshold "a," Project-related construction activities would be subject to the applicable noise standards established by the County Policy Plan and/or Development Code. However, neither the Policy Plan nor the Development Code define the levels at which a development project's temporary noise levels are considered substantial and, therefore, does not allow a determination of the level of significance under CEQA. Accordingly, for purposes of this EIR, the construction noise standard from the FTA *Noise and Vibration Impact Assessment* manual of 80 dBA L_{eq} at a noise-sensitive receiver location is used as the threshold for determining whether daytime Project construction activities would result in a significant temporary noise impact. Refer to Subsection 3.4 of the Project's Noise Analysis (see *Technical Appendix O*) for a detailed discussion of the FTA standard. For potential nighttime Project construction activities, 45 dBA L_{eq} at a noise-sensitive receiver location, which is the noise standard established by the Development Code (Section 83.01.080(c)) for operational noise, is used as the threshold for determining whether a significant temporary noise impact would occur.

In relation to Threshold "a," Project-related operational activities would be subject to the applicable noise standards established by County Development Code. Although the Development Code does establish maximum daytime and nighttime noise levels for the operation of residential, commercial, and industrial land uses, the Development Code does not define the levels at which a development project's permanent noise increases are considered substantial. Under Threshold "a," CEQA requires that consideration be given to the to the magnitude of the increase, the existing ambient noise levels, and the location of sensitive receptors to determine if a noise increase represents a substantial increase and, thus, a significant adverse environmental impact. For purposes of this EIR, the metric used to evaluate the significance of the Project's increase in ambient noise levels is adapted from the noise exposure criteria established by the Federal Interagency Committee on Noise (FICON). A detailed discussion of the FICON noise exposure criteria is provided in Subsection 4.1 of the Project's Noise Analysis. Accordingly, in consideration of the San Bernardino County Development Code (Section 83.01.080(c)) and the FICON noise exposure criteria, the Project would result in a significant noise impact during operation if any of the following conditions occur:

- If operational (stationary-source) noise levels exceed the exterior 55 dBA L_{eq} daytime or 45 dBA L_{eq} nighttime noise level standards at sensitive receptor land uses and the Project creates a noise level increase of greater than:
  - A 5 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise level is less than 60 dBA CNEL;
  - A 3 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise level is between 60.1 and 65 dBA CNEL; or
  - A 1.5 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise levels exceeds 65.1 dBA CNEL.

San Bernardino County Development Code (Section 83.01.090(a)) establishes vibration limits for activities on property in the County. For evaluation under Threshold "b," vibration levels are considered significant if Project-related activities would:

- Create or cause to be created any vibration activity that would exceed 0.2 in/sec PPV at a noise-sensitive receptor land use.

Based on exterior noise levels that are "normally acceptable" for industrial land uses, as documented in the EIR for the Countywide Plan, and indoor noise standard established by the Development Code, exposure to excessive noise levels from airport operations are considered significant pursuant to Threshold "c" if:

- The Project Site is within the 70 CNEL dB noise contour (or above) and indoor noise levels cannot be attenuated to a level of 65 dBA L_{dn}.

4.12.4 Methodology for Evaluation

A. Construction Noise Analysis Methodology

For the construction noise analysis, reference noise level measurements published in the FHWA Roadway Construction Noise Model (RCNM) were utilized. Based on guidance from the FTA *Noise and Vibration Impact Assessment* manual, all pieces of construction equipment used in each phase of construction were assumed to operate at the same time and a combined noise level for each construction phase was created using the CadnaA (Computer Aided Noise Abatement) noise prediction model and usage factors from the RCNM. Table 4.12-4, *Reference Construction Noise Levels*, provides a summary of the reference construction noise levels used for each stage of Project construction. Refer to Section 10 from the Project's Noise Analysis (see *Technical Appendix O*) for a detailed discussion of the derivation of assumed construction noise levels.

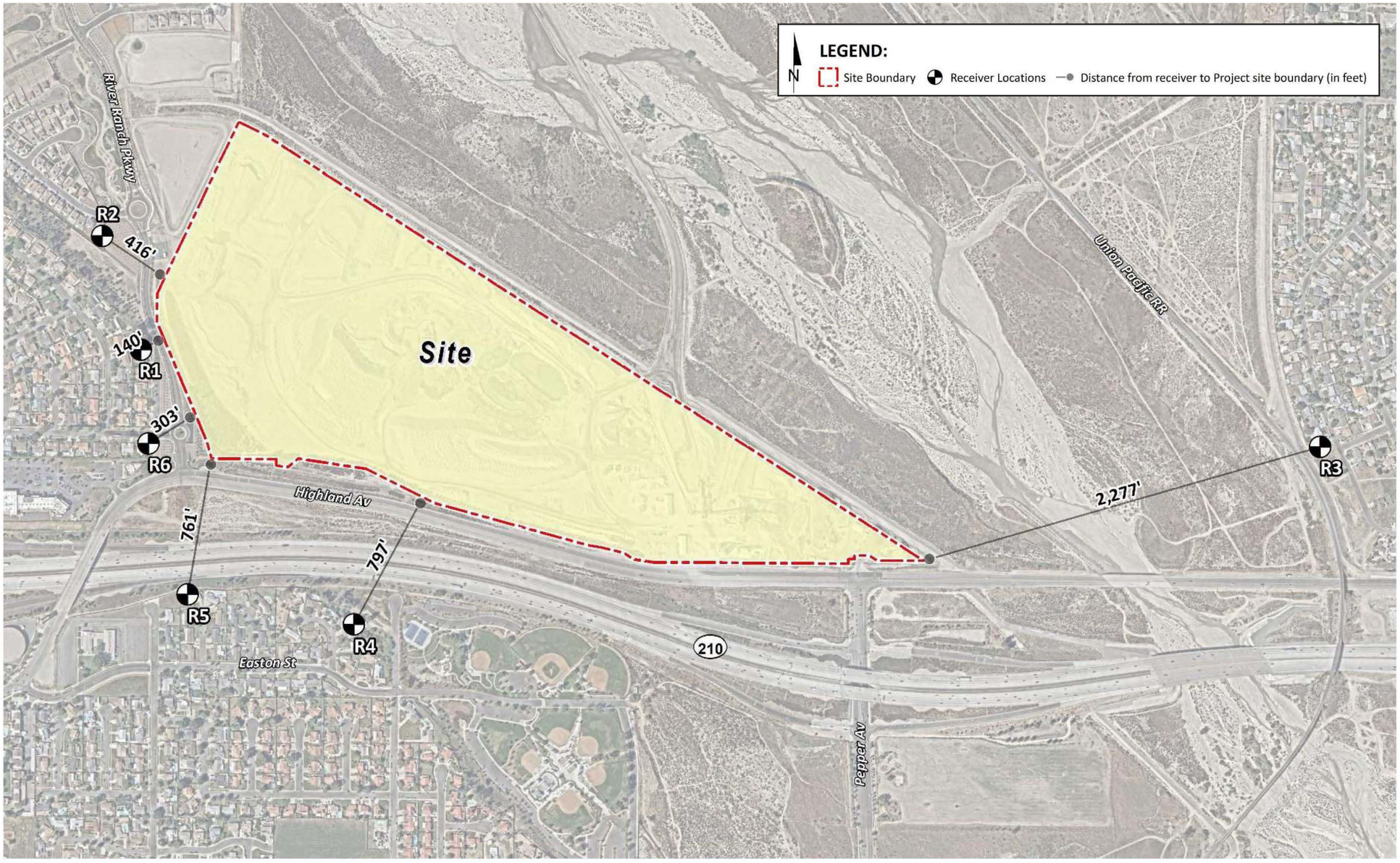
Table 4.12-4 Reference Construction Noise Levels

Construction Stage	Reference Construction Activity	Reference Noise Level @ 50 Feet (dBA L_{eq})[1]	Composite Reference Noise Level (dBA L_{eq})[2]	Reference Power Level (dBA L_W)
Site Preparation	Tractor	80	84.0	115.6
	Backhoe	74		
	Grader	81		
Grading	Scraper	80	83.3	114.9
	Excavator	77		
	Dozer	78		
Building Construction	Crane	73	80.6	112.2
	Generator	78		
	Front End Loader	75		
Paving	Paver	74	77.8	109.5
	Dump Truck	72		
	Roller	73		
Architectural Coating	Man Lift	68	76.2	107.8
	Air Compressor	74		
	Generator	70		

[1] FHWA Roadway Construction Noise Model (RCNM).
[2] Represents the combined noise level for all equipment assuming they operate at the same time consistent with FTA Transit Noise and Vibration Impact Assessment guidance.
[3] Sound power level represents the total amount of acoustical energy (noise level) produced by a sound source independent of distance or surroundings.
(Urban Crossroads, 2024e, Table 10-1)

The construction noise analysis evaluates Project construction-related noise levels at nearby receiver locations in the Project study area. Six (6) representative receiver locations were considered in the construction noise analysis, including residences located west, south, and east of the Project Site. The receiver locations used in the construction noise analysis are shown on Figure 4.12-2, *Receiver Locations*. The modeled noise-sensitive receiver locations are representative of existing sensitive receptors nearest the Project Site. It is important to note that it is not necessary to calculate noise levels at every receiver location in proximity to the Project Site because receivers located at a similar distance from Project construction activities with similar ground elevations, orientation, and intervening physical conditions as the modeled receptor locations would experience the same or very similar noise effects as those presented herein, while receptors at a greater distance would experience lesser noise effects.

Construction vibration levels were predicted using reference vibration levels and logarithmic equations contained in the FTA *Noise and Vibration Impact Assessment* manual and which are summarized in Table 4.12-5.



Source(s): Urban Crossroads (01-25-2024)

Not to Scale

Figure 4.12-2

Receiver Locations

Table 4.12-5 Reference Construction Vibration Levels

Equipment	PPV (in/sec)at 25 feet[1]
Small bulldozer	0.003
Jackhammer	0.035
Loaded Trucks	0.076
Large bulldozer	0.089
Vibratory Roller	0.210

[1] Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual
Source: (Urban Crossroads, 2022e, Table 10-5)

B. Stationary Noise Analysis Methodology

To estimate the Project operational noise impacts, reference noise level measurements were collected from active industrial and warehousing facilities in southern California with similar operational characteristics as expected for the Project. While sound pressure levels (e.g., L_{eq}) quantify in decibels the intensity of given sound sources at a reference distance, sound power levels (L_W) are connected to the sound source and are independent of distance. Sound pressure levels vary substantially with distance from the source and diminish because of intervening obstacles and barriers, air absorption, wind, and other factors. Sound power is the acoustical energy emitted by the sound source and is an absolute value that is not affected by the environment. The reference Project operational noise and sound power levels are summarized in Table 4.12-6, *Reference Stationary Noise Levels*.

Table 4.12-6 Reference Stationary Noise Levels

Noise Source	Noise Source Height (Feet)	Min./Hour[2]		Reference Noise Level (dBA L_{eq}) @ 50 feet	Sound Power Level (dBA)[3]
		Day	Night		
Loading Dock Activity	8'	60	60	62.8	103.4
Roof-Top Air Conditioning Units	5'	39	28	57.2	88.9
Parking Lot Vehicle Movements	5'	60	60	52.6	81.1
Trash Enclosure Activity	5'	60	30	57.3	89.0
Truck Movements	8'	60	60	59.8	93.2

[1] As measured by Urban Crossroads, Inc.
[2] Anticipated duration (minutes within the hour) of noise activity during typical hourly conditions expected at the Project Site. "Day" = 7:00 a.m. to 10:00 p.m.; "Night" = 10:00 p.m. to 7:00 a.m.
[3] Sound power level represents the total amount of acoustical energy (noise level) produced by a sound source independent of distance or surroundings. Sound power levels calculated using the CadnaA noise model at the reference distance to the noise source. Numbers may vary due to size differences between point and area noise sources.
Source: (Urban Crossroads, 2024e, Table 9-1)

To fully describe the exterior operational noise levels from the Project, Urban Crossroads developed a noise prediction model using the CadnaA computer program. CadnaA can analyze multiple types of noise sources, including a the spatially accurate development site plan, georeferenced aerial imagery, topography, and three-dimensional buildings and barriers, in its calculations to predict outdoor noise levels. Noise levels were calculated at the receiver locations shown in Figure 4.12-2. Refer to Section 7 from the Project's Noise

Analysis (see *Technical Appendix O*) for a detailed discussion of the derivation of assumed operational noise levels.

C. *Transportation Noise Analysis Methodology*

Transportation-related noise impacts were projected using a computer program that replicates the FHWA Traffic Noise Prediction Model FHWA-RD-77-108 (the "FHWA Model"). The FHWA Model arrives at a predicted noise level through a series of adjustments to the Reference Energy Mean Emission Level (REMEL). In California, the national REMELs are substituted with the California Vehicle Noise (Calveno) Emission Levels. Adjustments are then made to the REMELs to account for: 1) roadway classification (e.g., collector, secondary, major or arterial), 2) roadway travel width (i.e., the distance between the center of the outermost travel lanes on each side of the roadway), 3) total average daily traffic (ADT), 4) travel speed, 5) percentages of automobiles, medium trucks, and heavy trucks in the traffic volume, 6) roadway grade, 7) angle of view (e.g., whether the roadway view is blocked), 8) site conditions ("hard" or "soft" relates to the absorption of the ground, pavement, or landscaping), and 9) percentage of total ADT that flows each hour throughout a 24-hour period. Tables 6-1 through 6-7 from the Project's Noise Analysis (refer to *Technical Appendix O*) present the detailed model inputs for roadway parameters, average daily traffic volumes, vehicle mix, and time of day vehicle splits that were assigned to each of the roadway segments included in the in the transportation noise analysis.

4.12.5 Impact Analysis

Threshold a:	***Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?***

The analysis presented on the following pages summarizes potential construction noise levels and operational noise levels from Project-related activities. The detailed noise calculations for the analysis presented here are provided in Appendices 7.1 through 10.2 of the Project's Noise Analysis (see *Technical Appendix O*).

A. *Construction Noise Impact Analysis*

Construction activities on the Project Site would proceed in five (5) stages: 1) site preparation; 2) grading; 3) building construction; 4) paving; and 5) application of architectural coatings. Project construction activities would occur primarily during daytime hours (i.e., between 7:00 a.m. to 7:00 p.m. on Mondays through Saturdays) but there is the potential that some or all of the concrete pouring required for the building's foundation and/or wall panels could occur during nighttime hours (should authorization for nighttime work be granted by San Bernardino County). These activities would create temporary periods of noise when pieces of heavy construction equipment are in operation and would cause a short-term increase in ambient noise levels. Project construction noise levels at nearby sensitive receiver locations are summarized in Table 4.12-7 and Table 4.12-8, respectively.

Table 4.12-7 Daytime Construction Equipment Noise Level Summary

Receiver Location	Construction Noise Levels (dBA L_{eq})							
	Site Preparation	Grading	Building Construction	Paving	Architectural Coating	Highest Levels	Threshold	Threshold Exceeded
R1	56.4	55.7	53.0	50.3	48.6	56.4	80	No
R2	53.2	52.5	49.8	47.1	45.4	53.2	80	No
R3	41.2	40.5	37.8	35.1	33.4	41.2	80	No
R4	53.5	52.8	50.1	47.4	45.7	53.5	80	No
R5	50.0	49.3	46.6	43.9	42.2	50.0	80	No
R6	52.5	51.8	49.1	46.4	44.7	52.5	80	No

Source: (Urban Crossroads, 2024e, Table 10-2)

Table 4.12-8 Nighttime Concrete Pour Noise Level Compliance

Receiver Location	Concrete Pour Noise Levels (dBA L_{eq})		
	Exterior Noise Level	Threshold[1]	Threshold Exceeded?
R1	41.1	52.7	No
R2	37.9	51.9	No
R3	25.9	59.3	No
R4	38.2	66.9	No
R5	34.7	54.7	No
R6	37.2	53.4	No

[1]Threshold reflects existing ambient noise per Development Code Section 83.01.080[e].
Source: (Urban Crossroads, 2024e, Table 10-4)

As shown above, Project-related construction activities would not exceed the applicable daytime and nighttime significance thresholds and, therefore, the Project would not result in the generation of substantial temporary noise levels in excess of applicable local standards. Temporary impacts from construction noise would be less than significant.

B. Operational Noise Impact Analysis

Noise sources associated with long-term Project operation are expected to include idling trucks, delivery truck and automobile parking, delivery truck backup alarms, roof-top air conditioning units, loading and unloading of delivery trailers, and parking lot vehicle movements. As demonstrated in Table 4.12-9 and Table 4.12-10, daytime and nighttime stationary noise levels from Project operations would satisfy the County's exterior noise level standards at all receiver locations.

Table 4.12-9 Daytime Project Operational Noise Levels

Noise Source	Operational Noise Levels by Receiver Location (dBA L_{eq})					
	R1	R2	R3	R4	R5	R6
Loading Dock Activity	51.1	48.6	28.7	44.8	43.6	46.9
Roof-Top Air Conditioning Units	17.0	15.8	14.6	22.8	18.3	17.6
Parking Lot Vehicle Movements	6.9	3.6	15.6	20.0	13.6	8.4
Trash Enclosure Activity	13.2	12.2	9.6	16.6	12.4	13.8
Truck Movements	38.8	35.7	20.5	32.7	31.9	35.5
Total (All Noise Sources)	**51.4**	**48.8**	**29.7**	**45.1**	**43.9**	**47.2**
Noise Level Standard[1]	57.8	58.4	59.9	69.6	58.6	58.9
Noise Level Standard Exceeded?	No	No	No	No	No	No

[1][1]Threshold reflects existing ambient noise per Development Code Section 83.01.080[e].
Source: (Urban Crossroads, 2024e, Table 9-2 & 9-4)

Table 4.12-10 Nighttime Project Operational Noise Levels

Noise Source	Operational Noise Levels by Receiver Location (dBA L_{eq})					
	R1	R2	R3	R4	R5	R6
Loading Dock Activity	51.1	48.6	28.7	44.8	43.6	46.9
Roof-Top Air Conditioning Units	14.6	13.4	12.1	20.4	15.9	15.2
Parking Lot Vehicle Movements	6.9	3.6	15.6	20.0	13.6	8.4
Trash Enclosure Activity	9.2	8.2	5.7	12.6	8.4	9.8
Truck Movements	38.8	35.7	20.5	32.7	31.9	35.5
Total (All Noise Sources)	**51.3**	**48.8**	**29.6**	**45.1**	**43.9**	**47.2**
Noise Level Standard	52.7	51.9	59.3	66.9	54.7	53.4
Noise Level Standard Exceeded?	No	No	No	No	No	No

[1][1]Threshold reflects existing ambient noise per Development Code Section 83.01.080[e].
Source: (Urban Crossroads, 2024e, Table 9-3 & 9-4)

The Project's contribution to the existing daytime and nighttime noise environments is presented in Table 4.12-11 and Table 4.12-12. As shown, the Project would generate a daytime operational noise level increase ranging from 0.0 to 0.9 dBA L_{eq} and a nighttime operational noise level increase ranging from 0.0 to 2.4 dBA L_{eq} at the nearest receiver locations. Project-related operational noise level increases would not exceed the applicable operational noise level increase significance criteria.

Table 4.12-11 Daytime Project Operational Noise Level Increases

Receiver Location	Total Project Operational Noise Level	Reference Ambient Noise Levels	Combined Project and Ambient	Project Increase	Increase Criteria	Increase Criteria Exceeded?
R1	51.3	57.8	58.7	0.9	5.0	No
R2	48.8	58.4	58.9	0.5	5.0	No
R3	29.6	59.9	59.9	0.0	5.0	No
R4	45.1	69.6	69.6	0.0	1.5	No
R5	43.9	58.6	58.7	0.1	5.0	No
R6	47.2	58.9	59.2	0.3	5.0	No

Source: (Urban Crossroads, 2024e, Table 9-5)

Table 4.12-12 Nighttime Project Operational Noise Level Increases

Receiver Location	Total Project Operational Noise Level	Reference Ambient Noise Levels	Combined Project and Ambient	Project Increase	Increase Criteria	Increase Criteria Exceeded?
R1	51.3	52.7	55.1	2.4	5.0	No
R2	48.8	51.9	53.6	1.7	5.0	No
R3	29.6	59.3	59.3	0.0	5.0	No
R4	45.1	66.9	66.9	0.0	1.5	No
R5	43.9	54.7	55.0	0.3	5.0	No
R6	47.2	53.4	54.3	0.9	5.0	No

Source: (Urban Crossroads, 2024e, Table 9-6)

Based on the foregoing analysis, the Project would not generate operational noise that results in a substantial permanent increase in ambient noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Impacts would be less than significant.

C. *Off-Site Traffic Noise Impact Analysis*

The analysis below addresses potential off-site traffic noise generated from the Project. To evaluate off-site noise increases that could result from Project-related traffic on the roadway system, noise levels were modeled for the following scenarios:

- Existing plus Project (E+P)
- Opening Year (2029)
- Horizon Year (2040)

The Existing plus Project (E+P) analysis determines the Project's traffic noise impacts under the theoretical scenario where traffic from the Project is added to existing conditions. The E+P scenario is presented to disclose direct impacts to the existing environment as required by CEQA. In the case of the Project, the time difference between the commencement of the Project's CEQA analysis (2023) and Project buildout (2029) is

six years. During this period, traffic conditions are not static – other projects are being constructed, the transportation network is evolving, and traffic patterns are changing. Therefore, the noise conditions reflected by the E+P scenario are very unlikely to materialize in the real-world when the Project is constructed and becomes operational. An analysis of E+P traffic conditions has been included in this report for informational purposes.

The Opening Year conditions analysis evaluates the potential for Project traffic, background traffic growth, and traffic associated with other known cumulative development projects to result in cumulatively considerable noise impacts at the time the Project becomes operational (year 2029).

The Horizon Year conditions analysis evaluates the potential for Project traffic combined with expected traffic growth from full buildout of local general plans (by the yar 2040) to result in cumulatively considerable noise impacts.

1. Existing plus Project Conditions

E+P traffic noise conditions in the Project vicinity are summarized in Table 4.12-13, *Existing plus Project Traffic Noise Level Increases*. Under E+P traffic conditions, Project-related traffic would contribute a maximum of 0.0 dBA CNEL to roadways in the vicinity of the Project Site that abut noise-sensitive land uses. This incremental noise increase would not exceed the applicable significance thresholds under the E+P scenario; therefore, the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant.

Table 4.12-13 Existing plus Project Traffic Noise Level Increases

ID	Road	Segment	Receiving Land Use	CNEL at Receiving Land Use (dBA)			Incremental Noise Level Increase Threshold	
				No Project	With Project	Project Addition	Limit	Exceeded?
1	Pepper Av.	s/o Highland Av.	Non-Sensitive	69.7	71.6	1.9	n/a	No
2	Pepper Av.	s/o SR-210 EB Ramps	Sensitive	73.0	73.0	0.0	1.5	No
3	State St.	n/o Highland Av.	Sensitive	70.4	70.4	0.0	1.5	No
4	State St.	s/o Highland Av.	Sensitive	72.1	72.1	0.0	1.5	No
5	Highland Av.	w/o Driveway 1	Non-Sensitive	68.9	69.0	0.1	n/a	No
6	Highland Av.	w/o Pepper Av.	Non-Sensitive	68.9	69.3	0.4	n/a	No
7	Highland Av.	e/o Pepper Av.	Non-Sensitive	71.2	71.2	0.0	n/a	No
8	Highland Av.	e/o State St.	Non-Sensitive	70.8	70.8	0.0	n/a	No

Source: (Urban Crossroads, 2024e, Table 7-7)

2. Opening Year Conditions

Opening Year traffic noise conditions in the Project vicinity are summarized in Table 4.12-14, *Opening Year Traffic Noise Level Increases*. Under Opening Year traffic conditions, Project-related traffic would contribute a maximum of 0.0 dBA CNEL to roadways in the vicinity of the Project Site that abut noise-sensitive land uses. This incremental noise increase would not exceed the applicable significance thresholds under the Opening Year scenario; therefore, the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant.

Table 4.12-14 Opening Year Traffic Noise Level Increases

ID	Road	Segment	Receiving Land Use	CNEL at Receiving Land Use (dBA)			Incremental Noise Level Increase Threshold	
				No Project	With Project	Project Addition	Limit	Exceeded?
1	Pepper Av.	s/o Highland Av.	Non-Sensitive	71.3	72.6	1.3	n/a	No
2	Pepper Av.	s/o SR-210 EB Ramps	Sensitive	75.0	75.0	0.0	1.5	No
3	State St.	n/o Highland Av.	Sensitive	70.9	70.9	0.0	1.5	No
4	State St.	s/o Highland Av.	Sensitive	72.6	72.6	0.0	1.5	No
5	Highland Av.	w/o Driveway 1	Non-Sensitive	70.3	70.3	0.0	n/a	No
6	Highland Av.	w/o Pepper Av.	Non-Sensitive	70.3	70.6	0.3	n/a	No
7	Highland Av.	e/o Pepper Av.	Non-Sensitive	72.2	72.2	0.0	n/a	No
8	Highland Av.	e/o State St.	Non-Sensitive	71.9	71.9	0.0	n/a	No

Source: (Urban Crossroads, 2024e, Table 7-8)

3. Horizon Year Conditions

Horizon Year traffic noise conditions in the Project vicinity are summarized in Table 4.12-15, *Horizon Year Traffic Noise Level Increases*. Under Horizon Year traffic conditions, Project-related traffic would contribute a maximum of 0.1 dBA CNEL to roadways in the vicinity of the Project Site that abut noise-sensitive land uses. This incremental noise increase would not exceed the applicable significance thresholds under the Horizon Year scenario; therefore, the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant.

Table 4.12-15 Horizon Year Traffic Noise Level Increases

ID	Road	Segment	Receiving Land Use	CNEL at Receiving Land Use (dBA)			Incremental Noise Level Increase Threshold	
				No Project	With Project	Project Addition	Limit	Exceeded?
1	Pepper Av.	s/o Highland Av.	Non-Sensitive	71.7	72.9	1.2	n/a	No
2	Pepper Av.	s/o SR-210 EB Ramps	Sensitive	75.4	75.5	0.1	1.5	No
3	State St.	n/o Highland Av.	Sensitive	71.3	71.3	0.0	1.5	No
4	State St.	s/o Highland Av.	Sensitive	73.1	73.1	0.0	1.5	No
5	Highland Av.	w/o Driveway 1	Non-Sensitive	70.7	70.7	0.0	n/a	No
6	Highland Av.	w/o Pepper Av.	Non-Sensitive	70.7	71.0	0.3	n/a	No
7	Highland Av.	e/o Pepper Av.	Non-Sensitive	72.6	72.7	0.1	n/a	No
8	Highland Av.	e/o State St.	Non-Sensitive	72.3	72.3	0.0	n/a	No

Source: (Urban Crossroads, 2024e, Table 7-9)

Threshold b: ***Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?***

A. Construction Vibration

Construction activities on the Project Site would utilize equipment that has the potential to generate vibration. Vibration levels at receptor locations near the Project Site during Project construction are summarized on Table 4.12-16, *Project Construction Vibration Levels*. The receptor locations listed in Table 4.12-16 are the same as the receptors used in the noise analysis presented above under the response to Threshold "a," and illustrated on Figure 4.12-2. As shown, none of the receiver locations in the vicinity of the Project Site would be exposed to vibration levels that exceed the applicable County significance threshold. Accordingly, Project construction would not generate excessive or substantial temporary groundborne vibration or noise levels.

B. Operational Vibration

Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project Site. Trucks would travel to and from the Project Site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on paved surfaces are not perceptible beyond the roadway. The Project would not result in the exposure of persons to excessive groundborne vibration or noise levels during long-term operation and a less than significant impact would occur.

Table 4.12-16 Project Construction Vibration Levels

Location	Distance to Const. Activity	Typical Construction Vibration LevelsPPV (in/sec)[3]						Thresholds PPV (in/sec)	Thresholds Exceeded?
		Small bulldozer	Jackhammer	Loaded Trucks	Large bulldozer	Vibratory Roller	Highest Vibration Level		
R1	140’	0.000	0.003	0.006	0.007	0.016	0.016	0.2	No
R2	416’	0.000	0.001	0.001	0.001	0.003	0.003	0.2	No
R3	2,277’	0.000	0.000	0.000	0.000	0.000	0.000	0.2	No
R4	797’	0.000	0.000	0.000	0.000	0.001	0.001	0.2	No
R5	761’	0.000	0.000	0.000	0.001	0.001	0.001	0.2	No
R6	303’	0.000	0.001	0.002	0.002	0.005	0.005	0.2	No

Source: Source: (Urban Crossroads, 2024e, Table 10-6)

Threshold 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?***

The Project Site is not located within two miles of an airport or airstrip. The nearest airport to the Project Site is the San Bernardino International Airport, which is located over nine miles to the southeast. As such, the Project Site would not be exposed to excessive noise levels from airport operations (Urban Crossroads, 2024e, pp. 20-21). Impacts would be less than significant.

4.12.6 Cumulative Impact Analysis

A. Construction Noise

Construction of the Project will not begin until late 2027, at the soonest, due to the lease for the user of the Project Site and the time needed for required reclamation activities. Although there is existing and planned construction within and adjacent to the River Ranch residential community, it is expected that these construction activities should be complete by the time Project construction commences. Further, even if construction activities within and adjacent to the River Ranch residential community were to overlap with Project construction activities, these other construction activities are not close enough to the Project Site to make a considerable contribution to the existing noise environment at receptor locations, as noise diminishes rapidly over distance. Buildout of the rest of the cumulative study area (surrounding unincorporated communities and the cities of Rialto and San Bernardino) would occur at distances from the Project Site that would not result in substantial, cumulative construction noise. Accordingly, there is no potential for the Project to contribute to the exposure of nearby sensitive receptors to substantial temporary (construction-related) increases in daytime or nighttime ambient noise levels.

B. Operational Noise

The analysis presented for Threshold “a” addresses the Project’s contribution of noise to existing cumulative noise sources (i.e., ambient noise) in the Project area. Furthermore, nearby development projects that are

under construction and not yet operational, as well as projected growth elsewhere in the cumulative study area (which is not captured in the ambient noise measurements that were collected for the Project's analysis and addressed under Threshold "a") would not have the potential to combine with the Project to result in a cumulatively considerable impact at nearby sensitive receptors because: 1) The Project would result in either no change – 0.0 dBA L_{eq} – or a change so small that it is not detectable by the human ear – 0.0 dBA L_{eq} – to the existing environment at sensitive receptor locations; 2) The locations of the other development projects are not close enough to the Project Site to make a considerable contribution to the existing noise environment at receptor locations, as noise diminishes rapidly over distance; and 3) The other development projects are residential land uses, which are not sources of substantial noise. The Project's permanent noise impacts would not be cumulatively considerable.

C. *Traffic Noise*

The analysis presented under Threshold "a" evaluates the Project's traffic noise contribution along study area roadways with consideration of cumulative development projects and projected development within the cumulative study area (Opening Year and Horizon Year scenarios, respectively). As summarized in that analysis, the Project's traffic noise contributions along study area roadways would not exceed applicable significance thresholds and, therefore, would not be cumulatively-considerable under near- or long-term conditions.

D. *Groundborne Vibration and Noise*

During construction, the Project's peak vibration impacts would occur during the grading phase when large pieces of equipment, like bulldozers, are operating on-site. (During the non-grading phases of Project construction, when smaller pieces of equipment are used on-site, the Project's vibration would be minimal.) Vibration effects diminish rapidly from the source; therefore, the only reasonable sources of cumulative vibration in the vicinity of the Project Site could occur on properties abutting these sites. As described above, there are no known active or pending construction projects abutting the Project Site that would overlap with the Project's proposed construction schedule and construction of projects elsewhere in the cumulative study area would occur at distances from the Project Site that would not result in cumulative vibration effects. Accordingly, there is no potential for the Project to contribute to the exposure of persons to substantial temporary groundborne vibration or noise.

Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project Site. Trucks would travel to and from the Project Site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on paved surfaces are not perceptible beyond the roadway. The Project would not cumulatively contribute to the exposure of persons to excessive groundborne vibration or noise levels during long-term operation.

E. *Airport Noise*

The Project would not involve the construction, operation, or use of any public airports or public use airports. There are no conditions associated with implementation of the Project that would contribute airport noise or exposure of additional people to unacceptable levels of airport noise. Accordingly, the Project would have

no potential to cumulatively contribute to impacts associated with noise from a public airport, public use airport, or private airstrip. Additionally, the Project Site and the immediately surrounding area are not subject to substantial airport- or air traffic-related noise under existing conditions. Accordingly, there is no potential for cumulative development to expose persons residing or working in the Project area to excessive airport-related noise levels.

4.12.7 Significance of Impacts Before Mitigation

Threshold "a:" Less than Significant Impact. The Project would generate short-term construction and long-term operational noise but would not generate noise levels that exceed the standards established by standards established by San Bernardino County.

Threshold "b:" Less than Significant Impact. The Project's construction and operational activities would not result in a perceptible groundborne vibration or noise.

Threshold "c:" Less than Significant Impact. The Project Site is not located within two miles of an airport or airstrip. The closest airport is the San Bernardino International Airport located over nine miles southeast of the Project Site. As such, the Project Site would not be exposed to excessive noise levels from airport operations.

4.12.8 Mitigation

Project-related noise impacts would be less than significant and mitigation is not required.

4.13 PUBLIC SERVICES

This Subsection provides information on existing public services and service levels for fire protection, police protection, schools, libraries, and public health facilities, and evaluates impacts to the physical environment that may result from the demand the Project may have on such services.

4.13.1 EXISTING CONDITIONS

A. Fire Protection/Emergency Medical Services

The San Bernardino County Fire Protection District (County Fire) provides fire suppression, emergency medical services, ambulance services, hazardous materials response, arson investigation, technical rescue, winter rescue operations, and hazard abatement to the Project area. Services and programs include helicopter rescue, a dozer, fire abatement hand crews, an inmate hand crew specialized program, and an honor guard. County Fire also provides for the management of community safety services such as fire prevention, building construction plans and permits, household hazardous waste, and local oversight and collection program for hazardous materials. The County Fire covers a territory of 16,500 square miles and operates over 75 fire stations and 11 facilities that serve more than 60 unincorporated communities. (San Bernardino County, 2019)

The Project Site is within the service area of County Fire Department Station 75, which is located approximately 1.1 miles northeast of the Project Site at 2852 N Macy St, San Bernardino, California 92407 (Google Earth, 2024). Apparatus at Station 75 includes a medic engine and a brush engine. Other fire stations in proximity to the Project Site include Stations 2, 222, 229, and 232. An additional fire station is planned northwest of the Project Site, near I-15 and Glen Helen Parkway within the Rosena Ranch neighborhood.

B. Law Enforcement Services

The San Bernardino County Sheriff's Department provides law enforcement services to the Project area. The Department operates eight County and 14 contract patrol stations, a centralized headquarters, and several divisions including aviation, training, patrol, dispatch, court services, detentions, gangs and narcotics, crimes against children, and the coroner. The Department also performs search and rescue operations in the County through its mountain rescue, desert rescue, swift water, and dive teams. (San Bernardino County, n.d.)

Polic protection services for the Project area are provided from the Fontana Patrol Station, located approximately 4.1 miles southwest of the Project Site at 17780 Arrow Boulevard, Fontana, California 92335. The Fontana Patrol Station serves a 129-square-mile patrol area of the unincorporated county areas of Fontana, Bloomington, Rialto, San Antonio Heights, the communities of Rosena Ranch and Lytle Creek. The San Bernardino County Central Station, located approximately 5.1 miles southeast of the Project Site at 655 East Third Street, San Bernardino, California 92415, provides sheriff patrol services to the Muscoy community which is adjacent (east) to the Project Site.

C. Schools

The Project Site is located within the boundaries of the Rialto Unified School District (RUSD). The RUSD has more than 2,700 employees that serve approximately 25,500 students. Presently, the District has three comprehensive high schools, one alternative/adult education school, one continuation high school, five middle schools, 19 elementary schools and 20 preschools (on elementary campuses) in Rialto and parts of Colton, San Bernardino, Fontana, Bloomington and Lytle Creek. (RUSD, 2022)

The Project Site is in the enrollment area boundaries of Hughbanks Elementary School, located 0.67 miles east at 2241 North Apple Avenue, Rialto, CA 92377; Kolb Middle School, located 1.1 miles east at 2351 North Spruce Avenue, Rialto, CA 92377; and Wilmer Amina Carter High School, located 2.1 miles northeast at 2630 North Linden Avenue, Rialto, CA 92377. The nearest school to the Project Site is Morgan Elementary School, located 0.6 miles southwest of the Project Site at 1571 North Sycamore Avenue, Rialto, CA 92376. (RUSD, n.d.)

D. Parks

The San Bernardino County Regional Parks Department operates a total of 8,515 acres of regional parks. Additional park facilities are provided throughout the County by various County Service Areas, Community Service Districts, and Community Facilities Districts. Numerous National and State parks are located (at least partially) within the County. The nearest regional park to the Project Site is Glen Helen Regional Park, located approximately 4.6 miles northeast of the Project Site. (San Bernardino County, 2019)

E. Library Facilities

The San Bernardino County Library System owns and operates 32 library branches throughout the County. Services offered by the San Bernardino County Library System include borrowing privileges, free public access to the Internet, youth services, books by mail, adult literary services, classes and events, and meeting and study rooms. The branch located closest to the Project Site is the Muscoy Baker Family Learning Center, located approximately 1.2 miles northeast of the Project Site. (San Bernardino County, n.d.)

4.13.2 Regulatory Framework

The following is a brief description of federal, state, and local environmental laws and related regulations related to public services.

A. State Plans, Policies, and Regulations

1. Fire Protection Services Regulations and Plans

- ❑ Public Resources Code (PRC) Sections 4290-4299

These sections establish minimum statewide fire safety provisions pertaining to: roads for fire equipment access; signs identifying streets, roads, and buildings; minimum private water supply reserves for emergency fire use; and fire fuel breaks and greenbelts. With certain exceptions, all new

construction after July 1, 1991, in potential wildland fire areas, is required to meet these statewide standards. The state requirements, however, do not supersede more restrictive local regulations. (CA Legislative Info)

❑ PRC Sections 4102-4127 - State Responsibility Areas (SRAs)

PRC Section 4102 specifies that "'State responsibility areas' means areas of the state in which the financial responsibility of preventing and suppressing fires has been determined by the [State Fire] Board pursuant to Section 4125, to be primarily the responsibility of the state." These areas may contain state or privately-owned forest, watershed, and rangeland. Sections 4126-4127 of the PRC further specify the standards that define what does and does not constitute an SRA. (CA Legislative Info, 1965c)

❑ California Code of Regulations (CCR) Title 24, Parts 2 and 9 – Fire Codes

Title 24, Part 2 of the CCR refers to the California Building Code which contains complete regulations and general construction building standards of State of California adopting agencies, including administrative, fire and life safety and field inspection provisions. Part 2 was updated in 2008 to reflect changes in the base document from the Uniform Building Code to the International Building Code. Part 9 refers to the California Fire Code, which contains other fire safety-related building standards. Chapter 7A, "Materials and Construction Methods for Exterior Wildfire Exposure," in the 2010 California Building Code addresses fire safety standards for new construction and Section 701A.3.2 addresses "New Buildings Located in Any Fire Hazard Severity Zone." (CBSC, 2022)

❑ CCR Title 14 – Natural Resources

These regulations constitute the basic wildland fire protection standards of the California Board of Forestry. They were prepared and adopted to establish minimum wildfire protection standards in conjunction with building, construction, and development within SRAs. Among other things, Title 14 requires the design and construction of structures, subdivisions, and developments in an SRA provide for basic emergency access and perimeter wildfire protection measures (fire fuel modification zones, etc.). (Westlaw, n.d.)

❑ California Government Code (CGC) Sections 51178-51179 – Very High Fire Hazard Severity Zones

Section 51178 specifies that the Director of CalFire, in cooperation with local fire authorities, must identify areas that are Very High Fire Hazard Severity Zones (VHFHSZs) in Local Responsibility Areas (LRAs), based on consistent statewide criteria and the expected severity of fire hazard. It further specifies that VHFHSZs "shall be based on fuel loading, slope, fire weather and other relevant factors," including areas subject to Santa Ana winds which are a "major cause of wildfire spread." Section 51179 states that a local agency (such as a county) must also designate (and map) the VHFHSZs in its jurisdiction by ordinance. (CA Legislative Info, n.d.)

❑ CGC Section 51182 – Defensible Space

Pursuant to this code, a person who "owns, leases, controls, operates or maintains an occupied dwelling or occupied structure in, upon or adjoining a mountainous area, forest-covered land, brush-covered land, grass-covered land or land that is covered with flammable material" in a very high fire hazard severity zone designated by the local agency pursuant to Section 51179, shall at all times maintain a specified amount of "defensible space" to protect structures in high fire hazard areas. (CA Legislative Info, n.d.)

2. School Services Regulations and Plans

❑ California Education Code Article 11, Section 17078

The Critically Overcrowded School Facilities program supplements the new construction provisions within the School Facilities Program (SFP). The SFP provides State of California funding assistance for new facility construction projects and modernization projects. The Critically Overcrowded School Facilities program allows school districts with critically overcrowded school facilities, as determined by the California Department of Education (CDE), to apply for new construction projects in advance of meeting all SFP new construction program requirements. Districts with SFP new construction eligibility and school sites included on a CDE list of source schools may apply. (CA Ed. Code, 2002)

❑ Leroy F. Greene School Facilities Act of 1998 (Senate Bill [SB] 50)

Senate Bill 50 (SB 50) was enacted by the State Legislature in 1998 to regulate how school impact mitigation fees and dedications are levied across the state. SB 50 established the base amount of allowable developer fees: $1.93 per square foot for residential construction and $0.31 per square foot for commercial. These base amounts are commonly called "Level 1 fees" and are the same caps that were in place at the time SB 50 was enacted. Level 1 fees are subject to inflation adjustment every two years.

In certain circumstances, for residential construction, school districts can impose fees that are higher than Level 1 fees. School districts can impose Level 2 fees, which are equal to 50% of land and construction costs if they: (1) prepare and adopt a school needs analysis for facilities; (2) are determined by the State Allocation Board to be eligible to impose these fees; and (3) meet at least two of the following four conditions:

- At least 30% of the district's students are on a multi-track year-round schedule.
- The district has placed on the ballot within the previous four years a local school bond that received at least 50% of the votes cast.
- The district has passed bonds equal to 30% of its bonding capacity.
- Or, at least 20% of the district's teaching stations are relocatable classrooms.

Additionally, if the State of California's bond funds are exhausted, a school district that is eligible to impose Level 2 fees is authorized to impose even higher fees. Commonly referred to as "Level 3 fees," these fees are equal to 100% of land and construction costs of new schools required as a result of new

developments. Further, SB 50 prohibits local agencies from using the inadequacy of school facilities as a basis for denying or conditioning approvals of any "legislative or adjudicative act [involving] the planning, use or development of real property." (CA Ed. Code, 1998)

B. Local Plans, Policies, and Regulations

1. County of San Bernardino Code Fee Ordinance 16.0215

County of San Bernardino Code Fee Ordinance 16.0215 establishes the County's Developer Impact Fee (DIF) ordinance. The purpose of the DIF fees is to mitigate the costs associated with additional capital, infrastructure, public facilities, and service improvement needs attributed to new development.

2. County Policy Plan

The Personal & Property Protection Element of the San Bernardino County general plan sets forth goals and policies related to public services. Goals and policies that may be applicable to the Project and/or Project Site are summarized below.

Goal PP-1: Law Enforcement. Effective crime prevention and law enforcement that leads to a real and perceived sense of public safety for residents, visitors, and businesses.

Policy PP-1.1 Law enforcement services. The Sheriff's Department provides law enforcement services for unincorporated areas and distributes resources geographically while balancing levels of service and financial resources with continuously changing needs for personal and property protection.

Policy PP-1.3 Holistic approach to crime prevention. We recognize that the roots of crime are found throughout a spectrum of psychological, social, economic, and environmental issues, and we coordinate proactive planning and activities among the Sheriff's Department and county and non-county agencies and organizations to intervene and effectively prevent crime.

Policy PP-1.4 Crime prevention resource allocation. The Sheriff's Department uses crime data analysis, professional expertise, and community input to allocate patrols and other crime prevention resources.

Policy PP-1.5 Community-based crime prevention. The Sheriff's Department provides a range of outreach, education, and training programs for community-based and school-based crime prevention.

Policy PP-1.6 Agency partnerships. The Sheriff's Department partners with other local, state, and federal law enforcement agencies and private security providers to enhance law enforcement service.

Policy PP-1.7 Community partnerships. The Sheriff's Department establishes and maintains partnerships to help identify public safety needs, strengthen community confidence, and improve service to our communities.

Policy PP-1.8 Public awareness. The Sheriff's Department engages the media and our communities to improve the public's perception and awareness of personal and property protection and safety.

Policy PP-1.9 Periodic needs assessment. The Sheriff's Department periodically assesses their facility, equipment, and staffing needs and use the assessment to allocate funding resources in the annual budget and capital improvement program.

Policy PP-1.10 Qualified workforce. The Sheriff's Department attracts and retains a qualified workforce of law enforcement and support personnel, reflective of the people they serve, and invest in training and ongoing education.

Goal PP-3: Fire and Emergency Medical: Reduced risk of death, injury, property damage, and economic loss due to fires and other natural disasters, accidents, and medical incidents through prompt and capable emergency response.

Policy PP-3.1 Fire and emergency medical services. We maintain a sufficient number and distribution of fire stations, up-to-date equipment, and fully-trained staff to respond effectively to emergencies.

Policy PP-3.2 Fire District. We support the expansion of the Fire District to serve additional incorporated jurisdictions, and the use of special funding and financing mechanisms to augment Fire District revenues to improve service and coverage.

Policy PP-3.3 Search and rescue. We maintain up-to-date equipment and fully-trained staff to provide urban search and rescue and swift water rescue emergency response.

Policy PP-3.4 Fire prevention services. We proactively mitigate or reduce the negative effects of fire, hazardous materials release, and structural collapse by implementing the California Fire Code, adopted with County amendments.

Policy PP-3.5 Firefighting water supply and facilities. We coordinate with water providers to maintain adequate water supply, pressure, and facilities to protect people and property from urban fires and wildfires.

Policy PP-3.6 Concurrent protection services. We require that fire department facilities, equipment, and staffing required to serve new development are operating prior to, or in conjunction with new development.

Policy PP-3.7 Fire safe design. We require new development in the Fire Safety Overlay to comply with additional site design, building, and access standards to provide enhanced resistance to fire hazards.

Policy PP-3.8 Fire-adapted communities. We inform and prepare our residents and businesses to collaboratively plan and take action to more safely coexist with the risk of wildfires.

Policy PP-3.9 Street and premise signage. We require adequate street signage and premise identification be provided and maintained to ensure emergency services can quickly and efficiently respond.

Policy PP-3.10 Community outreach. We engage with local schools, community groups, and businesses to increase awareness of fire risk, prevention, and evacuation.

Policy PP-3.12 Fire protection and emergency medical resource allocation. We use fire and emergency services data analysis and professional expertise to allocate resources, reduce fire risks, and improve emergency response.

Policy PP-3.13 Periodic needs assessment. We periodically assess our facility, equipment, and staffing needs and use the assessment to allocate funding resources in the annual budget and capital improvement program.

Policy PP-3.14 Qualified workforce. We attract and retain a qualified workforce of fire fighters, emergency medical technicians, and support personnel, and invest in training and ongoing education.

4.13.3 Basis for Determining Significance

The thresholds below are taken from Appendix G to the CEQA Guidelines, and address the typical, adverse effects that development projects could have on public services. The Project would result in a significant impact to public services if the Project or any Project-related component would:

a. *Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:*
    - *Fire protection;*
    - *Police protection;*
    - *Schools;*
    - *Parks; or*
    - *Other Public Facilities*

4.13.4 Methodology for Evaluation

The analysis of potential public services impacts is based on a review of the San Bernardino County general plan and its EIR, information sources from local service providers, fire hazard mapping, and other resource databases.

4.13.5 IMPACT ANALYSIS

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

Construction and operation of the Project would increase the demand for fire protection services at the Project Site by introducing more building area on the Project Site. Service demand in and of itself is not an environmental impact under CEQA unless such demand causes a physical change to the environment. Station 75 exists in proximity to the Project Site, providing fire and paramedic services to the area, and an additional three (3) fire stations exist within a four-mile radius of the Project Site (Stations 222, 229, and 232), with another station planned (Rosena Ranch station), to supplement local fire service. The County forwarded the Project's application materials to County Fire for review and comment. County Fire did not provide any comments to the County indicating that the Project would not be adequately served by fire protection services or that incremental increase in the demand for services would result in or require new or expanded fire protection facilities in order to maintain acceptable service ratios, response times, or other performance objectives.

Additionally, the Project would incorporate fire prevention and fire suppression design features to minimize the potential demand placed on County Fire. The proposed buildings would be of concrete tilt-up construction. Concrete is non-flammable and concrete tilt-up buildings have a lower fire hazard risk than typical wood-frame construction. The Project also would install fire hydrants on-site and provide paved primary and secondary emergency access to the Project Site to support County Fire in the event fire suppression activities are needed on-site. Lastly, the proposed warehouse buildings would feature a fire alarm system and ceiling-mounted sprinklers.

Although the Project would not result in the need for new or expanded fire protection facilities, as a standard condition of approval, the Project Applicant/Developer or Project Site owner would be required to pay impact fees for fire protection services in accordance with County Fire Fee Ordinance No. FPD-01, which requires a fee payment that the County applies to the funding of fire protection facilities. Mandatory compliance with Ordinance No. FPD-01 would be required prior to the issuance of a building permit. In addition, property tax revenues generated from development of the site would also provide funding to offset potential increases in the demand for fire protection at Project build-out.

Based on the preceding, the potential for the Project to result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities is considered less than significant.

Threshold b: ***Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services?***

Under existing conditions, the Project receives police protection services from the San Bernardino County Sheriff's Department. The Sheriff's Department would continue to provide police protection services to the Project Site upon buildout of the Project. The Project Site, which has been used for mining and mineral resources processing and sales since the late 1940s, has received police protection services for the hundreds of employees, customers, and visitors on the Site per day. The Project is estimated to require 1,569 employees. Although development of the Site with a new warehouse building would increase the number of employees and visitors on the Project Site above historic levels, the incremental increase in demand for police protection services is not anticipated to require or result in the construction of a new or physically altered police facility because growth and development is not inherently linked to an increase in crime. From 2018 to 2022, the incidence of violent and property crimes fell in San Bernardino County by six (6) percent despite an increase in County population and employment during that time (San Bernardino County, 2019; San Bernardino County, 2022; San Bernardino County Sheriff, 2023). Furthermore, property tax revenues generated from development of the Site would provide funding to offset potential increases in the demand for police services at Project build-out. Based on the preceding, the potential for the Project to result in substantial adverse physical impacts associated with the provision of the new or physically altered police protection facilities is considered less than significant.

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

The Project Site is located within the Rialto Unified School District (RUSD) boundaries. The Project would not create a direct demand for public school services, as the subject property would not contain residential uses that would house school-aged children. The proposed Project is not expected to draw a substantial number of new residents to the region because the local labor pool has sufficient available workers to staff the Project's estimated 1,569 employees and it therefore would not indirectly generate school-aged students requiring public education. Based on data from 2024, 49,600 people in San Bernardino County were unemployed and, local to the Project Site, there were 2,700 unemployed workers in the Rialto area (CA EDD, 2025; CA EDD, 2024). Because the proposed Project would not directly generate students and is not expected to indirectly draw students to the area, the proposed Project would not cause or contribute to a need to construct new or physically altered public school facilities. Furthermore, the Project would be required to pay school impact fees to the RUSD pursuant to Government Code Section 65995. Pursuant to Government Code Section 65995(3)(h), the payment of statutory fees is "deemed to be full and complete mitigation of the impacts of any legislative or

adjudicative act, or both, involving, but not limited to, the planning use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073, on the provision of adequate school facilities." Therefore, mandatory payment of school impact fees would ensure that the Project's potential impacts to school facilities and services would be less than significant.

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

The Project entails the development of a warehouse distribution facility and does not include any type of residential land use that would generate a permanent population that would increase the ongoing use or demand for existing neighborhood and regional parks or other recreational facilities. As noted under the response to Threshold "c," the local labor market can support the Project, and implementation of the Project would not attract a substantial number of new residents to the County that would increase the use of public recreational facilities. The Project is not expected to increase the use of existing neighborhood and regional parks or other recreational facilities, nor would the Project require the construction or expansion of facilities, which might have an adverse physical effect on the environment. Therefore, no impact would occur.

Threshold e:	***Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered other governmental facilities or the need for new or physically altered other 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 other public services?***

Other public services that could be impacted by the Project include library services and public health services. The Project does not include any residential land uses and would not directly create a demand for public library or public health facilities or directly result in the need to modify existing or construct new library buildings. Demand placed on libraries and public health services is based on the generation of a resident population associated with a person's place of residence, and not typically their place of employment. Based on the preceding, the Project would not substantially increase the use of existing public facilities to a degree requiring construction or expansion of such facilities. Therefore, no impact would occur.

4.13.6 Cumulative Impact Analysis

The cumulative study area for public services encompasses the service area of County Fire, San Bernardino County Sheriff's Department, RUSD, and the San Bernardino County Library System, and assumes full buildout of the general plans for jurisdictions within these service areas.

Although the Project would be adequately served by fire protection services based on the proximity to nearby fire station facilities, the Project would nonetheless result in an incremental increase in requests for service, which would affect the fire department's ability to provide acceptable levels of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures, increased traffic volumes, and increased population. When considered in the context of on-going cumulative development throughout San Bernardino County, such impacts would be cumulatively considerable. However, the proposed Project and all cumulative developments within San Bernardino County would be required to contribute DIF fees, which would ensure that adequate funding is provided to County Fire for the acquisition of additional facilities, equipment, and personnel. Accordingly, the proposed Project's impact to fire protection services is evaluated as less than cumulatively considerable.

Although the Project Site would be adequately served by police facilities, the increased population that would be generated by the Project, when considered in conjunction with other on-going development throughout the County, has the potential to adversely affect service response times. However, the proposed Project and all cumulative developments within San Bernardino County would generate property and sales tax revenue would ensure that adequate funding is provided to the Sheriff's Department for the acquisition of additional facilities, equipment, and personnel. Accordingly, the proposed Project's impact to police protection services is evaluated as less than cumulatively considerable.

The Project would not directly or indirectly increase the County's population or labor force, and therefore the Project would have no impact on school services. Regardless, the Project Applicant would be required to contribute development impact fees to the RUSD in compliance with California Senate Bill 50. The payment of school mitigation impact fees authorized by SB 50 is deemed to provide "full and complete mitigation of impacts" on school facilities from the development of real property (California Government Code Section 65995). Accordingly, Project impacts to school services would be less than cumulatively considerable.

The Project would not directly increase the County's population and is not expected to result in an indirect increase in the County's population; therefore, the Project would have no impact on park, library, or public healthcare facilities. Because the Project would have no direct or indirect impact on public park, library, and healthcare facilities, there is no potential for a cumulatively considerable impact to occur.

4.13.7 Significance of Impacts Before Mitigation

Threshold a: Less than Significant Impact: The Project would increase the demand for fire protection services provided by County Fire. Although demand would be increased, County Fire's existing fire stations have adequate capacity to service the Project. Increased demand, unless it results in some form of a physical environmental impact, is not an environmental effect under CEQA; thus, impacts are less than significant.

Threshold b: Less than Significant Impact. The Project would increase the demand for police protection services provided by the County Sheriff's Department. Although demand would be increased, the Sheriff Department's existing facilities have adequate capacity to service the Project. Increased demand, unless it results in some form of a physical environmental impact, is not an environmental effect under CEQA; thus, impacts are less than significant.

Threshold c: Less than Significant Impact. The Project would not result in or require new or expanded public school facilities. Impacts to school facilities would be less than significant.

Threshold d: No Impact. The Project does not propose any type of residential use or other land use that would generate a population that would increase the use of recreation facilities or existing neighborhood or regional parks.

Threshold e: No Impact. The Project does not propose any type of residential use or other land use that would generate a population that would increase the use of public library facilities.

4.13.8 Mitigation

Impacts to public services would be less than significant; therefore, mitigation is not required.

4.14 TRANSPORTATION

This Subsection incorporates information from the following reports prepared by Urban Crossroads, Inc.:

- *Pepper 210 Commerce Center Vehicle Miles Traveled (VMT) Analysis*, dated May 31, 2024 (Urban Crossroads, 2024f).
- *Pepper 210 Commerce Center Supplemental VMT Analysis*, dated June 5, 2024 (Urban Crossroads, 2024g).
- *Pepper 210 Commerce Center Traffic Analysis*, dated April 19, 2024 (Urban Crossroads, 2024h).

These reports are provided as *Appendices Q* through *S* to this EIR. All references used in this Subsection are listed in EIR Section 7.0, *References*.

This Subsection assesses transportation impacts that would result from implementation of the Project. In accordance with Senate Bill (SB) 743, the California Natural Resources Agency (CNRA) adopted changes to the CEQA Guidelines in December 2018 that require, starting on July 1, 2020, the use of vehicle miles traveled (VMT) as the metric to evaluate a project's transportation impacts. As of December 2018, when the revised CEQA Guidelines were adopted, automobile delay, as measured by "level of service" (LOS) and other similar metrics, no longer constitutes a significant environmental effect under CEQA. Lead agencies in California are required to use VMT to evaluate project-related transportation impacts.

4.14.1 EXISTING CONDITIONS

A. Existing Project Site Traffic

The Project Site operates as an aggregate materials processing and sales facility, including the production and sales of concrete and asphalt. Vehicle trips for Project Site employees, primarily passenger vehicles and light trucks, and customers, primarily commercial dump trucks and mixer trucks, come and go from the Project Site on weekdays. During periods of peak demand, the Project Site may operate on weekends as well. Based on average production of the existing uses on the Project Site between 2018 and 2022, the Project Site generates approximately 706 two-way trips per day (actual vehicles), including approximately 169 passenger vehicles and 537 trucks (Urban Crossroads, 2024h, pp. 39-40). To represent the effects that large trucks, buses and recreational vehicles have on traffic flow; all trucks were converted into Passenger Car Equivalent (PCE). By their size alone, these vehicles occupy the same space as two or more passenger cars. In addition, the time it takes for them to accelerate and slow-down is much longer than for passenger cars and varies depending on the type of vehicle and number of axles. The total adjusted PCE trips for trucks associated with the current on-site uses is 1,478 daily trips (Urban Crossroads, 2024h, p. 40).

B. Adjacent Roadways

Highland Avenue, an east-west oriented roadway that generally forms the southern boundary of the Project Site, is classified as a Major Highway. Major Highways are intended to carry large volumes at relatively high speeds within the region to different areas of the County. San Bernardino County's typical cross-section for

Major Highways provides two lanes of travel in each direction and an 8-foot median within a 104-foot-wide public right-of-way. Under existing conditions, Highland Avenue has two paved travel lanes and shoulders in each direction and a painted median along the Project Site frontage.

Pepper Avenue, a north-south oriented roadway, intersects with Highland Avenue adjacent to the southeast corner of the Project Site. The County designates Pepper Avenue as a Major Highway which, as noted above, provides two lanes of travel in each direction and an 8-foot median within a 104-foot-wide public right-of-way. Under existing conditions, Pepper Avenue has two paved travel lanes and shoulders in each direction and a painted median south of the Project Site. Pepper Avenue provides direct access to SR 210 approximately 0.1-mile south of the Project Site.

C. Truck Routes

Neither San Bernardino County nor the City of Rialto has established local truck routes in the Project study area. The San Bernardino County general plan does acknowledge that SR 210 is classified as a federal and State truck route (San Bernardino County, 2022a, Policy Map TM-5).

D. Transit Service

San Bernardino County is served by Omnitrans, a public transit agency serving various jurisdictions within the County. Route 312 operates within the Project area along Highland Avenue and has existing bus stops adjacent to the intersection of Pepper Avenue/Highland Avenue (Urban Crossroads, 2024h, p. 30; Google Earth, 2024)

E. Bicycle and Pedestrian Facilities

There are no existing bicycle facilities in the Project area. There are no sidewalks along Highland Avenue abutting the Project Site. South of the Project Site, Pepper Avenue provides sidewalks on both sides of the street. (Google Earth, 2024)

4.14.2 Regulatory Framework

The following is a brief description of the federal, State, and local environmental laws and regulations related to the issue of transportation that are applicable to the Project and/or Project Site.

A. State Plans, Policies, and Regulations

1. Senate Bill 743

SB 743, which was codified in Public Resources Code Section 21099, required changes to the CEQA Guidelines regarding the analysis of transportation impacts. Pursuant to Public Resources Code Section 21099, the criteria for determining the significance of transportation impacts must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." To that end, in developing the criteria, the OPR proposed, and the CNRA certified and adopted changes to the CEQA Guidelines in December 2018, which entailed changes to the thresholds of significance for the evaluation of impacts to transportation. The updated CEQA Guidelines include the addition of CEQA

Guidelines Section 15064.3, of which subsection "b" establishes criteria for evaluating a project's transportation impacts based on project type and using automobile VMT as the metric.

B. Local Plans, Policies, and Regulations

1. SCAG Regional Transportation Plan/Sustainable Communities Strategy

The Southern California Association of Governments (SCAG) is a regional agency established pursuant to California Government Code Section 6500, also referred to as the Joint Powers Authority law. SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). The Project site is within SCAG's regional authority. In April 2024, SCAG adopted the *2024-2050 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS)* ("RTP/SCS"); also referred to herein as "Connect SoCal" with goals to: 1) build and maintain an integrated multimodal transportation network; 2) develop, connect and sustain communities that are livable and thriving; 3) create a healthy region for the people of today and tomorrow; and 4) support a sustainable, efficient and productive regional economic environment that provides opportunities for all residents. Performance measures and funding strategies also are included to ensure that the adopted goals are achieved through implementation of the RTP. (SCAG, 2020)

Connect SoCal includes long-range regional transportation plans, regional transportation improvement programs, regional housing needs allocations, and other plans for the region. Connect SoCal also provides objectives for meeting emissions reduction targets set forth by the California Air Resources Board (CARB); these objectives were provided in a direct response to Senate Bill 375 (SB 375) which was enacted to reduce greenhouse gas emissions from automobiles and light trucks through integrated transportation, land use, housing, and environmental planning. Connect SoCal is updated periodically to allow for the consideration and inclusion of new transportation strategies and methods.

2. San Bernardino County Congestion Management Program

The *San Bernardino County Congestion Management Program (CMP)* was prepared by the San Bernardino Associated Governments (since re-named as the San Bernardino County Transportation Authority, SBCTA). The intent of the *CMP* is to create a link between land use, transportation, and air quality planning decisions and to prompt reasonable growth management programs that would more effectively utilize new and existing transportation funds to alleviate traffic congestion and related impacts and improve air quality. The *San Bernardino CMP* was first adopted in November 1992 and has since been updated 12 times, with the most recent comprehensive update in June 2016.

3. County Policy Plan

The San Bernardino County Policy Plan contains a Transportation & Mobility Element that is intended to guide the development of the circulation system within the County's unincorporated area in a manner that is compatible with the Countywide Plan's land use vision. The Transportation & Mobility Element provides policy direction to create a system of "complete streets," which refers to a multi-modal transportation network designed and operated to meet the needs of all users. Through the goals and policies of the Transportation & Mobility Element, the County will strive to meet diverse mobility needs and reduce vehicle miles traveled,

which will reduce air pollution, greenhouse gas emissions, and roadway congestion. The Transportation & Mobility Element goals and policies applicable to the Project are addressed later in this chapter (see analysis under Subsection 4.11.5, response to Threshold "a").

4. San Bernardino County Measure "I"

Measure "I," a one-half of one percent sales tax on retail transactions, was approved by San Bernardino County voters in 1989 and extended by County voters in 2004 to remain effective through the year 2040. Funds raised through Measure "I" have funded in the past and will continue to fund new transportation facilities in San Bernardino County. The revenue generated by Measure "I" is to be used to fund transportation projects including, but not limited to, roadway improvements, commuter rail, public transit, and other identified improvements. Measure "I" also required that a local traffic impact fee be created to ensure that development projects are paying a fair share for transportation projects from which they would benefit (see discussion of "San Bernardino County Regional Transportation Development Mitigation Plan," below). Revenues collected through local traffic impact fee programs are used in tandem with Measure "I" revenues to fund projects identified in the SANBAG Development Mitigation Nexus Study, which is included as Appendix G to the *San Bernardino County CMP*.

5. San Bernardino County Regional Transportation Development Mitigation Plan

The County created its *Regional Transportation Development Mitigation Plan* program to impose and collect fees from new residential, commercial, and industrial development for the purpose of funding local transportation improvements necessary to accommodate expected local growth, as identified in the Countywide Plan. The collected fees are used to fund regional circulation network improvements (in conjunction with Measure "I" fees) as well as local facilities in the unincorporated area.

4.14.3 Basis for Determining Significance

The thresholds listed below are from CEQA Guidelines Appendix G and address the typical, adverse transportation-related effects that could result from development projects. The proposed Project would result in a significant transportation impact if the Project or any Project-related component would:

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

b. *Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?*

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

d. *Result in inadequate emergency access?*

4.14.4 Methodology for VMT Evaluation

In accordance with Senate Bill (SB) 743, the California Natural Resources Agency (CNRA) adopted changes to the CEQA Guidelines in December 2018 that require, starting on July 1, 2020, the use of vehicle miles traveled (VMT) as the metric to evaluate a project's transportation impacts. As of December 2018, when the

revised CEQA Guidelines were adopted, automobile delay, as measured by "level of service" (LOS) and other similar metrics, no longer constitutes a significant environmental effect under CEQA. Lead agencies in California are required to use VMT to evaluate project-related transportation impacts. The VMT analysis for the Project utilizes both "Home-Based Work (HWB)" and "Service Population (SP)" methodologies for the evaluation of direct impacts. The "Boundary" VMT methodology is used for the evaluation of cumulative impacts. The VMT calculation methodologies used in the Project's analysis are generally summarized below and described in detail in *Technical Appendices P* and *Q*. If the VMT from Project traffic is found to exceed the applicable significance threshold for either the HWB or SP methodologies (or both), then a significant direct impact would occur. If the VMT from Project traffic is found to exceed the applicable significance threshold for the Boundary methodology, then cumulative impacts would be considerable.

Home-Based Work Scenario
The HBW VMT analysis was prepared in accordance with San Bernardino County's *Transportation Impact Study Guidelines* (July 9, 2019). The HBW VMT analysis relies on the San Bernardino Transportation Analysis Model (SBTAM) to extract baseline VMT values for unincorporated areas in San Bernardino County and calculate HBW VMT resulting from operation of the Project. The HBW VMT model runs for the Project account for the Project's proposed land use and estimated number of employees. Project-generated VMT includes all home-based passenger vehicle trips (i.e., commute trips) that are traced to the Project's general geographic area (transportation analysis zone, TAZ) and exclude other non-commute trips, including truck trips from operation of the Project. The Project's VMT is converted to an efficiency metric by dividing the VMT generated by Project employee trips to allow a comparison with the average VMT for employment-generating land uses within unincorporated San Bernardino County.

Pursuant to the County's *Transportation Impact Study Guidelines*, a development project would result in a significant direct VMT impact if the project would generate HBW VMT that is not at least four (4) percent below the baseline HBW VMT for unincorporated areas in San Bernardino County. According to SBCTA and the SBTAM, the baseline HBW VMT for unincorporated areas in San Bernardino County is 18.8 (Urban Crossroads, 2024f, p. 3). Accordingly, this EIR establishes a significance threshold for a direct VMT impact under the HBW scenario as 18.1 (18.8 x 0.96 = 18.1).

Service Population Scenario
The SP VMT analysis relies on the San Bernardino Transportation Analysis Model (SBTAM) to extract baseline VMT values for unincorporated areas in San Bernardino County while Project-related VMT is calculated using trip lengths utilized by SCAQMD for different vehicle classifications (i.e., passenger vehicles, medium-heavy trucks, heavy-heavy trucks). The respective trip lengths are multiplied by the number of daily vehicle trips within the associated vehicle classification; the total daily miles driven for vehicle classification are then summed to calculate the Project's total daily VMT. The Project's VMT is converted to an efficiency metric by dividing the total VMT generated by Project trips by the service population (i.e., number of traffic trips) to allow for a comparison against the average VMT within unincorporated San Bernardino County.

A development project would result in a significant direct VMT impact if the project would generate SP VMT that is not at least four (4) percent below the baseline SP VMT for unincorporated areas in San Bernardino County. According to SBCTA and the SBTAM, the baseline SP VMT for unincorporated areas in San

Bernardino County is 44.7 (Urban Crossroads, 2024g, p. 2). Accordingly, this EIR establishes a significance threshold for a direct VMT impact under the SP VMT scenario as 42.9 (44.7 x 0.96 = 42.9).

Boundary Scenario
The County's *Transportation Impact Study Guidelines* state that a development project would result in a cumulatively considerable VMT impact if the project were to generate VMT that is inconsistent with the VMT anticipated from buildout of the adopted RTP/SCS for the project area. The adopted RTP/SCS for unincorporated San Bernardino County is *Connect SoCal*, which is based on the County's general plan; thus, a cumulatively considerable VMT impact would occur if the Project were found to contribute to VMT in a geographic area that exceeds the VMT associated with the planned growth and development assumptions utilized for *Connect SoCal*.

The Boundary methodology is used to calculate whether the Project contributes to an increase in planned VMT within the Project area. The Boundary method is the sum of all weekday VMT on the roadway network within a designated boundary. Two boundaries are used in the Project's analysis: a 10-mile radius from the Project Site and the boundary of San Bernardino County. If Project-related traffic is found to increase VMT within the 10-mile boundary or the San Bernardino County boundary, then cumulative impacts would be considerable. VMT included in the Boundary method calculation includes all vehicle trips (both passenger car and trucks) and all trip purposes. The Boundary method estimates VMT by multiplying vehicle trips on each roadway segment within the analysis area by that segment's length. This approach consists of all trips, including those trips that do not begin or end in the designated boundary.

4.14.5 Impact Analysis

Threshold a:	***Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?***

The following discussion provides an analysis of the Project's potential to result in a conflict with plans, programs, ordinances, or policies that address the circulation system, including transit, roadway, bicycle, and pedestrian facilities, that results in an environmental impact. A project that generally conforms with, and does not obstruct, applicable plans, programs, ordinances, and policies would be consistent. The transportation plans, policies, programs, ordinances, and standards that are relevant to the Project are identified in the analysis below.

- **Connect SoCal**

As previously noted, SCAG adopted a 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), referred to as "Connect SoCal" in April 2024. Connect SoCal seeks to improve mobility, promote sustainability, facilitate economic development, and preserve the quality of life for the residents in the region. The fundamental goals of SCAG's Connect SoCal are focused on mobility, communities, environment, and economy. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. The mobility goals included in Connect SoCal are pertinent to the proposed Project. As indicated below, implementation of the Project would not conflict with the goals and strategies of SCAG's regional planning

program that are applicable to the Project and related to mobility, including vehicular and non-vehicular circulation. As such, Project impacts would be less than significant.

- **System Preservation and Resilience.** The Project entails the development of a property that is served by an existing roadway infrastructure system. Consistent with this goal and strategy, reinvestment in existing infrastructure would occur via the Project's frontage improvements to Highland Avenue, improving this roadway to its General Plan standard, as well as payment of regional transportation mitigation fees to fund local transportation improvements necessary to accommodate expected local growth.

- **Complete Streets; Transit and Multimodal Integration.** Complete streets are roadways designed to support the safety, comfort and mobility for all road users. The Project does not contain any components that would interfere with pedestrian, bicycle, or transit mobility along Highland Avenue or Pepper Avenue. In addition, short- and long-term bicycle parking would be provided on the Project Site as required by the California Green Building Standards Code (CalGreen).

- **Transportation Systems Management (TSM); Transportation Demand Management (TDM); Technology Integration; Funding the System.** TSM strategies seek to optimize the operation of the existing transportation system and TDM strategies aim to reduce demand for roadway travel. These policies provide direction to County and regional agency staff and decision makers, and are not applicable to the proposed Project. No component of the Project would interfere with the County's implementation of these Connect SoCal policies.

- **Safety.** There are no components of the Project that would be unsafe or introduce a transportation safety hazard. The Project's frontage improvements to Highland Avenue and access at the Project's driveways will include appropriate site distance.

❑ San Bernardino Congestion Management Program

There are no *CMP* locations within the study area. The *CMP*'s land use and travel demand management goals and policies are directed to local and regional public agencies and none would be directly applicable to the Project. Notwithstanding, the Project does not include any component that would prevent or obstruct the County or any other public agency from implementing the *CMP*'s goals and policies. Accordingly, the Project would not result in a conflict with the *San Bernardino County CMP* and impacts would be less than significant.

❑ County Policy Plan

Within the Policy Plan's Transportation & Mobility Element, the County establishes several goals and policies related to transportation network that are applicable to development projects. The following analysis provides a discussion of the Project's consistency with these applicable goals and policies. As indicated in the analysis below and on the following pages, the Project would not conflict with or obstruct the implementation of any applicable goal or policy from the Countywide Plan addressing the transportation network. As such, the Project would result in a less than significant impact.

Transportation & Mobility Element

Goal TM-1: Roadway Capacity. Unincorporated areas served by roads with capacity that is adequate for residents, businesses, tourists, and emergency services.

Policy TM-1.1: Roadway Level of Service (LOS). We require our roadways to be built to achieve the following minimum level of service standards during peak commute periods (typically 7:00-9:00 AM and 4:00-6:00 PM on a weekday):

- *LOS D in the Valley Region*
- *LOS D in the Mountain Region*
- *LOS C in the North and East Desert Regions*

Analysis: The California Natural Resources Agency (CNRA) adopted changes to the CEQA Guidelines in December 2018 requiring that vehicle miles traveled (VMT) be used as the metric to evaluate transportation impacts from July 1, 2020 onwards. As of December 2018, when the revised CEQA Guidelines were adopted, automobile delay, as measured by "level of service" (LOS) and other similar metrics, no longer constituted a significant environmental effect under CEQA. Therefore, the analysis provided here focuses solely on consistency with Countywide Plan Policy TM-1.1 from a transportation planning perspective and, in the event an inconsistency with this policy is found, such inconsistency is presented for information disclosure but is not considered an environmental impact pursuant to CEQA Guidelines Section 15064.3(a).

The Project would not cause or contribute to any intersection in unincorporated San Bernardino County operating at levels that are inconsistent with Policy TM-1.1 (Urban Crossroads, 2024h, p. 55). No component of the Project would interfere with or obstruct the County from meeting the operations goals of Policy Plan Policy TM-1.1.

Policy TM-1.7: Fair share contributions. We require new development to pay its fair share contribution toward off-site transportation improvements.

Analysis: In accordance with the County's *Regional Transportation Development Mitigation Plan*, the Project Applicant would be required to pay fair-share fees that will be used by the County to fund the construction of local and regional circulation system improvements. The *Regional Transportation Development Mitigation Plan* establishes standard fees required for all development projects based on the location of the development site, the type of proposed land use, and the size of the development project. The County will condition the Project Applicant to pay the required fees prior to the issuance of a building permit. Based on the foregoing information, the Project would not conflict with Policy Plan Policy TM-1.7.

Goal TM-2: Road Design Standards. Roads designed and built to standards in the unincorporated areas that reflect the rural, suburban, and urban context as well as the regional (valley, mountain, and desert) context.

Policy TM-2.2: Roadway improvements. We require roadway improvements that reinforce the character of the area, such as curbs and gutters, sidewalks, landscaping, street lighting, and pedestrian and bicycle

facilities. We require fewer improvements in rural areas and more improvements in urbanized areas, consistent with the Development Code. Additional standards may be required in municipal spheres of influence.

Analysis: Highland Avenue is currently built out to its ultimate half-section as a Major Highway (104-foot right-of-way). As such, there are no roadway improvements needed to support the Project. Notwithstanding, deceleration/transition lane, curb, gutter, and sidewalk improvements will be constructed along Highland Avenue, as needed to accommodate the proposed Project driveways, consistent with San Bernardino County requirements. Based on the foregoing information, the Project would not conflict with Policy Plan Policy TM-2.2.

Goal TM-3: Vehicle Miles Traveled. A pattern of development and transportation system that minimizes vehicle miles traveled.

Policy TM-3.1: VMT Reduction. We promote new development that will reduce household and employment VMT relative to existing conditions.

Analysis: Project-related traffic would generate VMT that is below the existing baseline for VMT in unincorporated areas of San Bernardino County (see response to Threshold "b," below). Accordingly, the Project would reduce VMT within unincorporated San Bernardino County relative to existing conditions and, thus, would be consistent with Policy Plan Policy TM-3.1.

Goal TM-4: Complete Streets, Transit, and Active Transportation. On- and off-street improvements that provide functional alternatives to private car usage and promote active transportation in mobility focus areas.

Policy TM-4.8: Local bicycle and pedestrian networks. We support local bike and pedestrian facilities that serve unincorporated areas, connect to facilities in adjacent incorporated areas, and connect to regional trails. We prioritize bicycle and pedestrian network improvements that provide safe and continuous pedestrian and bicycle access to mobility focus areas, schools, parks, and major transit stops.

Policy TM-4.11: Parking areas. We require publicly accessible parking areas to ensure that pedestrians and bicyclists can safely access the site and onsite businesses from the public right-of- way.

Analysis: The Project would provide a new sidewalk connection between the Project Site and the Highland Avenue/Pepper Avenue intersection. The Project's site plan meets pedestrian accessibility requirements and provides bicycle parking facilities for Project employees, thereby promoting local opportunities for bicycling. The Project would not conflict with Policy Plan Policies TM-4.8 and TM-4.11.

Goal TM-5: Goods Movement. A road, rail, and air transportation system that supports the logistics industry and minimizes congestion in unincorporated areas.

Policy TM-5.6: Unincorporated truck routes. We may establish local truck routes in unincorporated areas to efficiently funnel truck traffic to freeways while minimizing impacts on residents. We establish routes where

trucks are prohibited in unincorporated environmental justice focus areas and to avoid overlaps or conflicts with safe routes to schools.

Analysis: The County has not established truck routes for the unincorporated areas and the City of Rialto has not designated any truck routes in the Project Site vicinity. SR 210 is a federal and State truck route and, pursuant to Rialto Municipal Code Section 10.40.010(B), trucks may travel by direct route from a truck route to a building located on a non-truck route street when necessary for making pickups or deliveries. The location of the Project Site, proximate to the Pepper Avenue on-ramp to SR 210, efficiently funnels truck traffic to appropriate routes while minimizing impacts on nearby residents. The Project would not conflict with Policy Plan Policy TM-5.6.

Policy TM-5.7: Trucking-intensive businesses. We require trucking-intensive businesses to pay their fair share of costs to build and maintain adequate roads.

Analysis: In accordance with the County's *Regional Transportation Development Mitigation Plan*, the Project Applicant would be required to pay development impact fees that will be used by the County to fund the construction of local and regional circulation system improvements. The *Regional Transportation Development Mitigation Plan* establishes standard fees required for all development projects based on the location of the development site, the type of proposed land use, and the size of the development project. The County will condition the Project Applicant to pay the required fees prior to the issuance of a building permit. Additionally, property tax revenue generated by the Project can be utilized by the County to fund ongoing maintenance of local roads. Based on the foregoing information, the Project would not conflict with Policy Plan Policy TM-5.7.

Threshold b: ***Would the Project conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?***

VMT associated with the Project was calculated for both the HBW and SP scenarios.

- HBW: Project-related trips are calculated to generate 17.6 HBW VMT, which falls below the applicable significance threshold of 18.1 HBW VMT (Urban Crossroads, 2024f, p. 4). Accordingly, implementation of the Project would not increase HBW VMT within San Bernardino County.

- SP: Project-related trips are calculated to generate 37.7 SP VMT, which falls below the applicable significance threshold of 42.9 SP VMT (Urban Crossroads, 2024g, p. 3). Accordingly, implementation of the Project would not increase SP VMT within San Bernardino County.

As evidenced by the data presented above, the Project would decrease the length of HBW and SP vehicle trips within San Bernardino County, and would generate VMT that is less than the applicable significance thresholds. The Project's VMT impact would be less than significant and the Project would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

Threshold c: ***Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?***

The types of traffic generated during operation of the Project (i.e., passenger cars and trucks) would be similar to the types of vehicles that travel to and from the Project Site under existing conditions and would be compatible with the type of traffic observed along adjacent roadways. All proposed improvements within the public right-of-way would be installed in conformance with County design standards. If any component of Project construction would occur in the public right-of-way and require the partial or full closure of a sidewalk and/or travel lane, all work would be required to adhere to the applicable construction control practices that are specified in the *State of California Department of Transportation Construction Manual* and the *California Manual on Uniform Traffic Control Devices*, to minimize potential safety hazards. The County reviewed the Project's site plan, conceptual grading, and conceptual utility plan drawings to confirm that no hazardous transportation design features would be introduced within the County public right-of-way through implementation of the Project. Based on the preceding information, construction and operation of the Project would not create or substantially increase safety hazards due to a design feature or incompatible use. Impacts would be less than significant.

Threshold d: ***Would the Project result in inadequate emergency access?***

As part of their standard entitlement review, the County reviewed the Project's site plan drawings and confirmed that the Project would provide adequate access to and from the Project Site and within the Project Site for emergency vehicle response. The types of traffic generated during operation of the Project (i.e., passenger cars and trucks) would be compatible with the type of traffic observed along surrounding roadways under existing conditions and Project traffic would not interfere with the circulation of emergency vehicles along public streets adjacent to the Project site. All Project construction materials and equipment would be stored/staged on the Project site and would not interfere with emergency vehicles traveling near the site. Any Project construction activities that would occur within the public right-of-way and require a partial or full closure of a sidewalk or vehicle travel lane would require a traffic control plan that complies with the *California Manual on Uniform Traffic Control Devices* and that must be approved by County to ensure that emergency response is not adversely affected. Accordingly, the Project's construction and operation would not result in inadequate emergency access.

4.14.6 Cumulative Impact Analysis

This cumulative impact analysis for transportation considers development of the Project in conjunction with other development projects in the vicinity of the Project Site as well as buildout of surrounding unincorporated communities and the cities of Rialto and San Bernardino.

As described under the response to Threshold "a," the Project would not conflict with an applicable program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities and, thus, would not cumulatively contribute to a conflict or obstruction with an applicable transportation-related program.

Under the cumulative VMT analysis scenario, the Project is calculated to have no effect (i.e., a 0.0 VMT change) on total County-wide VMT and VMT within a 10-mile radius of the Project Site (Urban Crossroads, 2024f, p. 4). Accordingly, the Project would not generate VMT that increases regional VMT above the levels that would result from the growth projections used in *Connect SoCal*; thus, the Project would not contribute to a cumulatively considerable VMT impact.

The Project would not contribute to a significant cumulative impact under the topics discussed under Thresholds "c" and "d" because the Project would not cause or exacerbate existing transportation design safety concerns or adversely affect emergency access and there are no cumulative development projects adjacent to the Project Site that could contribute additive effects that could degrade motor vehicle or pedestrian safety or emergency vehicle access in proximity to the Project Site.

4.14.7 Significance of Impacts Before Mitigation

Threshold a: Less than Significant Impact. The Project would not conflict with an applicable program, plan, ordinance or policy addressing the circulation system.

Threshold b: Less than Significant Impact. The VMT generated by the Project would not exceed the County VMT significance thresholds for direct or cumulative impacts.

Threshold c: Less than Significant Impact. The Project would not introduce any significant transportation safety hazards due to a design feature or incompatible use.

Threshold d: Less than Significant Impact. Adequate emergency access would be provided to the Project Site during construction and long-term operation. The Project would not result in inadequate emergency access to the site or surrounding properties.

4.14.8 Mitigation

The Project would result in a less than significant transportation impact and no mitigation is required.

4.15 Tribal Cultural Resources

The analysis in this Subsection relies on information from a cultural resources report titled "Cultural Resources Study for the Pepper 210 Commerce Center Project" (dated February 22, 2024). The report was prepared by BFSA and is included as *Technical Appendix E* to this EIR. The analysis in this Subsection also contains information obtained by San Bernardino County during consultation with local Native American tribal representatives. All references used in this Subsection are listed in EIR Section 7.0, *References*.

Confidential information has been redacted from *Technical Appendix E* for purposes of public review. In addition, much of the written and oral communication between Native American tribes, the County, and BFSA is considered confidential in respect to places that may have traditional tribal cultural significance (California Government Code Section 65352.4), and although relied upon in part to inform the preparation of this EIR Subsection, those communications are treated as confidential and are not available for public review. Under existing State law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (California Code Regulations Section 15120(d)).

4.15.1 Existing Conditions

A. Regional Setting

Refer to Subsection 4.4, *Cultural Resources*, for a description of the pre/protohistoric period setting for the Inland Empire region.

B. Project Site

The Project Site was vacant and undeveloped prior to 1946 (approximately) and seasonally affected by inundation/flooding from the Lytle Creek Wash. Beginning in 1947 until 1998 or 1999, the Project Site was mined for aggregate resources and, also, used for the processing and sale of aggregate materials, concrete, and asphalt. Since mining activities ceased on the Project Site in the late 1990s, former mining pits on the Project Site have been partially backfilled and the subject property has been used for the staging, processing, and sale of aggregate materials, including concrete and asphalt, mined from the Cajon Creek Quarry located approximately 2.5 miles north of the Project Site. The Project Site has been heavily disturbed by historic mining activities and on-going aggregate materials processing and sales activities.

BFSA surveyed the Project Site for the presence of prehistoric and protohistoric archaeological resources; no such resources were found on the Project Site (BFSA, 2024, p. 3.0-50).

BFSA also performed an archaeological records search through the South Central Coastal Information Center (SCCIC) at California State University (CSU), Fullerton. The records search provided information regarding previous archaeological studies in the Project area and any previously recorded sites within a one-half mile radius of the Project Site. The results of this records search indicate that no

prehistoric or protohistoric artifacts have been recorded on the Project Site while two prehistoric resource sites (a core isolate and possible reburial location of human remains) have been recorded within a one-half mile radius of the Site (BFSA, 2024, p. 1.0-24).

4.15.2 Regulatory Framework

A. Federal Plans, Policies, and Regulations

1. Native American Graves Protection and Repatriation Act (NAGPRA)

The Native American Graves Protection and Repatriation Act (NAGPRA; Public Law 101-601; 25 U.S.C. 3001-3013) describes the rights of Native American lineal descendants, Indian tribes, and Native Hawaiian organizations with respect to the treatment, repatriation, and disposition of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony, referred to collectively in the statute as cultural items, with which they can show a relationship of lineal descent or cultural affiliation.

One major purpose of this statute is to require that federal agencies and museums receiving Federal funds inventory holdings of Native American human remains and funerary objects and provide written summaries of other cultural items. The agencies and museums must consult with Indian Tribes and Native Hawaiian organizations to attempt to reach agreements on the repatriation or other disposition of these remains and objects. Once lineal descent or cultural affiliation has been established, and in some cases the right of possession also has been demonstrated, lineal descendants, affiliated Indian Tribes, or affiliated Native Hawaiian organizations normally make the final determination about the disposition of cultural items. Disposition may take many forms from reburial to long term curation, according to the wishes of the lineal descendent(s) or culturally affiliated Tribe(s).

The second major purpose of the statute is to provide greater protection for Native American burial sites and more careful control over the removal of Native American human remains, funerary objects, sacred objects, and items of cultural patrimony on Federal and tribal lands. NAGPRA requires that Indian tribes or Native Hawaiian organizations be consulted whenever archaeological investigations encounter, or are expected to encounter, Native American cultural items or when such items are unexpectedly discovered on Federal or tribal lands. Excavation or removal of any such items also must be done under procedures required by the Archaeological Resources Protection Act. This NAGPRA requirement is likely to encourage the in-situ preservation of archaeological sites, or at least the portions of them that contain burials or other kinds of cultural items.

Other provisions of NAGPRA: (1) stipulate that illegal trafficking in human remains and cultural items may result in criminal penalties; (2) authorizes the Secretary of the Interior to administer a grants program to assist museums and Indian Tribes in complying with certain requirements of the statute; (3) requires the Secretary of the Interior to establish a Review Committee to provide advice and assistance in carrying out key provisions of the statute; authorizes the Secretary of the Interior to penalize museums that fail to comply with the statute; and, (5) directs the Secretary to develop regulations in consultation with this Review Committee.

B. State Plans, Policies, and Regulations

1. California Administrative Code, Title 14, Section 4308

Section 4308, *Archaeological Features*, of Title 14 of the California Administrative Code provides that: "No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value."

2. California Code of Regulations Title 14, Section 1427

California Code of Regulations Title 14, Section 1427 provides that: "No person shall collect or remove any object or thing of archaeological or historical interest or value, nor shall any person injure, disfigure, deface or destroy the physical site, location or context in which the object or thing of archaeological or historical interest or value is found."

3. Assembly Bill 52 (AB 52)

California Assembly Bill 52 (AB 52) (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process.

The Public Resources Code (PRC) now establishes that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." (PRC, Section 21084.2.) To help determine whether a project may have such an effect, the PRC requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. (PRC, Section 21080.3.1.)

If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. PRC Section 20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources.

Section 21074 of the PRC defines "tribal cultural resources." In brief, in order to be considered a "tribal cultural resource," a resource must be either:

(1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or

(2) a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource.

In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe.

4. State Health and Safety Code

California Health and Safety Code (HSC) Section 7050.5(b) requires that excavation and disturbance activities must cease "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery…" until the coroner can determine regarding the circumstances, manner, and cause of any death. The coroner is then required to make recommendations concerning the treatment and disposition of the human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. Section 7051 specifies that the removal of human remains from "internment or a place of storage while awaiting internment" with the intent to sell them or to dissect them with "malice or wantonness" is a public offense punishable by imprisonment in a state prison. Lastly, HSC Sections 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that "all California Indian human remains and cultural items are to be treated with dignity and respect." It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims.

California HSC, Section 5097.98 states that whenever the commission receives notification of a discovery of Native American human remains pursuant to HSC subdivision (c) of Section 7050.5, it shall immediately notify those persons that are the most likely descendants. The descendants may inspect the site and make recommendations to the landowner as to the treatment of the human remains. The landowner shall ensure that the immediate vicinity around the remains is not damaged or disturbed by further development activity until coordination has occurred with the descendants regarding their recommendations for treatment, taking into account the possibility of multiple human remains. The descendants shall complete their inspection and make recommendations within 48 hours of being granted access to the site.

5. California Code of Regulations Section 15064.5

The California Code of Regulations, Title 14, Chapter 3, Section 15064.5 (the State CEQA Guidelines) establishes the procedure for determining the significance of impacts to archaeological and historical resources, as well as classifying the type of resource. Cultural resources are aspects of the environment that require identification and assessment for potential significance. The evaluation of cultural resources under CEQA is based upon the definitions of resources provided in CEQA Guidelines Section 15064.5, as follows:

- A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4850 et seq.).

- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4852) including the following:

    - Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
    - Is associated with the lives of persons important in our past;
    - Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
    - Has yielded, or may be likely to yield, information important in prehistory or history.

- The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

6. County Policy Plan

The Cultural Resources Element of the San Bernardino County general plan sets forth goals and policies related to the protection of archaeological and tribal cultural resources. Goals and policies that may be applicable to the Project and/or Project Site are summarized below.

Goal CR-1: Tribal Cultural Resources. Tribal cultural resources that are preserved and celebrated out of respect for Native American beliefs and traditions.

Policy CR-1.1: Tribal notification and coordination. We notify and coordinate with tribal representatives in accordance with state and federal laws to strengthen our working relationship with area tribes, avoid inadvertent discoveries of Native American archaeological sites and burials, assist with the treatment and disposition of inadvertent discoveries, and explore options of avoidance of cultural resources early in the planning process.

Policy CR-1.3: Mitigation and avoidance. We consult with local tribes to establish appropriate project-specific mitigation measures and resource-specific treatment of potential cultural resources. We require project applicants to design projects to avoid known tribal cultural resources, whenever possible. If avoidance is not possible, we require appropriate mitigation to minimize project impacts on tribal cultural resources.

Policy CR-1.4: Resource monitoring. We encourage active participation by local tribes as monitors in surveys, testing, excavation, and grading phases of development projects with potential impacts on tribal resources.

4.15.3 Basis for Determining Significance

The thresholds listed below are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects related to cultural resources that could result from development projects. The Project would result in a significant impact to cultural resources if the Project or any Project-related component would:

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

   i) *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).*

   ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth is 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.*

4.15.4 Methodology for Evaluation

The analysis of potential impacts to tribal cultural resources was based on a cultural resources records search through SCCIC at CSU Fullerton, historic background research, a review of historic aerial

photographs, and a visit to the Project Site. In addition, this analysis was based on consultation between the County and interested Native American tribes pursuant to AB 52.

4.15.5 Impact Analysis

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

No pre/protohistoric resource sites, features, places, or landscapes were identified on the Project Site that are either listed or eligible for listing in the California Register of Historic Places (BFSA, 2024, pp. 1.0-24 to 1.0-25, 3.0-50). To be eligible for the Register, a resource must include the following:

(*A*) *Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;*

(B) Is associated with the lives of persons important in our past;

(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

(D) Has yielded, or may be likely to yield, information important in prehistory or history. (PRC, Section 5024.1, Title 14 CCR, Section 4852)

No tribal cultural resources were identified on the Project Site that meet any of the four criteria listed above to be eligible for the California Register and no prehistoric resource sites or isolates are known to exist on the Project Site (ibid.). Furthermore, no substantial evidence was presented to or found by San Bernardino County during the tribal consultation process that led to the identification of any features or resources on the Project Site that in the County's discretion had the potential to be considered a tribal cultural resource.

As part of the AB 52 consultation process required by State law, the County sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project area. No Native American tribe requested consultation with the County or provided the County with

substantial evidence indicating that tribal cultural resources, as defined in PRC Section 21074, are present on the Project Site or have been found previously on the Project Site. Notwithstanding, due to the Project Site's location in an area where Native American tribes are known to have a cultural affiliation, there is the possibility that pre/protohistoric archaeological resources, including tribal cultural resources, could be encountered during ground-disturbing construction activities – although this likelihood is considered low due to the pervasive, historic, and on-going disturbances that have occurred on the Project Site. In the event a tribal cultural resource, as defined in PRC Section 21074, is found on the Project Site during construction – and not protected – a significant impact would occur. Mitigation is required.

As discussed under EIR Subsection 4.4, the Project site does not contain a known cemetery site and human remains have not been previously discovered on the site. Mandatory compliance with State law (California HSC Section 7050.5 and PRC Section 5097.98) would ensure that, in the unlikely event that human remains are discovered during Project construction, the remains would be identified in accordance with proper protocols and the remains would be treated or disposed with appropriate dignity. Accordingly, the Project would not result in a substantial adverse effect to tribal cultural resources associated with human remains.

4.15.6 Cumulative Impact Analysis

This cumulative impact analysis for tribal cultural resources considers development of the Project in conjunction of other projects and projected growth in the traditional use areas of Native American tribes that are affiliated to the Project Site, which includes areas proximate to the Project Site as well as buildout of surrounding unincorporated communities and the cities of Rialto and San Bernardino.

Development activities on the Project site would not impact any known tribal cultural resources. Nonetheless, the potential exists for tribal cultural resources that meet the definition from PRC Section 21074 to be buried below the existing ground surface and discovered on the Project site – and other development sites in the region – during construction activities. Accordingly, the Project has the potential to contribute to a significant cumulative impact to tribal cultural resources. Therefore, the Project would potentially result in a cumulatively considerable impact to tribal cultural resources if such resources are unearthed during Project construction.

4.15.7 Significance of Impacts Before Mitigation

Threshold a: Significant Direct and Cumulatively Considerable Impact. The Project Site does not contain any recorded, significant tribal cultural resource sites; therefore, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or a local register of historical resources. Nonetheless, Project construction activities have the potential to unearth and adversely impact tribal cultural resources that may be buried at the Project site.

4.15.8 MITIGATION

The following mitigation measures have been presented previously, in Subsection 4.4. As they also apply to the protection of tribal resources, they are reproduced here for ease of reference.

MM 4.4-1 Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to San Bernardino County that an archaeologist that meets the latest version of the Secretary of the Interior Professional Qualifications Standards (hereafter "Project Archaeologist") has been retained to conduct the training and monitoring activities described in Mitigation Measure (MM) 4.4-2 and MM 4.4-3.

MM 4.4-2 Prior to the issuance of a grading permit, the Project Applicant or construction contractor shall provide evidence to San Bernardino County that the construction site supervisors and crew members involved with grading and trenching operations have received training by the Project Archaeologist to recognize archaeological resources (historic and prehistoric) should such resources be unearthed during ground-disturbing construction activities. The training will include a brief review of the cultural sensitivity of the area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of archaeological resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new supervisorial construction personnel involved with grading and trenching operations that begin work on the Project Site after the initial training session must take the training prior to beginning work on-site.

MM 4.4-3 The Project Archaeologist shall conduct monitoring during all grading, trenching, and excavation activities delineated in Figure 5.0-1 of the Project's Cultural Resources Study (EIR Technical Appendix E). The Project Archaeologist shall be equipped to salvage artifacts if they are unearthed to avoid construction delays. Should the Project Archaeologist determine during construction activities that there are no archaeological resources within the Project's disturbance area or should the archaeological sensitivity be reduced to low, archaeological monitoring activities can be reduced to spot-checking or may be allowed to cease.

MM 4.4-4 In the event that suspected cultural resources are discovered during Project construction activities:

a. 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 assess the find. Work on the other portions of the Project Site 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 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.

b. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA, are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, which shall be provided to San Bernardino County and the YSMN for review and comment. The Project Archaeologist shall monitor the remainder of ground-disturbing Project construction activities and implement the Plan accordingly.

c. 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 Section 7050.5 and that code enforced for the duration of the project.

d. At the completion of the basic field analysis and documentation or laboratory analysis, any recovered resource(s) shall be processed and curated according to current professional repository standards. The collections and associated records shall be donated to an appropriate curation facility, or, the artifacts may be delivered to the YSMN or appropriate Native American Tribe(s) if that is recommended by San Bernardino County. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to San Bernardino County, the South Central Coastal Information Center at California State University, Fullerton, and the YSMN or appropriate Native American Tribe(s).

4.15.9 Significance of Impacts After Mitigation

Threshold a: Less than Significant with Mitigation Incorporated. Implementation of MM 4.4-1 through MM 4.4-4 would ensure the proper identification and subsequent treatment of any significant tribal cultural resources that may be encountered during ground-disturbing activities associated with Project development. With implementation of the required mitigation, the Project's potential impact to significant tribal cultural resources would be reduced to less than significant.

4.16 Utilities and Service Systems

This Subsection addresses the topics of water service and supply, wastewater collection and treatment, stormwater drainage management, and solid waste collection and disposal, and relies on publicly available information and Project-specific reports provided by local service providers. A complete list of references for information relied upon to prepare this Subsection can be found in EIR Section 7.0, *References*.

4.16.1 Existing Conditions

A. Water Service

The Project Site is within the service area of the West Valley Water District (WVWD), which is within the service area of the regional water wholesaler, the San Bernardino Valley Municipal Water District. The WVWD serves approximately 94,332 customers in the communities of Bloomington, Colton, Fontana, Rialto, parts of unincorporated areas in San Bernardino and Jurupa Valley in Riverside County (WVWD, 2020, p. 3). WVWD's water supply comes from its own groundwater wells, groundwater and surface water purchased from the San Bernardino Valley Municipal Water District, and surface water from Lytle Creek in the San Bernardino Mountains (WVWD, 2020, p. 4). WVWD facilities in the vicinity of the Project Site include a 30-inch diameter transmission main and a 16-inch diameter transmission main within Highland Avenue.

Under existing conditions, the Project Site is used for the stockpiling, processing, and sale of aggregate resources, including the production and sale of concrete and asphalt. The average historic water demand at the Project Site is 55 acre-feet per year (AFY) (WSC, 2022, p. 4-2).

B. Wastewater Service

The Project Site does not receive public sewer service under existing conditions; all wastewater generated by the existing uses on the Project Site is discharged to septic systems at the Site.

Rialto Water Services (RWS), a private utility company, provides sewer collection and wastewater treatment service to areas in the vicinity of the Project Site. The nearest sewer conveyance infrastructure to the Project Site is a capped, 12-inch diameter sewer main in Pepper Avenue that is not in service under existing conditions. RWS master plan drawings indicate that a future sewer lift station is needed to provide a connection between the capped sewer main within Pepper Avenue and an existing sewer gravity main in Winchester Drive, in order to bring the Pepper Avenue sewer main into service. (Kimley-Horn, 2022, p. 5)

The sewer flows collected by RWS are conveyed to the Rialto Wastewater Treatment Plant (RWTP). The RWWTP has an existing treatment capacity of approximately 11.7 million gallons of wastewater per day and treats approximately 7.0 million gallons of wastewater per day on average (WSC, 2021, p. 3-35). Therefore, the RWTP has approximately 4.7 million gallons of excess treatment capacity under existing conditions (11.7 million gpd – 7.0 million gpd = 4.7 million gpd).

C. Stormwater Drainage

The flood control management throughout the Project Site area is the responsibility of the San Bernardino County Flood Control District. The Flood Control District has developed an extensive system of facilities including dams, conservation basins, channels, and storm drains. The primary purpose of these facilities is to intercept and convey flood flows through and away from the major developed areas of the County to protect property and ensure public safety. Primary functions of the district are flood protection, water conservation, and storm drain construction. The Flood Control District is divided into six geographic zones with interests and responsibilities distinctive to the particular zone. The Project Site is located within Zone 2; flood control facilities in this Zone primarily consist of levees. (SB County, 2019)

Under existing conditions, stormwater runoff travels across the Project Site as surface sheet flow from the west to the east. There is an existing San Bernardino County Flood Control District culvert at the southeast corner of the Site that collects surface runoff, outlets through the existing levee running parallel to the north of the Project Site, and eventually discharges into the Lytle Creek Wash.

Offsite runoff within Highland Avenue is conveyed east towards the Lytle Creek Wash within an asphalt berm. Highland Avenue also has an existing 48-inch storm drain lateral conveying flows to the south towards the Santa Ana River. Surface runoff from the Project Site does not flow into this offsite pipe.

D. Solid Waste

The County of San Bernardino Solid Waste Management Division (SWMD) is responsible for the operation and management of the solid waste disposal system within the County. The disposal system consists of five regional landfills and nine transfer stations. Additionally, the SWMD administers the County's Solid Waste Franchise Program and the Refuse Collection Permit Program which authorizes and regulates trash collection by private haulers in the unincorporated areas. Solid waste service to the Project Site is provided by Burrtec Waste Industries. (DPW, n.d.)

The landfill nearest the Project Site is the Mid-Valley Landfill, located approximately three (3) miles west of the Project Site. The Mid-Valley Landfill encompasses 498 acres and has an expected operational life though at least 2045. The Landfill currently processes an average daily throughput of 3,474 tons, with a permitted maximum daily disposal capacity of 7,500 tons. (CalRecycle, 2024a)

E. Dry Utilities

1. Electricity

The Project Site receives electrical service from the Southern California Edison Company (SCE). SCE provides electric power to more than 15 million persons in 15 counties and in 180 incorporated cities, within a service area encompassing approximately 50,000 square miles. (SCE, 2019) Under existing conditions, the Project Site receives electrical service from pole-mounted electrical distribution lines located along the Project Site's frontage with Highland Avenue.

2. Telecommunications

Several companies provide telecommunications services, including fiber optic and broadband internet, to residences and businesses throughout the County.

4.16.2 REGULATORY FRAMEWORK

The following is a brief description of the federal, state, and local environmental laws and related regulations related to utilities and service systems.

A. Federal Plans, Policies, and Regulations

1. Water Supply Regulations

❑ Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man- made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. (EPA, 2024b)

❑ Safe Drinking Water Act

The Safe Drinking Water Act (SDWA) was established to protect the quality of drinking water in the U.S. This law focuses on all waters actually or potentially designed for drinking use, whether from above ground or underground sources. The Act authorizes EPA to establish minimum standards to protect tap water and requires all owners or operators of public water systems to comply with these primary (health-related) standards. The 1996 amendments to SDWA require that EPA consider a detailed risk and cost assessment, and best available peer-reviewed science, when developing these standards. State governments, which can be approved to implement these rules for EPA, also encourage attainment of secondary standards (nuisance-related). Under the Act, EPA also establishes minimum standards for state programs to protect underground sources of drinking water from endangerment by underground injection of fluids. (EPA, 2024c)

B. State Plans, Policies, and Regulations

1. Water Supply Regulations

❑ Water Conservation in Landscaping Act

The Water Conservation in Landscaping Act was established to ensure adequate water supplies are available for future uses. To promote the conservation and efficient use of water, the Act requires local agencies to adopt a water efficient landscape ordinance. When such an ordinance had not been adopted, a finding as to why (based on the climatic, geologic, or topographical conditions) such an ordinance is not necessary, must be adopted. In the absence of such an ordinance or findings, the policies and requirements contained in the "model" ordinance drafted by the State of California shall apply within the affected jurisdiction. (LegiScan, 2023)

❑ Water Recycling in Landscaping Act

In 2000, Senate Bill 2095 (Water Recycling in Landscaping Act) was approved by Governor Davis requiring any local public or private entity that produces recycled water and determines that within 10 years it will provide recycled water within the boundaries of a local agency, to notify the local agency of that fact. In turn, local agencies are required to adopt and enforce within 180 days a specified recycled water ordinance, unless the local agency adopted a recycled water ordinance or other regulation requiring the use of recycled water in its jurisdiction prior to January 1, 2001. (CA Legislative Info, 2000)

❑ Urban Water Management Planning Act

The Urban Water Management Planning Act (UWMP Act) was proposed and adopted to ensure that water planning is conducted at the local level, as the State of California recognized that two water agencies in the same region could have very different impacts from a drought. The UWMP Act requires water agencies to develop Urban Water Management Plans (UWMPs) over a 20-year planning horizon, and further required UWMPs to be updated every five years. UWMPs are exempt from compliance with CEQA.

The UWMPs provide a framework for long term water planning and inform the public of a supplier's plans for long-term resource planning that ensures adequate water supplies for existing and future demands. This part of the California Water Code (CWC) requires urban water suppliers to report, describe, and evaluate:

- Water deliveries and uses;
- Water supply sources;
- Efficient water uses;
- Demand management measures; and
- Water shortage contingency planning.

The UWMP Act has been modified over the years in response to the State's water shortages, droughts, and other factors. A significant amendment was made in 2009, after the drought of 2007-2009 and as a result of the governor's call for a statewide 20 percent reduction in urban water use by the year 2020. This was the Water Conservation Act of 2009, also known as SB X7-7. This Act required agencies to establish water use targets for 2015 and 2020 that would result in statewide savings of 20 percent by 2020. Beginning in 2016, retail water suppliers are required to comply with the water conservation requirements in SB X7-7 in order to be eligible for State water grants or loans. Retail water agencies are required to set targets and track progress toward decreasing daily per capita urban water use in their service area, which will assist the State in meeting its 20 percent reduction goal by 2020. (DWR, 2023)

❑ Government Code Section 66473.7(b)(2) (Senate Bill 221)

Under Senate Bill (SB) 221, approval by a city or county of certain residential subdivisions requires an affirmative written verification of sufficient water supply. SB 221 is intended as a 'fail safe' mechanism to ensure that collaboration on finding the needed water supplies to serve a new large subdivision occurs before construction begins. SB 221 requires the legislative body of a city or county or the advisory agency, to the extent that it is authorized by local ordinance to approve, conditionally approve, or disapprove a tentative map, must include as a condition in any tentative map that includes a subdivision a requirement that a sufficient water supply shall be available. Proof of the availability of a sufficient water supply must be requested by the subdivision applicant or local agency, at the discretion of the local agency, and is based on written verification from the applicable public water system within 90 days of a request. SB 221 does not apply to any residential project proposed for a site that is within an urbanized area and has been previously developed for urban uses, or where the immediate contiguous properties surrounding the residential Project Site are, or previously have been, developed for urban uses, or housing projects that are exclusively for very low and low-income households. (CA Legislative Info, 2002a)

❑ California Senate Bill 610

The California Water Code (Water Code) Sections 10910 through 10915 were amended by the enactment of SB 610 in 2002. SB 610 requires an assessment of whether available water supplies are sufficient to serve the demand generated by a proposed project, as well as the reasonably foreseeable cumulative demand in the region over the next 20 years under average normal year, single dry year, and multiple dry year conditions (CA Legislative Info, 2002b). Under SB 610, water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in Water Code 10912 [a]) subject to CEQA. For the purposes of SB 610, "project" means any of the following:

- A proposed residential development of more than 500 dwelling units;
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space;

- A proposed hotel or motel, or both, having more than 500 rooms;
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;
- A mixed-use project that includes one or more of the projects specified in this subdivision; or
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project.

❑ CA. Water Code Sections 10610 et seq. (Senate Bill 901)

Signed into law on October 16, 1995, Senate Bill (SB) 901 required every urban water supplier to identify as part of its urban water management plan, the existing and planned sources of water available to the supplier over a prescribed 5-year period. The code requires the water service purveyor to assess the projected water demand associated with a proposed project under environmental review. Later provisions of SB 901 required compliance in the event that the proposed Project involved the adoption of a specific plan, amendment to, or revision of the land use element of a general plan or specific plan that would result in a net increase in the state population density. Upon completion of the water assessment, cities and counties may agree or disagree with the conclusions of the water service purveyors but cannot approve projects in the face of documented water shortfalls without first making certain findings. (CA Legislative Info, n.d.)

❑ Executive Order B-29-15

Executive Order (EO) B-29-15 ordered the State Water Resources Control Board (SWRCB) to impose restrictions to achieve a 25-percent reduction in potable urban water usage through February 28, 2016; directed the California Department of Water Resources (DWR) to lead a statewide initiative, in partnership with local agencies, to collectively replace 50 million square feet of lawns and ornamental turf with drought tolerant landscapes; and directed the California Energy Commission to implement a statewide appliance rebate program to provide monetary incentives for the replacement of inefficient household devices. (SWRCB, 2024)

❑ Executive Order B-37-16

Signed on May 9, 2016, EO B-37-16 established a new water use efficiency framework for California. The order bolstered the state's drought resilience and preparedness by establishing longer-term water conservation measures that include permanent monthly water use reporting, new urban water use targets, reducing system leaks and eliminating clearly wasteful practices, strengthening urban drought contingency plans, and improving agricultural water management and drought plans. (SWRCB, 2024)

❑ Executive Order B-40-17

Signed on April 7, 2017, EO B-40-17 ended the drought state of emergency in all California counties except Fresno, Kings, Tulare, and Tuolumne, where emergency drinking water projects will continue to help address diminished groundwater supplies. It maintains water reporting requirements and

prohibitions on wasteful practices. The order was built on actions taken in Executive Order B-37-16, which remains in effect. In a related action, state agencies, including the Department of Water Resources (DWR), released a plan to continue making water conservation a way of life. (SWRCB, 2024)

❑ Sustainable Groundwater Management Act (SGMA)

The Sustainable Groundwater Management Act (SGMA) established a new structure for managing California's groundwater resources at a local level by local agencies. SGMA required, by June 30, 2017, the formation of locally-controlled groundwater sustainability agencies (GSAs) in the State's high- and medium-priority groundwater basins and subbasins (basins). A GSA is responsible for developing and implementing a groundwater sustainability plan (GSP) to meet the sustainability goal of the basin to ensure that it is operated within its sustainable yield, without causing undesirable results. The GSP Emergency Regulations for evaluating GSPs, the implementation of GSPs, and coordination agreements were adopted by DWR and approved by the California Water Commission on May 18, 2016. (DWR, n.d.)

2. Solid Waste Regulations

❑ California Solid Waste Integrated Waste Management Act (AB 939, 1989)

The Integrated Waste Management Act (IWMA, codified in the Public Resources Code as Sections 40000 et seq.) established an integrated waste management hierarchy to guide the California Integrated Waste Management Board (CIWMB) and local agencies in implementation, in order of priority: (1) source reduction, (2) recycling and composting, and (3) environmentally safe transformation and land disposal (it should be noted that the CIWMB no longer exists, and its duties have been assumed by CalRecycle) (CalRecycle, n.d.). As part of the IWMA, the CIWMB was given a purpose to mandate the reduction of disposed waste. The IWMA also required:

- the establishment of a task force to coordinate the development of city Source Reduction and Recycling Elements (SRREs) and a countywide siting element.
- each city, by July 1, 1991, to prepare, adopt and submit a SRRE to the county which includes the following components: waste characterization; source reduction; recycling; composting; solid waste facility capacity; education and public information; funding; special waste (asbestos, sewage sludge, etc.); and household hazardous waste.
- each county, by January 1, 1991, to prepare a SRRE for its unincorporated area, with the same components described above, and a countywide siting element, specifying areas for transformation or disposal sites to provide capacity for solid waste generated in the jurisdiction which cannot be reduced or recycled for a 15-year period.
- each county to prepare, adopt, and submit to the Board an Integrated Waste Management Plan (IWMP), which includes all of the elements described above.
- each city or county plan to include an implementation schedule which shows: diversion of 25 percent of all solid waste from landfill or transformation facilities by January 1, 1995 through

source reduction, recycling, and composting activities; and, diversion of 50 percent of all solid waste by January 1, 2000 through source reduction, recycling, and composting activities.

- the CIWMB to review the implementation of each SRRE at least once every two years.
- The IWMA required the CIWMB, in conjunction with an inspection conducted by a Lead Enforcement Agency (LEA), to conduct at least one inspection per year of each solid waste facility in the state.

Additionally, the IWMA established a comprehensive statewide system of permitting, inspections, enforcement, and maintenance for solid waste facilities.

❑ California Solid Waste Reuse and Recycling Act of 1991 (AB 1327)

The Waste Reuse and Recycling Act (WRRA, codified in PRC Section 42900) required the CIWMB to approve a model ordinance for adoption by any local government for the transfer, receipt, storage, and loading of recyclable materials in development projects by March 1, 1993. The WRRA also required local agencies to adopt a local ordinance by September 1, 1993 or allow the model ordinance to take effect. The WRRA requires all development projects that are commercial, industrial, institutional, or marina in nature and where solid waste is collected and loaded, to provide an adequate area for collecting and loading recyclable materials over the lifetime of the project. The area is required to be provided before building permits are issued. (CA Legislative Info, n.d.)

❑ Mandatory Commercial Recycling Program (AB 341)

Assembly Bill (AB) 341 (Chapter 476, Statutes of 2011 [Chesbro, AB 341]) directed CalRecycle to develop and adopt regulations for mandatory commercial recycling. CalRecycle initiated formal rulemaking with a 45-day comment period beginning Oct. 28, 2011. The final regulation was approved by the Office of Administrative Law on May 7, 2012. AB-341 was designed to help meet California's recycling goal of 75% by the year 2020. AB 341 requires all commercial businesses and public entities that generate 4 cubic yards or more of waste per week to have a recycling program in place. (CA Legislative Info, 2011)

❑ 2022 California Green Building Standards Code (CAL Green; Part 11 of Title 24, California Code of Regulations)

The most recent edition of CalGreen became effective January 1, 2023, and is applicable to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout the State of California (including residential structures and elementary schools). CalGreen Section 5.408.3 requires that 100 percent of trees, stumps, rocks, and associated vegetation and soils resulting 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. (CBSC, 2022)

C. Local Plans, Policies, and Regulations

1. Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan

The *2020 Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan* is a tool, prepared by a collaboration of cities and water districts in San Bernardino County, that provides a summary of anticipated water supplies and demands for the years 2020 to 2045. The Plan was prepared consistent with the Urban Water Management Act, the Water Conservation Act of 2009, and the Department of Water Resources Guidebook for Urban Water Suppliers. The *2020 Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan* evaluates whether supplies will be sufficient to meet demand during a normal average year, a single dry year, and multiple dry years; existing baseline water use in terms of gallons per capita per day; targets for future water use consistent with the Water Conservation Act of 2009; demand management measures implemented or planned for implementation as well as the methods proposed for achieving future water use targets; water shortage contingency planning; and notification and coordination with other water agencies, land entities, and the community.

2. County Policy Plan

The County's general plan sets forth goals and policies related to utilities and service systems. Goals and policies that may be applicable to the Project and/or Project Site are summarized below.

Goal IU-1: Water Supply. Water supply and infrastructure are sufficient for the needs of residents and businesses and resilient to drought.

Policy IU-1.1: Water supply. We require that new development be connected to a public water system or a County-approved well to ensure a clean and resilient supply of potable water, even during cases of prolonged drought.

Policy IU-1.7: Areas vital for groundwater recharge. We allow new development on areas vital for groundwater recharge when stormwater management facilities are installed onsite and maintained to infiltrate predevelopment levels of stormwater into the ground.

Policy IU-1.8: Groundwater management coordination. We collaborate with watermasters, groundwater sustainability agencies, water purveyors, and other government agencies to ensure groundwater basins are being sustainably managed. We discourage new development when it would create or aggravate groundwater overdraft conditions, land subsidence, or other "undesirable results" as defined in the California Water Code. We require safe yields for groundwater sources covered by the Desert Groundwater Management Ordinance.

Policy IU-1.9: Water conservation. We encourage water conserving site design and the use of water conserving fixtures, and advocate for the adoption and implementation of water conservation strategies by water service agencies. For existing County-owned facilities, we incorporate design

elements, building materials, fixtures, and landscaping that reduce water consumption, as funding is available.

Goal IU-3: Stormwater Drainage. A regional stormwater drainage backbone and local stormwater facilities in unincorporated areas that reduce the risk of flooding.

Policy IU-3.1: Regional flood control. We maintain a regional flood control system and regularly evaluate the need for and implement upgrades based on changing land coverage and hydrologic conditions in order to manage and reduce flood risk. We require any public and private projects proposed anywhere in the county to address and mitigate any adverse impacts on the carrying capacity and stormwater velocity of regional stormwater drainage systems.

Policy IU-3.2: Local flood control. We require new development to install and maintain stormwater management facilities that maintain predevelopment hydrology and hydraulic conditions.

Policy IU-3.4: Natural floodways. We retain existing natural floodways and watercourses on County-controlled floodways, including natural channel bottoms, unless hardening and channelization is the only feasible way to manage flood risk. On floodways not controlled by the County, we encourage the retention of natural floodways and watercourses. Our priority is to reduce flood risk, but we also strive to protect wildlife corridors, prevent loss of critical habitat, and improve the amount and quality of surface water and groundwater resources.

Policy IU-3.5: Fair share requirements. We require new development to pay its fair share of capital costs to maintain adequate capacity of the County's regional flood control systems.

Goal IU-4: Solid Waste. Adequate regional landfill capacity that provides for the safe disposal of solid waste, and efficient waste diversion and collection for unincorporated areas.

Policy IU-4.1: Landfill capacity. We maintain a minimum ongoing landfill capacity of 15 years to serve unincorporated waste disposal needs.

Policy IU-4.3: Waste diversion. We shall meet or exceed state waste diversion requirements, augment future landfill capacity, and reduce greenhouse gas emissions and use of natural resources through the reduction, reuse, or recycling of solid waste.

Policy IU-4.4: Landfill funding. We require sufficient fees for use of County landfills to cover capital costs; ongoing operation, maintenance, and closure costs of existing landfills; and the costs and liabilities associated with closed landfills.

Goal IU-5: Power and Communications. Unincorporated area residents and businesses have access to reliable power and communication systems.

Policy IU-5.1: Electricity and natural gas service. We partner with other public agencies and providers to improve the availability and stability of electricity and natural gas service in unincorporated communities.

Policy IU-5.2: Expanded high-speed internet and wireless communication. We encourage the expansion of expand affordable, high-speed internet access in underserved and unserved unincorporated communities. We encourage the expansion of advanced mobile and fixed wireless communication technologies that improve service, coverage, and reliability throughout the county.

Policy IU-5.3: Underground facilities. We encourage new and relocated power and communication facilities to be located underground when feasible, particularly in the Mountain and Desert regions.

Policy IU-5.4: Electric transmission lines. We support the maintenance of existing and development of new electric transmission lines along existing rights-of-way and easements to maintain the stability and capacity of the electric distribution system in southern California.

Policy IU-5.6: Dig once approach. We encourage infrastructure, telecommunication, and utility planning and projects to coordinate so that improvements are made concurrently or in such a manner that minimizes disruption to rights-of-way and reduces costs.

4.16.3 Basis for Determining Significance

The thresholds listed below are taken from Appendix G to the CEQA Guidelines. According to CEQA Guidelines, the proposed Project would result in a significant impact to utilities and service systems if the Project or any Project-related component would:

a. *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects;*

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

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

d. *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals;*

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

4.16.4 Methodology for Evaluation

The analysis of potential utilities and service systems impacts is based on a review of the San Bernardino County general plan and its EIR, information sources from local service providers, and other resource databases.

4.16.5 Impact Analysis

Threshold a:	***Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?***

The Project's proposed infrastructure improvement plans were described in detail in EIR Section 3.0, *Project Description*, and include connections to water, sewer, storm drain, electricity and communications infrastructure that already exist in the vicinity of the Project Site.

The Project would connect to existing water infrastructure that abuts the Project Site. The Project would require the abandonment of existing service meters to the Site and the construction of a new service meter to the Site, but no off-site infrastructure facilities would be modified or relocated. The Project would not require the construction of new or modified water transmission infrastructure because the existing system is sized to meet projected water demands for planned uses in the area. The Project's civil engineer confirmed that adequate flow and water pressure can be maintained through the water conveyance system with the Project (Kimley Horn, 2022a).

The Project's proposed sewer improvements include the construction of a new service main to connect the Project Site to an existing, capped sewer main approximately 880 feet south of the Project Site (within Pepper Avenue). The local sewer system would have adequate capacity to service the Project in consideration of the improvements planned by the Project, the existing infrastructure, and master-planned improvements (Kimley Horn, 2022b). In the event the Project installs an onsite wastewater treatment system (OWTS), no off-site sewer utility improvements or connections would be needed.

The Project Site receives electric power and telecommunications services under existing conditions. The Project's proposed use of these services would be similar to existing conditions and would not require the construction of new, re-located, or expanded facilities. The Project Site does not receive natural gas service under existing conditions and the Project would not require natural gas; therefore, no alteration to the existing natural gas transmission network would occur.

All proposed utility connections would be accomplished in conformance with the rules and standards enforced by the applicable service provider. Construction activities within the public street right of way have the potential to create intermittent and short-term inconvenience hazards for motorists and pedestrians; however, all utility construction work that occurs within a public street right of way must adhere to the construction traffic control practices that reduce impacts that are specified in the *State of California Department of Transportation Construction Manual*, published by Caltrans (Caltrans,

2020). The construction of the proposed utility service connections has the potential to cause environmental effects associated with short-term air pollutant, noise emissions, and water quality effects that are an inherent part of the Project's construction process. The Project's construction air quality, noise emissions, and water quality effects have been disclosed in EIR Subsections 4.2, 4.7, 4.9, and 4.12 (the construction-level impacts disclosed in these Subsections are inclusive of the effects from the construction of utility infrastructure). Where significant construction-related impacts have been identified in the above-listed sections, feasible and enforceable mitigation measures are recommended in this EIR to reduce the Project's impacts to a less than significant level. There are no significant environmental impacts specifically related to construction of utility and service system improvements that have not already been disclosed in this EIR.

Threshold b: ***Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?***

A Water Supply Assessment (WSA), dated October 20, 2022, was prepared by Water Systems Consulting, Inc. (WSC) for the WVWD to assess the Project's effect on the WVWD's ability to provide adequate water service to its customers during normal, dry, and multiple dry years. The WSA, which is provided as *Technical Appendix V* to this EIR, was prepared in accordance with SB 610.

The Project is calculated to have a gross water demand of 174 acre-feet per year and a net water demand of 119 acre-feet per year, after discontinuing the existing uses on the Project Site (which has a historic water demand of 55 acre-feet per year) (WSC, 2022, p. 4-2). The 2020 Integrated Regional Urban Water Management Plan (IRUWMP) determined the WVWD has sufficient water supplies to meet its service demand for normal, single-dry year, and multiple-dry year conditions through at least the year 2045, with an available surplus of at least 3,519 acre-feet per year under all conditions (WSC, 2022, pp. 6-1 to 6-4). The IRUWMP projected a 142 acre-feet per year increase of industrial demands from 2020 to 2030 based on representative General Plans, which is greater than the Project's net demand of 119 acre-feet per year. However, the Project demand was not explicitly captured in the IRUWMP's demand projection methodology, primarily because the Project requires a land use zoning change. Therefore, the net Project demand was added to the demands from the 2020 IRUWMP. The WSA determined that the WVWD will have adequate water supplies to meet the potable water demand for this Project in addition to existing and future uses. (WSC, 2022, p. 7-1). Impacts would be less than significant.

Threshold c: ***Would the Project 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?***

According to a sewer system design study prepared by the Project's civil engineer and based on wastewater generation rates from the City of Rialto, the Project is calculated to generate approximately 194,728 gallons per day (gpd) of wastewater (1,928 gpd/acre × 101 acres = 194,728 gpd) (Kimley Horn, 2022b, p. 5). The wastewater generated by the Project would represent approximately 4.1 percent

of the remaining treatment capacity of the RWWTP ([194,728 gpd ÷ 4.7 million gpd] × 100 = 4.1 percent); therefore, it is anticipated that RWWTP has sufficient treatment capacity to provide service to the Project. Because there is adequate capacity at existing treatment facilities to serve Project demands, there would be no need to construct new or expanded wastewater treatment facilities. Impacts would be less than significant.

Threshold d: ***Would the Project 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?***

The Project would be required to comply with mandatory waste reduction requirements of the California Integrated Waste Management Act (AB 939) and the California Solid Waste Reuse and Recycling Act of 1991 (Cal Pub Res. Code Section 42911). Notwithstanding, construction and operation of the Project would result in the generation of solid waste requiring disposal at a landfill.

A. Construction-Related Landfill Disposal

Waste generated during the Project's construction phase would primarily consist of discarded materials from the construction of structures, common areas, infrastructure installation, and other Project-related construction activities. Construction-related solid waste volumes were estimated using generation factors provided by United States Environmental Protection Agency's (U.S. EPA); the average generation factor for non-residential uses such as the Project is 4.34 pounds per square foot of constructed building floor area (EPA, 2009). For the 1,861,587 square-foot Project, this equates to approximately 4,039 tons throughout the construction phase. California Assembly Bill 939 (AB 939) requires that a minimum of 65% of all construction waste be diverted from landfills (by recycling, reusing, and other waste reduction strategies); therefore, the Project is estimated to generate approximately 1,414 tons of solid waste requiring landfilling during its construction phase. The Project's construction phase is estimated to last for approximately 20 months (453 working days); therefore, the Project is estimated to generate approximately 3.12 tons of solid waste per day requiring landfill disposal during construction.

Non-recyclable construction waste generated by the Project would be disposed at the Mid-Valley Sanitary Landfill. This landfill has an average daily excess disposal capacity of 4,026 tons. The waste generated by Project construction corresponds to 0.07-percent of the average remaining daily disposal volume at the Mid-Valley Sanitary Landfill or 0.04-percent of the permitted maximum daily throughput at the Landfill (i.e., 7,500 tons). Thus, the relatively minimal construction waste generated by the Project is not anticipated to cause the landfill to exceed its maximum permitted daily disposal volume or otherwise affect the remaining permitted disposal capacity throughput during the Project's construction period. Thus, the volume of solid waste generated during Project construction would neither exceed State or local disposal standards nor exceed the local infrastructure capacity to handle the waste disposal; therefore, impacts to landfill capacity associated with near-term Project construction activities would be less than significant.

B. Operational-Related Landfill Disposal

Operational-related solid waste generation can be estimated using generation factors provided by CalRecycle. A common generation factor of industrial uses such as the Project is 1.42 pounds of waste per 100 square feet of building floor area, per day (CalRecycle, n.d.). For the 1,861,587 square-foot Project, this equates to approximately 26,435 pounds, or 13.2 tons, per day. A minimum of 50% of all solid waste would be required to be recycled pursuant to AB 939, consistent with the State's solid waste reduction goals; therefore, Project operation would generate up to approximately 6.6 tons per day of solid waste requiring disposal at a landfill.

As previously noted, the Mid-Valley Sanitary Landfill receives an average of 4,039 tons of waste below its maximum permitted daily throughput. The solid waste generated during Project operation represents approximately 0.3-percent of the average remaining daily disposal volume at the Mid-Valley Sanitary Landfill or approximately 0.2-percent of the permitted maximum daily throughput at the Landfill (i.e., 7,500 tons). Thus, waste generated by the Project's operation is not anticipated to cause the landfill to exceed its maximum permitted daily disposal volume. Furthermore, the Mid-Valley Sanitary Landfill is estimated to have adequate long-term capacity to accept waste from the Project as the landfill would not reach capacity until 2045, at the earliest time, and has opportunities for future expansion. Thus, the small volume of solid waste expected to be generated during Project operation would neither exceed State or local disposal standards nor exceed the local infrastructure capacity to handle the waste disposal; therefore, impacts to landfill capacity associated with long-term Project operational activities would be less than significant.

Threshold e: ***Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

The California Integrated Waste Management Act established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the Act established a 50% waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted. Per the requirements of the Integrated Waste Management Act, the San Bernardino County Board of Supervisors adopted the San Bernardino CIWMP, which outlines the goals, policies, and programs the County and its cities will implement to create an integrated and cost-effective waste management system that complies with the provisions of California Integrated Waste Management Act and its diversion mandates. (SB County, 2018)

San Bernardino County Solid Waste Management Division reviews and approves all new construction projects that require a Construction and Demolition Solid Waste Management Plan (waste management plan). A project's waste management plan consists of two parts which are incorporated into the Conditions of Approval (COA's) by the San Bernardino County Solid Waste Management Division. As part of the plan, proposed projects are required to estimate the amount of tonnage to be disposed and diverted during construction. Disposal/diversion receipts or certifications are required as a part of that summary. The County approval of a Construction and Demolition Solid Waste Management Plan would ensure that impacts related to construction waste would be less than significant.

Under long-term operations, the Project Applicant would be required to coordinate with the waste hauler to develop the collection of recyclable materials for the Project on a common schedule as set forth in applicable local, regional, and State programs. Recyclable materials that would be recycled by the Project include paper products, glass, aluminum, and plastic. Additionally, the Project's waste hauler would be required to comply with all applicable local, State, and Federal solid waste disposal standards, thereby ensuring that the solid waste stream to the landfills that serve the Project are reduced in accordance with existing regulations.

The proposed Project would comply with all federal, State, and local statutes and regulations related to solid waste, thereby ensuring that the solid waste stream to the landfill that serves the Project is reduced in accordance with existing regulations. Impacts would be less than significant.

4.16.6 Cumulative Impact Analysis

The Project would require water, wastewater, stormwater drainage, electrical and communications services and infrastructure, as well as solid waste disposal during construction and operation of the Projects. Development of public utility infrastructure is part of an extensive planning process involving utility providers and jurisdictions with ministerial and discretionary review authority. The coordination process associated with the preparation of infrastructure plans is intended to ensure that adequate public utility services and resources are available to serve both individual development projects and cumulative growth in the region. Each individual development project is subject to review for utility capacity to avoid unanticipated interruptions in service or inadequate supplies. Because the comprehensive, ongoing utility and service planning and coordination activities described above would ensure that new development projects do not disrupt or degrade the provision of utility services, cumulatively considerable impacts to utilities and service systems would not occur.

4.16.7 Significance of Impacts Before Mitigation

Threshold a: Less than Significant Impact. The physical environmental effects associated with installing the Project's water, wastewater, stormwater drainage, and dry utility infrastructure is evaluated throughout this EIR and no adverse impacts specific to the provision of utilities services have been identified.

Threshold b: Less than Significant Impact. Adequate water supplies are available to serve the Project along with WVWD's existing and planned future service obligations during normal, dry and multiple dry year conditions. Implementation of the Project would result in a less than significant impact.

Threshold c: Less than Significant Impact. Wastewater volumes produced by the Project would not significantly impact or exceed the existing sewer capacity wastewater treatment capacity of systems that would serve the proposed development. Accordingly, impacts would be less than significant.

Threshold d: Less-than-Significant Impact. Development of the proposed Project would not significantly affect current operations or the expected lifetime of the Mid-Valley landfill. Therefore, the proposed Project would not cause a significant impact related to solid waste disposal.

Threshold e: Less-than-Significant Impact. The Project would be required to comply with all applicable local, State, and federal solid waste disposal standards. This would ensure that the Project-generated construction and operational solid waste streams would be reduced in accordance with existing regulations. Accordingly, impacts would be less than significant.

4.16.8 Mitigation

Impacts would be less than significant; therefore, mitigation is not required.

4.17 WILDFIRE

This Subsection describes the existing wildfire conditions of the Project Site and vicinity and evaluates the Project's potential to exacerbate wildfire impacts. Refer to Section 7.0, *References*, for a complete list of reference sources used in this analysis.

4.17.1 EXISTING CONDITIONS

A. *Climate*

Climate has a large influence on fire risk in southern California, which experiences cool, wet winters followed by warm temperatures, low humidity, and low precipitation during the summer. The long summer season is followed by a fall season that brings high velocity, very dry winds. These winds, called the Santa Ana winds, are common in the Valley Region during spring and fall as warm and dry winds blow from the deserts into southern California. Santa Ana winds may gust up to 75 miles per hour (mph) or higher. Due to their very low humidity, seasonal timing, and high velocity, these winds increase wildfire risk in affected areas by drying out vegetation as well as accelerating oxygen supply, creating conditions for fuels to burn that otherwise would not occur under cooler, more moist conditions. (San Bernardino County, 2019, p. 5.8-33)

B. *Topography*

The Project Site is relatively flat and slopes gently from west to east. Steep and mountainous terrain presents the greatest wildfire risk, as this type of terrain funnels rising, warming air during the day (increasing the potential for a wildfire to spread) and can expose vegetation to more sun which dries out vegetation and allows these areas to ignite more easily and burn rapidly. (ibid.)

C. *Fuel (Vegetation)*

The Project Site has been used for the mining, sale, and processing of aggregate resources since the late 1940s; most of the subject property is comprised of unvegetated areas (approximately 95 percent). Only a small portion of the Project Site, including an approximately 2.9-acre slope at the northwestern portion of the Site and a 2.2-acre area at the southeast portion of the Site contains vegetation. Refer to EIR Subsection 4.3, *Biological Resources*, for a more detailed discussion of the vegetation conditions at the Project Site.

West and northwest of the Project Site, is a master-planned residential community with limited non-irrigated vegetation. South of the Project Site is Highland Avenue and SR 210. However, north and east of the Project Site is the Lytle Creek Wash, which is undeveloped and contains native scrub- and chapparal-type vegetation.

D. *Fire Hazard Classification*

Fire responsibility areas are designated federal, state, and local responsibility areas according to who has primary financial responsibility for preventing and suppressing fires. The Lytle Creek Wash abutting the Project Site is within a state responsibility area (SRA). The California Department of Forestry and Fire Protection (CalFire) is the primary emergency response agency responsible for fire

suppression and prevention in SRAs. All other areas in the Project Site vicinity are within local responsibility areas (LRAs), with fire suppression and prevention services primarily provided by the San Bernardino County Fire Protection District (County Fire) and Rialto Fire Department.

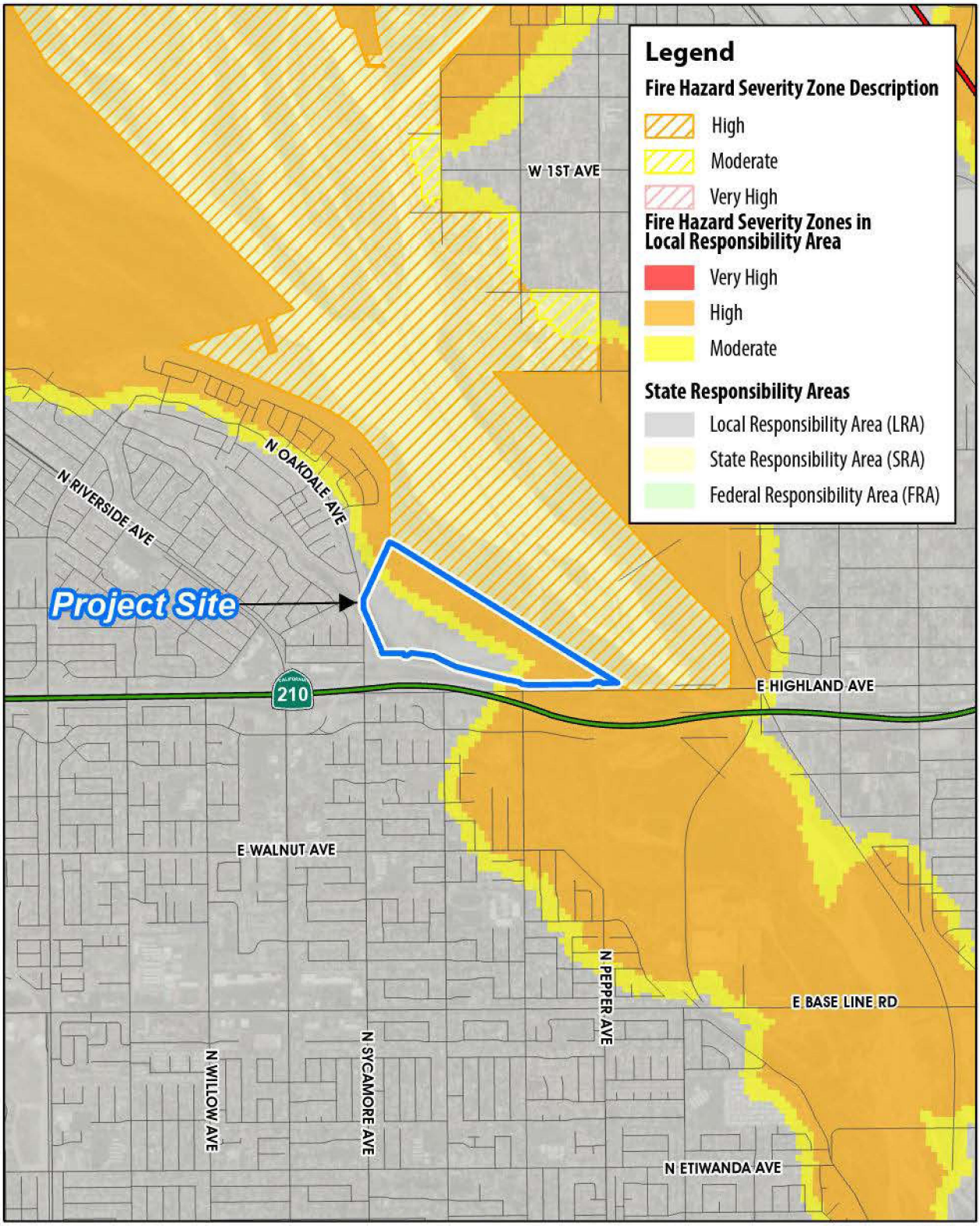
Pursuant to California Public Resources Code Sections 4201 to 4204 and California Government Code Sections 51175 to 51189, CalFire and LRAs are required to identify fire hazard severity zones (FHSZ) for all communities in California. These are areas of significant fire hazard based on fuels, terrain, weather, and other relevant factors. There are three hazard ranges for wildland fire risk—moderate, high, and very high. CalFire has designated the Lytle Creek Wash as a "high" fire hazard severity zone (Cal Fire, 2024). The LRA including the Project Site and surrounding area is mapped with a range of "moderate" to "very high" FHSZ classifications, as illustrated on Figure 4.17-1, *Fire Hazard Severity Zones* (San Bernardino County, 2022a, Policy Map HZ-5). It should be noted that the LRA fire hazard classifications are based on data from 2016 and reflect conditions prior to the development of the master planned residential community abutting the Project Site on the west/northwest (and when this area was occupied by a golf course with high vegetative fuel loads). Based on the current conditions in this area, which is now occupied by urban land uses with irrigated and routinely maintained ornamental landscaping, the wildland fire hazard in this area is presumed to be reduced from the 2016 classification.

E. Fire History

According to the California Wildfire History Map, no wildfires have occurred on the Project Site. A small wildfire burned northwest of the Project Site in 2010, when this area was occupied by native vegetation and a golf course (prior to the development of the current master-planned residential community that abuts the Project Site). No other wildfires have occurred adjacent to the Project Site. Multiple wildfires have historically reached within approximately 3-5 miles of the Project Site, in Lytle Creek and the foothills of the San Bernardino and San Gabriel mountains to the north of the Project Site, however, none of these wildfires have burned within the last 20 years. (CapRadio, 2024)

F. Fire Risk

Wildland fires are a common hazard in most of southern California. Native landscapes can become highly flammable each fall and the climate of southern California has been characterized by fire climatologists as the worst fire climate in the United States with high winds (Santa Ana) occurring in the autumn after a summer drought period (EOS, 2004). The southern California landscape in the region containing the Project Site include a diverse range of plant communities, including grasslands, shrublands, and forests like those found in the hilly and mountainous areas located northwest and northeast of the Project Site including in the San Bernardino National Forest, located approximately six miles north of the Project Site. Given the region's fire history, it can be anticipated that periodic wildfires may occur in the region. However, given the mostly urbanized area surrounding the Project Site and the absence of any substantive wildfire occurrences on or adjacent to the Project Site in the last 20+ years, the risk of a wildfire occurring on or in the immediate vicinity of the Project Site is low.



Source(s): Esri, CalFire (March 2024), Nearmap Imagery (September 2023), SB County (2024)

Figure 4.17-1

0 625 1,250 2,500 Feet

Fire Hazard Severity Zones

4.17.2 Regulatory Framework

The following is a brief description of environmental laws and regulations related to wildfire hazards.

A. Federal Plans, Policies, and Regulations

1. Healthy Forests Restoration Act of 2003

On August 22, 2002, President Bush established the Healthy Forests Initiative, directing the Departments of Agriculture and the Interior, and the Council on Environmental Quality, to improve regulatory processes to ensure more timely decisions, greater efficiency, and better results in reducing the risk of catastrophic wildland fires. On June 5, 2003, the Departments of Agriculture and the Interior adopted two new categorical exclusions from documentation in an environmental assessment or environmental impact statement (EIS): an exclusion for hazardous-fuel reduction and another for rehabilitation of resources and infrastructure damaged by wildfire (68 FR 33814). (USDA, 2024)

B. State Plans, Policies, and Regulations

1. Public Resources Code (PRC) Sections 4290-4299

These sections establish minimum statewide fire safety provisions pertaining to: roads for fire equipment access; signs identifying streets, roads, and buildings; minimum private water supply reserves for emergency fire use; and fire fuel breaks and greenbelts. With certain exceptions, all new construction after July 1, 1991, in potential wildland fire areas, is required to meet these statewide standards. The state requirements, however, do not supersede more restrictive local regulations. (CA Legislative Info, 1965b)

As defined by CalFire, wildland areas defined as State Responsibility Areas (SRAs) may contain substantial wildfire risks and hazards. They consist of lands exclusive of cities, and federal lands regardless of ownership. The primary financial responsibility for preventing and suppressing fires within wildlands belongs to the State of California. However, it is not the State of California's responsibility to provide fire protection services to buildings or structures located within the wildlands unless CalFire has entered into a cooperative agreement with a local agency for those purposes pursuant to PRC Section 4142. As such, wildland areas require disclosure of these fire hazards in real estate transactions, and owners of properties in wildland areas are subject to PRC Section 4291 maintenance requirements. The law requires CalFire every five years (1991, 1996, 2001, etc.) to provide maps identifying the boundaries of lands classified as SRAs to the Riverside County Assessor. (CA Legislative Info, 1965b)

2. Public Resources Code Section 4213 – Fire Prevention Fees

Pursuant to PRC Section 4213, in July of 2011, the State of California began assessing an annual "Fire Prevention Fee" for all habitable structures within SRAs to pay for fire prevention services. SRAs are the portions of California where the State of California is financially responsible for the prevention and suppression of wildfires. The SRA does not include lands within incorporated city boundaries, Tribal or federally owned land. As a result of AB 398, California Global Warming Solutions Act of 2006, the fire prevention fee was suspended as of July 1, 2017. (CA Legislative Info, n.d.)

3. Senate Bill 1241

California's increasing population and the expansion of development into previously undeveloped areas has created more wildland/urban interface issues with an increased risk of loss to human life, natural resources, and property associated with wildland fires. Additionally, the changing climate, specifically rising temperatures and increasing temporal variability of water availability has substantially increased wildfire risk in many areas around the State. Senate Bill (SB) 1241 was passed in September 2012 to develop amendments to the CEQA Guidelines Initial Study checklist to add questions related to fire hazard impacts of projects. (CA Legislative Info, 2012)

4. California Code of Regulations (CCR) Title 14 – Natural Resources

These regulations constitute the basic wildland fire protection standards of the California Board of Forestry. They were prepared and adopted to establish minimum wildfire protection standards in conjunction with building, construction, and development within SRAs. Among other things, Title 14 requires the design, and construction of structures, subdivisions, and developments in an SRA provide for basic emergency access and perimeter wildfire protection measures (fire fuel modification zones, etc.). (Westlaw, n.d.)

5. California Government Code (CGC) Sections 51175 - 51189

This portion of the California Government Code establishes the moderate, high, and very high FSZs within the State. This regulation allows emergency response and hazard management departments to effectively locate areas which are more susceptible to fire hazards. This law also provides the framework for further preventive measures to decrease wildfire hazards. (CA Legislative Info, n.d.)

6. California Government Code Section 66474.02

This regulation states that before a county can approve a tentative map (or a parcel map for which a tentative map was not required) for an area or development located in an SRA or a very high FHSZ, the following findings must be made:

1. A finding supported by substantial evidence in the record that the subdivision is consistent with regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code or consistent with local ordinances certified by the State Board of Forestry and Fire Protection as meeting or exceeding the state regulations.

2. A finding supported by substantial evidence in the record that structural fire protection and suppression services will be available for the subdivision through any of the following entities:

    A. A county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity.

    B. The Department of Forestry and Fire Protection by contract entered into pursuant to Sections 4133, 4142, or 4144 of the PRC.

Upon approving a tentative map, or a parcel map for which a tentative map was not required, for an area (development) located in an SRA or very high FHSZ, the county shall transmit a copy of the findings and accompanying maps to the State Board of Forestry and Fire Protection. (CGC, 2012)

7. CCR Title 24, Parts 2 (California Building Code) and 9 – Fire Codes

Part 2 of Title 24 of the CCR refers to the California Building Code, which contains complete regulations and general construction building standards of state adopting agencies, including administrative, fire and life safety, and field inspection provisions. Part 2 was updated in 2008 to reflect changes in the base document from the Uniform Building Code to the International Building Code. Part 9 refers to the California Fire Code, which contains other fire safety-related building standards. In particular, Chapter 7A, "Materials and Construction Methods for Exterior Wildfire Exposure," in the 2010 California Building Code addresses fire safety standards for new construction. In addition, Section 701A.3.2, "New Buildings Located in Any Fire Hazard Severity Zone," states: (CBSC, n.d.)

> *"New buildings located in any Fire Hazard Severity Zone within State Responsibility Areas, any Local Agency Very-High Fire Hazard Severity Zone, or any Wildland-Urban Interface Fire Area designated by the enforcing agency for which an application for a building permit is submitted on or after January 1, 2008, shall comply with all sections of this chapter."*

Additionally, Chapter 49 specifies fuel modification requirements for wildland-urban interface areas that are prone to fire hazards (CBSC, 2022)

8. California Building Code (Chapter 7A)

The purpose of Chapter 7A of the California Building Code is to establish minimum standards for the protection of life and property by increasing the ability of a building located in any Fire Hazard Severity Zone within State Responsibility Areas or any Wildland-Urban Interface Fire Area to resist the intrusion of flames or embers projected by a vegetation fire and contributes to a systematic reduction in conflagration losses. (CBSC, 2022)

C. Local Plans, Policies, and Regulations

1. County Policy Plan

The San Bernardino County general plan sets forth goals and policies related to wildfire. Goals and policies that may be applicable to the Project and/or Project Site are summarized below.

Goal HZ-1 Natural Environmental Hazards. Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by natural environmental hazards and adaptation to potential changes in climate.

Policy HZ-1.2 New development in environmental hazard areas. We require all new development to be located outside of the environmental hazard areas listed below. For any lot or parcel that does not have sufficient buildable area outside of such hazard areas, we require adequate mitigation, including designs that allow occupants to shelter in place and to have sufficient time to evacuate during times of extreme weather and natural disasters.

- *Flood: 100-year flood zone, dam/basin inundation area*
- *Geologic: Alquist-Priolo earthquake fault zone; County-identified fault zone; rockfall/debris-flow hazard area, medium or high liquefaction area (low to high and localized), existing and County-identified landslide area, moderate to high landslide susceptibility area)*
- *Fire: high or very high fire hazard severity zone*

Policy HZ-1.7 Underground utilities. We require that underground utilities be designed to withstand seismic forces, accommodate ground settlement, and hardened to fire risk.

Policy HZ-1.12 Local hazard mitigation plan implementation. We require adherence to the goals, objectives and actions in the Multi-jurisdictional Hazard Mitigation Plan and subsequent amendments to reduce and mitigate damages from hazards in the county.

Policy HZ-1.14 Long-term fire hazard reduction. We require proactive vegetation management/hazard abatement to reduce fire hazards on existing private properties, along roadsides of evacuation routes out of wildfire prone areas, and other private/public land where applicable, and we require new development to enter into a long-term maintenance agreement for vegetation management in defensible space, fuel modification, and roadside fuel reduction in the Fire Safety Overlay and/or Very High Fire Hazard Severity Zones.

2. San Bernardino County Code of Ordinances

San Bernardino County Code of Ordinances, Sections 23.0301–23.0319 requires the abatement of all fire hazards and hazardous trees from sidewalks, parkways, road easements and all other easements on such land.

3. County of San Bernardino Multi-Jurisdictional Hazard Mitigation Plan

The purpose of the MJHMP is to demonstrate the plan for reducing and/or eliminating risk in the unincorporated area of the County and within areas overseen or managed by the Flood Control District, Fire District and Special Districts Department. The MJHMP process encourages communities within the unincorporated county to develop goals and projects that will reduce risk and build a more disaster resilient community by analyzing potential hazards. (San Bernardino County, 2022b)

4. Fire Hazard Abatement Program

The San Bernardino County Fire Hazard Abatement (FHA) Program enforces the fire hazard requirements outlined in San Bernardino County Code Section 23.0301–23.0319. The primary function of the FHA Program is to reduce the risk of fires within communities by pro-actively establishing defensible space and reduction/removal of flammable materials on properties. The FHA Program conducts surveys to identify fire hazards and responds to complaints year-round. Fire hazards are identified and notices to abate the hazard(s) are mailed to property owners. Property owners are given 30 days to abate the violations. Failure to abate may result in citations, penalties, and/or fees for abatement by the County. (San Bernardino County, n.d.)

4.17.3 Basis for Determining Significance

The thresholds listed below are taken directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects related to wildfire that could result from development projects. The Project would result in a significant impact associated with wildfire if the Project or any Project-related component would:

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

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

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

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

4.17.4 Methodology for Evaluation

The analysis of potential environmental impacts associated with wildfire hazards is based on a review of the San Bernardino County general plan and its EIR, fire hazard mapping and information sources from CalFire, hazard and emergency response plans applicable to San Bernardino County, and other resource databases.

4.17.5 Impact Analysis

Threshold a:	***Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?***

The Project Site does not contain any existing emergency facilities nor is the Project Site the location of a planned, future emergency facility. Additionally, the Project Site is not part of or adjacent to a designated emergency evacuation route, nor does the Project propose or require permanent alteration of vehicle circulation routes. In accordance with County policies, the Project Applicant would be

required to coordinate with local fire and police departments during construction to ensure that potential interference with emergency response and evacuation efforts are avoided. Further, the Project Applicant would be responsible for the preparation and submittal of a Construction Area Traffic Management Plan to be reviewed and approved by the County. Typical elements and information incorporated in the Plan would include, but would not be limited to:

- Name of on-site construction superintendent and contact phone number.
- Identification of Construction Contract Responsibilities - For example, for excavation and grading activities, describe the approximate depth of excavation, and quantity of soil import/export (if any).
- Identification and Description of Truck Routes - to include the number of trucks and their staging location(s) (if any).
- Identification and Description of Material Storage Locations (if any).
- Location and Description of Construction Trailer (if any).
- Identification and Description of Traffic Controls - Traffic controls shall be provided per the *Manual of Uniform Traffic Control Devices* (MUTCD) if the occupation or closure of any traffic lanes, parking lanes, parkways or any other public right-of-way is required. If the right-of-way occupation requires configurations or controls not identified in the MUTCD, a separate traffic control plan must be submitted to the County for review and approval. All right-of-way encroachments would require review and approval through the County and/or Caltrans.
- Identification and Description of Parking - Estimate the number of workers and identify parking areas for their vehicles.
- Identification and Description of Maintenance Measures - Identify and describe measures taken to ensure that the work site and public right-of-way would be maintained (including dust control).

The Plan would be reviewed and approved by the County prior to the issuance of grading and building permits. The Plan and its requirements would also be provided to all contractors hired to work on-site as a required component of building plan/contract document packages. Based on the preceding, there is no potential for the Project to substantially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact would occur.

Threshold b:	***Would the Project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?***

The Project Site abuts a "very high" FHSZ within the SRA (i.e., Lytle Creek Wash); however, the project Site is separated from this FHSZ by an existing levee that is maintained by the County. At the conclusion of construction, the Project Site would be developed with improvements having low flammability (e.g. concrete tilt-up warehouse distribution building, pavement, irrigated ornamental

landscaping that is routinely maintained). .Based on the foregoing information, the Project would not exacerbate local wildfire risks due to any design feature, construction activity, or operational activity. The Project would not expose Project occupants to substantial pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire and no impact would occur.

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

No off-site improvements would be installed within a "very high" FHSZ and no off-site improvement provided by the Project would require the Project Applicant to conduct maintenance activities within or adjacent to a "very high" FHSZ. The Project Site abuts a "very high" FHSZ within the SRA (i.e., Lytle Creek Wash); however, the Project Site is separated from this FHSZ by an existing levee that is currently maintained – and would continue to be maintained into the future – by the County. The Project Applicant would not alter the levee or perform any maintenance activities on/within the levee, or prevent the County from performing necessary maintenance to the levee. The Project would not require the installation or maintenance of infrastructure that may exacerbate fire risk or result in temporary or ongoing impacts to the environment. No impact would occur.

Threshold d:	***Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire instability or drainage change?***

The Project would not involve substantial changes to the drainage pattern of the Project Site, or to the rate or volume of stormwater runoff discharging from the Site during peak storm conditions (see Subsection 4.9, *Hydrology and Water Quality*). In addition, the Project would not create any manufactured slopes or alter any existing slopes (see Subsection 4.6, *Geology and Soils*). Based on the preceding, the Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability. No impact would occur.

4.17.6 Cumulative Impact Analysis

This cumulative impact analysis for wildfire considers development of the Project in conjunction with other development projects in the vicinity of the Project Site as well as buildout of surrounding unincorporated communities and the cities of Rialto and San Bernardino.

The Project Site does not contain any emergency facilities, nor does it serve as an emergency evacuation route. Further, there are no emergency facilities or emergency evacuation routes in proximity to the Project Site. A Construction Area Traffic Management Plan would be reviewed and approved by the County prior to issuance of permits.

As with the Project, cumulative projects would also be subject to compliance with the CBSC and California Fire Code, as well as regional and local regulations. All proposed construction and maintenance activities would be required to meet minimum standards for fire safety. Development occurring within the County would be subject to review by the County to ensure cumulative development is designed to provide a minimum of fire safety and support fire suppression activities. This would include compliance with state and regional fire codes, inclusion of fire sprinklers if required, proper fire hydrant system, paved access, and secondary emergency access routes. Compliance with applicable regulations, by the Project and all cumulative development, would ensure that the Project would not result in cumulatively significant wildfire impacts.

The Project would not substantially alter the Project Site's drainage conditions nor would the Project create any new slopes or change any existing slopes. Accordingly, the Project has no potential to contribute to cumulatively considerable impacts related to post-fire flooding or landslides.

4.17.7 Significance of Impacts Before Mitigation

Threshold a: No Impact. The Project does not propose or require permanent alteration of vehicle circulation routes. Nor does the Project propose or require facilities or operations that would interfere with any identified emergency response plan or emergency evacuation plan. Coordination with the local fire and police departments during planning and construction would ensure the Project would not interfere or impede an adopted emergency response plan or emergency evacuation route during construction or operations.

Threshold b: No Impact. The Project would be developed consistent with the CBSC requiring new buildings to use ignition-resistant construction methods and materials as well as fire suppression systems. Within the Project Site, areas not covered by structures or parking areas would be landscaped and irrigated, acting to further reduce fire hazards.

Threshold c: No Impact. The Project would not include any feature that could create a fire hazard during routine maintenance activities.

Threshold d: No Impact. Flooding and landslides are not significant concerns at the Project Site. Additionally, Project design features act to avoid or minimize flooding, landslides, slope instability, and adverse drainage changes.

4.17.8 Mitigation

Impacts would be less than significant, and mitigation is not required.

5.0 Other CEQA Considerations

5.1 Significant Environmental Effects that Cannot be Avoided if the Project is Implemented

The CEQA Guidelines require that an EIR disclose the significant environmental effects of a proposed project that cannot be reduced to a level of insignificance if the project is implemented and, where impacts cannot be alleviated without imposing an alternative design, the reasons why the project is being proposed notwithstanding its effects should be described (CEQA Guidelines Section 15126(b) & Section 15126.2(c)). As described in detail in Section 4.0 of this EIR, after the consideration of Project design features, compliance with applicable federal, State and local regulations, and the application of the feasible mitigation measures identified in this EIR, the Project is expected to result in no significant unavoidable environmental impacts.

5.2 Significant Irreversible Environmental Changes Which Would be Caused by the Project Should it be Implemented

The CEQA Guidelines require EIRs to address significant irreversible environmental changes that would be involved in the proposed action should it be implemented (CEQA Guidelines Section 15126.2(c)). An environmental change would fall into this category if: a) the project would involve a large commitment of non-renewable resources; b) the primary and secondary impacts of the project would generally commit future generations to similar uses; c) the project involves uses in which irreversible damage could result from any potential environmental accidents; or d) the proposed consumption of resources are not justified (e.g., the project results in the wasteful use of energy).

Determining whether the Project may result in significant irreversible environmental changes requires a determination of whether key non-renewable resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. Natural resources, in the form of construction materials and energy resources would be used in the construction of the proposed Project. The consumption of these natural resources would represent an irreversible change to the environment. However, development of the Project Site is not expected to have a substantial adverse effect on the regional availability of such resources, including resources that may be non-renewable (e.g., construction aggregates, fossil fuels) and fossil fuels (that would be used to power the haul trucks bringing aggregates to the Project Site), because these resources are supplied by the retail market which is reactive to market forces of supply and demand to ensure availability. Additionally, the Project is required by law to comply with the California Green Building Standards Code (including the specific provisions within CALGreen and the California Energy Code), which will minimize the Project's demand for energy, including energy produced from non-renewable sources. Accordingly, the Project would not result in a significant, irreversible change to the environment related to energy use. A more detailed discussion of Project energy consumption is provided in EIR Subsection 4.5, *Energy*.

Implementation of the Project would commit the Project Site to long-term use as a warehouse distribution facility. Given the exhaustion of economically-viable aggregate deposits at the Project Site, the Project Applicant desires to transition the Site from a mining use to an in-demand land use that maintains its

productivity for the County's economy and is compatible with the historic land use for the Project Site as well as compatible with the Site's development constraints (i.e., presence of fault splays on the Project Site and a levee adjacent to the Project Site). Further, the Project Site is physically separated from surrounding land uses by slopes (to the west), a levee and a wash (on the north and east), and Highland Avenue and SR-210 (to the south) and the Project essentially represents infill development within a developed area surrounded by urban land uses (see Figure 2-4, *Surrounding Land Uses*).. Accordingly, the Project and its environmental effects would not compel or commit surrounding properties to land uses other than those that exist today or those that are planned by the County Policy Plan and/or City of Rialto General Plan. For this reason, the Project would not result in a significant, irreversible change to nearby, off-site properties.

EIR Subsection 4.8, *Hazards and Hazardous Materials*, provides an analysis of the potential for hazardous materials to be transported to/from the Project Site and/or used on the Site during construction and operation. As disclosed in Subsection 4.8, mandatory compliance with federal, State, and local regulations related to hazardous materials handling, storage, and use by all Project construction contractors (near term) and occupants (long-term) would ensure that any hazardous materials used on-site would be safely and appropriately handled to preclude any irreversible damage to the environment that could result if hazardous materials were released from the site.

Based on the above, Project construction and operation would require the commitment of both renewable and non-renewable resources. However, this commitment of resources would not be substantial and these resources would not be used in an inefficient or wasteful manner. Project construction and operation would adhere to the sustainability requirements of Title 24 (including but not limited to its "green" and energy efficiency requirements). Therefore, the Project would not result in the commitment of large quantities of natural resources that would result in significant irreversible environmental changes.

5.3 GROWTH-INDUCING IMPACTS OF THE PROJECT

CEQA requires a discussion of the ways in which the proposed Project could be growth inducing. The CEQA Guidelines define a project as growth inducing if it would directly or indirectly foster economic or population growth or the construction of additional housing in the surrounding environment (CEQA Guidelines Section 15126.2(d)).

New employees and new residential populations represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. A project could indirectly induce growth at the local level by increasing the demand for additional goods and services associated with an increase in population or employment and thus reducing or removing the barriers to growth. This typically occurs in suburban or rural areas where population growth results in increased demand for service and commodity markets responding to the new population of residents or employees.

Incremental economic growth would take place as a result of the Project's operation as a warehouse distribution building. The Project's employees – both short-term construction and long-term operational – would likely

purchase goods and services in the region. Any secondary increase in employment associated with meeting these goods and services demands is expected to be accommodated by existing service providers and retail establishments. However, based on the amount of existing commercial and retail services available near the Project Site, the goods and services demand of the Project's estimated 1,569 employees are expected to be accommodated by existing, local development and would be highly unlikely to result in any new growth that could result in unanticipated, adverse physical impacts to the environment. In addition, jobs generated by the Project are typical of the region and are expected to be filled by existing local residents due to the availability of a labor force in the County numbering 1,026,500 persons, including approximately 49,600 unemployed workers (CA EDD, 2025). Accordingly, because it is anticipated that most of the Project's future employees would already be living in the Inland Empire area, the Project's introduction of employment opportunities on the Project Site is not expected to induce substantial growth in the area.

Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment. Typically, growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population in excess of what is assumed in local and regional land use plans and population projections. Significant growth impacts also could occur if a project provides infrastructure or service capacity to accommodate growth beyond the levels currently permitted by local or regional plans and policies. In general, growth inducement by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth significantly affects the environment in some other way.

The Project represents an infill development Project within a region that the County has planned for employment-generating land uses. The Project would not extend roads or infrastructure to an area that is not already served by these facilities. Thus, the Project would not remove obstacles to growth or include improvements that that could induce growth. Furthermore, the Project area is already served by utilities and infrastructure, and there are no components of the Project or the Project's proposed infrastructure improvements that would remove obstacles for surrounding properties to develop.

Based on the foregoing analysis, the Project would not result in substantial, adverse growth-inducing impacts.

5.4 Effects Found not to be Significant During the EIR Preparation Process

CEQA Guidelines Section 15128 requires that an EIR "…contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR." During the preparation of this EIR, the Project was determined to clearly have no potential to result in significant impacts under three (3) environmental issue areas: Agricultural & Forestry Resources; Population & Housing; and Recreation. Therefore, these issue areas were not required to be analyzed in detail in EIR Section 4.0, Environmental Analysis. A brief summary of the Project's impacts to these issue areas is presented in the following discussions. The thresholds of significance used to evaluate the Project's potential impacts under each issue area were taken from Appendix G to the CEQA Guidelines.

5.4.1 Agricultural & Forestry Resources

Threshold "a"	***Would the Project 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?***

According to mapping information available from the California Department of Conservation's (CDC) Farmland Mapping and Monitoring Program (FMMP), the Project Site contains "Other Land" (CDC, 2024). Accordingly, the Project Site does not contain any lands mapped by the FMMP as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Importance" and thus, implementation of the Project would not convert such Farmland to a non-agricultural use. No impact would occur.

Threshold "b"	***Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?***

The Project Site is zoned "Resource Conservation" and, according to the Project Applicant, not under a Williamson Act contract. Accordingly, the Project would not conflict with zoning for an agricultural use or a Williamson Act contract. No impact would occur.

Threshold "c"	***Would the Project 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))***
Threshold "d"	***Would the Project result in the loss of forest land or conversion of forest land to non-forest use?***

The Project Site is zoned "Resource Conservation" and is not zoned for forestland, timberland, or timberland production. No forest land is located on-site. Accordingly, implementation of the Project would neither conflict with existing zoning for forest land, timberland, or timberland production nor result in the loss or conversion of forest land. No impact would occur.

Threshold "e"	***Would the Project 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?***

"Farmland" is defined in Section II (a) of Appendix G of the CEQA Guidelines as "Prime Farmland," "Unique Farmland" or "Farmland of Statewide Importance" ("Farmland"). As disclosed above under Threshold "a", the Project would not result in the conversion of Farmland to non-agricultural use.

As discussed under the responses to Thresholds "c" and "d," above, the Project would not convert forest land to non-forest use. No impact would occur.

5.4.2 Population and Housing

Threshold a:	***Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?***

The Project is estimated to create approximately 1,569 jobs. These types of jobs are typical of the area and unlikely to induce substantial population growth, if any, as they'd likely be filled by existing local residents. According to the California Employment Development Department, San Bernardino County civilian labor force contains 1,026,500 persons, with 976,900 persons employed and an unemployment rate of 4.8 percent (49,600 persons) (EDD, 2025). Accordingly, the Project region contains an available supply of potential employees under existing conditions and the Project's labor demand is not expected to draw substantial numbers of new residents to the area.

Additionally, the Project Site is located in an area of the County that is served by existing roadways and public utility infrastructure, and the Project would not require the extension or expansion of any infrastructure beyond what is needed to service the Project. Accordingly, implementation of the Project would not induce direct or indirect substantial unplanned growth in the area.

Threshold b:	***Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?***

The Project Site has been used for mining-related purposes for over 70 years and does not contain housing. The Project would not displace substantial existing housing or people and would not necessitate the construction of replacement housing elsewhere.

5.4.3 Recreation

Threshold 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?***

The Project does not propose any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park.

Threshold 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?***

The Project does not propose to construct any new on- or off-site recreation facilities. Additionally, the Project would not expand any existing off-site recreational facilities. Therefore, environmental effects related to the construction or expansion of recreational facilities would not occur.

6.0 ALTERNATIVES

Pursuant to CEQA Guidelines Section 15126.6(a):

> *An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selection of a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.*

As demonstrated in Section 4.0 of this EIR, implementation of the Project would not result in significant adverse environmental effects that cannot be mitigated to below a level of significance after the implementation of Project design features, mandatory regulatory requirements, and feasible mitigation measures.

Although the Project would not result in any significant and unavoidable impacts, mitigation measures are required to reduce potential significant impacts to less than significant levels for the following topical issues: Air Quality (due to the potential for the Project to generate VOC emissions that exceed applicable regional thresholds), Biological Resources (due to the potential to affect burrowing owls and nesting birds during Project construction activities), Cultural Resources (due to the potential to encounter pre/protohistoric cultural resources during Project grading), Greenhouse Gas Emissions (due to the potential for the Project to generate GHG emissions that exceed the County's screening level threshold), and Tribal Cultural Resources (due to the potential to encounter tribal cultural resources during Project grading). The potentially significant impacts to Biological Resources, Cultural Resources, and Tribal Cultural Resources are associated with proposed construction activities, while the potentially significant impacts to Air Quality and Greenhouse Gas Emissions are associated with construction and operation activities associated with the Project.

6.1 ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD FOR DETAILED ANALYSIS

An EIR is required to identify any alternatives that were considered by the Lead Agency but were rejected as infeasible. Among the factors described by CEQA Guidelines Section 15126.6 in determining whether to exclude alternatives from detailed consideration in the EIR are: a) failure to meet most of the basic project objectives, b) infeasibility, or c) inability to avoid significant environmental impacts. With respect to the feasibility of potential alternatives to the Project, CEQA Guidelines Section 15126.6(f)(1) notes:

> *"Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan*

consistency, other plans or regulatory limitations, jurisdictional boundaries…and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site…"

In determining an appropriate range of alternatives to be evaluated in this EIR, possible alternatives were initially considered and rejected because either: 1) they could not accomplish the basic objectives of the project, 2) they would not have resulted in a reduction of significant adverse environmental impacts, or 3) they were considered infeasible to construct or operate. A summary of the alternatives that were considered but rejected is provided below.

6.1.1 Alternative Site

CEQA requires that the discussion of alternatives focus on alternatives to a project or its location that can avoid or substantially lessening any significant effects of the project. The key question and first step in the analysis is determining whether any of the significant effects of the project would be avoided or substantially lessened by developing the project at another location. Only locations that would avoid or substantially lessen any of the significant effects of a project need be considered for inclusion in the EIR (CEQA Guidelines Section 15126.6(f)(2)).

Historic activities on the Project Site have resulted in ongoing disturbance of the property over the last 75+ years. The Project Site has been heavily disturbed and does not contain any natural/native habitat. Based on review of aerial photography and relevant land use planning maps, there are no other properties in the Valley region of the unincorporated County that are reasonably available to the Project Applicant for development and: 1) are large enough to support the proposed Project, 2) have fewer environmental constraints than the Project Site, and 3) have fewer developmental constraints than the Project Site (e.g., access to existing roadways and the State highway system, public utilities and infrastructure). Further, none of the significant impacts associated with the Project – all of which can be reduced to less than significant levels with the application of the mitigation measures identified in this EIR – are due to physical features or conditions that are unique or specific to the Project Site (e.g., impacts to an identified historic resource, exposure of specific sensitive receptors to excessive noise levels). All of the Project's identified significant impacts would be reasonably expected to occur at other sites in the Valley region of unincorporated San Bernardino County with projects of a similar scale and design.

Lastly, the Project Applicant does not own and is not involved in the acquisition of any property in the unincorporated County that could accommodate the Project, other than the Project Site. CEQA does not require sites that are not owned by the landowner or that could not be reasonably acquired by the landowner to be considered as an alternative to the Project.

In light of the foregoing reasons, a more detailed analysis of an alternative development site is not warranted.

6.1.2 Alternative Land Use

As demonstrated by the analysis presented in Section 4.0 of this EIR, the Project would not result in any significant and unavoidable impacts to the environment with implementation of the mitigation measures in this EIR and compliance with applicable regulations. As such, there are no inherent characteristics or qualities of

the proposed land use that make it excessively impactful on the environment, render it unsuitable for the Project Site, or incompatible with surrounding land uses. A more detailed analysis of an alternative land use is not warranted.

6.1.3 Reduced Development Footprint

Historic activities on the Project Site have resulted in ongoing disturbance of the property over the last 75+ years. The Project Site has been heavily disturbed and does not contain any natural/native habitat or other sensitive natural resources. Furthermore, the Project Site does not contain any unique or significant physical features that require preservation nor does the Project result in any significant impacts due to the proximity of the Project Site to sensitive receptors. Accordingly, an analysis of a development project with a smaller development footprint is not warranted.

6.2 Alternatives Analysis

The discussion on the following pages compares the environmental impacts expected from each alternative evaluated by the Lead Agency relative to the impacts of the Project. A conclusion is provided for each topic as to whether the alternative results in one of the following: (1) reduction or elimination of the Project's impact, (2) a greater impact than would occur under the Project, (3) the same impact as the Project, or (4) a new impact in addition to the Project's impacts. In addition, the alternatives analysis identifies the ability of each alternative to meet the basic objectives of the Project. As described in Section 3.0 of this EIR, the Project's basic objectives are:

1. To re-develop a property that has been used for heavy industrial land uses for 75+ years with a modern, less-intensive ("light") industrial use.
2. To expand economic development in San Bernardino County by transitioning the subject property to an in-demand industrial use.
3. To make efficient use of the subject property by maximizing its buildout potential for employment-generating uses.
4. To attract employment-generating businesses to San Bernardino County reducing the need for members of the local workforce to commute outside the area for employment.
5. To develop an industrial building with direct access to the California highway system that can support the southern California supply chain and goods movement network without introducing new haul truck trips on arterial and local roadways in the Project area.
6. To re-develop a property that contains an active earthquake fault with a compatible land use and design that complies with applicable State and local regulations.
7. To develop a property that has access to available infrastructure, including roads and utilities.

The alternatives considered for evaluation in this EIR include the following: a No Development Alternative, a No Project Alternative, and a Reduced Building Area Alternative.

6.2.1 No Development Alternative

A. *Description of the Alternative*

The No Development Alternative allows decision-makers to compare the environmental impacts of approving the Project to the environmental impacts that would occur if the property were left in its existing condition – and with operation of its existing land uses – for the foreseeable future. Under existing conditions, the Project Site is used for stockpiling and sale of aggregate resources excavated from the Vulcan Materials Company's Cajon Creek Quarry, which is located approximately 2.5 miles north of the Project Site. Resources mined from the Cajon Creek Quarry are loaded onto haul trucks and transported to the Project Site via an access road located adjacent to, and that crosses, the Cajon Wash. The materials stockpiled on the Project Site are sold as raw aggregates (sand and gravel) or processed on-site into concrete or asphalt. The Project Site contains office buildings, maintenance buildings, storage buildings, production areas, and fueling and wash areas that support operations on the Site. Almost the entire Project Site is used for materials stockpiling and production and settling basins. Slopes along the western and southern edge of the Project Site are planted and maintained for beautification purposes. Refer to the detailed description of the Project Site's existing physical conditions in Section 2.0 of this EIR.

The No Development Alternative was selected to compare the environmental effects of the proposed Project with a scenario that is a continuation of the existing land uses at the subject site. This alternative satisfies the requirements of CEQA Guidelines Section 15126.6(e) to evaluate an alternative that would reasonably be expected to occur on the Project Site in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services.

B. *Comparative Analysis of Environmental Impacts*

The following discussions provide a comparative analysis of the No Development Alternative and the Project. The focus of this analysis is to determine whether the No Development Alternative is capable of eliminating or reducing the environmental effects that would result from implementation of the Project.

1. Aesthetics

The No Development Alternative does not involve any new development or change in current uses. The Project Site has been heavily impacted by mining-related uses for more than 75 years, and it is currently used for the stockpiling, processing, and sale of aggregate resources, concrete, and asphalt. Under the No Development Alternative, the visual character and quality of the Project Site would be maintained in its existing condition; no new structures, parking areas, landscaping, or lighting would be introduced on the Project Site. The No Development Alternative would not create a new conflict with the existing character or quality of existing and planned development surrounding the Project Site and would not create a new source of substantial light or glare that would impact nighttime views in the area. No significant aesthetic impacts would occur under this alternative, which is the same conclusion identified for the Project.

2. Air Quality

The No Development Alternative would not involve new construction or operational activities. All existing land uses at the Project Site would continue operating, including the use of hundreds of on-road diesel trucks (over 500 two-way trips per day, see Section 2.0) and 25 pieces of heavy, off-road diesel equipment operating an average of 12 hours per day. Most of the off-road diesel equipment operating on the Project Site only meet Tier 2 emissions standards and generate substantial volumes of dust and criteria pollutants that affect nearby sensitive receptors (including substantial NO_X and diesel particulate matter emissions).. The existing use of the Project Site is calculated to exceed the SCAQMD daily thresholds for NO_X (by a factor of 4), PM_{10} (by a factor of 2), and $PM_{2.5}$ (by a factor of 3.5) (Urban Crossroads, 2022, p. 2). The existing use of the Project Site also would result in higher SO_X emissions than the Project but would result in less VOC emissions than the Project (ibid.). Compared to the Project, regional and localized air pollutant emissions would be higher under the No Development Alternative, and no mitigation would be implemented to reduce/minimize the levels of air pollution.

3. Biological Resources

The No Development Alternative would leave the Project Site in its existing condition, which includes developed/disturbed land with minimal vegetation and no natural habitat areas. Ongoing physical disturbance of the Project Site would continue into the foreseeable future. The No Development Alternative would result in similar impacts to biological resources than the Project.

4. Cultural Resources

The No Development Alternative would leave the Project Site in its existing condition; no excavations would occur on the Project Site and there would be no potential to impact archeological resources that may exist beneath the ground surface. Although there are mitigation measures identified in EIR Subsection 4.4 that would reduce the Project's direct and cumulatively considerable impacts on cultural resources to below a level of significance, implementation of the No Development Alternative would avoid impacts to cultural resources associated with the Project and would require no mitigation.

5. Energy

Under the No Development Alternative, the existing uses on the Project Site would continue to operate; therefore, there would be no change to long-term electricity and fuel use on the Site. As disclosed in this EIR, the Project would consume substantial quantities of electricity and fuel (both diesel and gasoline). While this alternative relies on off-road diesel equipment that would consume substantial quantities of fuels – generally, large (high horsepower) is less energy efficient – the amount of daily truck traffic associated with the Project would offset (i.e., increase) the amount of fuels utilized by uses associated with the Project Site. In addition, the proposed warehouse building would require more electricity to operate than the structures and fixed manufacturing equipment present on the Project Site under existing conditions and under this alternative. Selection of this Alternative would result in a less than significant impact to energy and demand would be less than the Project's near- and long-term energy use. No significant energy impacts would occur under this alternative, which is the same conclusion identified for the Project.

6. Geology and Soils

The No Project Alternative would leave the Project Site in its existing condition. The No Development Alternative would not construct any new structures on the Project Site; accordingly, there would be no potential for this alternative to expose people or structures to safety risks associated with geologic hazards over and above those that occur under existing conditions. This alternative would avoid any new impacts related to geology and soils that would result from the Project.

With respect to paleontological resources, the No Development Alternative would not involve any excavation or grading activities. Therefore, the potential to discover paleontological resources is eliminated. As such, the potential for impacts on paleontological resources with the No Development Alternative would be less than with the Project (although the Project's impacts would be less than significant with implementation of the grading monitoring program and resource recovery program (if needed) required as mitigation). Neither the No Development Alternative or the Project would result in any significant impacts related to paleontological resources.

7. Greenhouse Gas Emissions

Under the No Development Alternative, existing GHG-producing activities would continue at the Project Site, including operation of heavy-duty off-road diesel equipment (e.g., earthmovers, dozers, loaders, excavators) and heavy stationary equipment (i.e., concrete batch plant, asphalt batch plant) and 500+ diesel truck trips that go to and from the Project Site daily. The existing uses at the Project Site are calculated to generate approximately 15,368 $MTCO_2e$ annually, which is almost a 20 percent increase above the GHG emissions calculated for the Project (Urban Crossroads, 2022, p. 2). The No Development Alternative would produce substantially more GHG emissions than the Project and, also, would not be required to comply with the County's *Greenhouse Gas Reduction Plan* because it represents an existing source of GHG emissions in the region and is not associated with new development. Thus, the No Development Alternative would have greater impacts on GHG emissions than the Project, which has less-than-significant impacts to GHG emissions with the incorporation of required mitigation measures.

8. Hazards and Hazardous Materials

The No Development Alternative would not introduce new hazards or hazardous materials to the Project Site; however, all existing hazards (listed on pages 4.8-2 to 4.8-6) associated with current uses on the Project Site would remain, and Reclamation Plan 90M-11 would not be implemented, which would involve backfilling of all mining pits, draining and filling of all settling ponds, and removal of all on-site structures, equipment, and hazardous materials and waste (see page 4.8-14 for a detailed description of the reclamation plan). Under the Project, all existing hazards and hazardous materials would be removed from the Project Site prior to redevelopment of the Site. Hazardous materials storage is not expected to occur within the building or on the Project Site; however, the future user(s) of the Project could use hazardous chemicals and/or materials that are pre-packaged for distribution and use during routine Project operations and maintenance, including but not limited to aerosols, cleaners, fertilizers, lubricants, paints or stains, solvents, and fuels (e.g., gasoline, propane). Handling of these materials is extensively regulated at the local, State and federal levels. The No Development

Alternative would result in greater risk to the public and environment from hazardous materials than the proposed Project, although impacts are expected to remain less than significant under this alternative.

9. Hydrology and Water Quality

No changes to the Project Site's existing hydrology and drainage conditions would occur under the No Development Alternative. No stormwater drainage improvements would be constructed on or adjacent to the Project Site, and rainfall would continue to be discharged from the Project Site as untreated overland flow. Under the No Development Alternative, the stormwater leaving the Project Site would not be treated to minimize waterborne pollutants or sediment as it would with the Project, which includes an infiltration system and BMPs to improve the quality and minimize the volume of stormwater flows discharged off-site. Therefore, the No Development Alternative would result in greater impacts on hydrology and water quality than the proposed Project; however, under this alternative as well as the proposed Project, impacts would be less than significant.

10. Land Use and Planning

Under the No Development Alternative, the existing land use designation of Resource Land Management (RLM) and zoning designation of Resource Conservation (RC) would remain in place, which would allow the mineral resources processing and sales land uses to continue at the Project Site. In the context of the Project's Site existing use, the RLM and RC designations are functionally heavy industrial designations, as evidenced by the 25 pieces of heavy-duty off-road diesel equipment (e.g., earthmovers, dozers, loaders, excavators) and heavy stationary equipment (i.e., concrete batch plant, asphalt batch plant) that operate on the Project Site and the 500+ diesel truck trips that go to and from the Project Site daily. Although the No Development Alternative would not conflict the County's existing land use plan, this alternative would conflict with the general plan's goals for fiscal sustainability (as all economically viable resources at the Project Site are exhausted) and for separation of heavy industrial land uses from sensitive land uses. The proposed Project would change the land use designation and zoning to a "lighter" industrial category that would shift the property to "cleaner" use that is more compatible with surrounding land uses. The proposed Project and the No Development Alternative both would result in less than significant impacts on land use and planning; however, impacts would be greater under this alternative.

11. Mineral Resources

No mining activities have occurred on the Project Site since the late 1990s; all economically viable mineral resources that were once located on the Project Site have been depleted by historic mining activities. The mineral resources stored/staged and processed at the Project Site are transported from an active mine located approximately two miles to the north of the Site. Thus, the No Development Alternative would have no effect on the local or regional availability of aggregate resources and would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State. Impacts under this alternative and the Project would be similar, and less than significant.

12. Noise

The existing land uses on the Project Site are noise-intensive due to the operation of heavy, off-road equipment (i.e., haulers, loaders, and bulldozers) and machinery that processes aggregate and produce concrete and asphalt, and the 500+ heavy truck trips to and from the Site on a daily basis. These noise-producing activities occur on the Project Site up to 6 days per week during daytime and nighttime hours, and would continue into the foreseeable future under the No Development Alternative. While the Project also would generate noise during daytime and nighttime hours, the noise sources associated with the Project primarily include idling trucks, delivery truck and automobile parking, delivery truck backup alarms, roof-top air conditioning units, loading and unloading of delivery trailers, and parking lot vehicle movement, which generate less noise than the equipment that currently operates on the Project Site to move, crush, and process aggregates. Project-related operational noise level increases would not exceed the applicable operational noise level increase significance criteria. The noise generated by the No Development Alternative would be greater than the Project but is still anticipated to be less than significant.

13. Public Services

The No Development Alternative would result in no change in demand for public services. All service providers that currently serve the Project Site would continue to do so into the future. The No Development Alternative and the Project would result in less than significant impacts to public services, although impacts would be incrementally greater with the Project because the Project would increase the number of employees and guests at the Project Site.

14. Transportation

The No Development Alternative would not conflict with transportation policies from the San Bernardino County's general plan nor would this alternative introduce new transportation safety hazards to the local area, as all traffic associated with the No Development Alternative already occurs under existing conditions. Both the Project and the No Development Alternative would result in less than significant impacts on transportation; however, impacts would be reduced under this alternative because the Project would result in approximately 3,250 additional daily traffic trips.

15. Tribal Cultural Resources

The No Development Alternative would leave the Project Site in its existing condition; no excavations would occur on the Project Site and there would be no potential to impact tribal cultural resources that may exist beneath the ground surface. Although there are mitigation measures identified in EIR Subsection 4.15 that would reduce the Project's direct and cumulatively considerable impacts on cultural resources to below a level of significance, implementation of the No Development Alternative would avoid impacts to tribal cultural resources associated with the Project and would require no mitigation.

16. Utilities & Service Systems

The No Development Alternative would result in no change in demand for utilities and service systems. All service providers that currently serve the Project Site would continue to do so into the future. The No

Development Alternative and the Project would result in less than significant impacts to public services, although impacts would be greater with the Project because the Project would increase the number of employees and guests at the Project Site which would increase demand for services such as water, wastewater treatment, and solid waste disposal.

17. Wildfire

The Project Site is located in a mix of moderate to very high fire hazard severity zones. Under the No Development Alternative, wildfire hazards would remain unchanged from existing conditions, and the fire suppression systems and irrigated vegetation proposed by the Project would not be implemented. Notwithstanding, in the event of fire, County fire services would be available to provide fire suppression services to the Project Site. The No Development Alternative would present a greater risk of wildfire to the surrounding area and nearby residences than the proposed Project due the lack of improvements that would resist fire and assist in fire suppression; however, under this alternative, impacts would remain less than significant.

C. Conclusion

The No Development Alternative would result in no physical change to the existing environment. Air quality and GHG emissions, and impacts to hazards and hazardous materials, and noise would be greater under the No Development Alternative than the proposed Project. However, these impacts already occur under existing conditions and would not represent a new source of environmental impacts. The No Development Alternative would reduce the less than significant impacts associated with the Project on cultural resources, energy, geology and soils, public services, tribal cultural resources, and utilities and service systems. All other impacts would be similar to the Project.

The No Development Alternative would not introduce modern industrial land uses to the Project Site and would not fully realize the Project Site's potential for expanded economic development, including through the creation of new jobs and the expansion of the local tax base; thus, the No Development Alternative would fail to meet all the Project's objectives.

6.2.2 No Project Alternative

A. Description of the Alternative

The No Project Alternative considers the long-term use of the Project Site with a land use that conforms with San Bernardino County's existing land use and zoning regulations. The Project Site is zoned for "Resource Conservation" uses, which provides for open space and recreational activities, single-family homes on very large parcels, and similar and compatible uses. The Resource Conservation zoning facilitated historical mining operations at the Project Site; however, the Site no longer contains economically viable mineral resources and the current occupant of the Project Site, Vulcan Materials Company, plans to vacate the subject property in the future. As a condition of the existing mining permit and upon ceasing operations at the Project Site, Vulcan Materials Company will be required to implement and fulfill the restoration and reclamation activities outlined in Reclamation Plan 90M-11, which would involve backfilling of all mining pits, draining and filling of all

settling ponds, and removal of all on-site structures, equipment, and waste (see page 4.8-14 for a detailed description of the reclamation plan). Reclamation Plan 90M-11 also provides for the revegetation of the Site to minimize erosion. The site cleanup and restoration activities required by Reclamation Plan 90M-11 are separate from the Project and will be performed by Vulcan Materials Company prior to returning the Project Site to the Project Applicant. This analysis assumes the Project Site has been fully reclaimed and that all conditions of Reclamation Plan 90M-11 have been fully satisfied prior to implementation of the No Project Alternative, which is identical to the starting point for the Project. Based on development constraints placed on the Project Site by Reclamation Plan 90M-11 and fault zones that cover the western and eastern portions of the property, this alternative envisions that the Site becomes naturalized open space upon the completion of required reclamation activities.

This alternative was selected to compare the environmental effects of the proposed Project with a scenario that is a continuation of the existing land use and zoning regulations. This alternative satisfies the requirements of CEQA Guidelines Section 15126.6(e) to evaluate an alternative that would reasonably be expected to occur on the Project Site in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services.

B. Comparative Analysis of Environmental Impacts

Provided on the following pages is a comparative analysis of the No Project Alternative and the Project. The focus of this analysis is to determine whether the No Project Alternative is capable of eliminating or reducing any potentially significant environmental impacts that would result from implementation of the Project.

1. Aesthetics

The Project Site does not contain any unique aesthetic resources, nor does it serve as a prominent scenic vista. Under the No Project Alternative, the visual character and quality of the Project Site would be restored to conditions similar to those before human disturbance. No new structures, parking areas, landscaping, or lighting would be introduced on the Project Site. The No Project Alternative would not have the potential to conflict with the existing character or quality of existing and planned development surrounding the Project Site and would not create a new source of substantial light or glare that would impact nighttime views in the area. No significant aesthetic impacts were identified for the Project, and no significant aesthetic impacts would occur under this alternative.

2. Air Quality

The No Project Alternative would avoid all construction- and operational-related air pollutant emissions that would result from the Project. Although mitigation measures are identified in EIR Subsection 4.2 that would reduce the Project's direct and cumulatively considerable impacts to air quality to below a level of significance, implementation of the No Project Alternative would result in no air pollutant emissions and would avoid all impacts – and mitigation- to air quality associated with the Project.

3. Biological Resources

The No Project Alternative would leave the Project Site in its reclaimed, revegetated condition. No grading would occur under the No Project Alternative and there would be no potential impacts to special-status species that may occupy the Project Site (i.e., burrowing owl) or nesting birds that may be present on the Project Site. Mitigation measures are identified in EIR Subsection 4.3 that would reduce the Project's direct and cumulatively considerable impacts to biological resources to below a level of significance; however, implementation of the No Project Alternative would have no impacts to biological resources and would require no mitigation.

4. Cultural Resources

The No Project Alternative would leave the Project Site in its reclaimed, revegetated condition. No grading would occur under this alternative and there would be no potential impacts to subsurface archeological resources that may exist beneath the ground surface. Mitigation measures identified in EIR Subsection 4.4 that would reduce the Project's direct and cumulatively considerable impacts to cultural resources to below a level of significance; however, implementation of the No Project Alternative would avoid impacts to cultural resources associated with the Project and would require no mitigation.

5. Energy

Under the No Project Alternative, the Project Site would remain in its reclaimed, revegetated condition and would not require the use of any energy resources for construction and operation. Selection of the No Project Alternative would avoid all energy consumption related to the Project. Notwithstanding, no significant energy impacts were identified for the Project, and no significant energy impacts would occur under this alternative.

6. Geology and Soils

The No Project Alternative would leave the Project Site in its reclaimed, revegetated condition. The No Project Alternative would not construct any structures on the Project Site; accordingly, there would be no potential for this alternative to expose people or structures to safety risks associated with geologic hazards or to potentially uncover paleontological resources during excavation activities. No significant impacts related to geology and soils were identified for the Project, and no significant impacts related to geology and soils would occur under this alternative.

7. Greenhouse Gas Emissions

Under the No Project Alternative, no development would occur on the Project Site and there would be no new sources of near-term or long-term GHG emissions from uses on the Site. The No Project Alternative would avoid all GHG emissions that would result from the Project and would not require the mitigation identified in EIR Section 4.7, *Greenhouse Gas Emissions*.

8. Hazards and Hazardous Materials

Under the No Project Alternative, the Project Site would remain in the same vacant and revegetated condition that would be left upon the completion of Reclamation Plan 90M-11. All existing hazards and hazardous

materials at the Project Site would be removed upon the completion of Reclamation Plan 90M-11, and no new hazards or hazardous materials would be introduced by this alternative. No significant impacts related to hazards and hazardous materials were identified for the Project, and no significant impacts related to hazards and hazardous materials would occur under this alternative. Notwithstanding, selection of this alternative would avoid the Project's less than significant impacts related to hazards and hazardous materials.

9. Hydrology and Water Quality

No stormwater drainage improvements would be constructed on or adjacent to the Project Site and rainfall would be discharged from the Project Site as untreated sheet flow. Under the No Project Alternative, the stormwater leaving the Project Site would not be treated to minimize sediment as it would with the Project, although the Project would generate urban waterborne pollutants that would not be generated under this alternative. The No Project Alternative would result in similar impacts to hydrology and water quality as would the proposed Project. No significant impacts related to hydrology and water quality were identified for the Project, and no significant impacts related to hydrology and water quality would occur under this alternative.

10. Land Use and Planning

The No Project Alternative would be consistent with the San Bernardino County general plan and development code (zoning) regulations applicable to the Project Site. As such, there would be no conflicts with applicable land use plans, policies, or regulations resulting in significant environmental effects. Comparatively, the Project proposes a Land Use Category Change and Zoning District Amendment to address consistency between the existing and proposed land uses and the zoning map. Both the No Project Alternative and the Project would result in less than significant land use and planning impacts.

11. Mineral Resources

Despite the Project Site's zoning as Resource Conservation, the Project Site has been depleted of all economically viable mineral resources for over 20 years. The Project Site is used to stockpile aggregates mined elsewhere and transported to the Site. Upon completion of Reclamation Plan 90M-11 all mining pits and settling basins would be removed from the Project Site, all improvements removed, and the Project Site would be revegetated. Under the No Project Alternative, the Project Site would be kept as naturalized open space. No significant impacts related to the loss of availability of mineral resources were identified for the Project, and no significant impacts related to the loss of mineral resources would occur under this alternative.

12. Noise

No noise would be generated by the No Project Alternative, as the Project Site would be kept as undeveloped open space. The No Project Alternative would avoid all of the less than significant noise impacts that would result from the Project.

13. Public Services

There would be no demand for public services at the Project Site under the No Project Alternative. This alternative would avoid all of the Project's less than significant effects on public services.

14. Transportation

The No Project Alternative would not generate any daily traffic. No significant transportation impacts were identified for the Project, and no significant transportation impacts would occur under this alternative. Notwithstanding, selection of this alternative would avoid the Project's addition of 3,250 new vehicle trips to the local and regional transportation and circulation network and would result in reduced impacts.

15. Tribal Cultural Resources

The No Project Alternative would leave the Project Site in its reclaimed, revegetated condition. No grading would occur under this alternative and there would be no potential impacts to subsurface archeological resources that may exist beneath the ground surface. Mitigation measures identified in EIR Subsection 4.13 that would reduce the Project's direct and cumulatively considerable impacts to tribal cultural resources to below a level of significance; however, implementation of the No Project Alternative would avoid impacts to tribal cultural resources associated with the Project and would require no mitigation.

16. Utilities & Service Systems

There would be no demand for public utilities and service systems at the Project Site under the No Project Alternative. This alternative would avoid all the Project's less than significant effects on utilities and service systems.

17. Wildfire

The Project Site is located in an area with a mix of moderate to very high fire hazard severity zones. Under the No Project Alternative, the Site would remain as undeveloped, natural/naturalized vegetation. Irrigation would be provided to establish on-site vegetation but would not be used permanently. Similarly, vegetation on-site would be maintained as needed to establish plantings and as required by Reclamation Plan 90M-11; but, no ongoing fuel management or plant thinning would occur. The fire suppression systems and irrigated vegetation proposed by the Project would not be implemented, thus the No Project Alternative would present a greater risk of wildfire to the surrounding area and nearby residences than the proposed Project.

C. Conclusion

Implementation of the No Project Alternative would result in no physical environmental impacts to the Project Site. All environmental effects of the Project would be avoided by the selection of the No Project Alternative; however, this alternative would result in a greater wildfire risk than the Project.

The No Project Alternative would fail to meet all project objectives because it would not re-develop the Project Site and would not promote local economic development, including through the creation of new jobs and the expansion of the local tax base.

6.2.3 Reduced Building Area Alternative

A. *Description of the Alternative*

The Reduced Building Area Alternative considers a proposal where the Project Site would be redeveloped with a design that is similar to the Project, but the interior of the proposed warehouse distribution building is modified to remove warehouse mezzanine space ("pick pod" mezzanine). Accordingly, the Reduced Building Area Alternative would provide a warehouse distribution building with 1,241,587 s.f. of floor space; an approximate 33 percent reduction (620,000 s.f.) as compared to the Project. Other than reducing the amount of floor area that would potentially be utilized for warehouse mezzanine space, all other aspects of the proposed Project – including but not limited to its site plan, building height, architecture design, landscape design, proposed use, and hours of operation – would remain unchanged. This alternative was selected to evaluate whether modifying the development intensity of the Project would result in a substantive reduction to the Project's potentially significant environmental effects associated with ongoing operations of the Project.

B. *Comparative Analysis of Environmental Impacts*

Provided on the following pages is a comparative analysis of the Reduced Building Area Alternative and the Project. The focus of this analysis is to determine whether the Reduced Building Area Alternative is capable of eliminating or reducing any potentially significant environmental impacts that would result from implementation of the Project.

1. Aesthetics

The Project Site does not contain any unique aesthetic resources, nor does it serve as a prominent scenic vista. The Reduced Building Area Alternative would be identical on the exterior to the Project: the site layout would be the same, and the architectural design would be the same, as would the landscaping plan. The only difference between the Reduced Building Area Alternative and the Project would be evident from within the proposed warehouse distribution center building (i.e., the elimination of interior mezzanine). The selection of this alternative would result in similar aesthetic effects associated with changes to existing visual quality, character, and the introduction of light and glare sources. Therefore, under both this alternative and the proposed Project, aesthetic impacts would be less than significant.

2. Air Quality

The Reduced Building Area Alternative would result in construction activities across the entire Project Site that are identical to the project. This alternative would utilize the construction equipment in the same quantities as the proposed Project. The peak daily intensity of construction activities at the Project Site would be similar under both the Reduced Building Area Alternative and the Project because both would: 1) disturb the same physical area; 2) utilize the same types of construction equipment; and 3) require the same types of construction activities. Therefore, the total daily emissions during the construction phase would be identical to the Project and would be less than significant after application of the same mitigation measures required for the Project.

Because the Reduced Building Area Alternative would result in less building floor area than the Project, this alternative is expected to require less energy to operate than the Project and, therefore, would result in a

reduction of non-mobile source air quality emissions as compared to the Project. The Reduced Building Area Alternative also would generate less daily traffic and, thus, would reduce mobile source air pollutant emissions from passenger vehicles and heavy trucks. Due to the reduction in building energy use and the reduction in daily passenger vehicle trips, operation of the Reduced Building Area Alternative would generate less air pollution than the Project, although both the Project and the Reduced Building Area Alternative would result in significant VOC emissions and would require mitigation to reduce the impact to a less than significant level.

Like the Project, the Reduced Building Area Alternative would generate odors during short-term construction activities (e.g., diesel equipment exhaust, architectural coatings, asphalt) and long-term operation (e.g., diesel exhaust). However, and similar to the Project, these odors would occur intermittently, be of short-term duration, and would not be substantial. Long-term operation of the Reduced Building Alternative would not create objectionable odors affecting a substantial number of people and impacts would be less than significant upon compliance with mandatory regulatory requirements.

3. Biological Resources

The Reduced Building Area Alternative would redevelop the entire Project Site and would have an identical development footprint as the Project. This alternative would have the same impacts to biological resources and would require the same mitigation as the proposed Project. After mitigation, both the Reduced Building Area Alternative and the Project would result in less than significant impacts to biological resources.

4. Cultural Resources

The Reduced Building Area Alternative would have an identical development footprint as the Project and would require a similar depth of grading/earthwork as the Project. Thus, the Reduced Building Area Alternative would have the same potential to impact cultural resources as the proposed Project. The Reduced Building Area Alternative would require similar mitigation as the Project and, after mitigation, both the Reduced Building Area Alternative and the Project would result in less than significant impacts to cultural resources.

5. Energy

The Reduced Building Area Alternative would require less energy to construct and operate than the Project due to the approximately 33-percent reduction in building floor area. Additionally, the Reduced Building Area Alternative would generate fewer daily passenger vehicle trips than the Project due to a reduction in employees on site and, therefore, would reduce transportation energy demands in comparison to the Project (transportation energy demands for heavy trucks would be similar between the Project and the Reduced Building Area Alternative). Notwithstanding, no significant impacts related to energy use were identified for the Project, and no significant impacts related to energy use would occur under this alternative.

6. Geology and Soils

The Reduced Building Area Alternative would disturb the same physical area as the Project and would, therefore, have the same potential for soil erosion during the construction phase as the Project. Soil erosion impacts would be less than significant under both the Project and the Reduced Building Area Alternative due

to mandatory compliance with federal, State, and local water quality standards. The Reduced Building Area Alternative would be required to comply with the same mandatory regulatory requirements as the Project to preclude substantial hazards associated with seismic ground shaking and geologic hazards. The Reduced Building Area Alternative would result in a similar, less than significant impact to geology and soils as the Project.

7. Greenhouse Gas Emissions

Because the Reduced Building Area Alternative would result in the development of 33-percent less building floor area than the Project, the Reduced Building Area Alternative is expected to require less energy to construct and operate than the Project and, therefore, would result in a reduction of non-mobile source GHG emissions as compared to the Project. Additionally, the Reduced Building Area Alternative would result in an approximate 33-percent reduction in mobile source GHG emissions due to a reduction in daily vehicle traffic. In total, the Reduced Building Area Alternative would slightly reduce GHG emissions associated with the Project; however, the GHG emissions from this alternative would exceed the County's screening threshold and the Reduced Building Area Alternative would be required to implement the same mitigation as the Project to reduce impacts to a less than significant level.

8. Hazards and Hazardous Materials

Neither implementation of the Reduced Building Area Alternative nor the Project would result in a significant impact related to hazards or hazardous materials. Land uses that would occur on the Project Site under the Reduced Building Area Alternative would have a similar potential to handle and store hazardous materials as would the Project. Like the proposed Project, the Reduced Building Area Alternative would be required to safely dispose the potential sources of on-site contamination during construction. With mandatory regulatory compliance, both the Reduced Building Area Alternative and the Project would pose a less than significant hazard to the public and the environment related to the use, handling, storage, and/or transport of hazardous materials.

9. Hydrology and Water Quality

Neither the Project nor the Reduced Building Area Alternative would result in substantial alterations to the drainage pattern of the site or would result in substantial erosion effects. Accordingly, implementation of the Project and the Reduced Building Area Alternative would both result in less than significant impacts to existing drainage patterns.

During construction, potential hydrology and water quality effects on the Project Site would be similar under both the Reduced Building Area Alternative and the Project because this Alternative and the Project would disturb the same physical area. Like the Project, the Reduced Building Area Alternative would be required to implement a SWPPP to ensure that stormwater runoff during construction does not contain substantial pollutant concentrations. Both the Project and the Reduced Building Area Alternative would result in less than significant construction impacts to hydrology and water quality.

In the long term, potential hydrology and water quality effects on the Project Site would be similar under both the Reduced Building Area Alternative and the Project due to both providing a similar amount of non-pervious surfaces. Like the Project, the Reduced Building Area Alternative would be required to implement a drainage plan to ensure that stormwater runoff is conveyed to local and regional stormwater drainage facilities with adequate capacity to handle runoff flows from the Project Site. Additionally, like the Project, the Reduced Building Area Alternative would be required to implement a long-term WQMP to ensure that stormwater runoff leaving the site does not contain substantial pollutant concentrations. Both the Project and the Reduced Building Area Alternative would result in less than significant operational impacts on hydrology and water quality.

10. Land Use and Planning

The Reduced Building Area Alternative would result in identical, less than significant impacts on land use and planning as the Project, as both development proposals include the same land use and development design and would not conflict with applicable local and regional land use plans and policies.

11. Mineral Resources

The Project Site no longer contains economically viable aggregate resource deposits. Thus, the Reduced Building Area Alternative would have no effect on the local or regional availability of aggregate resources. No significant impacts related to the loss of availability of mineral resources were identified for the Project, and no significant impacts related to the loss of mineral resources would occur under this alternative.

12. Noise

The Reduced Building Area Alternative would result in construction activities across the entire Project Site that are identical to the Project. The peak daily intensity of construction activities at the Project Site would be similar under both the Reduced Building Area Alternative and the Project because both would: 1) disturb the same physical area; 2) utilize the same types of construction equipment; and 3) require the same types of construction activities. Accordingly, the Reduced Building Area Alternative is expected to result in similar, less than significant construction noise impacts as the proposed Project.

Under long-term operating conditions, the Reduced Building Area Alternative would result in similar stationary noise as the Project as the site layout, building sizes, and types and location of building equipment would be identical. The Reduced Building Area Alternative would result in an incremental decrease in mobile source noise due to a reduction in daily passenger vehicle and heavy truck trips; however, under both the Project and the Reduced Building Area Alternative, long-term noise impacts would be less than significant.

13. Public Services

The Reduced Building Area Alternative would have an incrementally lower demand for public services than the Project due to the provision of less building area, which would support fewer employees. Notwithstanding, no significant impacts related to the public services were identified for the Project, and no significant impacts related to the public services would occur under this alternative.

14. Transportation

Because the Reduced Building Area Alternative is a similar land use as the proposed Project, would construct similar improvements as the proposed Project, and would utilize the same travel routes as the Project, this alternative would not conflict with any program, plan, ordinance or policy addressing the circulation system and would not result in any local transportation safety hazards. The volume of traffic generated by this alternative would be approximately 33-percent less than the Project but the average distance traveled by vehicle trips under this alternative would be the same as the Project. No significant transportation impacts were identified for the Project, and no significant transportation impacts would occur under this alternative.

15. Tribal Cultural Resources

The Reduced Building Area Alternative would have an identical development footprint as the Project and would require a similar depth of grading/earthwork as the Project. Thus, the Reduced Building Area Alternative would have the same potential to impact tribal cultural resources as the proposed Project. The Reduced Building Area Alternative would require similar mitigation as the Project and, after mitigation, both the Reduced Building Area Alternative and the Project would result in less than significant impacts to tribal cultural resources.

16. Utilities & Service Systems

The Reduced Building Area Alternative is expected to have a reduced demand for utilities and services systems, including water, sewer, storm water drainage service/facilities, and solid waste collection and disposal, as compared to the Project, due to the provision of 33-percent less building area (which supports fewer employees and, thus, results in a lesser demand for water services, wastewater treatment services, and solid waste disposal). However, as with the Project, the Reduced Building Area Alternative is expected to result in a less-than-significant impact on utilities and services systems.

17. Wildfire

The Reduced Building Area Alternative would implement the same site layout and landscaping plan as the Project, as well as the same construction techniques and fire suppression systems proposed by the Project. This alternative would result in the same, less than significant impact on wildfire as the Project.

C. Conclusion

Because the Reduced Building Area Alternative provides less building floor area than the Project (by way of eliminating warehouse mezzanine space [“pick pod” mezzanine]), this alternative would generate less air quality, GHG, and noise emissions than the Project and, also, would require less energy to construct and operate. Notwithstanding, the Reduced Building Area Alternative would require the same mitigation measures as the Project for potential air quality and GHG impacts. Additionally, the Reduced Building Area Alternative would require the same mitigation measures as the Project for biological resources, cultural resources, and tribal cultural resources. Upon consideration of all required mitigation measures, the Reduced Building Area Alternative would result in less than significant impacts to air quality, biological resources, cultural resources, GHG emissions, and tribal cultural resources, which is the same conclusion drawn for the Project.

The Reduced Building Area Alternative would be less successful than the Project at achieving goals related to maximizing economic development in the County and maximizing employment generation due to a substantial reduction in total building floor area, which would reduce the range and types of users the building could attract thereby lowering the building's potential output and the number of employees that it could support. The Reduced Building Area Alternative would meet all other Project objectives.

6.3 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives shall identify an environmentally superior alternative among the alternatives evaluated in the EIR. In general, the environmentally superior alternative as defined by CEQA should minimize adverse impacts to a project site and its surrounding environment. However, pursuant to Section 15126.6(e)(2) of the CEQA Guidelines, if a "no project" alternative is identified as environmentally superior to a proposed project then the EIR shall select an environmentally superior alternative among the other alternatives. Additionally, CEQA does not mandate the selection of the "environmentally superior" project if, through mitigation measures alone, the agency has adequately reduced a project's environmental effects to a less than significant level (83 Cal.3d at 521; see also *Rio Vista Farm Bureau Ctr. v. County of Solano* (1992) 5 Cal.App.4th 351, 379). Accordingly, for purposes of this EIR, there is no need to identify an environmentally superior alternative because the Project would not result in any significant and unavoidable impacts to the environment with implementation of the mitigation measures in this EIR and compliance with applicable regulations (as demonstrated in the analysis in Section 4.0 of this EIR).

7.0 REFERENCES

7.1 PERSONS CONTRIBUTING TO EIR PREPARATION

7.1.1 SAN BERNARDINO COUNTY PLANNING DIVISION

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7.2 DOCUMENTS APPENDED TO THIS EIR

The following reports, studies, and supporting documentation were used in preparing this EIR and are bound separately as Technical Appendices. The Technical Appendices are incorporated by reference and available for review at the San Bernardino County Planning Division, 385 N. Arrowhead Ave., San Bernardino, CA 92415.

- Appendix A: Notice of Preparation and Written Comments on the NOP

- Appendix B: *Pepper 210 Commerce Center, Air Quality Impact Analysis, County of San Bernardino* (Urban Crossroads, Inc) August 26, 2024.

- Appendix C: *Pepper 210 Commerce Center, Construction and Operational Health Risk Assessment, County of San Bernardino* (Urban Crossroads, Inc) August 26, 2024.

- Appendix D: *Biological Technical Report for Pepper 210 Commerce Center Project Located in Unincorporated San Bernardino County, California* (Glenn Lukos Associates, Inc.) September 19, 2023. Revised March 12, 2025.

- Appendix E: *Cultural Resources Study for the Pepper 210 Commerce Center Project, San Bernardino County, California* (BFSA) September 1, 2023. Revised February 22, 2024.

- Appendix F: *Pepper 210 Commerce Center, Energy Analysis, County of San Bernardino* (Urban Crossroads, Inc) July 30, 2024.

- Appendix G: *Geotechnical Feasibility Report Pepper 210 Commerce Center, 20080 N. Highland Avenue Rialto, California 92377* (Tetra Tech BAS, Inc.) September 7, 2023.

- Appendix H: *Paleontological Assessment for the Pepper 210 Commerce Center Project, Proj-2022-00182, San Bernardino County, California APN 264-431-18* (BFSA Environmental Services) July 10, 2023. Revised February 6, 2024.

- Appendix I: *Pepper 210 Commerce Center, Greenhouse Gas Analysis, County of San Bernardino* (Urban Crossroads, Inc) August 26, 2024.

- Appendix J: *Phase I Environmental Site Assessment, Vulcan Materials Company, 2350 and 2400 West Highland Avenue, San Bernardino County, California 92407, Project No. 197-2020-0033* (Tetra Tech) March 27, 2020.

- Appendix K: *Phase I Environmental Site Assessment Addendum, Vulcan Materials Company, 2350 and 2400 West Highland Avenue, San Bernardino County, California 92407, Project No. 197-2020-0033* (Tetra Tech) May 10, 2022.

- Appendix L: *Preliminary Drainage Report, DRNSTY-2023-00002, Pepper 210 Commerce Center, Rialto, California* (Kimley-Horn and Associates, Inc.) November 2023.

- Appendix M: *Water Quality Management Plan for: Pepper 210 Commerce Center* (Kimley-Horn and Associates, Inc.) September 2022. Revised November 2023.

- Appendix N: *Statement of Mineral Resource Classification Impact Potential for Property located at 2400 Highland Road, San Bernardino, CA. APN 0264-431-18* (EnviroMine, Inc.) July 10, 2023.

- Appendix O: *Correspondence from Vulcan Materials Company to San Bernardino County Land Use Services Department* (Vulcan Materials Company) November 13, 2023.

- Appendix P: *Pepper 210 Commerce Center, Noise and Vibration Analysis, County of San Bernardino* (Urban Crossroads, Inc) January 25, 2024.

- Appendix Q: *Pepper 210 Commerce Center Trsty-2022-00034 Vehicle Miles Traveled (VMT) Analysis* (Urban Crossroads, Inc.) May 31, 2024.

- Appendix R: *Pepper 210 Commerce Center Trsty-2022-00034 Supplemental VMT Analysis* (Urban Crossroads, Inc.) June 5, 2024.

- Appendix S: *Pepper 210 Commerce Center Traffic Analysis* (Urban Crossroads, Inc.) April 19, 2024.

- Appendix T: *Water System Analysis, 2400 Highland Ave* (Kimpley-Horn and Associates, Inc.) October 2022.

- Appendix U: *2400 Highland Avenue: Sewer Feasibility Analysis* (Kimley-Horn and Associates, Inc.) September 30, 2022.

- Appendix V: *Pepper 210 Commerce Center Water Supply Assessment* (Water Systems Consulting, Inc.) October 2022.

- Appendix W: *Pepper 210 Commerce Center Air Quality, Greenhouse Gas, and Energy Assessment* (Urban Crossroads, Inc.) December 18, 2024.

- Appendix X: *Pepper 210 Commerce Center Comparative Health Impact, Zero-Emission Truck Feasibility, GHG Mitigation, and Energy Cumulative Impact Analysis* (Urban Crossroads, Inc.) February 11, 2025.

- Appendix Y: *Pepper 210 Commerce Center Economic and Fiscal Impact Analysis* (Andrew Chang & Company) February 20, 2025.

7.3 Documents Incorporated by Reference

The following reports, studies, and supporting documentation were used in the preparation of this EIR and are incorporated by reference within this EIR. A copy of the following reports, studies, and supporting documentation is a matter of public record and is generally available to the public at the location listed.

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