

DRAFT PROGRAM

**ENVIRONMENTAL IMPACT REPORT**

# **Washington Boulevard Transit Oriented Development Specific Plan Project**

SCH NO. 2023090527

**LEAD AGENCY**

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**January 2025**

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Appendix A: Biological Resources

Appendix B: Cultural Resources

Appendix C: Mobility Assessment

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## 1.0 EXECUTIVE SUMMARY

### 1.1 Introduction

This Draft Program Environmental Impact Report (EIR) process, as defined by the California Environmental Quality Act (CEQA), requires the preparation of an objective, full-disclosure document in order to (1) inform agency decision-makers and the general public of the direct and indirect potentially significant environmental effects of a proposed action; (2) identify feasible or potentially feasible mitigation measures to reduce or eliminate potentially significant adverse impacts; and (3) identify and evaluate reasonable alternatives to a project. In accordance with Section 15168 of the State CEQA Guidelines (Title 14 of the California Code of Regulations [CCR]), this Draft Program EIR has been prepared for the proposed Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBTODSP”).

This Draft Program EIR has been prepared for the City of Pico Rivera (City) to provide an analysis of the Project’s potential effects on the environment. CEQA requires that projects subject to approval by a public agency of the State of California, and that are not otherwise exempt or excluded, undergo an environmental review process to identify and evaluate potential impacts. CEQA Guidelines Section 15050 states that environmental review shall be conducted by the Lead Agency, defined in CEQA Guidelines Section 15367 as the public agency with principal responsibility for approving a project. The Project is subject to approval actions by the City, which is therefore the Lead Agency for CEQA purposes.

This Draft Program EIR is an informational document intended to inform the public and decision makers about the environmental consequences of the Project.

### 1.2 Project Overview

The Project is a comprehensive local planning effort for the potential expansion of the Metro E Line. The Project WBTODSP would create a compact multi-modal, mixed-use, and sustainable environment that is a focal point for community activity. The WBTODSP would be used as a policy and regulatory guide for subsequent project-specific reviews and approvals when project level proposals within the WBTODSP area are submitted to the City.

#### Project Location

The Project is located in the City of Pico Rivera within the southeastern portion of Los Angeles County, approximately 11 miles from downtown Los Angeles. Regional freeway access to the City is provided by Interstate 605 (San Gabriel River Freeway), Interstate 5 (Santa Ana Freeway), and Interstate 60 (Pomona Freeway); refer to **Figure 1: Regional Location**. The location of the Project in both regional and local contexts are further identified in **Section 3.0: Project Description**.

#### Project Description

The primary goal of the Project is to promote and guide future revitalization and reuse of the Washington/Rosemead area to complement the future Metro E Line extension through the City. The Project WBTODSP would establish six land uses: Mixed Use Residential Low Multi-Family (MUR Low),

Mixed Use Residential High Multi-Family (MUR High), Mixed Use Commercial (MUC), Commercial (C), Industrial Mixed Use (IMU), and Flex District (FLX). The WBTODSP would allow a maximum of 2,336 new residential units and approximately 5,889,747.60 SF of new non-residential (commercial, retail, office, public facilities, etc.) uses within the Specific Plan area. Refer to **Section 3.0: Project Description** for additional details.

### 1.3 Project Objectives

State CEQA Guidelines Section 15124(b) requires that an EIR include “[a] statement of the objectives sought by the proposed Project. A clearly written statement of objectives will help the Lead Agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision-makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the proposed Project.” The following objectives have been established for the proposed Project:

- Objective 1:** Transit supportive development.
- Objective 2:** Vibrant, mixed-use, multimodal environment.
- Objective 3:** Enhanced connectivity.
- Objective 4:** Preserve community/character/culture/heritage.
- Objective 5:** Creative funding/financing options.
- Objective 6:** Increased economic development opportunity.
- Objective 7:** Sustainable design and development.

### 1.4 Unavoidable Significant Impacts

The Project’s potentially significant impacts are defined in **Section 4.1: Aesthetics** through **Section 4.16: Utilities and Service Systems** of this Draft Program EIR. As noted in these sections, most of the potentially significant impacts identified can be mitigated to a less than significant level through implementation of Project Design Features, standard conditions, and feasible mitigation measures. However, there are unavoidable significant impacts associated with air quality and greenhouse gas emissions as summarized below. For a complete discussion of each impact, refer to **Section 4.2: Air Quality** and **Section: 4.7 Greenhouse Gas Emissions**.

#### Air Quality

The Project would result in significant and unavoidable impacts related to the implementation of the air quality plan and cumulatively considerable net increase of criteria pollutants. Future development projects within the WBTODSP could exceed SCAQMD construction and operational threshold for pollutant concentrations despite implementation of Mitigation Measure (MM)s AQ-1 through AQ-3. Therefore, future development could conflict with the implementation of 2022 AQMP and result in cumulatively considerable increases of criteria pollutants. In addition, the construction of future developments may expose surrounding receptors to substantial pollutant concentrations.

## **Greenhouse Gas Emissions**

The Project could have significant and unavoidable impacts with respect to greenhouse gas (GHG) emissions in that future development within the WBTODSP could exceed City thresholds. Due to the size of the WBTODSP, potential GHG emissions associated with construction and operation of future development projects could still result in significant and unavoidable impacts on the environment, even with the implementation of feasible **MM GHG-1**.

### **1.5 Alternatives to the Project**

State CEQA Guidelines Section 15126.6(a) requires that an EIR “describe the 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 will avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.” In response to the potentially significant impacts that were identified, this Draft Program EIR includes the following alternatives for consideration by decision-makers upon action related to the Project:

#### **Alternative 1: No Project/No Build Alternative**

The purpose of describing and analyzing a No Project/No Build Alternative is to allow decision-makers the ability to compare the impacts of approving the Project with impacts of not approving the Project. The No Project/No Build Alternative analysis is required to discuss the existing conditions (at the time the Notice of Preparation (NOP) was published on September 21, 2023), as well as what would be reasonably expected to occur in the foreseeable future, if the Project were not approved, based on current plans and consistent with available infrastructure and services. The No Project/No Build Alternative assumes that the Project would not be redeveloped, which means that there would be no future multi-family residential, mixed-use, commercial, light industrial developments or surface lot and landscape improvements on the Project site or off-site. Although this alternative assumes “No Development” (as required by CEQA), this is considered a speculative assumption as each Project site parcel are assumed to remain in private ownership and eventual development could occur.

#### **Alternative 2: No Project/Existing Land Use Alternative**

The No Project/Existing Land Use Alternative assumes that the existing land uses and condition of the Project site at the time the NOP was published (September 21, 2023) would continue to exist without the Project, and future development of the Project site would continue to occur consistent with the existing land use designations and zoning districts. The No Project/Existing Land Use Alternative assumes the Project would not be implemented, and that maximum allowed development from the existing land use and zoning would be realized which could increase on-site densities, if existing parcels were to be maximized per existing land use and zoning. Additionally, changes to zoning standards or municipal codes that would change the intensity of the land use as proposed by the Project would not occur.

#### **Alternative 3: Reduced Intensity Alternative**

The Reduced Intensity Alternative assumes development of the Project site at a 15 percent reduction in intensity of the proposed Project assumed maximum buildout. Under the Reduced Intensity Alternative,

it is assumed that the Project site would allow a maximum of 1,985 dwelling units and 5,006,284.49 square feet (SF) of new non-residential (commercial, retail, office, public facilities, etc.) uses. The Reduced Intensity Alternative also assumes the same size area of the Project site with the same land uses as the proposed Project.

### **Environmentally Superior Alternative**

State CEQA Guidelines requires that an Environmentally Superior Alternative be identified; that is, an alternative that would result in the fewest or least significant environmental impacts. The No Project Alternative is the Environmentally Superior Alternative because it would avoid many of the proposed Project's impacts. If the No Project Alternative is the environmentally superior Alternative, CEQA Guidelines § 15126.6(e)(2) requires that another alternative that could feasibly attain most of the Project's basic objectives be chosen as the Environmentally Superior Alternative. Based on the analysis conducted in **Section 6.0: Alternatives**, Alternative 3, Reduced Intensity Alternative, was chosen as the Environmentally Superior Alternative. These alternatives are further discussed in **Section 6.0**.

## **1.6 Areas of Controversy**

The CEQA Guidelines Section 15123 (b)(2) and (3) require that an EIR identify areas of controversy known to the Lead Agency, including issues raised by other agencies and the public and issues to be resolved, including the choice among alternatives and whether, or how to mitigate the significant effects. The following issues of concern have been identified during the review period of the distribution of the NOP and public meetings:

- Traffic
- Public safety
- Noise
- Theft

## **1.7 Summary of Environmental Impacts & Mitigation Measures**

The following table is a summary of impacts and proposed mitigation measures associated with the Project as identified in this Draft Program EIR. Refer to **Sections 4.1** through **4.16**, for a detailed description of the environmental impacts and mitigation measures for the Project. All impacts of the Project can be mitigated to less than significant levels with the exception of air quality and greenhouse gas emissions as described in **Section 4.1: Air Quality** and **Section 4.7 Greenhouse Gas Emissions**.



**Table 1-1: Summary of Significant Impacts and Proposed Mitigation Measures**

Resource Impact	Level of Significance	Mitigation Measure(s)
<b>Section 4.1 Aesthetics</b>		
<b>Impact 4.1-1</b> Would the Project have a substantial adverse effect on a scenic vista?	Less than Significant	No mitigation is required.
<b>Impact 4.1-2</b> Would the Project substantially damage scenic resources, including, but not limited to, tress, rock outcroppings, and historic buildings within a state scenic highway?	No impact	No mitigation is required.
<b>Impact 4.1-3</b> Would the Project in nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?	Less than Significant	No mitigation is required.
<b>Impact 4.1-4</b> Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than Significant	No mitigation is required.
<b>Section 4.2, Air Quality</b>		
<b>Impact 4.2-1</b> Would the Project, conflict with or obstruct implementation of the applicable air quality plan?	Significant and unavoidable	See Mitigation Measure <b>(MM) AQ-1</b> below. No additional feasible mitigation measures are proposed at the programmatic level to reduce future construction and operational emissions associated with development facilities by the WBTODSP. Future construction and operational emissions would conflict with implementation of the AQMP. Impacts remain significant and unavoidable.
<b>Impact 4.2-2</b> Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project is non-attainment under applicable federal or state ambient air quality standard?	Significant and unavoidable	<b>MM AQ-1:</b> Proposed development projects that are not exempt from CEQA shall prepare an air quality assessment for construction and operational air quality impacts using the latest available air emissions model, or other analytical method determined in conjunction with the SCAQMD. The results of the air quality impact analysis shall be included in the development project's CEQA documentation. To address potential localized impacts, the air quality analysis shall incorporate SCAQMD's Localized Significance Threshold analysis or other appropriate analyses as determined in conjunction with the SCAQMD. If such analyses identify potentially significant regional or local air quality impacts, the City shall require the incorporation of appropriate mitigation to reduce such impacts.
<b>Impact 4.2-3</b> Would the Project expose sensitive receptors to substantial pollutant concentrations?	Less than Significant with Mitigation Incorporated	<b>MM AQ-2:</b> Proposed development projects within 500 feet of existing residential uses, and are not exempt from CEQA, shall prepare a construction health risk assessment to determine health impacts to surrounding residents that would result from the operation of diesel construction equipment on site and from on-road diesel

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>trucks uses for hauling soil and equipment to and from the site. The results of the construction health risk assessment shall be included in the development project's CEQA documentation. The health risk assessment shall include mitigation measures to reduce impacts from the construction of future developments on sensitive receptors.</p> <p><b>MM AQ-3:</b> Consistent with the CARB Land Use Planning Handbook, residential and mixed-use development shall be prohibited within 1,000 feet of the BNSF Pico Rivera Rail Yard, State Route 19 (SR-19)/Rosemead Boulevard, or existing industrial/warehouse properties unless a project specific health risk assessment is prepared and can show that health risks would be less than significant.</p>
<p><b>Impact 4.2-4</b> Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?</p>	Less than Significant	No mitigation is required.
<b>Section 4.3, Biological Resources</b>		
<p><b>Impact 4.3-1</b> Would the Project, have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</p>	Less than Significant	No mitigation is required.
<p><b>Impact 4.3-2</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 Wildlife or U.S. and Wildlife Service?</p>	Less than Significant	No mitigation is required.
<p><b>Impact 4.3-3</b> Would the Project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, march, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, other means?</p>	Less than Significant	No mitigation is required.
<p><b>Impact 4.3-4</b> 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?</p>	Less than Significant Impact with Mitigation	<p><b>MM BIO-1:</b> Nesting birds are protected pursuant to the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (sections 3503, 3503.5, 3511, and 3513 prohibit the take, possession, or destruction of birds, their nests or eggs). In order to protect migratory bird species, a nesting bird clearance survey should be conducted prior to any ground disturbance or vegetation removal activities that may disrupt the birds during the nesting season.</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
		If construction occurs between February 1 <sup>st</sup> and August 31 <sup>st</sup> , a pre-construction clearance survey for nesting birds will be disturbed during construction. The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction, activities should stay outside of a no-disturbance buffer will be determined by the wildlife biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.
<b>Impact 4.3-5</b> Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than Significant	No mitigation is required.
<b>Impact 4.3-6</b> 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?	Less than Significant	No mitigation is required.
<b>Section 4.4 Cultural Resources</b>		
<b>Impact 4.4-1</b> Would the Project, cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	Less than Significant with Mitigation Incorporated	<p><b>MM CUL-1:</b> Before project activities can be permitted within areas of the Project site/WBTODSP that contain historic-period resources, these would require formal recordation on Department Parks and Recreation (DPR) 523 forms and evaluation for the CRHR eligibility to determine if any are significant under CEQA. Evaluations must be completed under the oversight of a cultural resources professional that meets the U.S. Secretary of the Interior Professional Qualifications for Architectural History.</p> <p><b>MM CUL-2:</b> Vacant parcels on the Project site require intensive-level pedestrian cultural resources field surveys under the oversight of a cultural resources professional that meets the U.S. Secretary of the Interior Professional Qualification Standards for Archaeology. This inventory would determine the presence and significance of prehistoric and historic period archaeological resources.</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
		<b>MM CUL-3:</b> Future development projects within the Project site would be subject project-specific resource inventory and evaluations and would be required to adhere to applicable policies related to cultural resources within the Pico Rivera General Plan, such as Pico Rivera General Plan Policies 8.7-1 through 8.7-7.
<b>Impact 4.4-2</b> Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less than Significant with Mitigation Incorporated	<b>MM CUL-4:</b> Future if previously unidentified cultural resources are encountered during ground-disturbing activities, work within 100 feet of the discovery shall halt and a qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology, shall be retained by the Applicant immediately to evaluate the significance of the discovery. The City of Pico Rivera Planning Division shall be notified immediately. If the discovery proves to be significant under the California Environmental Quality Act (CEQA), additional work such as data recovery excavation may be warranted to mitigate any significant impacts. In the event that an identified cultural resource is of Native American consultation procedures. Construction shall not resume until the qualified archaeologist states in writing that the proposed construction activities would not significantly damage any archaeological and/or tribal cultural resources.
<b>Impact 4.4-3</b> Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?	Less than Significant with Mitigation Incorporated	<b>MM CUL-5:</b> If human remains or funerary objects are encountered during the undertaking, 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. If the remains are determined to be Native American in origin, the coroner will notify the Native American Heritage Commission (NAHC), who will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours notification by the NAHC.
<b>Section 4.5 Energy</b>		
<b>Impact 4.5-1</b> Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?	Less than Significant	No mitigation is required.
<b>Impact 4.5-2</b> Would the Project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?	Less than Significant	No mitigation is required.
<b>Section 4.6 Geology and Soils</b>		
<b>Impact 4.6-1</b> 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	Less than Significant	No mitigation is required.



Resource Impact	Level of Significance	Mitigation Measure(s)
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?		
<b>Impact 4.6-2</b> Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: ii) Strong seismic ground shaking?	Less than Significant	No mitigation is required.
<b>Impact 4.6-3</b> Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: iii) Seismic-related ground failure, including liquefaction?	Less than Significant	No mitigation is required.
<b>Impact 4.6-4</b> Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: iv) Landslides?	Less than Significant	No mitigation is required.
<b>Impact 4.6-5</b> Would the Project result in substantial soil erosion or the loss of topsoil?	Less than Significant	No mitigation is required.
<b>Impact 4.6-6</b> Would the Project be located on a geological unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less than Significant	No mitigation is required.
<b>Impact 4.6-7</b> 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?	Less than Significant	No mitigation is required.
<b>Impact 4.6-8</b> Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	No impact	No mitigation is required.
<b>Impact 4.6-9</b> Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	Less than Significant with Mitigation Incorporated	<b>MM GEO-1:</b> A paleontological resource assessment should be prepared to review the susceptibility of subsurface geological units to containing paleontological resources as well as to review records for fossil localities near the Project site.

Resource Impact	Level of Significance	Mitigation Measure(s)
<b>Section 4.7 Greenhouse Gas Emissions</b>		
<b>Impact 4.7-1</b> Would the Project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment?	Significant and unavoidable	<b>MM GHG-1:</b> Proposed development projects that are not exempt from CEQA shall prepare a greenhouse gas (GHG) emissions assessment using the latest available air emissions model, or other analytical method determined in conjunction with the SCAQMD, to identify GHG impacts. Where possible, GHG emissions of existing uses shall be modeled and compared with the emissions for future development projects to determine if the net increase in GHG emissions exceeds SCAQMD's threshold of 3,000 MTCO <sub>2</sub> e or any applicable thresholds developed by the CAP. The results of the GHG emissions assessment shall be included in the development project's CEQA documentation. If the assessment identifies potentially significant GHG impacts, the City shall require the incorporation of appropriate mitigation to reduce such impacts to the extent feasible.
<b>Impact 4.7-2</b> Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less than Significant	No mitigation is required.
<b>Section 4.8 Hazards and Hazardous Materials</b>		
<b>Impact 4.8-1</b> Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than Significant	No mitigation is required.
<b>Impact 4.8-2</b> Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving release of hazardous materials into the environment?	Less than Significant with Mitigation Incorporated	<b>MM HAZ-1:</b> If a proposed use at the Project site has a threshold quantity of a regulated substance greater than as specified by the applicable health and safety code, the user shall prepare and implement a Hazardous Materials Risk Management Plan for facilities that store, handle, or use regulated substances as defined in the California Health and Safety Code Section 25532(g) in excess of threshold quantities. This plan shall be reviewed and approved by the Los Angeles County fire Department Division of Health Hazardous Materials through the Certified Unified Program Agencies (CUPA) process prior to implementation as required by the California Accidental Release Prevention (CalARP) Program.  <b>MM HAZ-2:</b> If potentially contaminated soil is identified during site disturbance activities for the Project, as evidenced by discoloration, odor, detection by instruments, or other signs, a qualified environmental professional shall inspect the site, determine the need for sampling to confirm the nature and extent of contamination, and provide a written report to the Master Developer, Site Developer, or Lead Agency, as applicable, stating the recommended course of action. Depending on the nature and extent of contamination, the qualified environmental professional shall have the authority to temporarily suspend construction activity at that location for the protection of workers of the public. If, in the opinion of the qualified environmental professional shall have the authority

Resource Impact	Level of Significance	Mitigation Measure(s)
		<p>to temporarily suspend construction activity at that location of the protection of workers or the public. If, in the opinion of the qualified environmental professional, substantial remediation may be required, the Master Developer, Site Developer, or Lead Agency, as applicable, shall contact representatives of the Los Angeles County Fire Department and/or DTSC for guidance and oversight and shall comply with all performance standards and requirements of the respective agency for proper removal and disposal of contaminated materials.</p> <p><b>MM HAZ-3:</b> Prior to the issuance of a demolition permit for any buildings or structures on-site, the Master Developer or Site Developer, as applicable, shall conduct a comprehensive asbestos-containing materials (ACM) survey to identify the locations and quantities of ACM in above-ground structures. The Master Develop or Site Developer, as applicable, shall retain a licensed or certified asbestos consultant to inspect buildings and structures on-site. The consultant's report shall include requirements for abatement, containment, and disposal of ACM, if encountered, in accordance with SCAQMD's Rule 1403.</p>
<p><b>Impact 4.8-3</b> 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?</p>	Less than Significant with Mitigation Incorporated	Refer to <b>MM HAZ-1</b> through <b>HAZ-3</b> .
<p><b>Impact 4.8-5</b> 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?</p>	No impact	No mitigation is required.
<p><b>Impact 4.8-6</b> Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p>	Less than Significant	No mitigation is required.
<p><b>Impact 4.8-7</b> Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?</p>	Less than Significant	No mitigation is required.
<b>Section 4.9 Hydrology and Water Quality</b>		
<p><b>Impact 4.9-1</b> Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</p>	Less than Significant	No mitigation is required.

Resource Impact	Level of Significance	Mitigation Measure(s)
<b>Impact 4.9-2</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?	Less than Significant	No mitigation is required.
<b>Impact 4.9-3</b> 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 through the addition of impervious surfaces, in a manner which would: i) Result in substantial erosion or siltation on- or off-site?	Less than Significant	No mitigation is required.
<b>Impact 4.9-4</b> 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: ii) Substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or off-site?	Less than Significant	No mitigation is required.
<b>Impact 4.9-5</b> 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: iii) Create or contribute run-off water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?	Less than Significant	No mitigation is required.
<b>Impact 4.9-6</b> 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: iv) Impede or redirect flood flows?	Less than Significant	No mitigation is required.
<b>Impact 4.9-8</b> Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less than Significant	No mitigation is required.
<b>Section 4.10 Land Use</b>		
<b>Impact 4.10-1</b> Would the Project physically divide an established community	Less than Significant	No mitigation is required.

Resource Impact	Level of Significance	Mitigation Measure(s)
<b>Impact 4.10-2</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?	Less than Significant	No mitigation is required.
<b>Section 4.11 Noise</b>		
<b>Impact 4.11-1</b> 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?	Less than Significant with Mitigation Incorporated	<b>MM NOI-1:</b> Proposed development projects that are not exempt from CEQA shall prepare an acoustic assessment, addressing noise and vibration impacts from construction and operational activities. The results of this acoustic assessment shall be included in the development Project's CEQA documentation. If the assessment identifies potentially significant noise or vibration impacts, the City shall require the incorporation of appropriate mitigation to reduce such impacts.
<b>Impact 4.11-2</b> Generation of excessive groundborne vibration or groundborne noise levels?	Less than Significant with Mitigation Incorporated	Refer to <b>MM NOI-1</b> .
<b>Impact 4.11-3</b> 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 public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No Impact	No mitigation is required.
<b>Section 4.12 Population and Housing</b>		
<b>Impact 4.12-1</b> Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?	Less than Significant	No mitigation is required.
<b>Impact 4.12-2</b> Would the Project displace substantial numbers of existing people or housing necessitating the construction of replacement housing elsewhere?	Less than Significant	No mitigation is required.
<b>Section 4.13 Public Services</b>		
<b>Impact 4.12-3</b> Would the Project result in substantial adverse physical impacts associated with the provision of new altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: i) Fire protection? ii) Police protection?	Less than Significant	No mitigation is required.

Resource Impact	Level of Significance	Mitigation Measure(s)
<ul style="list-style-type: none"> <li>iii) Schools?</li> <li>iv) Parks?</li> <li>v) Other facilities?</li> </ul>		
<b>Section 4.14 Transportation</b>		
<b>Impact 4.14-1</b> Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	Less than Significant	No mitigation is required.
<b>Impact 4.14-2</b> Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	Less than Significant	No mitigation is required.
<b>Impact 4.14-3</b> 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)?	Less than Significant	No mitigation is required.
<b>Impact 4.14-4</b> Would the Project result in inadequate emergency access?	No impact	No mitigation is required.
<b>Section 4.15 Tribal Consultation</b>		
<b>Impact 4.15-1</b> Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: <ul style="list-style-type: none"> <li>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 5020.1(k), or</li> <li>ii) A resources 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 subdivisions (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</li> </ul>	Less than Significant with Mitigation Incorporated	<p><b>MM TCR-1:</b> The Gabrieleno Band of Mission Indians – Kizh Nation shall be contacted, as detailed in of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with the Gabrieleno Band of Mission Indians – Kizh Nation, and all subsequent finds shall be subject to the Monitoring and Treatment Plan. The Monitoring and Treatment Plan shall allow for a monitor to be present that represents the Gabrieleno Band of Mission Indians – Kizh Nation for the remainder of the project, should the Gabrieleno Band of Mission Indians – Kizh Nation elect to place a monitor on-site.</p> <p><b>MM TCR-2:</b> Any and all archaeological/cultural documents created as a part of the Project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to the Gabrieleno Band of Mission Indians – Kizh Nation. The Lead Agency and/or applicant shall, in good faith, consult with the Gabrieleno Band of Mission Indians – Kizh Nation throughout the life of the project.</p>

Resource Impact	Level of Significance	Mitigation Measure(s)
<b>Section 4.16 Utilities and Service Systems</b>		
<b>Impact 4.16-1</b> 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?	Less than Significant	No mitigation is required.
<b>Impact 4.16-2</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?	Less than Significant	No mitigation is required.
<b>Impact 4.16-3</b> Would the Project result in a determination by the waste water treatment provider, which serves or may serve that Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	Less than Significant	No mitigation is required.
<b>Impact 4.16-4</b> 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?	Less than Significant	No mitigation is required.
<b>Impact 4.16-5</b> Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less than Significant	No mitigation is required.

## 2.0 INTRODUCTION AND PURPOSE

This Draft Program Environmental Impact Report (EIR) is prepared for the Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBODSP”) in compliance with the California Environmental Quality Act (CEQA). CEQA requires local and State agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. The CEQA Guidelines are located within the California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000-15387 (CCR or CEQA Guidelines), while the CEQA statute is codified as Public Resources Code Section 21000-21189.57 (PRC or CEQA Statute). For purposes of CEQA review and compliance for this Project, the City of Pico Rivera (City) serves as the Lead Agency.

The Project site is located in the County of Los Angeles, within the southwest portion of the City. The Project site is developed to the north with commercial uses and existing residential neighborhoods, to the south by industrial facilities, to the east by residential neighborhoods, and to the west by industrial facilities. The location of the Project in both regional and local contexts are further identified in **Section 3.0: Project Description**, **Figure 3-1: Regional Location Map**, and **Figure 3-2: Specific Plan Project Area**.

The Project entails establishing a WBODSP that would promote future revitalization and reuse of the Project site.

This Draft Program EIR evaluates the potentially significant, adverse, and beneficial impacts on the environment resulting from implementation of the Project. **Section 3.0: Project Description** provides a detailed description of the Project. **Section 4.0: Environmental Impact Analysis** discusses the regulatory environment, existing conditions, environmental impacts, and mitigation measures for the Project. Following public review of the Draft Program EIR, a Final EIR will be prepared, which will include responses public comments made on the Draft Program EIR.

### 2.1 Purpose of the Environmental Impact Report

According to 14 CCR Section 15121 of the CEQA Guidelines and PRC Section 21061, the purpose of an EIR is to provide detailed information to public agency decision-makers and the public on the environmental effects of a proposed project. The purpose of this Draft Program EIR for the Project is to review the existing conditions at and in the vicinity of the Project site; identify and analyze the potential environmental impacts; and suggest feasible mitigation measures or alternatives to reduce significant adverse environmental effects, as described in **Section 3.0: Project Description** and **Section 6.0: Alternatives**.

This EIR is being prepared as a Program EIR in accordance with Section 15168 of the CEQA Guidelines, which states the following:

- a) *General. A program EIR is an EIR, which may be prepared on a series of actions that can be characterized as one large project and are related either:*
  - 1) *Geographically,*
  - 2) *As logical parts in the chain of contemplated actions,*



- 3) *In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or*
- 4) *As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.*
- b) *Advantages. Use of a Program EIR can provide the following advantages. The Program EIR can:*
  - 1) *Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action,*
  - 2) *Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis,*
  - 3) *Avoid duplicative reconsideration of basic policy considerations,*
  - 4) *Allow the Lead Agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and*
  - 5) *Allow reduction in paperwork.*
- c) *Use with Later Activities. Subsequent activities in the program must be examined in the light of the Program EIR to determine whether an additional environmental document must be prepared.*
  - 1) *If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. That later analysis may tier from the program EIR as provided in Section 15152.*
  - 2) *If the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required. Whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based on substantial evidence in the record. Factors that an agency may consider in making that determination include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure, as described in the program EIR.*
  - 3) *An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.*
  - 4) *Where the subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.*
  - 5) *A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, many subsequent activities could be found to be within the*

*scope of the project described in the program EIR, and no further environmental documents would be required.*

- d) *Use with Subsequent EIRs and Negative Declarations. A program EIR can be used to simplify the task of preparing environmental documents on later activities in the program. The program EIR can:*
  - 1) *Provide the basis in an Initial Study for determining whether the later activity may have any significant effects.*
  - 2) *Be incorporated by reference to deal with regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.*
  - 3) *Focus an EIR on a later activity to permit discussion solely of new effects which had not been considered before.*
- e) *Notice with Later Activities. When a law other than CEQA requires public notice when the agency later proposes to carry out or approve an activity within the program and to rely on the program EIR for CEQA compliance, the notice for the activity shall include a statement that:*
  - 1) *This activity is within the scope of the program approved earlier, and*
  - 2) *The program EIR adequately describes the activity for the purposes of CEQA.*

Therefore, this Draft Program EIR will act as the primary environmental document for all entitlements associated with the Project and the Specific Plan, including all discretionary approvals requested or required to implement the Project. As the Lead Agency, the City can approve subsequent actions without additional environmental documentation unless otherwise required by Section 21166 of the CEQA Statutes and Section 15162 of the CEQA Guidelines. Section 21166 of the CEQA Statutes states that:

*When an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:*

- a) *Substantial changes are proposed in the project which will require major revisions of the environmental impact report.*
- b) *Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.*
- c) *New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.*

Additionally, Section 15162 of the CEQA Statutes states that:

- a) *When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*

- 1) *Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
- 2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
- 3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:*
  - a) *The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
  - b) *Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
  - c) *Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
  - d) *Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

## 2.2 Compliance with CEQA

According to the CEQA Guidelines (14 CCR Section 15064[f][1]), preparation of an EIR is required whenever a project may result in a significant effect on the environment. An EIR is an informational document used to inform public agency decision-makers and the general public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project that could feasibly attain most of the basic objectives of the project while substantially lessening or avoiding any of the significant environmental impacts. Public agencies are required to consider the information presented in the EIR when determining whether to approve a project. CEQA requires that State and local government agencies consider the environmental effects of projects over which they have discretionary authority before taking action on those projects.

This Draft Program EIR identifies and analyzes the environmental effects of the Project to the degree of specificity appropriate to the current proposed actions, as required by Section 15146 of the CEQA Guidelines. The analysis considers the activities associated with the Project in order to determine the short-term and long-term environmental effects associated with their implementation. This Draft Program EIR discusses both direct and indirect impacts of the Project, as well as cumulative impacts associated with other past, present, and reasonably foreseeable future projects.

Based on significance criteria, the effects of the Project have been categorized as either “no impact,” “less than significant,” “less than significant with mitigation incorporated,” or “significant unavoidable” (refer to **Section 4.0: Environmental Impact Analysis**). Mitigation measures are recommended for potentially significant impacts, to avoid or lessen impacts. In some cases, the Project results in significant unavoidable impacts even with implementation of feasible mitigation measures. In these situations, the decision-makers may approve the Project based on a “Statement of Overriding Considerations.” This determination would require the decision-makers to balance the benefits of the Project to determine if they outweigh identified unavoidable impacts. The CEQA Guidelines Section 15093 provides the following:

- *CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”*
- *When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The Statement of Overriding Considerations shall be supported by substantial evidence in the record.*
- *If an agency makes a Statement of Overriding Considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.*

### 2.3 Notice of Preparation/Early Consultation

In compliance with the CEQA Guidelines, the City provided opportunities for various agencies and the public to participate in the environmental review process. During preparation of the Draft Program EIR, efforts were made to contact various federal, State, regional, and local government agencies and other interested parties to solicit comments on the scope of review in this document. This included the distribution of a Notice of Preparation (NOP) to various responsible agencies, trustee agencies, and interested parties. Pursuant to CEQA Guidelines Section 15082 and CEQA Statute Section 21084.4, the City circulated the NOP directly to public agencies (including the State Clearinghouse Office of Planning and Research), special districts, and members of the public who had requested such notice. The NOP was distributed on September 21, 2023, with the 30-day public review period concluding on October 25, 2023. The City prepared and distributed the NOP for the Project to the general public, including federal, State and local agencies. Refer to **Appendix D: NOP and Scoping Meeting Materials**.

## Public Scoping Meeting

A public scoping meeting was hosted by the City on October 25, 2023, to obtain comments regarding the scope of the environmental process.

Areas of concern identified during the public scoping period include:

- Aesthetics
- Air Quality
- Noise
- Population and Housing
- Transportation

## Native American Consultation

Senate Bill (SB) 18, requires local governments to consult with Native American tribes prior to making certain planning decisions, and to provide notice to tribe at certain key points in the planning process. The intent of SB 18 is to provide Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting and mitigating impacts to cultural places (refer to **Section 4.4: Cultural Resources** and **Section 4.15: Tribal Cultural Resources** for further information). Additionally, California Assembly Bill (AB) 52 created a new class of resources – tribal cultural resources for consideration under CEQA. Under AB 52, a project that has potential to cause a substantial adverse change to a tribal cultural resource constitutes a significant effect on the environment unless mitigation reduces such effects to a less than significant level.

The City contacted the following tribes via written correspondence on September 21, 2023, in compliance with AB 52 and SB 18: Gabrieleno Band of Mission Indians – Kizh Nation, Gabrieleno/Tongva San Gabriel Band of Mission Indians, Gabriellino/Tongva Nation, Gabriellino/Tongva Nation, Gabriellino Tongva Indians of California Tribal Council, Gabriellino-Tongva Tribe, Santa Rosa Band Cahuilla Indians, and Soboba Band of Luiseno Indians. To date, responses have been received from Gabrieleno Band of Mission Indians – Kizh Nation and are detailed in **Section 4.15: Tribal Cultural Resources**.

## 2.4 Environmental Impact Report

### Public Review of the Draft Program EIR

Per CEQA Guidelines Section 15105, the public review period for a Draft EIR shall not be less than 30 days nor should it be longer than 60 days except under unusual circumstances. This Draft Program EIR will be circulated for a 45-day public review period and a Notice of Available will be provided to residents, agencies and other interested parties.

The public is invited to comment in writing on the information contained in this document. Interested agencies and members of the public are invited to provide written comments on the Draft Program EIR and are encouraged to provide information that they believe should be included in the Draft Program EIR. The Draft Program EIR is available to the general public for review on the City's website and also at the following location:

The Draft Program EIR is also available at the City's Planning Department listed below:

City of Pico Rivera City Hall  
6615 Passons Boulevard  
Pico Rivera, CA 90660

Comment letters should be sent to:

Alvie Betancourt  
City of Pico Rivera  
6615 Passons Boulevard  
Pico Rivera, CA 90660

Email: [abetancourt@pico-rivera.org](mailto:abetancourt@pico-rivera.org)

## **Final EIR**

Upon completion of the 45-day Draft EIR public review period, the City will evaluate all written comments received during the public review period on the Draft Program EIR. Pursuant to CEQA Guidelines Section 15088, the City will prepare written responses to comments raising environmental issue(s) concerns. Pursuant to CEQA Guidelines Section 15132 (Contents of Final Environmental Impact Report), the Final EIR will be prepared and will include:

- a) The Draft EIR or a revision of the draft;
- b) Comments and recommendations received on the Draft EIR either verbatim or in summary;
- c) A list of persons, organizations, and public agencies commenting on the Draft EIR; and
- d) The lead agency's responses to significant environmental points raised in the review and consultation process.
- e) Any other information added by the Lead Agency.

Additionally, pursuant to CEQA Guidelines Section 15088 (Evaluation of and Response to Comments), after the Final EIR is completed and at least ten days prior to certifying the Final EIR, the City will provide a copy of the written response to comments made by each public agency who commented on the Draft EIR.

## **Certification of the Final EIR**

The Draft Program EIR, as revised by the Final EIR, will be considered by the City of Pico Rivera Planning Commission and the City Council for certification, consistent with CEQA Guidelines Section 15090, which states:

Prior to approving a project, the lead agency shall certify that:

- 1) The final EIR has been completed in compliance with CEQA;
- 2) The final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
- 3) The final EIR reflects the lead agency's independent judgment and analysis.

Regarding the adequacy of an EIR, according to CEQA Guidelines Section 15151, “An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.”

## Project Consideration

With certification of the Final EIR, the proposed Project will also be adopted. A decision to approve the Project would be accompanied by specific, written findings, in accordance with CEQA Guidelines Section 15091.

## Format of the EIR

This Draft Program EIR is organized into nine sections:

- Section 1.0 Executive Summary**, provides a Project summary and summary of environmental impacts, and the proposed mitigation measures and alternatives.
- Section 2.0 Introduction**, provides CEQA compliance information.
- Section 3.0 Project Description**, provides Project history, as well as the environmental setting, Project characteristics and objectives, phasing, and anticipated permits and approvals that may be required for the Project.
- Section 4.0 Environmental Impact Analysis**, provides a discussion of the existing conditions for each of the environmental impact areas. This section also describes methodologies for significance determinations, identifies both short-term and long-term environmental impacts of the Project, recommends mitigation measures to reduce the significance of environmental impacts, and identifies any areas of potentially significant and unavoidable impacts. This section includes a discussion of cumulative impacts that could arise as a result of the implementation of the Project.
- Section 5.0 Other CEQA Considerations**, summarizes unavoidable significant impacts, and discusses significant irreversible environmental changes, growth-inducing impacts, and energy conservation, in accordance with CEQA Guidelines Appendix F.
- Section 6.0 Alternatives**, describes potential Project alternatives, including alternatives considered but rejected from further consideration, the No Project Alternative, various Project Alternatives, and identifies the Environmentally Superior Alternative.
- Section 7.0 Effects Found Not to Be Significant**, describes potential impacts that have been determined not to be significant throughout the EIR process.
- Section 8.0 EIR Consultation and Preparation** identifies the CEQA lead agency and EIR preparation team, as well as summarizes the EIR consultation process.

## 2.5 Responsible and Trustee Agencies

### Lead Agency

#### City of Pico Rivera

As noted previously, the City is the Lead Agency under CEQA. This Draft Program EIR has been prepared in accordance with the CEQA Statute and the CEQA Guidelines. CEQA requires lead agencies to consider potential environmental effects that may occur with implementation of a project and to avoid or substantially lessen significant effects to the environment when feasible. When a project may have a significant effect on the environment, the agency with primary responsibility for carrying out or approving the Project (the Lead Agency) is required to prepare an EIR.

### Trustee, Responsible, and Cooperating Agencies

Other federal, State, and local agencies are involved in the review and approval of the proposed project, including trustee and responsible agencies under CEQA. Under CEQA, a trustee agency is a State agency that has jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. A responsible agency is an agency other than the lead agency that has responsibility for carrying out or approving a project. The City is the responsible agency for this Project. Responsible and trustee agencies are consulted by the CEQA lead agency to ensure the opportunity for input and also review and comment on the Draft Program EIR. Responsible agencies also use the CEQA document in their decision-making. Several agencies other than the City may require permits, approvals, and/or consultation in order to implement various elements of the project, as listed in **Section 3.8: Discretionary Actions and Approvals**.

## 2.6 Incorporation by Reference

Pertinent documents relating to this Draft Program EIR are cited in accordance with CEQA Guidelines Section 15148 or have been incorporated by reference in accordance with CEQA Guidelines Section 15150, which encourages incorporation by reference as a means of reducing redundancy and the length of environmental reports. The following documents are hereby incorporated by reference into this EIR and are available for review online. Information contained within these documents is utilized for various sections of this Draft Program EIR.

**City of Pico Rivera General Plan.** The City adopted the City of Pico Rivera General Plan Update (Pico Rivera General Plan) in 2014. The nine chapters or elements are designed to guide the City's immediate and long-term land use, development, and environmental management decisions.

The Land Use Element discusses the type, intensity, and general distribution of uses of land for housing, business, industry, open space, education, and public buildings.

The Housing Element provides an 8-year strategy to address the City's identified housing needs, including implementation of specific programs and activities.



The Circulation Element identifies goals and policies to provide a safe, efficient, and adequate circulation system in the City.

The Community Facilities Element describes the City's existing and future facility and service needs, including general government, law enforcement, fire protection, water, wastewater, and energy.

The Economic Prosperity Element focuses on enhancing the City's economic well-being and sustainability and provides a strategic approach to economic development that reflects the City's unique opportunities and challenges.

The Environmental Resources Element discusses the long-term management of the City's environmental resources including air quality, greenhouse gas emissions, water resources, biological resources, mineral resources, and cultural resources.

The Safety Element discusses the City's seismic and geologic hazards, flood hazards, hazardous materials, and emergency preparedness.

The Healthy Community Element discusses planning for a community that provides opportunities for people of all ages and abilities to engage in routine and safe physical activity, to access basic needs, and to promote self-improvement and intellectual development for personal and economic growth.

The Noise Element examines noise sources in the City, identifies and evaluates the potential for noise conflicts, and identifies ways to reduce existing and potential noise impacts.

The General Plan was used throughout this Draft Program EIR since it contains information, policies, and regulations relevant to the proposed Project. This document is available for review on the City's website at:

<https://www.pico-rivera.org/index.php/general-plan/>

**City of Pico Rivera Municipal Code.** The City of Pico Rivera Municipal Code (PRMC) establishes detailed zoning districts and regulations based on the Pico Rivera General Plan. The Pico Rivera Zoning Code (PRMC Title 18) serves as the primary implementation tool for the Pico Rivera General Plan. Whereas the Pico Rivera General Plan is a policy document that sets forth direction for development decisions, the Zoning Code is a regulatory document that establishes specific standards for the use and development of all properties in the City. The Zoning Code regulates development intensity using a variety of methods, such as setting limits on building setbacks, yard landscaping standards, and building heights. The Zoning Code also indicates which land uses are permitted in the various zones. The PRMC includes all of the City's zoning ordinance provisions and has been supplemented over time to include other related procedures such as subdivision regulations, environmental review procedures, and advertising and sign code provisions. PRMC regulations and maps must be consistent with the Pico Rivera General Plan land uses, policies, and implementation programs. The PRMC is referenced throughout this Draft Program EIR as it relates to the analysis of the Project area parcels within the City.

The PRMC can be found online at:

[https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code)

**Southern California Association of Governments (adopted 2020-2045).** The Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) or Connect SoCal was fully approved and adopted on September 3, 2020. The Connect SoCal is SCAG's long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. It charts a path toward a more mobile, sustainable, and prosperous region by making connections between transportation networks, between planning strategies, and between the people whose collaboration can improve the quality of life for southern Californians. The Connect SoCal addresses the cumulative impact of future development and associated infrastructure improvements for the SCAG region, which includes Los Angeles County and the City of Pico Rivera.

The SCAG Connect SoCal can be accessed online at:

<https://scag.ca.gov/read-plan-adopted-final-plan> Please note that since the release of the Project's NOP distributed on September 21, 2023, SCAG has certified the Final 2024 Program EIR (State Clearinghouse No. 2022100337) for the 2024-2050 RTP/SCS or Connect SoCal 2024 on April 4, 2024 (with the latest Addendum #1 to the Connect SoCal 2024 Program EIR being adopted by the SCAG Regional Council on September 5, 2024). Although the Project's technical studies and cumulative approach rely on the previous Connect SoCal, this Draft Program EIR, where appropriate, includes information and data from the latest Connect SoCal 2024.

## 3.0 PROJECT DESCRIPTION

### 3.1 Purpose

The City of Pico Rivera (City), as Lead Agency under the California Environmental Quality Act (CEQA) has prepared this Draft Program Environmental Impact Report (EIR) for the Washington Boulevard Transit-Oriented Development Specific Plan (“WBODSP” or “Project”). The purpose of the Project Description is to provide an accurate, stable, and finite description of the Project to allow for meaningful review by local, state, and federal reviewing agencies, decision-makers, and interested parties. CEQA Guidelines Section 15124 (14 California Code of Regulations [CCR] Section 15124) requires a project description to contain the following:

1. The precise location and boundaries of the proposed project shown on a detailed map and along with a regional location map;
2. A clearly written statement of the objectives of the proposed Project including the underlying purpose of the Project and Project benefits. The statement of objectives must be detailed enough to allow a Lead Agency the opportunity to develop and evaluate Project alternatives;
3. A description of the proposed Project’s technical, economic, and environmental characteristics along with engineering and public service facilities details; and
4. A statement describing the intended uses of the EIR, including a chronological list of all necessary approvals and a roster of other agencies that may use the document, a list of required permits and approvals, and a list of related consultation and environmental review necessary under local, state, and federal laws, regulations, and policies.

An adequate Project description need not be extensive, but it must be sufficient to allow for review and evaluation of the possible environmental impacts of a proposed Project.

### 3.2 Project Overview

The Project site encompasses 305.1 acres of land within the Washington/Rosemead area to complement the future Metro E Line extension through the City. The WBODSP would create a compact multi-modal, mixed-use, and sustainable environment that is a focal point for community activity. The WBODSP would be used as a policy and regulatory guide for subsequent Project-specific reviews and approvals when Project level proposals within the WBODSP area are submitted to the City. The WBODSP assumes a maximum buildout of approximately 2,336 new residential dwelling units (DU)s and 5,889,747.60 square feet (SF) of new non-residential (commercial, retail, office, public facilities, etc.) uses. In addition, the WBODSP includes regulations to encourage improvements that update and improve facilities for pedestrians, bicyclists, transit riders, and motorists. This would include a combination of multi-use pathways, separated bike lanes, and sidewalk and crosswalk enhancements.

The purpose of this Draft Program EIR is to review the existing conditions at the Project site and immediate vicinity; identify and analyze the potential environmental impacts from future developments occurring within the WBODSP; and suggest feasible mitigation measures or alternatives to reduce significant adverse environmental effects, as described in this section and **Section 6.0: Alternatives**.

### 3.3 Project Background

The City initiated the preparation of the Rancho de Bartolo Specific Plan (SP-400) in 1996 to provide a comprehensive set of guidelines, regulations, and implementation programs to guide the future redevelopment of the 200 gross acre site currently occupied by Northrop-Grumman. The 35-acre area located to the south of Northrop-Grumman plant site, occupied by the Burlington Northern Santa Fe (BNSF) rail yard, was included in the Planning Area governed by the SP-400. The Project site also includes the entirety of Specific Plan 301 (SP-301) that encompasses the Pico Rivera Towne Center. SP-301 includes roughly 12.84 acres and is located at the southeast corner of Rosemead and Washington Boulevard.

The WBTODSP would essentially “replace” the zoning standards of the SP-400 and SP-301 that applied to the Planning Area. The City of Pico Rivera General Plan Update (Pico Rivera General Plan) promotes the use of a comprehensive planned development process involving the preparation the WBTODSP, which provides both the City and property owner additional flexibility in the development of standards to match the unique characteristics for a particular site to meet the goals of the Pico Rivera General Plan. The WBTODSP would amend the City of Pico Rivera Municipal Code (PRMC) to replace the SP-400 and SP-301 zoning standards.

The WBTODSP is a comprehensive local planning effort for the potential extension of the Metro E Line. Community engagement for the WBTODSP began in the summer of 2019, and outreach efforts included focus group meetings, business and property owner interviews, an Easter Eggstravaganza event, and two community workshop events. A total of five WBTODSP community engagement events have been undertaken where participants at the community outreach events were introduced to the WBTODSP process and introduced to community ideas for the WBTODSP. A summary of existing conditions, issues, and opportunities were presented to the workshop participants to help stimulate dialogue. The ideas, opportunities, and challenges identified by participants helped formulate future land use and design alternative scenarios.

### 3.4 Project Location and Setting

The City is located within the southeastern portion of Los Angeles County, approximately 14 miles from downtown Los Angeles, situated on the eastern edge of the Los Angeles basin and the southern edge of the area known as the San Gabriel Valley. The City is bounded on the north by the Whittier Narrows Dam, on the south by the City of Downey, on the west by the Rio Hondo River and the City of Montebello, and on the east by the San Gabriel River, Santa Fe Springs, and unincorporated West Whittier. Regional freeway access to the City is provided via Interstate 605 (San Gabriel River Freeway), Interstate 5 (Santa Ana Freeway), and Interstate 60 (Pomona Freeway); refer to **Figure 3-1: Regional Location**.

The WBTODSP area is approximately 305 acres and is bound (generally) by Washington Boulevard (to the north), Rosemead Boulevard (to the east), Paramount Boulevard (to the west), and a BNSF Pico Rivera rail yard (to the south); refer to **Figure 3-2: WBTOD Specific Plan Area**. The Project area is composed of 96 legal Assessor’s Parcel Numbers (APNs), as shown in **Table 3.0-1: WBTOD Specific Plan Assessor Parcel Numbers**.

**Table 3.0-1: WBOD Specific Plan Assessor Parcel Numbers**

6369006032	6369006028	6369004011	6378017004
6369006013	6369006034	6369004018	6378018900
6369006038	6369027022	6369004010	6378018002
6369006033	6369027006	6369004002	6378018003
6369006037	6369006039	6369004003	6378019072
6369006035	6369027900	6369004021	6378019067
6369006042	6369006027	6369004012	6378019053
6369006043	6369006802	6369004013	6378019037
6369006044	6348026026	6369004006	6370027013
6369006049	6370030015	6369004007	6370024033
6369006045	6378019068	6369004017	6378019071
6369006048	6381014006	6369004016	6378019058
6369027023	6381014011	6369005009	6378019019
6369027021	6381014010	6369005008	6378019052
6369027019	6369006901	6370013021	6370027021
6369027018	6378019900	6370013033	6370027018
6369027002	6369002012	6370013032	6370027014
6369027001	6369002004	6370021001	6370025009
6369027020	6369002900	6370022025	6370024033
6369006026	6369002007	6381014007	6370024026
6369006025	6369002006	6370013014	6370030016
6369006024	6369002005	6378017001	6348026027
6369006032	6369006028	6369004011	6378017004
6369006013	6369006034	6369004018	6378018900

Source: Washington Boulevard Transit-Oriented Development Specific Plan

## Existing Setting

Except for Assessor's Parcel Number 6370-013-014, located at 6605 Rosemead Boulevard, which is the only vacant parcel within the Project site, the balance of the Project site parcels are fully developed with a mix of industrial, light-industrial, commercial, and residential uses. No portion of the Project site remains in its native state. Major thoroughfares including Washington Boulevard and Rosemead Boulevard border the Project site in an east/west and north/south direction, respectively. Roadways internal to the Project site include Rex Road and Mercury Lane.

## 3.5 Land Use Designations and Zoning

The Project area has General Plan Land Use designations of General Industrial (I), Specific Plan (SP-400 and SP-301), Commercial (C), High Density Residential (HDR), and Mixed Use (MU).<sup>1</sup> Refer to **Figure 3-3: Existing General Plan Land Use Designations**.

The Project site's existing zoning is composed of the following classifications: General Industrial (I-G), Specific Plan (SP-400 and SP-301), General Commercial (C-G), Community Commercial (C-C), Multiple-Family Residential (R-M), Professional and Administrative (P-A) and Public Facilities (P-F). Refer to **Figure**

<sup>1</sup> City of Pico Rivera. 2014. Land Use Element. Figure 3-1: Land Use Plan. <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-3.pdf> (accessed October 2024).

**3-4: Existing Zoning.** The existing development in the Project area consists of residential (R-M) uses; commercial (C-G and C-C) uses; professional and administrative (P-A) uses; General Industrial (G-I) uses; and public facilities (P-F) uses. The Project site is also composed of an approximately 76-acre portion of the existing SP-400 and approximately 12.84 acres of the existing SP-301. SP-400 and SP-301 are anticipated to be rescinded with the adoption of the proposed General Plan Amendment (GPA) and Municipal Code Amendment (MCA); refer to Section 3.9, Discretionary Approvals below. **Table 3.0-2, Existing Allowed Maximum Density**, shows a breakdown of maximum allowed densities in each of the existing land uses with a maximum allowed 6,065,561.58 SF of non-residential capacity and up to 331 high density residential dwelling units (DUs).

**Table 3.0-2: Existing Allowed Maximum Density**

Existing General Plan Land Use	Dwelling Unit Capacity (DU)	Non-Residential Capacity (SF)
<b>General Commercial (C-G)</b>	-	936,648.90
<b>Community Commercial (C-C)</b>	-	77,754.60
<b>Professional and Administrative (P-A)</b>	-	91,476.00
<b>General Industrial (I-G)</b>	-	1,158,608.88
<b>Public Facilities (P-F)</b>	-	27,007.20
<b>High Density Residential (R-M)</b>	331.2	-
<b>Specific Plan 400</b>	-	3,774,066.00
<b>TOTAL</b>	<b>331.20</b>	<b>6,065,561.58</b>

### 3.6 Surrounding Land Uses

Surrounding land uses are composed of retail commercial services, restaurants, lodging, and residential uses to the north; a railroad, business parks, industrial uses, and residential uses to the south; warehouses, public facilities, open space and trail amenities adjacent to the Rio Hondo River to the west; and residential uses make up most of the areas east of the Project site.

### 3.7 Environmental Setting

#### Topography and Soils

The City generally slopes to the southwest where the Project is located at, with elevations ranging from approximately 200 feet above mean sea level (amsl) at the northern boundary of the City to 140 feet amsl at the southern boundary of the City. Additionally, the City is located in an area of alluvial fans, plains, and terrace.

According to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service's Web Soil Survey, the Project site is underlain by Urban land-Biscailuz-Hueneme, drained complex, 0 to 2 percent slopes, and Urban land-Hueneme, drained-San Emigdio complex, 0 to 2 percent slopes.<sup>2</sup> In

<sup>2</sup> USDA Natural Resources Conservation Services. (2019). *Web Soil Survey*. Available at: <https://websoilsurvey.nrcs.usda.gov/app/> (accessed October 2024).

general, soils on-site have been heavily disturbed from a mix of industrial, light-industrial, commercial, and residential development, with the exception of soils within the vacant parcel.

## Biology

Kimley-Horn and Associates conducted a California Natural Diversity Database (CNDDDB) search to determine if endangered, rare, or threatened status at a federal and/or state level have the potential to be found within the Project site. The CNDDDB data output (included as **Appendix A**) for the Project site determined that no critical habitat, candidate, sensitive, or special status species that would exist in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CFWD) or U.S. Fish and Wildlife Service (FWS) occur onsite. Refer to **Section 4.3, Biological Resources** for further discussion.

## Seismic Conditions

The Project site is located in an area which is subject to strong ground motions due to earthquakes. Review of Pico Rivera General Plan Figure 9-1, Regional Faults indicated that the Project site is not located within an Alquist-Priolo Earthquake Fault Zone.<sup>3</sup> The closest fault zone is the Whitter Fault located outside of the City to the east.

## Hydrology

The Project site is located within the Alhambra Wash-Rio Hondo Watershed (HUC12 180701050303).<sup>4</sup> This is a smaller drainage basin that drains into the Los Angeles River system, and ultimately discharges into the Pacific Ocean.<sup>5</sup>

The WBTODSP Area is bordered by water facilities belonging to three different water agencies. Pico Water District has an 8-inch pipeline in the north side of Washington Boulevard, and another 8-inch line in the east side of Rosemead Boulevard. Also in the east side of Rosemead Boulevard is a 10-inch line belonging to the Santa Fe Springs Water Company. The City of Pico Rivera Water Department has a 17-inch line in the south side of Washington Boulevard, a 12-inch pipeline in the west side of Paramount Boulevard, and a 17-inch line in the west side of Rosemead Boulevard, which only extends southerly from Washington Boulevard into Sub-Area A. This 17-inch line in Washington Boulevard is fed directly by a well located just westerly of Paramount Boulevard. Three main water connections from these City lines currently serve the Specific Plan area. A 10-inch service exists on the west side of the site at Rex Road, a 12-inch service feeds from the north, and another 12-inch line serves the easterly portion of the Project site.

The Project site is largely developed and has existing storm drain infrastructure that serve the Project site. A 27-inch reinforced concrete pipe (RCP) conveys flows from north of Washington Boulevard to an open channel located on the west side of Rosemead Boulevard. This channel then continues in a southerly direction in the easterly portion of the WBTODSP Area, where it outlets to a double 72-inch RCP. At that

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<sup>3</sup> City of Pico Rivera. (2014). *Pico Rivera General Plan. Safety Element Figure 9-1: Regional Faults*. Retrieved from: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-9.pdf> (accessed October 2024).

<sup>4</sup> California Waterboards. 2022. *HUC Watersheds*. <https://gispublic.waterboards.ca.gov/portal/home/webmap/viewer.html?useExisting=1&layers=b6c1bab9acc148e7ac726e33c43402ee> (accessed January 2024).

<sup>5</sup> Arroyo Seco Foundation. ND. <https://www.arroyoseco.org/riohondowatershed.htm> (accessed January 2024).



point, there is a confluence with an existing 66-inch RCP that extends northerly to Rex Road, and an existing 72-inch RCP that extends westerly. The 66-inch RCP feeds a network of on-site drainage facilities. Storm drains are the primary flood control facilities in the City, which convey local water runoff to Whittier Narrows Dam and the Rio Hondo and San Gabriel spreading grounds, located adjacent to the Rio Hondo and San Gabriel rivers. The Whittier Narrows Dam captures local stormwater flows for groundwater replenishment.

Sewer service currently exists along the west side of Paramount Boulevard. The main sewer line located adjacent to the Specific Plan area is a 63-inch trunk line on Paramount Boulevard. This line, which operated by the County Sanitation Districts of Los Angeles County, has three direct connections in the area. The first connection is a 10-inch public line on Washington Boulevard that extends easterly. The other two connections are private lines. One of these is a 15-inch line located north of Rex Road, extending easterly into the site, and the other is a 10-inch line extending easterly on Rex Road. The wastewater generated from future development would be treated at the City's Albert Robles Center, a water replenishment facility that is used for water recycling and environmental learning.

### Flood Zone Information

The Project site is located in Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map 06037C1830F (effective September 26, 2008).<sup>6</sup> The Project is designated Zone X, an area of reduced flood risk due to a levee.<sup>7</sup> Additionally, the City is located approximately 20 miles east of the Pacific Ocean and is not located within a tsunami hazard zone.<sup>8</sup> There are no large open bodies of water in the Project area.

## 3.8 Project Objectives

Section 15124(b) of the State CEQA Guidelines requires that an EIR include "[a] statement of the objectives sought by the proposed Project. A clearly written statement of objectives will help the Lead Agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision-makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the proposed Project." The following objectives have been established for the proposed Project:

- Objective 1: Transit Supportive Development
- Objective 2: Vibrant, Mixed-Use, Multimodal Environment
- Objective 3: Enhanced Connectivity
- Objective 4: Preserve Community/Character/Culture/Heritage
- Objective 5: Creative Funding/Financing Options
- Objective 6: Increased Economic Development Opportunity

<sup>6</sup> FEMA. ND. *FEMA's National Flood Hazard Layer (NFHL) Viewer. Map Number 06037C1830F.* <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>. (Accessed October 2024).

<sup>7</sup> Ibid.

<sup>8</sup> City of Pico Rivera. 2014. *Pico Rivera General Plan Update Administrative Draft Environmental Impact Report – 3.7 Hydrology and Water Quality.* Page 3.7-9.



- Objective 7: Sustainable Design and Development

### 3.9 Discretionary Actions and Approvals

The City is the Lead Agency under CEQA and is responsible for reviewing and certifying the adequacy of the Draft Program EIR for the WBTODSP Project. Prior to development of the Project site, discretionary permits and approvals must be obtained from local, State, and federal agencies, as applicable. It is expected that these agencies, among any others applicable at the time development projects are proposed, at a minimum, would consider the data and analyses contained in this Draft Program EIR when making permit determinations. The proposed Project requires the approval of a GPA No. 65 and a MCA No. 198. No development or specific projects are proposed by the WBTODSP. It is anticipated that future development projects would be required to comply with the requirements of this Draft Program EIR and the WBTODSP Design Guidelines.

#### **California Environmental Quality Act – State Clearinghouse No. 2023090527**

This Washington Boulevard Transit-Oriented Development Specific Plan Project is considered a “Project” under CEQA. CEQA is a statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. To document the potential significant impacts, this Draft Program EIR is being prepared for the Project and would be certified by the City prior to adoption of the Project or any other Project entitlements. Subsequent development within the WBTODSP boundaries deemed consistent with Specific Plan standards would not require further environmental review. The City is the lead agency responsible for certification of the Draft Program EIR.

#### **GPA No. 65 – General Plan Amendment**

The GPA would be required to adopt the new Washington Boulevard Transit-Oriented Development Specific Plan. The Project area is presently designated as General Industrial (I), Specific Plan (SP 301 and SP 400.4, Commercial (C), High-Density Residential (HDR), and Mixed Use (MU). The GPA would amend the existing land use designations by proposing a new land use map with the following six land uses: Mixed Use Residential Low Multi-Family (MUR Low), Mixed Use Residential High Multi-Family (MUR High), Mixed Use Commercial (MUC), Commercial (MUC), Industrial Mixed Use (IMU), and Flex District (FLX). Refer to **Table 3.0-4** below that summarizes the Project’s proposed land uses.

The maximum overall intensity of development within the Specific Plan land use designation would be consistent with the provisions of the Pico Rivera General Plan as determined through the development review process. In all cases, the intensity of Specific Plan developments, and each portion thereof, would be compatible with the underlying General Plan densities and intensities and adjacent and adjacent and existing and planned land uses.

#### **MCA No. 198- Municipal Code Amendment**

An MCA would be required to amend the existing zoning standards for SP-400 and SP-301 within the PRMC and adopt the new Washington Boulevard Transit-Oriented Development Specific Plan development guidelines for the Project area.

**Table 3.0-3: Discretionary Actions** and **Table 3.0-4: Other Anticipated Approvals/Permits** below includes various approvals and permits for local, state, and federal agencies with jurisdiction over specific elements of the Project that may be obtained during the decision-making process. The tables are organized by agency/jurisdiction.

**Table 3.0-3: Discretionary Actions**

Agency	Action
City of Pico Rivera	<ul style="list-style-type: none"> <li>■ Final EIR Certification</li> <li>■ General Plan Amendment</li> <li>■ Municipal Code Amendment</li> <li>■ Specific Plan Adoption</li> <li>■ Statement of Overriding Considerations (if needed)</li> </ul>

All development projects in the WBODSP area are required to be consistent with the provisions of this Specific Plan, including, but not limited to, tentative maps, development plans, conditional use permits, substantial conformance reviews, planned residential developments, grading and improvement plans, and landscape plans.

**Table 3.0-4: Other Anticipated Approvals/Permits**

Overseeing Agency	Approval/Permit
City of Pico Rivera	<ul style="list-style-type: none"> <li>■ Infrastructure Plans/Permits (including roadway, landscape and drainage for off-site facilities)</li> <li>■ Building Plans/Permits</li> <li>■ Grading Plans/Permits</li> <li>■ Certificates of Occupancy</li> <li>■ Commercial Site Plans</li> <li>■ Infrastructure Plans/Permits</li> <li>■ Conditional Use Permit(s)</li> <li>■ Landscape Plan</li> <li>■ Drainage Plan</li> <li>■ Water and Sewer Plan</li> <li>■ Site Development Plan</li> <li>■ Mixed-Use Development Plan</li> <li>■ Planned Residential Development Permits, including Multi-Family Residential</li> <li>■ Water Quality Management Plan</li> <li>■ Water Supply Assessment</li> </ul>
Pico Water District	<ul style="list-style-type: none"> <li>■ Approval and construction of plans for water and sewer facilities</li> </ul>
Regional Water Quality Control Board	<ul style="list-style-type: none"> <li>■ NPDES General Construction Permit</li> <li>■ Clean Water Act 401 Certification</li> </ul>
Los Angeles County Flood Control and Water Conservation District	<ul style="list-style-type: none"> <li>■ Drainage Facility Plan Approval</li> </ul>
State Water Resources Control Board	<ul style="list-style-type: none"> <li>■ Construction General Permit Notice of Intent</li> </ul>
U.S. Army Corps of Engineers	<ul style="list-style-type: none"> <li>■ Clean Water Act Section 404 Permit</li> </ul>

### 3.10 Specific Plan Development Plan

#### Land Use Plan

The Land Use Plan for the WBODSP area provides for the development of six land uses: Mixed Use Residential Low Multi-Family (MUR Low), Mixed Use Residential High Multi-Family (MUR High), Mixed Use

Commercial (MUC), Commercial (C), Industrial Mixed Use (IMU), and Flex District (FLX). The Specific Plan encompasses approximately 305 acres (including rights-of-way). **Table 3.0-5: Development Plan Land Use Summary** provides a breakdown of the WBTODSP area. The WBTODSP would allow a maximum of 2,336 new residential units and 5,889,747.60 SF of new non-residential (commercial, retail, office, public facilities, etc.) uses. The 2,336 units are a cap on the total number of residential units that can be developed in the Project. The actual number of units constructed may be lower and would be built over multiple stages.

The WBTODSP is intended as the primary regulatory document for the development within the Specific Plan area. Properties within the WBTODSP are subject to applicable regulations of the PRMC unless those regulations are otherwise addressed in the Specific Plan. All terms in this chapter shall have the same meaning as in the PRMC, the regulations set forth in the WBTODSP shall prevail. The final mix of uses developed within the WBTODSP area will depend on the market conditions, tenant needs, and other factors. As further discussed in Chapter 6: Implementation, of the WBTODSP, proposal for development within the Project area will be evaluated by the City through review and approval.

This area is subject to unique factors that will influence the future development of the planning area, including:

- Incoming multi-tenant buildings
- Transit Oriented Mixed Use Development
- LA Metro's future E Line extension

**Table 3.0-5: Development Plan Land Use Summary**

Land Use	Assumed Buildout				
	Acres	Density	Dwelling Units	FAR	Square Footage
Mixed Use Residential Low Multi-family	16.8 ac	25	420 du	0.30	219,542.40 SF
Mixed Use Residential High Multi-family	19.6 ac	40	784 du	0.30	256,132.80 SF
Mixed Use Commercial	28.3 ac	40	1,132 du	0.30	369,824.40 SF
Commercial	75.9 ac	--	--	0.50	1,653,102.00 SF
Industrial Mixed Use	39.5 ac	--	--	0.50	860,310.00 SF
Flex District	116.2 ac	--	--	0.50	2,530,836.00 SF
Washington Boulevard	8.8 ac	--	--	--	--
<b>TOTALS</b>	<b>305.1 AC</b>	<b>--</b>	<b>2,336 DU</b>	<b>--</b>	<b>5,889,747.60 SF</b>

**Table 3.0-6, Allowed Maximum Density and Proposed Project Density**, shows a summary of existing allowed maximum density on the Project site versus the anticipated maximum allowed density in of the WBTODSP.

**Table 3.0-6: Allowed Maximum Density and Project Density Comparison**

	Dwelling Unit (DU)	Non-Residential (SF)
<b>Existing Allowed Maximum Densities</b>	331	6,065,561.58
<b>Project SF</b>	2,336	5,889,747.60
<b>Difference</b>	<b>2,005</b>	<b>-175,813.9 SF</b>

As shown in Table 3.0-6, the future development of the WBTODSP associated with the Project would for approximately 175,813 SF less development of non-residential development than that allowed in the same footprint under the existing land use designation (see Table 3.0-2, Existing Allowed Maximum Density). The Project would allow for 2,005 more DUs than the 331 DUs allowed under the existing land use designation. Overall, the WBTODSP would generate less density and an overall enhancement in creating a TOD-oriented mixed use planning area.

The WBTODSP is designed to advance planning and investment efforts around the proposed Washington and Rosemead Boulevard E Line Station to create an environment that promotes, encourages, and supports transit ridership, and a transit-oriented community. The WBTODSP will transform the area into an integrated transit-oriented commercial environment of residential mixed use living and a central hub for employment. **Figure 3-5, Specific Plan Land Use Concept**, shows the anticipated land uses.

Ground floor spaces in the commercial buildings developed in the Specific Plan area may include tenant amenities, office, research and development, and/or other permitted uses. Where feasible, the public lobbies of new commercial buildings should front onto Rosemead and Washington Boulevards, which provides connectivity through the Specific Plan area, to create a unified environment.

### ***Mixed Use Residential Low Multi-Family (MUR Low)***

The MUR Low (MURL) is intended to provide low-rise multifamily buildings with three or fewer habitable stories and ground floor commercial. This land use encompasses the existing commercial uses north of Washington Boulevard. These uses will support the existing commercial uses while providing housing options within the Specific Plan area. In total, the MUR Low would have an assumed total buildout of up to 420 dwelling units at 219,542.40 SF. This land use would be permitted along Washington and Rosemead Boulevards; refer to **Figure 3-6, Specific Plan Land Use Concept – MUR Low**.

### ***Mixed Use Residential High Multi-Family (MUR High)***

The MUR High (MURH) is intended to provide mid-rise multifamily buildings with four or more habitable stories and ground floor commercial. This land use will encompass the existing commercial uses around the intersection of Washington and Rosemead Boulevards where the E Line Station is planned to be built. These uses are intended to be the central area for commercial use around the new Metro Station, providing commercial uses on the ground floor and housing above. In total, the MUR High would have an assumed total buildout of up to 784 dwelling units at 256,132.8 SF; refer to **Figure 3-7, Specific Plan Land Use Concept – MUR High**.

### ***Mixed Use Commercial (MUC)***

MUC will focus on providing an integrated mix of residential and commercial land uses located close to one another, either within a single building, on the same parcel, or adjacent parcels. This land use will encompass the existing commercial uses on the corners of the intersection of Washington and Rosemead Boulevards where the E Line Station is planned to be built. These uses are intended to be the central area for commercial use around the new Metro Station providing commercial uses on the ground floor and high-rise residential above. In total, MUC would have an assumed total buildout of up to 1,132 dwelling units at 369,824.4 SF; refer to **Figure 3-8, Specific Plan Land Use Concept – MUC**.

### ***Commercial (C)***

The Commercial land use is intended to designate certain areas within residential neighborhoods of the Specific Plan for commercial purposes that could provide convenience goods and services. This land use would encompass a blend of employment and commercial intensity in the areas south of Washington Boulevard and east of Paramount Boulevard. In total, the Commercial land use would have an assumed total buildout of 1,653,102 SF for employment and commercial uses; refer to **Figure 3-9, Specific Plan Land Use Concept – C**.

### ***Industrial Mixed Use (IMU)***

The IMU land use is intended to designate certain areas within the City that would promote wholesaling and limited manufacturing, but which may also involve general commercial in nature. The IMU land use would encompass the areas south of Washington Boulevard and east of Paramount Boulevard within the

Specific Plan area. By their nature, the uses in this area require relatively flat, large acreage tracts of land and may generate truck traffic. In total, the IMU would have an assumed total buildout of 860,310 SF of employment and industrial uses; refer to **Figure 3-10, Specific Plan Land Use Concept – IMU**.

### ***Flex District (FLX)***

The FLX land use is intended in to provide commercial and restricted light industrial use types at the core of the Specific Plan area. These uses would be located along Paramount Boulevard. In total, the FLX District would have an assumed total buildout of 2,530,836 SF of light industrial and commercial use; refer to **Figure 3-11, Specific Plan Land Use Concept – FLX**.

## **3.11 Specific Plan Design Guidelines**

The Project has incorporated design guidelines into the WBTODSP, including architectural, streetscape, landscaping, lighting and monumentation. The guidelines provided are supplemental to the land use plan, development standards applicable to commercial, industrial, multifamily residential, and mixed-use multifamily development as established within the WBTODSP for each sub-district allowing such use. The design guidelines would be used for subjective review of all projects to ensure that the City's requirements for quality site, building, and public realm development are satisfied for the WBTODSP area. The design guidelines shall be applied uniformly, and without discretion, to enhance the built environment for all permitted and conditional use development types.

The Guidelines identify appropriate TOD around the future Washington and Rosemead transit station and within each of the six WBTODSP sub-districts. The Director may issue interpretations regarding how regulations are applied. The Guidelines are organized into four major sections.

### **General Transit-Oriented Development (TOD) Guidelines**

In the ideal TOD, the essential components are integrated to create a 'one-stop destination' that is easily accessed on foot, by bicycle or from transit, by commuters, residents and people working in the area. Land use patterns and intensities should support the day-to-day needs of TOD residents. Refer to Section 6.2, TOD Guidelines of the WBTODSP, for specific guidelines pertaining to the following:

- **First and Last Mile Station Trip Guidelines** – These are trips that transit users must take between their starting or ending destination and the future Washington and Rosemead Boulevards light rail station. Transit users would have at a minimum safe, direct, and convenient five-minute walking and biking access to and from the light rail station. Walking and biking improvements would be focused within the relevant 'rider-sheds.'
- **Street Grid Guidelines** – Are intended to generate an interconnected network of streets and ensures that all trips to or from a transit station are as short as possible. The ideal TOD street grid would extend continuously in all directions from the station. Partial or disconnected networks would be prohibited. Direct sightlines to the station would be fostered. Streets would not meander or jog.
- **Complete Streets Guidelines** - Active transportation modes like walking and biking would be addressed equally with motor vehicles to encourage reduction in auto dependency. The street grid should be designed to be safe and inviting for all.

- Transit-Supportive Land Use Guidelines - Mixed-use development within the Washington and Rosemead Boulevard station neighborhood and station hub would include the highest intensity of trip-generating retail and employment uses such as grocery stores, and dense residential types, such as multi-family apartments or condominiums.
- Station 'Hub' Environment Guidelines - Conditions in the area directly adjacent to the station play an essential role in establishing the TOD. Land uses adjacent to the station platform would establish a station 'hub' environment that encourages commuters to congregate and linger. Street-oriented buildings, open spaces, and station pedestrian and bicycle facilities and amenities would result in safer and more vibrant station. This would in turn result in more transit riders and reduce the potential for crime.

## Public Area Guidelines

The Public Area guidelines address publicly accessible outdoor areas within public rights-of-way (ROW), publicly dedicated open spaces, and private open spaces that may be accessible to the public or for exclusive communal or private use by tenants, residents, or invited guests.

Public ROW guidelines include sidewalks, bicycle parking, plaza guidelines for community gather spaces, and paseo guidelines applicable to routes that would be dedicated to Pico Rivera or owned, maintained, and operated by private entities. Private development site guidelines would apply to private spaces accessible from public sidewalks, courtyards, and forecourts; private or public site courtyards and roof top spaces. Additionally, guidelines are included for pedestrian zones, building zones, and furnishings/landscape zones. Refer to Section 6.3, Public Area Guidelines of the WBTODSP, for a detailed description.

## Site Design Guidelines

Site Design guidelines address private development parcel areas within the Specific Plan boundaries. The intent of the Site Design Guidelines is to address the full range of potential site configurations and conditions in which development is permitted. The guidelines identify site uses including building edges, parking, common open space, landscaping, at-grade utilities, and other site components. The guidelines ensure that economic viability for development is maintained; development is harmonious with adjacent residential uses; and an environment where livability is maximized for residents and guests is created. These guidelines include parking lots and structures, bicycle parking facilities, site lighting, site landscaping, utility screening, rooftop mechanical equipment screening, waste and recycling enclosures, and wall and fence guidelines. Refer to Section 6.4, Site Design Guidelines of the WBTODSP, for a detailed description.

## Building Design Guidelines

The Building Design guidelines would serve as a set of rules and principles that would guide designers in creating consistent and well-designed products for future projects in the WBTODSP. Section 6.5, Building Design Guidelines of the WBTODSP, includes a detailed description of the following guidelines: building harmony, building contrast, building vertical and horizontal scale, form and volume, mixed-use commercial, multi-family building entries and edges, campus office entries, window and door fenestration, façade materials, façade colors, balconies, terraces and patios, window bays, awning and canopy guidelines, and lighting.



## 3.12 Project Characteristics

### Circulation Plan

The Metro Transit Oriented Development Toolkit (the Metro TOD Toolkit) details specific policies and programs that can be used to promote Transit Oriented Communities (TOC). The Metro TOD Toolkit provides local governments, advocates, and developers in Los Angeles County (Metro's service area) with strategies for integrating land use and transportation planning, to encourage reduced passenger vehicle miles traveled (VMT) through increased rates of walking, biking, and transit usage. The toolkit includes a wide range of policy and regulatory tools that have successfully been implemented throughout Southern California and across the State.

The WBSTODSP has incorporated several Metro TOD recommendations to develop regulations and policies to provide safe and adequate sidewalks including crosswalks, improve comfort and safety elements through landscaping and lighting, create pedestrian oriented corridors and circulations, all of which will be accessible for all persons and be Americans with Disabilities Act (ADA) compliant. The WBSTODSP will also encourage bicycle use and commuting by developing regulations and standards to include a comprehensive and safe bicycle plan through improved signage, bike lanes, increased safety measures using landscaping and lighting, and require short-term and long-term bicycle parking.

Accordingly, the proposed circulation and mobility within and around the WBSTODSP area includes upgrades to existing, and construction of new, roadways, pedestrian pathways, and bike lanes and routes. Consistent with the mobility guidelines above, these improvements would be designed to provide a variety of travel options (vehicle, pedestrian, bike, and transit) and provide safe pedestrian access to the Metro station.

More specifically, the proposed Circulation Plan within the WBSTODSP describes the general layout of roadways, ingress and egress, and multimodal transportation infrastructure within and surrounding the Project area. Future development facilitated by the WBSTODSP would be subject to discretionary permits and requires compliance with all applicable City policies and requirements in the Pico Rivera General Plan and PRMC. This includes policies and regulations required to improve the transportation system, as applicable, and improve public access and safety for people who walk and bike. Further, future development within the WBSTODSP would be required to adhere to all state requirements for consistency with transportation plans.

### Public Transit Facilities

Public transportation within the City is provided by the Los Angeles County Metropolitan Transportation Authority (Metro), Montebello, and Downey Link bus lines.<sup>9</sup>

The Specific Plan area is traversed with major public transit services, including Montebello and Los Angeles Metro (LA Metro) bus lines. Montebello Line 50 runs northwest/southeast along Washington Boulevard. Metro Line 265 runs northeast/southwest along Paramount Boulevard. Lastly, Metro Line 266 runs northeast/southwest along Rosemead Boulevard. As further discussed in Chapter 3: Circulation & Mobility

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<sup>9</sup> City of Pico Rivera. 2014. *Pico Rivera General Plan Update – Circulation Element*. Pg. 5-15. Retrieved from: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-5.pdf> (accessed September 2023).



of the WBTODSP, the proposed E Line extension and proposed Metro transit station at the Rosemead and Washington Boulevard intersection will sync up with existing adjacent bus line schedules to enhance connectivity to the neighborhood and region. Pedestrian and bicycle connectivity would be provided at this future transit station.

The intent of the WBTODSP is to establish a flexible range of parking options based on tenancy needs and market conditions and to encourage the use of alternate transportation modes and reduce reliance on single-occupancy vehicles. The specific parking strategy would be implemented through the Precise Plan process for each phase, with parking provided within the permitted range.

### ***Bicycle Facilities***

The significant bicycle facilities in the area are the bicycle paths (dedicated rights-of-way) along the Rio Hondo Channel which is identified as a Class I lane (west of the proposed Metro stop) and the San Gabriel River bike lane (east of the proposed Metro stop), also classified as a Class I lane. Direct access to bicycle facilities is proposed including Class II bike lanes along Rosemead Boulevard and Class III bike routes along Washington Boulevard, Paramount Boulevard, Passons Boulevard, and Slauson Avenue.

### ***Pedestrian Facilities***

Existing pedestrian facilities in the Project area also includes Paramount Boulevard and Rex Road. Sidewalks also exist on south side of Rex Road. No sidewalks currently exist along the Project frontage near the train tracks.

New sidewalks constructed with new site developments will connect and conform to existing sidewalks and crosswalks adjacent the site to allow residents, employees, and patrons access to nearby transit facilities, as well as residential and commercial uses surrounding the Specific Plan area. Increased pedestrian improvements would include but are not limited to additional crosswalks along Paramount, Rosemead, and Washington Boulevard to slow traffic and provide safer routes for residents to walk to work, nearby retail centers, or to school.

## **Infrastructure Improvements**

Future development within the WBTODSP area would utilize the existing public utility infrastructure in the Project site to the extent feasible. It is anticipated that certain existing utility connections may be relocated and/or abandoned, as necessary and approved by the City, and new utility connections shall be required for implementation of the WBTODSP to accommodate increased capacity demand.

New underground connections would be constructed to existing utilities on surrounding streets as needed to accommodate additional capacity demand. Additionally, existing overhead utility poles may need to be relocated underground along the street frontages, as required by the City or otherwise required by the respective utility provider.

The City would determine required utility connections and improvements during development projects plan review for each development phase, or as otherwise set forth in a Development Agreement.

## **Water Supply**

### ***Specific Plan Water Infrastructure Improvements***

The existing water system adequately served the Northrop-Grumman facility when it was in full production. When the facility was operating at full capacity, it used approximately 25 percent of the annual 6,000 acre-feet of water pumped by the City. This equates to a demand of approximately 930 gallons per minute (gpm). The existing water system is sufficient to accommodate future development contemplated under the WBTODSP without additional off-site improvements. However, if future development includes any high-water usage industries, such as bottling plants, the water demands of such industries should be estimated, combined with the demands of the entire development, and compared with the anticipated figures to ensure continued water system adequacy at the time of project-level development projects.

## **Wastewater**

### ***Specific Plan Wastewater Improvements***

Buildout of the WBTODSP area would increase wastewater/sanitary sewer flows to the public sanitary sewer system. The City's Sewer Division would provide wastewater treatment for the proposed flows from buildout of the WBTODSP. Development projects would be required to request a will-serve letter from the City's Sewer Division.

## **Stormwater**

### ***Specific Plan Stormwater Improvements***

The WBTODSP area is fully developed. As such, the existing storm drain facilities can convey the "developed" condition storm flows generated on-site. Since future development permitted under this WBTODSP also represents a "developed" condition, it is assumed that the existing drainage facilities would be capable of conveying these flows as well. As a result, the existing major storm drain facilities are adequate to properly drain the Specific Plan area, following redevelopment. The existing backbone facilities (i.e., concrete channel, large diameter reinforced concrete pipes, etc.) should therefore remain in place and be utilized by future development. However, some modifications may be required to accommodate future development. Furthermore, on-site infrastructure and connections may need upgrading, depending on the uses ultimately selected.

Development within the WBTODSP area shall be required to comply with the City's standard development conditions regarding both stormwater conveyance and water quality, in addition to any other applicable federal, state, and local requirements regarding stormwater discharge.

## **Dry Utilities**

The following standards are concerned with the provision of energy to the WBTODSP area (natural gas and electric utility purveyors) and the need for energy conservation:

1. The developer shall work with Southern California Edison (SCE) and Southern California Gas Company (SCG) in abandoning existing overhead power lines and gas lines. New and existing utility lines shall be installed underground. SCE and SCG would facilitate the extension and/or

relocation of power and gas lines and facilities that would serve future development within the Specific Plan area.

2. The developer shall work with telephone and cable television companies in abandoning existing overhead lines and undergrounding all new telephone and cable lines that would serve future development.
3. All proposed structures on-site shall adhere to State and City standards regarding energy conservation, insulation, and energy-efficient site planning, design, and appliance use. Energy conservation practices shall be incorporated into the Project, and the use of energy-efficient or gas air conditioning systems and appliances will be required.
4. Design measures that maximize the use of climate and reduce heating and cooling requirements would also be incorporated into future development. All proposed structures on-site shall adhere to State and City standards on energy conservation, insulation, and energy-efficient site planning, design, and appliance use.

### ***Specific Plan Dry Utilities Improvements***

Cable, phone, gas, and electric infrastructure improvements would be required to adequately serve development within the WBTODSP area. These dry utility infrastructure improvements are anticipated to include undergrounding a portion of the existing overhead utilities along the immediate street frontages, as conditioned by the City or otherwise required by the respective utility provider.

Where feasible and required by the City, new dry utilities improvements should be located underground and in building service areas. Above-ground infrastructure should be screened from view utilizing landscaping and/or other appropriate screening methods.

### ***Solid Waste Disposal***

Future occupants would be encouraged to implement waste recycling practices for paper, cardboard, glass, plastics, metals, green waste, and other recyclable materials at the WBTODSP area, and each future parcel-specific project shall comply with the City's recycling and source reduction programs, in compliance with Assembly Bill 939.

### ***Public Services***

The City of Pico Rivera provides relevant public services which includes fire protection, police protection, and emergency medical services. Any increased demand on public services associated with implementation of the WBTODSP would be financed through development fees and the payment of annual property taxes associated with new development within the WBTODSP area.

## **3.13 Project Phasing**

This is a policy document, no specific development has been identified at this time, and no specific phasing schedule has been identified. Mixed Use Residential Low and High Multi-family, Mixed Use Commercial, Commercial, Industrial Mixed Use, and Flex District development projects are dependent upon market factors and the ability to attract future end-users. Where possible, infrastructure and physical improvements within the Project boundary may be installed in response to market demands.

The planning and design of each land use would address construction issues such as drainage, storm water management, utilities and parking, as described in the WBTODSP and required by mitigation measures adopted as part of this Draft EIR, if applicable.

Construction and implementation of any development project within the Project site would demonstrate that all required infrastructure and facilities would be timed to adequately service each individual development project. This may require construction of the facilities both on-site (within or adjacent to the land use) and/or off-site (within other land use or outside of the Project site) to connect with existing facilities that would service that development.

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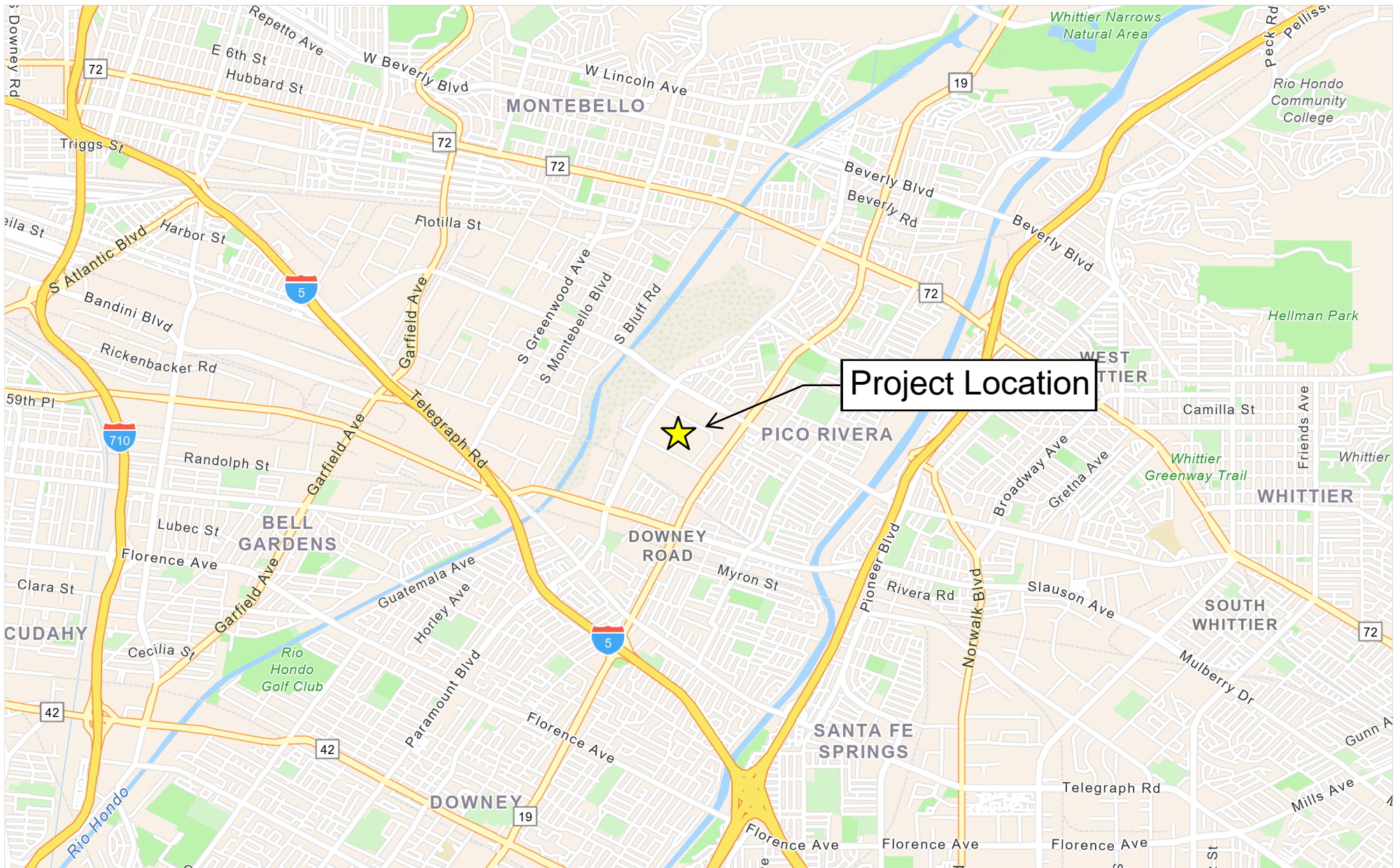
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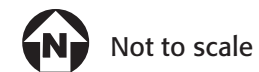
<https://websoilsurvey.nrcs.usda.gov/app/>.





Source: ESRI, 2023.

**FIGURE 3-1: Regional Location**  
*Washington Boulevard Transit-Oriented Development Specific Plan, City of Pico Rivera*

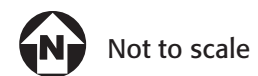






Source: ESRI, 2023.

**FIGURE 3-2: WBTOD Specific Plan Area**  
*Washington Boulevard Transit-Oriented Development Specific Plan, City of Pico Rivera*



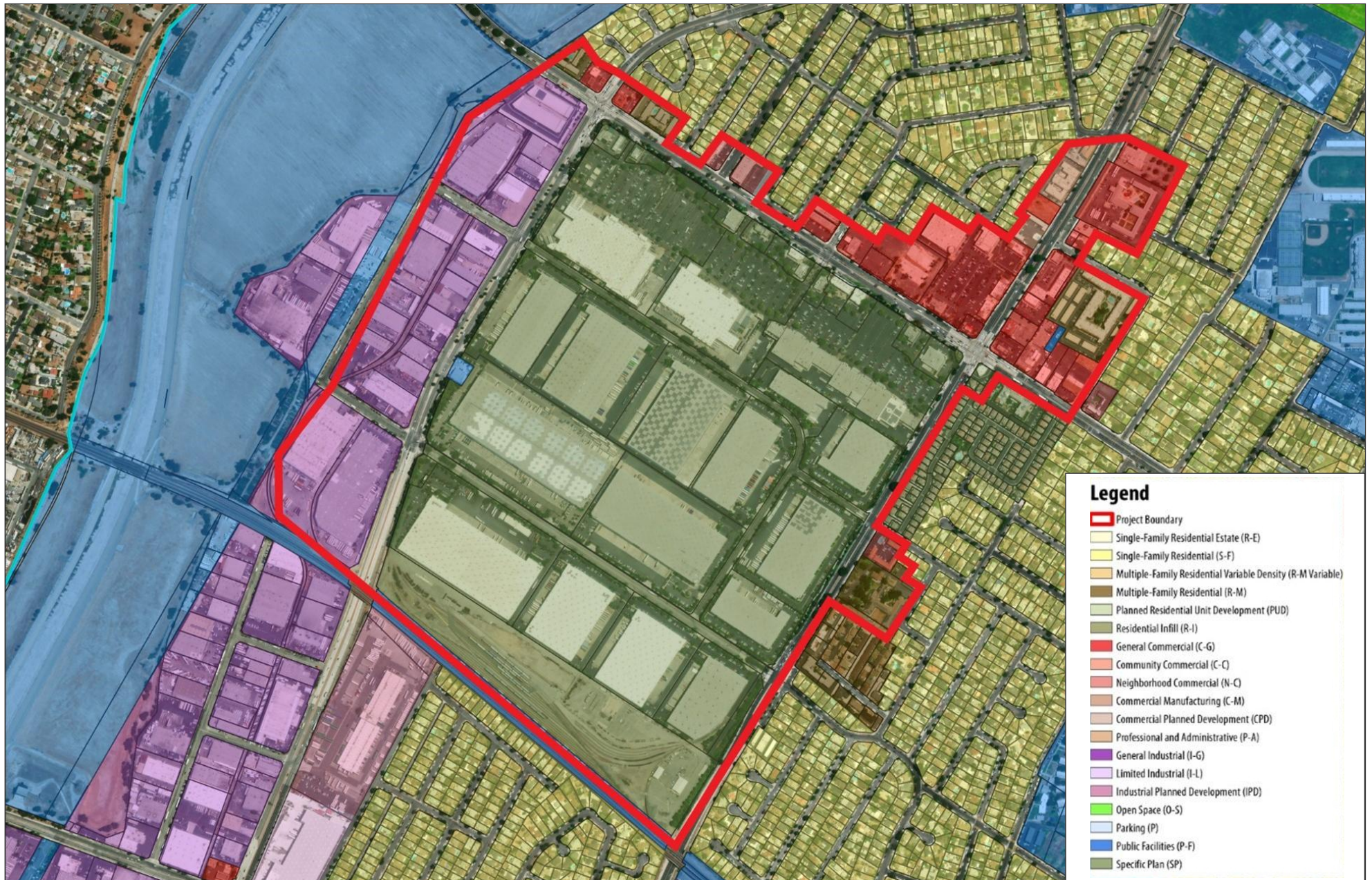




Source: City of Pico Rivera, General Plan Update, 2014.

**FIGURE 3-3: Existing General Plan Land Use Designations**  
 Washington Boulevard Transit Oriented Development Specific Plan, City of Pico Rivera





Source: Kimley-Horn and Associates, Inc., Washington Boulevard Transit-Oriented Development Specific Plan, 2024.

**FIGURE 3-4: Existing Zoning**

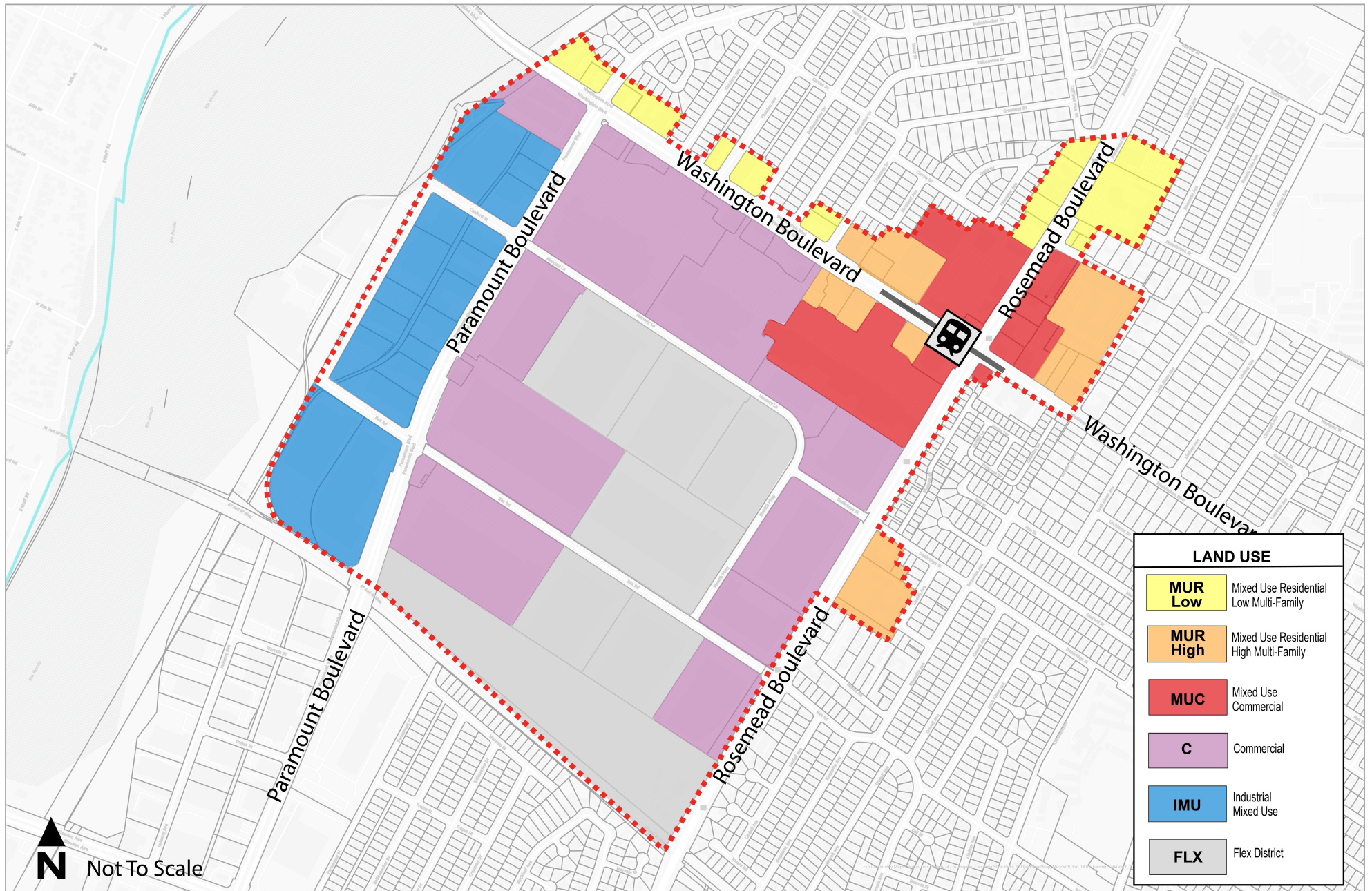
Washington Boulevard Transit Oriented Development Specific Plan, City of Pico Rivera



Not to scale

**Kimley»Horn**





Source: Kimley-Horn and Associates, Inc., Washington Boulevard Transit-Oriented Development Specific Plan, 2024.

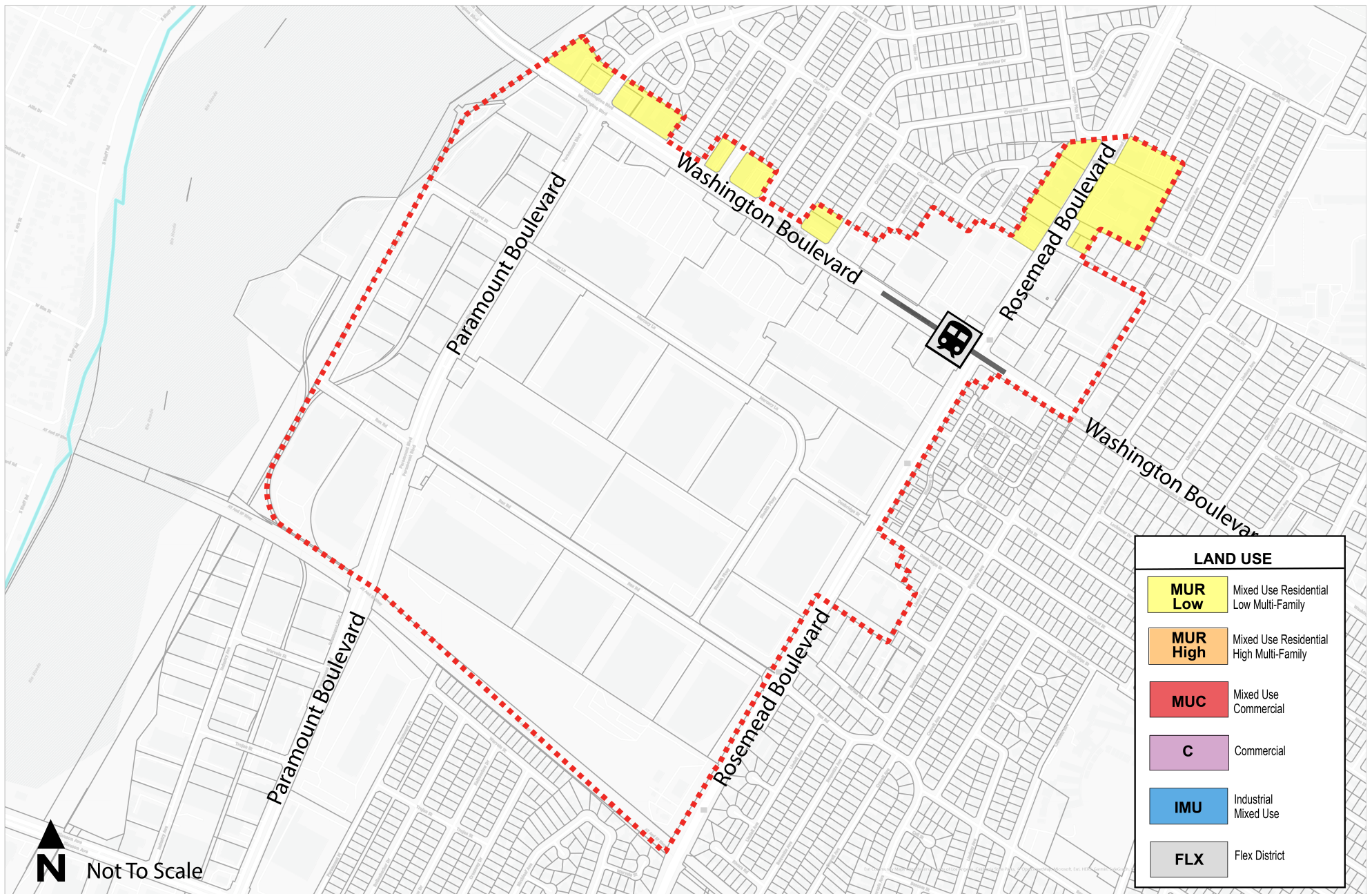
**FIGURE 3-5: Specific Plan Land Use Concept**

Washington Boulevard Transit Oriented Development Specific Plan, City of Pico Rivera



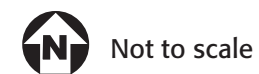
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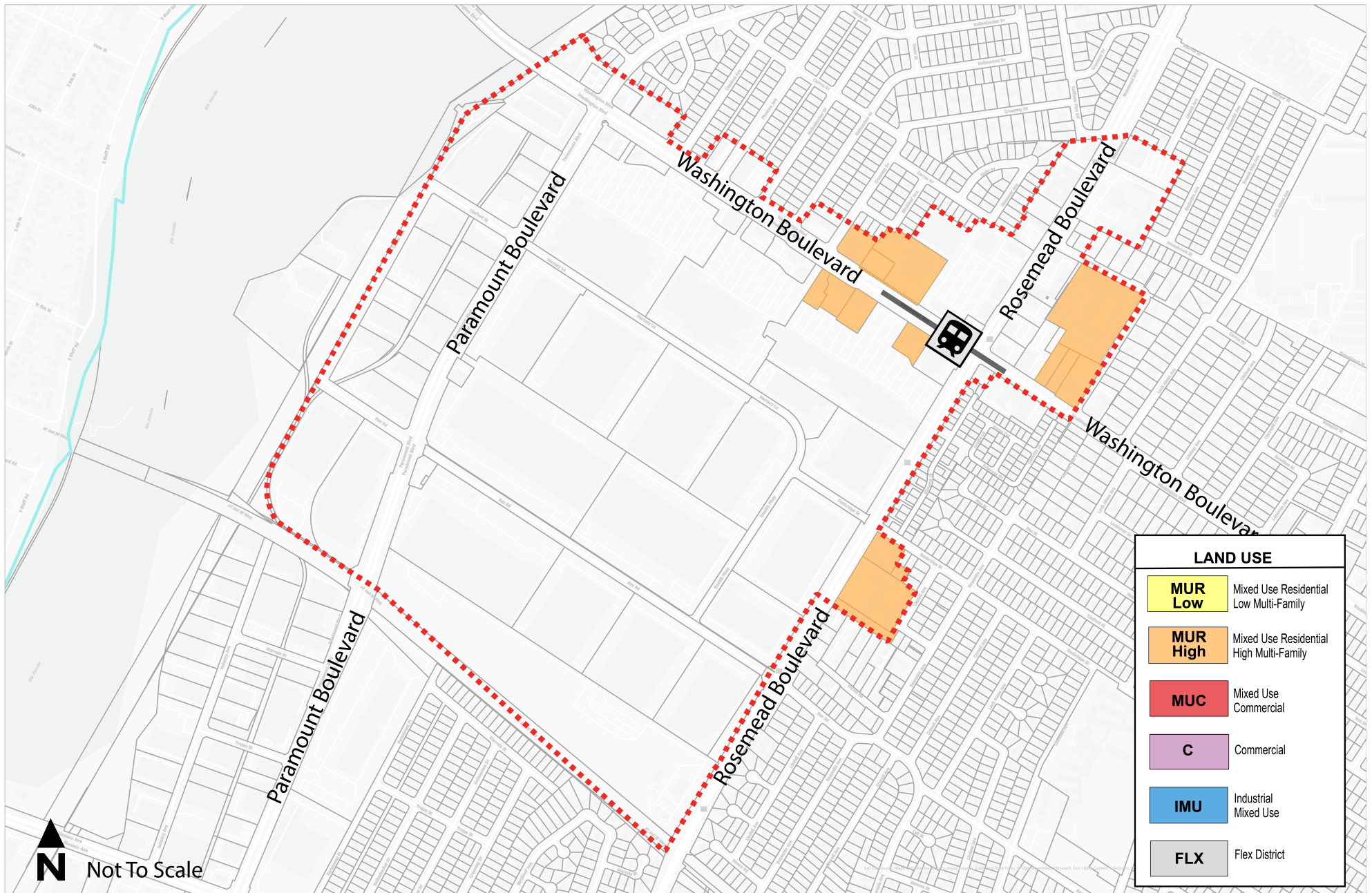


Source: Kimley-Horn and Associates, Inc., Washington Boulevard Transit-Oriented Development Specific Plan, 2024.

**FIGURE 3-6: Specific Plan Land Use Concept - MUR Low**  
 Washington Boulevard Transit Oriented Development Specific Plan, City of Pico Rivera

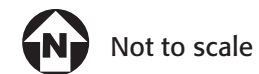




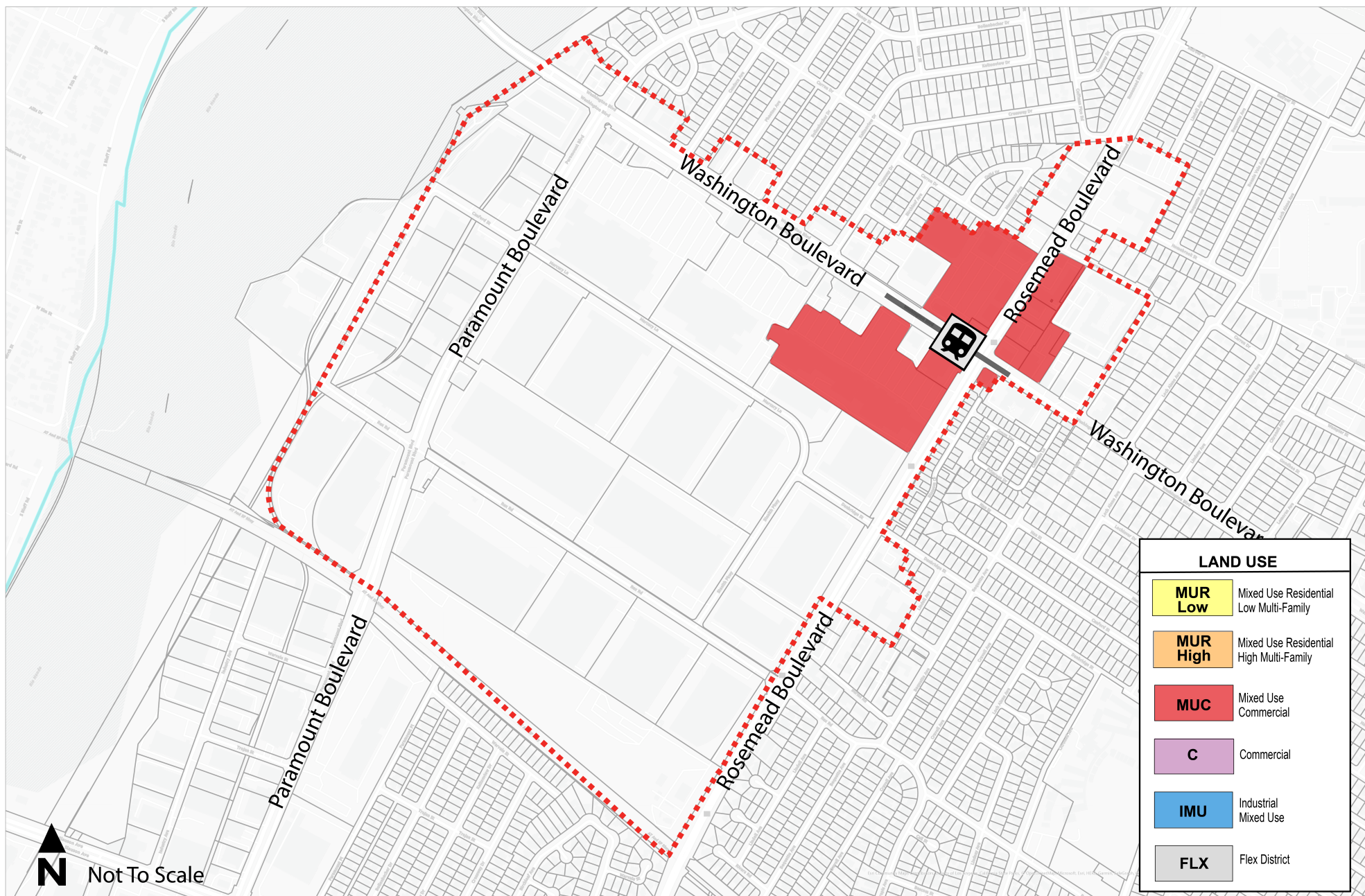


Source: Kimley-Horn and Associates, Inc., Washington Boulevard Transit-Oriented Development Specific Plan, 2024.

**FIGURE 3-7: Specific Plan Land Use Concept - MUR High**  
 Washington Boulevard Transit Oriented Development Specific Plan, City of Pico Rivera

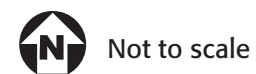




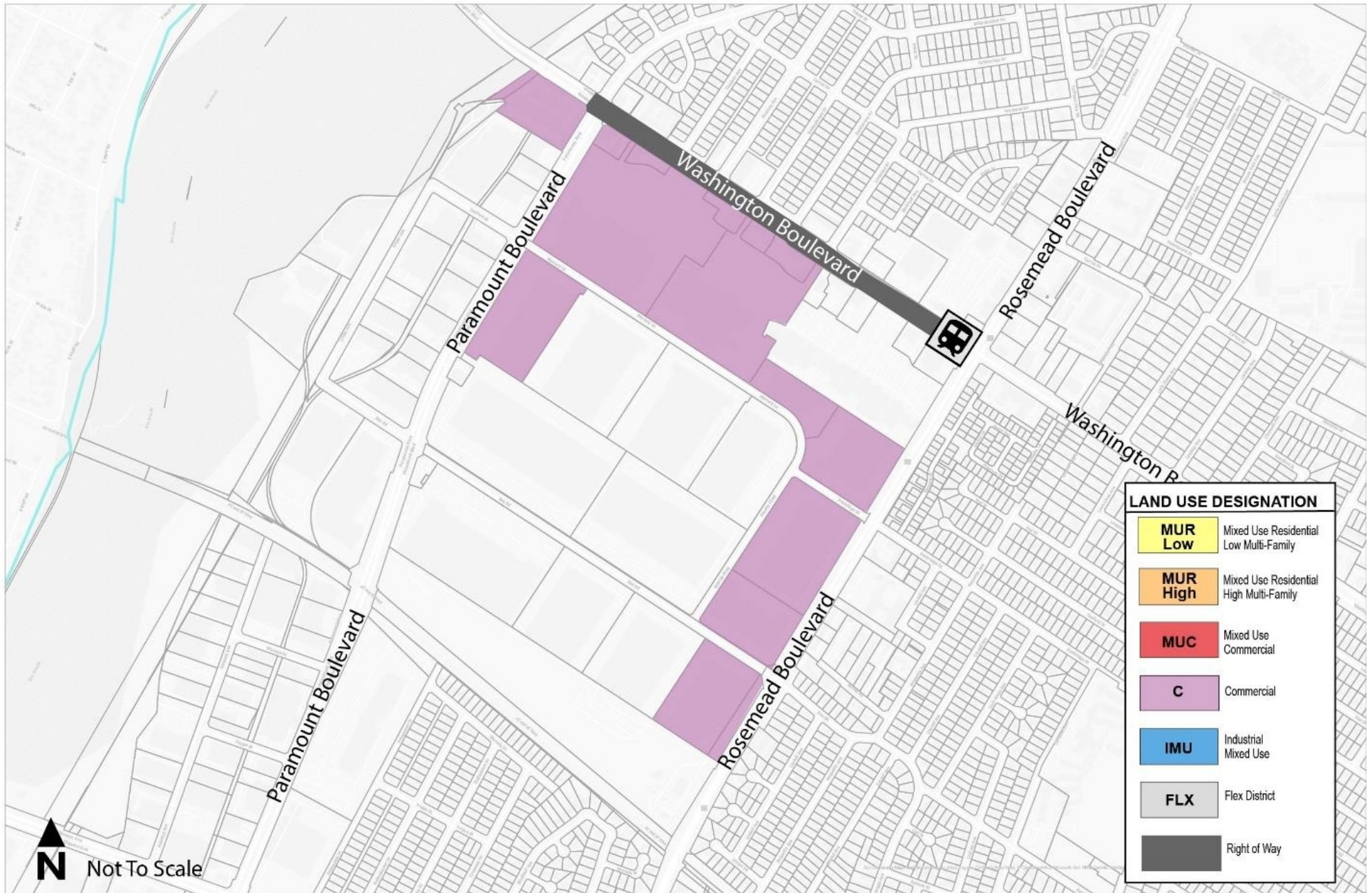


Source: Kimley-Horn and Associates, Inc., Washington Boulevard Transit-Oriented Development Specific Plan, 2024.

**FIGURE 3-8: Specific Plan Land Use Concept - MUC**  
 Washington Boulevard Transit Oriented Development Specific Plan, City of Pico Rivera

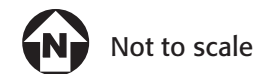




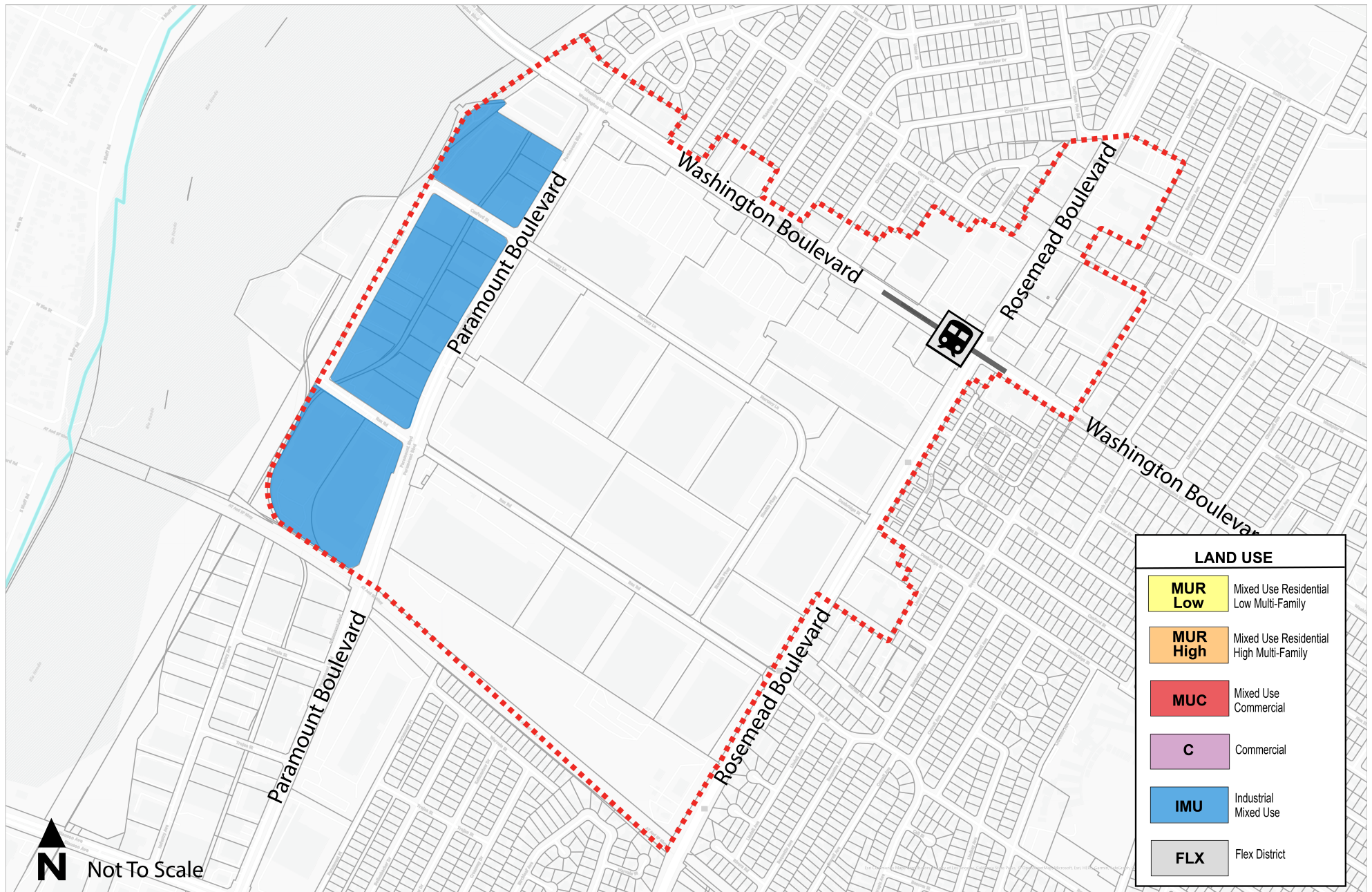


Source: Kimley-Horn and Associates, Inc., Washington Boulevard Transit-Oriented Development Specific Plan, 2024.

**FIGURE 3-9: Specific Plan Land Use Concept - C**  
 Washington Boulevard Transit Oriented Development Specific Plan, City of Pico Rivera

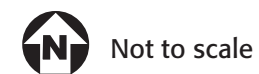






Source: Kimley-Horn and Associates, Inc., Washington Boulevard Transit-Oriented Development Specific Plan, 2024.

**FIGURE 3-10:** Specific Plan Land Use Concept - IMU  
 Washington Boulevard Transit Oriented Development Specific Plan, City of Pico Rivera







Source: Kimley-Horn and Associates, Inc., Washington Boulevard Transit-Oriented Development Specific Plan, 2024.

**FIGURE 3-11:** Specific Plan Land Use Concept - FLX

Washington Boulevard Transit Oriented Development Specific Plan, City of Pico Rivera



Not to scale

**Kimley»Horn**

## 4.0 ENVIRONMENTAL IMPACT ANALYSIS

Organized by environmental resource category, this section provides an integrated discussion of the affected environment, including regulatory and environmental settings and environmental impacts and mitigation measures, which reduce or avoid potentially significant impacts associated with implementation of the Project. **Section 5.0: Other CEQA Considerations**, discusses mandatory findings of significance and other required California Environmental Quality Act (CEQA) topics.

### 4.0.1 Section Content and Definition of Terms

The environmental setting, impacts, and mitigation measures related to each environmental impact area are described in **Sections 4.1 through 4.16**. **Section 4.0** is organized into the following environmental topic areas:

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

The following environmental topics are not discussed in detail in this EIR because the Project would not result in impacts associated with these resources: Agriculture and Forestry Resources, Mineral Resources, Recreation, and Wildfire. See **Section 7.0: Effects Found Not to be Significant** for detailed information.

Each potentially significant environmental issue area is addressed in separate EIR sections (4.1 through 4.16) and is organized into the following Subsections:

- **“Introduction”** briefly introduces the section’s purpose, environmental issues that would be addressed, and key source documentation used to prepare the analysis.
- **“Environmental Setting”** provides an overview of the existing physical environmental conditions in the study area that could be affected by implementation of the Project (i.e., the “affected environment”).
- **“Regulatory Setting”** identifies the plans, policies, laws, and regulations that are relevant to each resource area and describes permits and other approvals necessary to implement the Project. As noted above, the EIR needs to address possible conflicts between the Project and the requirements of federal, state, regional, or local agencies, including consistency with adopted land use plans, policies, or other regulations for the area. Therefore, this subsection summarizes or lists the potentially relevant policies and objectives, like from applicable *City of Pico Rivera General Plan* and *Municipal Code*.



- **“Impact Thresholds and Significance Criteria”** provides the criteria used in this document to define the level at which an impact would be considered significant in accordance with CEQA. Significance criteria used in this EIR are based on the checklist presented in Appendix G of the State CEQA Guidelines, factual or scientific information and data, and regulatory standards of Federal, state, and local agencies.
- **“Impacts and Mitigation Measures”** are listed numerically and sequentially throughout each section, for each Project component. A bold font impact statement precedes the discussion of each impact and provides a summary of each impact and its level of significance. The discussion that follows the impact statement includes the analysis on which a conclusion is based regarding the level of impact.
- **“Cumulative Impacts”** identifies potential environmental impacts of past, present, and reasonably foreseeable future projects, in combination with the Project;
- **“Significant Unavoidable Impacts”** identifies environmental impacts that may remain significant even with implementation of reasonable and feasible mitigation measures.
- **“References”** identifies the sources used in and throughout the subsection.

“Mitigation Measures” are recommended where feasible to avoid, minimize, offset, or otherwise compensate for significant and potentially significant impacts of the Project, in accordance with the State CEQA Guidelines (14 CCR Section 15126.4). Each mitigation measure is identified by resource area, numerically, and sequentially. For example, mitigation measures in **Section 4.2: Air Quality**, are numbered AQ-1, AQ-2, AQ-3, and so on. Pursuant to CEQA, the EIR provides a brief discussion of potential significant impacts of a given mitigation measure, if applicable.

The level of impact of the Project is determined by comparing estimated effects with baseline conditions, in light of the thresholds of significance identified in the EIR. Under CEQA, the existing environmental setting normally represents baseline conditions against which impacts are compared to determine significance. The environmental baseline is typically set as the date of Notice of Preparation publication. Further, CEQA Guideline Section 15125 Environmental Setting states:

- a) An EIR must include a description of the physical environmental conditions in the vicinity of the project. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to provide an understanding of the significant effects of the proposed project and its alternatives. The purpose of this requirement is to give the public and decision-makers the most accurate and understandable picture practically possible of the project's likely near-term and long-term impacts.
- 1) Generally, the lead agency should describe physical environmental conditions as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. Where existing conditions change or fluctuate over time, and where necessary to provide the most accurate picture practically possible of the project's impacts, a lead agency may define existing conditions by referencing historic conditions, or conditions expected when the

project becomes operational, or both, that are supported with substantial evidence. In addition, a lead agency may also use baselines consisting of both existing conditions and projected future conditions that are supported by reliable projections based on substantial evidence in the record.

Project component-specific analyses are conducted to evaluate each potential impact on the existing environment. This assessment also specifies why impacts are found to be significant, potentially significant, or less than significant, or why there is no environmental impact.

CCR Section 15382 and PRC Section 21068 define a significant effect on the environment as a “substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.” A potentially significant effect is one that, if it were to occur, would be considered a significant impact; however, the occurrence of the impact is uncertain. PRC Section 21100(b)(3) states that mitigation measures proposed to minimize significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy, shall be included in the EIR. Subsection (d) of PRC Section 21100 adds that for the purposes of this section (PRC Section 21100), any significant effect on the environment shall be limited to substantial, or potentially substantial, adverse changes in physical conditions which exist within the area as defined in PRC Section 21060.5. Therefore, a “potentially significant” effect and “significant” effect are treated the same under CEQA in terms of procedural requirements and the need to identify feasible mitigation. 14 CCR Section 15364 and PRC Section 21061.1 states that “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors. A mitigation measure is determined to be feasible if it would avoid or substantially lessen a significant effect on a resource (PRC Section 21082.3). A “less than significant” impact is one that would not result in a substantial adverse change in the physical environment (applicable significance thresholds would not be exceeded in considering that the Project does not propose any development in the Project site).

Both direct and indirect effects of the Project are evaluated for each environmental resource area (14 CCR Section 15126.2 and PRC Section 21065.3). Direct effects are those that are caused by the action and occur at the same time and place. Indirect effects are reasonably foreseeable consequences that may occur at a later time or at a distance that is removed from the Project area, such as growth-inducing effects and other effects related to changes in land use patterns, population density, or growth rate, and related effects on the physical environment.

Cumulative impacts are discussed below and throughout Section 4.0, at the end of each individual resource section.

There are no mitigation measures proposed when there is no impact, or the impact is determined to be “less than significant” prior to mitigation (14 CCR Section 15126.4[a][3]). Where sufficient feasible mitigation is not available to reduce impacts to a less than significant level, the impacts are identified as remaining “significant and unavoidable.”

## 4.0.2 Cumulative Impact Methodology

### CEQA Requirements

Under the CEQA Guidelines, “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 causing related impacts” (14 CCR Section 15130[a][1]). According to CEQA, an EIR must discuss cumulative impacts if the incremental effect of a project, combined with the effects of other projects is “cumulatively considerable” (14 CCR Section 15130[a]). Together, these projects compose the cumulative scenario which forms the basis of the cumulative impact analysis.

Cumulative impacts analysis should highlight past actions that are closely related either in time or location to the Project being considered, catalog past projects, and discuss how they have harmed the environment and discuss past actions even if they were undertaken by another agency or another person. Both the severity of impacts and the likelihood of their occurrence are to be reflected in the discussion, “but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by standards of practicality and reasonableness and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact” (14 CCR Section 15130[b]).

For purposes of this EIR, the Project would cause a cumulatively considerable and therefore significant cumulative impact if:

- The cumulative effects of other past, current, and probable future projects without the Project are not significant and the Project’s incremental impact is substantial enough, when added to the cumulative effects, to result in a significant impact.
- The cumulative effects of other past, current, and probable future projects without the Project are already significant and the Project would result in a cumulatively considerable contribution to the already significant effect. The standards used herein to determine whether the contribution is cumulatively considerable include the existing baseline environmental conditions, and whether the Project would cause a substantial increase in impacts, or otherwise exceed an established threshold of significance.

The approach and geographic scope of the cumulative impact evaluation vary depending on the environmental topic area being analyzed. The individual “Cumulative Impacts” subsections within each environmental topic present impacts and mitigation measures for the Project. Each section of the EIR begins with a summary of the approach and the geographic area relevant to that environmental topic area. The cumulative analysis must include sufficient detail to be useful to the decision-maker in deciding whether, or how, to alter the Project to lessen cumulative impacts. Significant adverse impacts of cumulative projects are required to be reduced, avoided, or minimized through the application and implementation of feasible mitigation measures. The net effect of these mitigation measures is assumed to be a general lessening of contribution to cumulative impacts. The cumulative analysis discussion, found at the end of each impact section, provides an analysis of overall cumulative effects of the Project.

## Geographic Scope

In respect to this EIR analysis, cumulative effects can generally be geographically classified as localized, site-specific resource issues, regional, watershed-level resource issues, and global resource issues. At the localized, site-specific resource scale, the Project's cumulative impacts have been analyzed for all 16 resource topics.

Each of the cumulative impact categories (EIR Section 4.0) is analyzed and regulated by different agencies and associated regulatory or policy documents, in order to best protect the resource in question. The analysis of cumulative effects considers a number of variables, including geographic (spatial) limits, time (temporal) limits, and the characteristics of the resource being evaluated. The geographic scope of each analysis is based on the topography surrounding the Project site and the natural boundaries of the resource affected, rather than jurisdictional boundaries. The geographic scope of cumulative effects will often extend beyond the scope of the direct effects, but not beyond the scope of the direct and indirect effects of the Project. The EIR addresses the Project's potentially significant impacts, recommends Project-specific feasible mitigation measures, and then also identifies existing or recommended measures to address potential cumulative impacts.

## Cumulative Analysis Approach

There are two commonly used approaches, or methodologies, for establishing the cumulative impact setting or scenario. One approach is to use 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, ..." (14 CCR Section 15130[b][1][A] and PCR Section 21083[b][2]). The other approach is to use a "summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect" (14 CCR Section 15130[b][1][B] and PCR Section 21100[e]).

From a broad perspective, the Project site is located in the northwest portion of the City of Pico Rivera (City), adjacent to the City of Montebello to the northwest, and within the County of Los Angeles (County). The Project, referred to as "Washington Boulevard Transit-Oriented Development Specific Plan ("Project" or "WBODSP") would assist the City in establishing a WBODSP that creates a compact multi-modal, mixed-use, and sustainable environment that is a focal point for community activity. The WBODSP would be used as a policy and regulatory guide for subsequent Project-specific reviews and approvals when Project level proposals within the WBODSP area are submitted to the City.

Cumulative impacts of this part of the City are addressed in the City of Pico Rivera General Plan (Pico Rivera General Plan)<sup>1</sup> and Pico Rivera General Plan Update – Final Program Environmental Impact Report.<sup>2</sup> On a broader level, cumulative impacts of southern California buildout have been addressed in Southern California Association of Governments' (SCAG) 2024-2050 Regional Transportation Plan/Sustainable

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<sup>1</sup> City of Pico Rivera. (2014). *City of Pico Rivera General Plan*. Retrieved at: <https://www.pico-rivera.org/index.php/general-plan/>, accessed October 2024.

<sup>2</sup> City of Pico Rivera. (2014). *City of Pico Rivera General Plan Update – Final Program Environmental Impact Report*. Retrieved at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/Pico-Rivera-GP-Update-FEIR.pdf>, accessed October 2024.

Communities Strategy (RTP/SCS) or Connect SoCal “Certified Final Connect SoCal Program EIR”<sup>3</sup> The Connect SoCal considers a longer horizon view of potential future growth through the year 2050.

## Cumulative Analysis

To account for future development and growth, the Cumulative traffic volumes were developed by determining a growth rate from the SCAG RTP/SCS travel demand model. Existing (2012) and future (2040) year model outputs were acquired for the roadway links in the study area. These link volumes were then used to determine an annual growth rate that was applied to the Existing (2023) volumes. The volumes were reviewed to ensure that there would be no decrease in volumes from Existing to the Cumulative year.

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<sup>3</sup> SCAG. (2024). *Certified Connect SoCal Program EIR*. Available at: <https://scag.ca.gov/peir>, accessed December 2024.

## 4.1 AESTHETICS

### 4.1.1 Introduction

This section of the Draft Program Environmental Impact Report (EIR) identifies existing aesthetic conditions in the Project area and evaluates the potential of the Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBTODSP”) to cause a substantial adverse effect on a scenic vista; substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway; substantially degrade the existing visual character or quality of public views of the site and surroundings in a non-urbanized and/or urbanized area; and create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. Mitigation to avoid/reduce impacts is identified, as needed.

### 4.1.2 Environmental Setting

The Project area is comprised of approximately 305.1 acres which are mostly developed, with the exception of one vacant parcel located on the northeast portion of the Project site. The northern portion of the Project site is occupied with retail commercial services, restaurants, lodging, and residential uses. The remainder of the site is developed with industrial/warehouse uses with the far southern portion developed with connections to the existing rail infrastructure. Surrounding land uses are composed of retail commercial services, restaurants, lodging, and residential uses to the north; business parks, industrial uses, and residential uses to the south; public facilities, warehouses, open space and trail amenities adjacent to the Rio Hondo River to the west; and residential uses make up most of the areas east of the Project site.

Views of the Project area are primarily available to drivers and pedestrians along Rex Road, Mercury Road, Rosemead Boulevard, Crider Avenue, Washington Boulevard, and Paramount Boulevard (see **Figure 3-2: WBTOD Specific Plan Area** in **Section 3.0: Project Description**).

### Visual Resource Terminology and Concepts

When viewing a landscape, people can have different responses to that landscape based on what is seen, their expectations of views, and because of proposed or current changes to the visual landscape. Viewer responses will vary based upon the viewer’s values, familiarity, concern, or expectations of that landscape as well as the scenic quality. Because each person’s attachment to and value for a landscape is unique, visual changes to that landscape inherently affect viewers differently. Nonetheless, generalizations can be made about viewer sensitivity to scenic quality and visual changes. Recreational users (e.g., hikers, equestrians, tourists, and people driving for pleasure) generally have high concern for scenery and landscape character. People commuting daily through the same landscape generally have a moderate concern for scenery, while people working at an industrial site would generally have a lower concern for scenic quality or changes to existing landscape character. Regarding travelers navigating through a landscape, the visual sensitivity of these types of viewers is affected by the travel speed at which they are moving, the landscape they are viewing, and area in which they are traveling, for example, an interstate or scenic highway. Other considerations may include changes as seen by viewers from hiking trails or stationary viewers from a residence.

The visual sensitivity of a viewer also is affected by variables such as the viewing distances to the landscape. For example, a project feature or natural environment can be perceived differently by people depending on the distance the observer is from the viewed object. At closer ranges greater detail of an object or landscape is visible. In these instances, changes to viewed object have a greater potential to influence the visual quality of the object because changes to form or scale (the object's relative size in relation to the viewer) are more noticeable. When the same object is viewed at background distances, details may be imperceptible while changes to the overall forms of terrain and vegetation may be evident. In the middle ground, some detail is evident (e.g., the foreground), and landscape elements are seen in context with landforms and vegetative patterns (e.g., the background). Nonetheless, changes in views from all distances can result in negative consideration from viewers.

Specific terms and concepts are used to assess the visual elements, aesthetic setting, and potential for a project to have effects on visual resources. These terms are included in the discussions throughout this section and are listed below.

Scenic Vista. An area that is designated, signed, and accessible to the public for the express purposes of viewing and sightseeing. This includes any such areas designated by a federal, state, or local agency.

Scenic Highway. Any stretch of public roadway that is designated as a scenic corridor by a federal, state, or local agency.

Sensitive Receptors. Viewer responses to visual settings are inferred from a variety of factors, including distance and viewing angle, types of viewers, number of viewers, duration of view, and viewer activities. The viewer type and associated viewer sensitivity are distinguished among project viewers in recreational, residential, commercial, military, and industrial areas. Viewer activities can range from a circumstance that encourages a viewer to observe the surroundings more closely (such as recreational activities) to one that discourages close observation (such as commuting in heavy traffic). Viewers in recreational areas are considered to have high sensitivity to visual resources. Residential viewers generally have moderate sensitivity but extended viewing periods. Viewers in commercial, military, and industrial areas are generally considered to have low sensitivity.

Viewshed. A project's viewshed is defined as the surrounding geographic area from which the project is likely to be seen, based on topography, atmospheric conditions, land use patterns, and roadway orientations. "Project viewshed" is used to describe the area surrounding a project site where a person standing on the ground or driving a vehicle can view the project site.

Visual character typically consists of landforms, vegetation, water features, and cultural modifications that impart an overall visual impression of an area's landscape. Scenic areas typically include open space, landscaped corridors, and viewsheds. Visual character is influenced by many different landscape attributes including color contrasts, landform prominence, repetition of geometric forms, and uniqueness of textures among other characteristics.

## Scenic Vistas

The City of Pico Rivera General Plan Update (Pico Rivera General Plan) Draft EIR notes that scenic vistas within the City includes views of the spreading grounds for the rivers that are visible from adjacent roadways.<sup>1</sup> Additionally hiking trails provide vistas of expansive areas of natural, undisturbed land, and open green space.<sup>2</sup> Occasional views of waterways within the otherwise urban landscape of the City are also visible from hiking trails.<sup>3</sup> The Pico Rivera General Plan Draft EIR did not note any specific view corridors within the City.<sup>4</sup>

## Visual Character

The Pico Rivera General Plan identifies the importance of natural visual resources. City elevations range from approximately 200 feet above mean sea level (amsl) at the northern boundary of the City to 140 feet amsl at the southern boundary of the City.<sup>5</sup> The City has a relatively flat topography, with an approximately 0.5 percent or less slope. The City is located between the Rio Hondo and San Gabriel Rivers, which contribute to the City's aesthetic value.<sup>6</sup>

## Scenic Highways

There are no scenic highways officially designated by California Department of Transportation (Caltrans) within or adjacent to the Project site. Additionally, there are no roadways that are currently eligible for scenic highway designation in the City. The closest eligible state scenic highway is a segment of State Route (SR) 39 San Gabriel Canyon Road, approximately 14 miles northeast of the Project site and State Route (SR) 2 is located approximately 18 miles north.<sup>7</sup>

## Light and Glare

Light and glare in the Project area is typical of that found in urban environments. Sources of light and glare include residential, industrial, and commercial land uses within the Project area. Sources of light and glare also include stationary source lighting that is generated from building interiors and exterior sources (i.e., building illumination, security lighting, and parking lot lighting) from the industrial uses located to the south, and residential neighborhoods to the north, south, east, and industrial facilities to the west. The Project area is also influenced by light and glare from vehicle headlights, streetlights, and other sources present in the surrounding area.

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<sup>1</sup> ESA. 2014. *Pico Rivera General Plan Update Draft Environmental Impact Report – Section 3.2 Aesthetics*. Pg. 3.2-2, accessed August 2023.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> ESA. 2014. *Pico Rivera General Plan Update Draft Environmental Impact Report – Section 5 CEQA Mandated Sections*. Pg. 5-10, accessed August 2023.

<sup>6</sup> ESA. 2014. *Pico Rivera General Plan Update Draft Environmental Impact Report – Section 3.2 Aesthetics*. Pg. 3.2-2, accessed August 2023.

<sup>7</sup> CalTrans. 2018. *California State Scenic Highway System Map*. Retrieved from: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>, accessed August 2023.



### 4.1.3 Regulatory Setting

#### State

##### *California Building Code: Building Energy Efficiency Standards*

Energy conservation standards for new residential and non-residential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the California Energy Commission [CEC]) in June 1977 and most recently revised in 2022 (Title 24, Part 6, of the California Code of Regulations [CCR]). Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. The CEC adopted the 2022 Building Energy Efficiency Standards, which went into effect on January 1, 2023. Title 24 requires outdoor lighting controls to reduce energy usage; in effect, this reduces outdoor lighting.

##### *California Department of Transportation (Caltrans) State Scenic Highways*

California's Scenic Highway Program was created in 1963 with a purpose to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. A highway may be designated 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.

The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been officially designated. The status of a proposed state scenic highway changes from eligible to officially designated when the local governing body applies to Caltrans for scenic highway approval, adopts a Corridor Protection Program, and receives notification that the highway has been officially designated a Scenic Highway.

When a city or county nominates an eligible scenic highway for official designation, it must identify and define the scenic corridor of the highway. Scenic corridors consist of land that is visible from the highway right of way and is comprised primarily of scenic and natural features. Topography, vegetation, viewing distance, and/or jurisdictional lines determine the corridor boundaries. The city or county must also adopt ordinances, zoning and/or planning policies to preserve the scenic quality of the corridor or document such regulations that already exist in various portions of local codes. These ordinances and/or policies make up the Corridor Protection Program.

In Los Angeles County, Malibu Canyon – Las Virgenes Highway from State Route 1 to Lost Hills Road, and from Mulholland Highway Route 1 to Kanan Dume Road and West Cornell Road to Las Virgenes Road are classified by Caltrans as an "Officially Designated State Scenic Highway."<sup>8</sup>

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<sup>8</sup> CalTrans. 2015. *List of Officially Designated County Scenic Highways*. Retrieved from: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>, accessed August 2023.

## Local

### *City of Pico Rivera General Plan Update 2014*

The Pico Rivera General Plan Land Use Element focuses on the organization of the community's physical environment into logical, functional, and visually pleasing patterns, consistent with local values and priorities.<sup>9</sup> The element sets forth the following policies pertaining to visual resources and aesthetics:

#### *Land Use Element*

**Goal 3.6**      **Improve the community image by ensuring a consistent level of high quality design and ongoing maintenance and improvement of existing development.**

**Policy 3.6-1**    **Design Guidelines.** Ensure a consistent level of high-quality design through the development of design guidelines and a design review process for new development. At a minimum, the design guidelines should provide direction on the following:

- Site Design
- Building Design
- Parking and circulation
- Landscaping
- Services and Accessory Structures

**Policy 3.6-3**    **Retrofits.** Encourage retrofits and reuse of older and underutilized industrial and commercial buildings throughout the City to create more modern buildings and sites with a higher quality of design.

**Policy 3.7-1**    **Design.** Regulate the design and site planning of new development in and adjacent to residential neighborhoods to ensure compatibility between the new development and the existing residential areas.

**Goal 3.8**      **Diverse and attractive commercial, office and mixed-use development that serves the community's needs and contributes to the City's economic vitality.**

**Policy 3.8-1**    **Appearance and Vitality.** Support public and private efforts to reinvest in and renovate existing commercial development to increase economic vitality, improve aesthetic appearance, expand pedestrian orientation and enhance street frontages.

### *City of Pico Rivera Municipal Code*

The Project site would be required to comply with the regulations set forth in the Pico Rivera Municipal Code (PRMC). The City has set restrictions to control light and noise impacts from construction activities. PRMC Section 18.42.050 states that all construction activities on any lot or parcel shall take place between the hours of seven a.m. and seven p.m. except for purposes of emergencies.<sup>10</sup> Additionally, PRMC Title

<sup>9</sup> City of Pico Rivera. 2014. *Pico Rivera General Plan Update 2014 – Land Use Element*. Retrieved from: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-3.pdf>, accessed August 2023.

<sup>10</sup> Quality Code Publishing. 2023. *Pico Rivera Municipal Code Chapter 18.42 Property Development Regulations*. [https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code/item/title\\_18-chapter\\_18\\_42?view=all#title\\_18-chapter\\_18\\_42-article-i-18\\_42\\_050](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code/item/title_18-chapter_18_42?view=all#title_18-chapter_18_42-article-i-18_42_050), accessed August 2023.

18, Zoning, includes specific standards for lighting in residential and nonresidential zones.<sup>11</sup> The PRMC also requires that all future development projects undergo site plan review to ensure compliance with development standards of the applicable zoning district.<sup>12</sup>

#### 4.1.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning aesthetics. The questions presented in the Environmental Checklist Form have been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on the environment if it would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- 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; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

### Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning aesthetics. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts at the Project site.

#### Approach to Analysis

This analysis of impacts on aesthetic resources examines the temporary (i.e., construction) and permanent (i.e., operational) effects based on significance criteria/threshold's application outlined above. For each criterion, the analyses are generally divided into two main categories: (1) temporary impacts and (2) permanent impacts. Each criterion is discussed in the context of Project site and the surrounding characteristics and geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are from review of maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents and the WBTODSP planned land uses. The determination that a Project component would or would not result in "substantial" adverse effects on scenic resources or visual character considers the

<sup>11</sup> ESA. 2014. *Pico Rivera General Plan Update Draft Environmental Impact Report – Section 3.2 Aesthetics*. Pg. 3.2-8.

<sup>12</sup> Ibid.

site's aesthetic resource value and the severity of the Project component's visual impact (e.g., the nature and duration of the impact). For example, a Project component resulting in a severe impact on a site with a low aesthetic resource value would result in a less than significant impact concerning scenic or visual character. In other words, new conspicuous structures or visual changes in areas with a low aesthetic resource value may not necessarily result in substantial adverse effects on visual resources.

## **WBODSP Impacts**

The improvements envisioned in the proposed WBODSP are recommended conceptual designs intended to be used as guidance for the City in implementing future improvements. The proposed WBODSP does not include any site-specific designs or proposals, nor does it grant any entitlements for development. As a policy and regulatory document, the WBODSP would have no physical effect on the environment. Future development projects will be required to assess their individual impacts on Aesthetics on a project-by-project basis.

### **4.1.5 Impacts and Mitigation Measures**

#### ***Impact 4.1-1 Would the Project have a substantial adverse effect on a scenic vista?***

***Level of Significance: Less than Significant***

#### **Construction and Operations**

Under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of highly valued landscape for the public's benefit. The City, inclusive of the Project site, is developed with urban uses. Scenic vistas viewable from the City include views of the spreading grounds of the Rio Hondo River, the San Gabriel River, and the San Gabriel Mountains which are located approximately 30 miles northwest of the City. Views of the San Gabriel Mountains can be seen from major thoroughfares such as Rosemead, Beverly, and Whittier Boulevards.

The Project site is not identified as a visually sensitive area. The City and the Project site are fully disturbed with existing urban development ranging from single-family residences to commercial and light-industrial uses. Future development on the Project site would be consistent with existing development and would be consistent with established zoning standards found within the City. In addition, future development projects would need to comply with aforementioned state regulations, and City goals and policies. Because there are no scenic vistas within the City that could be hindered by future development projects, a less than significant impact is anticipated from development projects within the WBODSP, and no mitigation is required.

#### **Mitigation Measures**

No mitigation is necessary.

#### ***Impact 4.1-2 Would the Project Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?***

***Level of Significance: No Impact***

## Construction and Operations

There are no officially designated state scenic highways located near the Project site.<sup>13</sup> The closest eligible state scenic highway is a segment of State Route (SR) 39 San Gabriel Canyon Road, approximately 14 miles northeast of the Project site. The closest officially designated state scenic highway is SR 2 Angeles Crest Highway.<sup>14</sup> The closest point of this segment is approximately 18 miles north of the Project site. Therefore, future development projects proposed within the Project site would not damage or obstruct a scenic resource (i.e., trees, rock outcroppings, or historic buildings) within a state scenic highway and no impact would occur.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.1-3** *Would the Project In nonurbanized 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?*

**Level of Significance: Less than Significant**

Public Resources Code (PRC) Section 21071 defines an urbanized area as:

- A. An incorporated city that meets either of the following criteria:
  - 1. Has a population of at least 100,000 persons.
  - 2. Has a population of less than 100,000 persons if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons.

The current population of the City is 60,975 persons and therefore does not meet criterion A-1.<sup>15</sup> However, the City is contiguous with the City of Downey (population 111,261) and the City of Montebello (population 61,645), which combined, far exceeds 100,000 persons, meeting criterion A-2.<sup>16,17</sup> This discussion will therefore analyze whether or not the Project would conflict with applicable zoning and other regulations governing scenic quality for a project within an urbanized area.

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<sup>13</sup> CalTrans. 2018. *California State Scenic Highway System Map*. Retrieved from: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>, accessed August 2023.

<sup>14</sup> Ibid.

<sup>15</sup> California DOF. 2023. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023, with 2020 Benchmark*. Sacramento, CA: Department of Finance. <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/>.

<sup>16</sup> California DOF. 2023. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023, with 2020 Benchmark*. Sacramento, CA: Department of Finance. <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/>.

<sup>17</sup> California DOF. 2023. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023, with 2020 Benchmark*. Sacramento, CA: Department of Finance. <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/>.

## Construction and Operations

The Project site is currently zoned as General Industrial (I), Specific Plan (SP), General Commercial®, Community Commercial (CC), and Multiple-Family Residential (RM). The existing uses within the Project site include industrial offices, business parks, light industrial, retail stores, fast food restaurants, residential, and one vacant parcel.

The Project proposes six land use districts: Mixed Use Residential Low Multi-Family, Mixed Use Residential High Multi-Family, Mixed Use Commercial, Commercial, Industrial Mixed Use, and Flex District, as shown in Figure 4-1. The table below summarizes the assumed buildout scenario for the proposed land use types. a maximum of 2,336 new residential units and 5,889,747.60 SF of new non-residential (commercial, retail, office, public facilities, etc.) uses. The 2,336 units are a cap on the total number of residential units that can be developed in the Project. The actual number of units constructed may be lower and would be built over multiple stages. Through compliance of development standards, design standards and guidelines, City of Pico Rivera General Plan policies, WBTODSP standards, and the City's Zoning Code, future development projects facilitated by the Project would not conflict with applicable zoning and other regulations governing scenic quality in an urbanized area. Therefore, a less than significant impact would occur.

### **Mitigation Measures**

No mitigation is necessary.

#### ***Impact 4.1-4      Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

##### ***Level of Significance: Less than Significant***

Glare is the sensation produced by luminance within the visual field that is significantly greater than the luminance to which the eyes are adapted. This can cause annoyance, discomfort, or loss in visual performance and visibility. Light pollution is caused by stray light from unshielded light sources and light reflecting off surfaces that enters the atmosphere, where it illuminates and reflects off dust, debris, and water vapor to cause an effect known as "sky glow." Light pollution can substantially limit visual access to the night sky, compromise astronomical research, and adversely affect nocturnal environments.

The Project site is fully developed with a mix of uses such as commercial, retail, and light industrial which generate daytime and nighttime lighting, except for Assessor's Parcel Number (APN) 6370-013-014, located at 6605 Rosemead Boulevard, which is the only vacant parcel within the Project site. Aside from existing uses generating daytime and nighttime lighting and glare, other existing lighting sources include streetlights for outdoor safety, security lighting from commercial and industrial developments, and vehicle headlights from roadways.

Implementation of the WBTODSP would allow for future development of mixed-use low and high residential and nonresidential land uses within the Project site. New development could cause light and glare impacts through new light sources, such as street lighting and interior and exterior building lighting, including (for safety purposes) vehicle headlights, illuminated signage, traffic signals, and new glare

sources such as reflective building materials, roofing materials, and windows. Light introduction could be a nuisance to adjacent residential areas, diminish the clear night sky's view and, if uncontrolled, can cause disturbances. Land uses such as residential uses are considered light-sensitive, because occupants have expectations of privacy during evening and nighttime hours and may be subject to disturbance by bright light sources.

## Construction and Operations

Future development projects and associated construction activities would be subject to compliance with the provisions of the lighting standards identified in Section 6.4, Site Lighting Guidelines, of the WBTODSP, which includes standards for the provision of lighting in the various residential and nonresidential zones such as light pollution limitations, security lighting direction, fixtures and light poles. Additionally, all future development projects would undergo site plan review to ensure compliance with the development standards of the applicable zoning district.

Compliance with the PRMC provisions in the lighting of future developments would ensure proper design, installation, and operation of all exterior lighting, thereby reducing the potential for glare effects, light spillover onto adjacent properties, or conflicts with adjacent land uses. As such, consistency with the PRMC would ensure that potential impacts associated with light, and glare would be less than significant.

### **Mitigation Measures**

No mitigation is necessary.

## 4.1.6 Cumulative Impacts

As discussed in **Section 4.1.5: Impacts and Mitigation Measures**, Project impacts concerning aesthetics are anticipated to be less than significant with compliance with all applicable federal, state, and local statutes and regulations, including the PRMC and applicable WBTODSP design guidelines and development standards.

This EIR has incorporated, by reference, the Pico Rivera General Plan EIR, which addresses cumulative effects resulting from build out of the Pico Rivera General Plan. Additionally, the SCAG 2025-2050 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera General Plan. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera General Plan EIR (refer to Section 3.0, Table 3.0-6: Allowed Maxim Density and Project Density Comparison which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera General Plan EIR.

Furthermore, the Project site is fully developed and is absent of natural open space. The Project site has been previously graded and developed consistent with the current Pico Rivera General Plan and PRMC zoning designations. The Project is being evaluated at a programmatic level and there are no specific development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable



federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the PRMC as well as the design guidelines and development standards within the WBTODSP area. These regulations, in combination with applicable mitigation measures, would further reduce Project and cumulative impacts. Therefore, the Project's contribution to cumulative impacts is not considered to be "cumulatively considerable."

#### 4.1.7 Significant Unavoidable Impacts

No significant and unavoidable impacts have been identified.

#### 4.1.8 References

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<https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>, accessed August 2023.

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*Regulations*. [https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code/item/title\\_18-chapter\\_18\\_42?view=all#title\\_18-chapter\\_18\\_42-article\\_i-18\\_42\\_050](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code/item/title_18-chapter_18_42?view=all#title_18-chapter_18_42-article_i-18_42_050), accessed August 2023.



## 4.2 AIR QUALITY

### 4.2.1 Introduction

This section of the Draft Program Environmental Impact Report (EIR) identifies potential impacts to air quality associated with the development and implementation of the Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBTODSP”). The ambient air quality of the local and regional area is described, along with relevant federal, state, and local air pollutant regulations. The analysis also addresses the consistency of the Project with the air quality policies set forth within the South Coast Air Quality Management District’s (SCAQMD) Air Quality Management Plan (AQMP) and the City of Pico (City) Rivera General Plan Update (Pico Rivera General Plan). The analysis of Project-generated air emissions focuses on whether the Project would cause exceedance of an ambient air quality standard or SCAQMD significance threshold.

### 4.2.2 Environmental Setting

#### Climate and Meteorology

The California Air Resources Board (CARB) divides the State into 15 air basins that share similar meteorological and topographical features. The Project is located within the South Coast Air Basin (SCAB), which includes the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, as well as all of Orange County. The SCAB is on a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean on the southwest and high mountains forming the remainder of the perimeter.<sup>1</sup> Air quality in this area is determined by such natural factors as topography, meteorology, and climate, in addition to the presence of existing air pollution sources and ambient conditions. These factors along with applicable regulations are discussed below.

The SCAB is part of a semi-permanent high-pressure zone in the eastern Pacific. As a result, the climate is mild and tempered by cool sea breezes. This usually mild weather pattern is occasionally interrupted by periods of extreme heat, winter storms, and Santa Ana winds. The annual average temperature throughout the 6,645-square-mile SCAB ranges from low 60 to high 80 degrees Fahrenheit with little variance. With more oceanic influence, coastal areas show less variability in annual minimum and maximum temperatures than inland areas.

Contrasting the steady pattern of temperature, rainfall is seasonally and annually highly variable. Almost all annual rainfall occurs between the months of November and April. Summer rainfall is reduced to widely scattered thundershowers near the coast, with slightly heavier activity in the east and over the mountains.

Although the SCAB has a semiarid climate, the air closer to the Earth’s surface is typically moist because of the presence of a shallow marine layer. Except for occasional periods when dry, continental air is brought into the SCAB by offshore winds, the “ocean effect” is dominant. Periods of heavy fog are frequent and low clouds known as high fog are characteristic climatic features, especially along the coast. Annual average humidity is 70 percent at the coast and 57 percent in the eastern portions of the SCAB.

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<sup>1</sup> South Coast Air Quality Management District, *CEQA Air Quality Handbook*, 1993.

Wind patterns across the SCAB are characterized by westerly or southwesterly on-shore winds during the day and easterly or northeasterly breezes at night. Wind speed is typically higher during the dry summer months than during the rainy winter. Between periods of wind, air stagnation may occur in both the morning and evening hours. Air stagnation is one of the critical determinants of air quality conditions on any given day. During winter and fall, surface high-pressure systems over the SCAB, combined with other meteorological conditions, result in very strong, downslope Santa Ana winds. These winds normally continue for a few days before predominant meteorological conditions are re-established.

The mountain ranges to the east affect the diffusion of pollutants by inhibiting the eastward transport of pollutants. Air quality in the SCAB generally ranges from fair to poor and is similar to air quality in most of coastal southern California. The entire region experiences heavy concentrations of air pollutants during prolonged periods of stable atmospheric conditions.

In addition to the characteristic wind patterns that affect the rate and orientation of horizontal pollutant transport, two distinct types of temperature inversions control the vertical depth through which air pollutants are mixed. These inversions are the marine inversion and the radiation inversion. The height of the base of the inversion at any given time is called the “mixing height.” The combination of winds and inversions is a critical determinant leading to highly degraded air quality for the SCAB in the summer and generally good air quality in the winter.

## Air Pollutants of Concern

The air pollutants emitted into the ambient air by stationary and mobile sources are regulated by state and federal laws. These regulated air pollutants are known as “criteria air pollutants” and are categorized into primary and secondary pollutants.

Primary air pollutants are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxide (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), coarse particulate matter (PM<sub>10</sub>), fine particulate matter (PM<sub>2.5</sub>), and lead are primary air pollutants. Of these, CO, NO<sub>x</sub>, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are criteria pollutants. ROG and NO<sub>x</sub> are criteria pollutant precursors and form secondary criteria pollutants through chemical and photochemical reactions in the atmosphere. For example, the criteria pollutant ozone (O<sub>3</sub>) is formed by a chemical reaction between ROG and NO<sub>x</sub> in the presence of sunlight. O<sub>3</sub> and nitrogen dioxide (NO<sub>2</sub>) are the principal secondary pollutants. Sources and health effects commonly associated with criteria pollutants are summarized in **Table 4.2-1: Air Contaminants and Associated Public Health Concerns**.

**Table 4.2-1: Air Contaminants and Associated Public Health Concerns**

Pollutant	Major Man-Made Sources	Human Health and Environmental Effects
Particulate Matter (PM <sub>10</sub> and PM <sub>2.5</sub> )	Power plants, steel mills, chemical plants, unpaved roads and parking lots, wood-burning stoves and fireplaces, automobiles and others.	Increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing; asthma; chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility.
Ozone (O <sub>3</sub> )	Formed by a chemical reaction between reactive organic gases/volatile organic compounds (ROG or VOC) <sup>1</sup> and nitrogen oxides (NO <sub>x</sub> ) in the presence of sunlight. Motor vehicle exhaust industrial emissions, gasoline storage and transport, solvents, paints and landfills.	Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing, and pain when inhaling deeply; decreases lung capacity; aggravates lung and heart problems. Damages plants; reduces crop yield.

Pollutant	Major Man-Made Sources	Human Health and Environmental Effects
Sulfur Dioxide (SO <sub>2</sub> )	A colorless gas formed when fuel containing sulfur is burned and when gasoline is extracted from oil. Examples are petroleum refineries, cement manufacturing, metal processing facilities, locomotives, and ships.	Respiratory irritant. Aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid which can damage marble, iron and steel. Damages crops and natural vegetation. Impairs visibility. Precursor to acid rain.
Carbon Monoxide (CO)	An odorless, colorless gas formed when carbon in fuel is not burned completely; a component of motor vehicle exhaust.	Reduces the ability of blood to deliver oxygen to vital tissues, affecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death.
Nitrogen Dioxide (NO <sub>2</sub> )	A reddish-brown gas formed during fuel combustion for motor vehicles and industrial sources. Sources include motor vehicles, electric utilities, and other sources that burn fuel.	Respiratory irritant; aggravates lung and heart problems. Precursor to O <sub>3</sub> . Contributes to global warming and nutrient overloading which deteriorates water quality. Causes brown discoloration of the atmosphere.
Lead (Pb)	Lead is a metal found naturally in the environment as well as in manufactured products. The major sources of lead emissions have historically been motor vehicles (such as cars and trucks) and industrial sources. Due to the phase out of leaded gasoline, metals processing is the major source of lead emissions to the air today. The highest levels of lead in air are generally found near lead smelters. Other stationary sources are waste incinerators, utilities, and lead-acid battery manufacturers.	Exposure to lead occurs mainly through inhalation of air and ingestion of lead in food, water, soil, or dust. It accumulates in the blood, bones, and soft tissues and can adversely affect the kidneys, liver, nervous system, and other organs. Excessive exposure to lead may cause neurological impairments such as seizures, mental retardation, and behavioral disorders. Even at low doses, lead exposure is associated with damage to the nervous systems of fetuses and young children, resulting in learning deficits and lowered IQ.
<sup>1</sup> Volatile Organic Compounds (VOCs or Reactive Organic Gases [ROG]) are hydrocarbons/organic gases that are formed solely of hydrogen and carbon. There are several subsets of organic gases including ROG and VOCs. Both ROG and VOCs are emitted from the incomplete combustion of hydrocarbons or other carbon-based fuels. The major sources of hydrocarbons are combustion engine exhaust, oil refineries, and oil-fueled power plants; other common sources are petroleum fuels, solvents, dry cleaning solutions, and paint (via evaporation).		
Source: United States Environmental Protection Agency, <i>Criteria Pollutants</i> , <a href="https://www.epa.gov/criteria-air-pollutants">https://www.epa.gov/criteria-air-pollutants</a> , accessed July 11, 2023.		

### Toxic Air Contaminants

Toxic air contaminants (TACs) are airborne substances that can cause short-term (acute) or long-term (i.e., chronic, carcinogenic or cancer causing) adverse human health effects (i.e., injury or illness). TACs include both organic and inorganic chemical substances. They may be emitted from a variety of common sources including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations. The current California list of TACs includes more than 200 compounds, including particulate emissions from diesel-fueled engines.

CARB identified diesel particulate matter (DPM) as a TAC. DPM differs from other TACs in that it is not a single substance but rather a complex mixture of hundreds of substances. Diesel exhaust is a complex mixture of particles and gases produced when an engine burns diesel fuel. DPM is a concern because it causes lung cancer; many compounds found in diesel exhaust are carcinogenic. DPM includes the particle-phase constituents in diesel exhaust. The chemical composition and particle sizes of DPM vary between different engine types (heavy-duty, light-duty), engine operating conditions (idle, accelerate, decelerate), fuel formulations (high/low sulfur fuel), and the year of the engine. Some short-term (acute) effects of diesel exhaust include eye, nose, throat, and lung irritation, and diesel exhaust can cause coughs, headaches, light-headedness, and nausea. DPM poses the greatest health risk among the TACs. Almost all diesel exhaust particle mass is 10 microns or less in diameter. Due to their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung.

## Ambient Air Quality

CARB monitors ambient air quality at approximately 250 air monitoring stations across the State. These stations usually measure pollutant concentrations ten feet above ground level; therefore, air quality is often referred to in terms of ground-level concentrations. Existing levels of ambient air quality, historical trends, and projections near the Project are documented by measurements made by the SCAQMD, the air pollution regulatory agency in the SCAB that maintains air quality monitoring stations which process ambient air quality measurements.

Pollutants of concern in the SCAB include O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. The closest air monitoring station to the Project that monitors ambient concentrations of these pollutants is the Pico Rivera #2 Monitoring Station (located approximately 2.7 miles to the northeast). Because the Pico Rivera #2 station does not monitor PM<sub>10</sub>, data from the Los Angeles Monitoring Station (located approximately 8.6 miles to the northwest) was also used. Local air quality data from 2020 to 2022 are provided in **Table 4.2-2: Ambient Air Quality Data**, which lists the monitored maximum concentrations and number of exceedances of California Ambient Air Quality Standards (CAAQS) or National Ambient Air Quality Standards (NAAQS) for each year.

**Table 4.2-2: Ambient Air Quality Data**

Criteria Pollutant	2020	2021	2022
<b>Ozone (O<sub>3</sub>)<sup>1</sup></b>			
1-hour Maximum Concentration (ppm)	0.169	0.104	0.123
8-hour Maximum Concentration (ppm)	0.114	0.074	0.091
<i>Number of Days Standard Exceeded</i>			
CAAQS 1-hour (>0.09 ppm)	20	2	3
NAAQS 8-hour (>0.070 ppm)	23	3	2
<b>Carbon Monoxide (CO)<sup>1</sup></b>			
1-hour Maximum Concentration (ppm)	3.143	1.631	1.564
<i>Number of Days Standard Exceeded</i>			
NAAQS 1-hour (>35 ppm)	0	0	0
CAAQS 1-hour (>20 ppm)	0	0	0
<b>Nitrogen Dioxide (NO<sub>2</sub>)<sup>1</sup></b>			
1-hour Maximum Concentration (ppm)	0.0692	0.0722	0.0645
<i>Number of Days Standard Exceeded</i>			
NAAQS 1-hour (>.100 ppm)	0	0	0
CAAQS 1-hour (>0.18 ppm)	0	0	0
<b>Particulate Matter Less Than 10 Microns (PM<sub>10</sub>)<sup>2</sup></b>			
National 24-hour Maximum Concentration	83.7	64.0	61.0
State 24-hour Maximum Concentration	185.2	138.5	43.7
State Annual Average Concentration (CAAQS=20 µg/m <sup>3</sup> )	—	—	—
<i>Number of Days Standard Exceeded</i>			
NAAQS 24-hour (>150 µg/m <sup>3</sup> )	0	0	0
CAAQS 24-hour (>50 µg/m <sup>3</sup> )	34	14	0
<b>Particulate Matter Less Than 2.5 Microns (PM<sub>2.5</sub>)<sup>1</sup></b>			
National 24-hour Maximum Concentration	82.9	66.0	53.8
State 24-hour Maximum Concentration	82.9	66.1	53.8
<i>Number of Days Standard Exceeded</i>			
NAAQS 24-hour (>35 µg/m <sup>3</sup> )	5	3	1
NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppm = parts per million; µg/m <sup>3</sup> = micrograms per cubic meter; — = not measured			
<sup>1</sup> Measurements taken at the Pico Rivera Monitoring Station at 4144 San Gabriel River Pkwy. Pico Rivera, CA 90660 (CARB# 70185)			
<sup>2</sup> Measurements taken at Los Angeles Monitoring Station at 1630 North Main Street, Los Angeles, CA 90012 (CARB# 70087)			
Source: All pollutant measurements are from the CARB Aerometric Data Analysis and Management system database ( <a href="https://www.arb.ca.gov/adam/topfour/topfour1.php">https://www.arb.ca.gov/adam/topfour/topfour1.php</a> ) except for CO, which were retrieved from the CARB Air Quality and Meteorological Information System ( <a href="https://www.arb.ca.gov/aqmis2/aqselect.php">https://www.arb.ca.gov/aqmis2/aqselect.php</a> ).			

### ***Sensitive Receptors***

Sensitive populations are more susceptible to the effects of air pollution than is the general population. Sensitive receptors that are in proximity to localized sources of toxics are of particular concern. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes. Sensitive land uses surrounding the Project consist mostly of residential communities. Sensitive land uses near the Project include adjacent single-family and multifamily residential uses, approximately 10 feet from the Project boundaries to the north, south, and east.

### **4.2.3 Regulatory Setting**

Air quality in the region is regulated by several jurisdictions including the U.S. Environmental Protection Agency (U.S. EPA), CARB, SCAQMD, Los Angeles County, and City. Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. Although U.S. EPA regulations may not be superseded, both state and local regulations may be more stringent.

#### **Federal**

##### ***U.S. Environmental Protection Agency***

At the federal level, the U.S. EPA has been charged with implementing national air quality programs. The U.S. EPA's air quality mandates are drawn primarily from the Federal Clean Air Act (FCAA), which was signed into law in 1970. Congress substantially amended the FCAA in 1977 and again in 1990.

##### ***Federal Clean Air Act***

The FCAA required the U.S. EPA to establish NAAQS and set deadlines for their attainment. Two types of NAAQS have been established: primary standards, which protect public health, and secondary standards, which protect public welfare from non-health-related adverse effects, such as visibility restrictions. NAAQS identify levels of air quality for "criteria" pollutants that are considered the maximum levels of ambient (background) air pollutants considered safe, with an adequate margin of safety, to protect the public health and welfare. The criteria pollutants are ozone (O<sub>3</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub> is a form of NO<sub>x</sub>), sulfur oxides (SO<sub>2</sub> is a form of SO<sub>x</sub>), PM less than 10 and 2.5 microns in diameter (PM<sub>10</sub> and PM<sub>2.5</sub>, respectively) and lead (Pb). NAAQS are summarized in **Table 4.2-3: State and Federal Ambient Air Quality Standards**.

The U.S. EPA can withhold certain transportation funds from states that fail to comply with the planning requirements of the FCAA. If a state fails to correct these planning deficiencies within two years of Federal notification, the U.S. EPA is required to develop a Federal implementation plan for the identified nonattainment area or areas. The provisions of 40 Code of Federal Regulations Parts 51 and 93 apply in all nonattainment and maintenance areas for transportation-related criteria pollutants for which the area is designated nonattainment or has a maintenance plan. The U.S. EPA has designated enforcement of air pollution control regulations to the individual states. Applicable NAAQS are summarized along with CAAQS in **Table 4.2-3**.

The FCAA was amended in 1990 to address the numerous air pollutants that are known to cause or may reasonably be anticipated to cause adverse effects to human health or adverse environmental effects. 188 specific pollutants and chemical groups were initially identified as hazardous air pollutants (HAPs), and the list has been modified over time. The FCAA Amendments included new regulatory programs to control acid deposition and for the issuance of stationary source operating permits.

In 2001, the U.S. EPA issued its first Mobile Source Air Toxics Rule, which identified 21 mobile source air toxic (MSAT) compounds as being HAPs that required regulation. A subset of six of these MSAT compounds were identified as having the greatest influence on health and included benzene, 1,3-butadiene, formaldehyde, acrolein, acetaldehyde, and DPM. More recently, the U.S. EPA issued a second MSAT Rule in February 2007, which generally supported the findings in the first rule and provided additional recommendations of compounds having the greatest impact on health. The rule also identified several engine emission certification standards that must be implemented. Unlike the criteria pollutants, toxics do not have NAAQS making evaluation of their impacts more subjective.

National Emissions Standards for Hazardous Air Pollutants (NESHAPs) were incorporated into a greatly expanded program for controlling toxic air pollutants. The provisions for the attainment and maintenance of the NAAQS were substantially modified and expanded. Other revisions included provisions regarding stratospheric O<sub>3</sub> protection, increased enforcement authority, and expanded research programs.

Section 112 of the FCAA Amendments governs the federal control program for HAPs. NESHAPs are issued to limit the release of specified HAPs from specific industrial sectors. These standards are technology-based, meaning that they represent the best available control technology an industrial sector could afford. The level of emissions controls required by NESHAPs are not based on health risk considerations because allowable releases and resulting concentrations have not been determined to be safe for the general public. The FCAA does not establish air quality standards for HAPs that define legally acceptable concentrations of these pollutants in ambient air.

## State

### *California Air Resources Board*

CARB administers the air quality policy in California. The CAAQS were established in 1969 pursuant to the Mulford-Carrell Act. The CAAQS, included with the NAAQS in **Table 4.2-3**, are generally more stringent and apply to more pollutants than the NAAQS. In addition to the criteria pollutants, CAAQS have been established for visibility reducing particulates, hydrogen sulfide, and sulfates.

The California Clean Air Act (CCAA) requires that each local air district prepare and maintain an Air Quality Management Plan (AQMP) to achieve compliance with CAAQS. These AQMPs also serve as the basis for the preparation of the State Implementation Plan for meeting CAAQS. Like the U.S. EPA, CARB also designates areas within California as either attainment or nonattainment for each criteria pollutant based on whether the CAAQS have been achieved. Under the CCAA, areas are designated as nonattainment for a pollutant if air quality data shows that a CAAQS for the pollutant was violated at least once during the previous three calendar years. Exceedances that are affected by highly irregular or infrequent events such as wildfires, volcanoes, etc. are not considered violations of a state standard, and are not used as a basis



for designating areas as nonattainment. The applicable CAAQS are summarized in **Table 4.2-3: State and Federal Ambient Air Quality Standards**.

**Table 4.2-3: State and Federal Ambient Air Quality Standards**

Pollutant	Averaging Time	State Standards <sup>1</sup>	Federal Standards <sup>2</sup>
Ozone (O <sub>3</sub> ) <sup>2, 5, 7</sup>	1 Hour	0.09 ppm (180 µg/m <sup>3</sup> )	NA
	8 Hour	0.070 ppm (137 µg/m <sup>3</sup> )	0.070 ppm (137 µg/m <sup>3</sup> )
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m <sup>3</sup> )	35 ppm (40 mg/m <sup>3</sup> )
	8 Hour	9.0 ppm (10 mg/m <sup>3</sup> )	9 ppm (10 mg/m <sup>3</sup> )
Nitrogen Dioxide (NO <sub>2</sub> )	1 Hour	0.18 ppm (339 µg/m <sup>3</sup> )	0.10 ppm <sup>11</sup>
	Annual Arithmetic Mean	0.030 ppm (57 µg/m <sup>3</sup> )	0.053 ppm (100 µg/m <sup>3</sup> )
Sulfur Dioxide (SO <sub>2</sub> ) <sup>8</sup>	1 Hour	0.25 ppm (655 µg/m <sup>3</sup> )	0.075 ppm (196 µg/m <sup>3</sup> )
	24 Hour	0.04 ppm (105 µg/m <sup>3</sup> )	0.14 ppm (365 µg/m <sup>3</sup> )
	Annual Arithmetic Mean	NA	0.030 ppm (80 µg/m <sup>3</sup> )
Particulate Matter (PM <sub>10</sub> ) <sup>1, 3, 6</sup>	24-Hour	50 µg/m <sup>3</sup>	150 µg/m <sup>3</sup>
	Annual Arithmetic Mean	20 µg/m <sup>3</sup>	NA
Fine Particulate Matter (PM <sub>2.5</sub> ) <sup>3, 4, 6, 9</sup>	24-Hour	NA	35 µg/m <sup>3</sup>
	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	12 µg/m <sup>3</sup>
Sulfates (SO <sub>4-2</sub> )	24 Hour	25 µg/m <sup>3</sup>	NA
Lead (Pb) <sup>10, 11</sup>	30-Day Average	1.5 µg/m <sup>3</sup>	NA
	Calendar Quarter	NA	1.5 µg/m <sup>3</sup>
	Rolling 3-Month Average	NA	0.15 µg/m <sup>3</sup>
Hydrogen Sulfide (H <sub>2</sub> S)	1 Hour	0.03 ppm (42 µg/m <sup>3</sup> )	NA
Vinyl Chloride (C <sub>2</sub> H <sub>3</sub> Cl) <sup>10</sup>	24 Hour	0.01 ppm (26 µg/m <sup>3</sup> )	NA

**Notes:**

ppm = parts per million; µg/m<sup>3</sup> = micrograms per cubic meter; mg/m<sup>3</sup> = milligrams per cubic meter; – = no information available.

<sup>1</sup> California standards for O<sub>3</sub>, carbon monoxide (except Lake Tahoe), sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, suspended particulate matter - PM<sub>10</sub>, and visibility reducing particles are values that are not to be exceeded. The standards for sulfates, Lake Tahoe carbon monoxide, lead, hydrogen sulfide, and vinyl chloride are not to be equaled or exceeded. If the standard is for a 1-hour, 8-hour or 24-hour average (i.e., all standards except for lead and the PM<sub>10</sub> annual standard), then some measurements may be excluded. Measurements are excluded that CARB determines would occur less than once per year on the average. The Lake Tahoe carbon monoxide standard is 6.0 ppm, a level one-half the national standard and two-thirds the State standard.

<sup>2</sup> National standards shown are the "primary standards" designed to protect public health. National standards other than for O<sub>3</sub>, particulates and those based on annual averages are not to be exceeded more than once a year. The 1-hour O<sub>3</sub> standard is attained if, during the most recent three-year period, the average number of days per year with maximum hourly concentrations above the standard is equal to or less than one. The 8-hour O<sub>3</sub> standard is attained when the 3-year average of the 4<sup>th</sup> highest daily concentrations is 0.070 ppm or less. The 24-hour PM<sub>10</sub> standard is attained when the 3-year average of the 99<sup>th</sup> percentile of monitored concentrations is less than 150 µg/m<sup>3</sup>. The 24-hour PM<sub>2.5</sub> standard is attained when the 3-year average of 98<sup>th</sup> percentiles is less than 35 µg/m<sup>3</sup>.

<sup>3</sup> Except for the national particulate standards, annual standards are met if the annual average falls below the standard at every site. The national annual particulate standard for PM<sub>10</sub> is met if the 3-year average falls below the standard at every site. The annual PM<sub>2.5</sub> standard is met if the 3-year average of annual averages spatially-averaged across officially designed clusters of sites falls below the standard. NAAQS are set by the EPA at levels determined to be protective of public health with an adequate margin of safety.

<sup>4</sup> On October 1, 2015, the national 8-hour O<sub>3</sub> primary and secondary standards were lowered from 0.075 to 0.070 ppm. An area will meet the standard if the fourth-highest maximum daily 8-hour O<sub>3</sub> concentration per year, averaged over three years, is equal to or less than 0.070 ppm. EPA will make recommendations on attainment designations by October 1, 2016, and issue final designations October 1, 2017. Nonattainment areas will have until 2020 to late 2037 to meet the health standard, with attainment dates varying based on the O<sub>3</sub> level in the area.

<sup>5</sup> The national 1-hour O<sub>3</sub> standard was revoked by the EPA on June 15, 2005.

<sup>6</sup> In June 2002, CARB established new annual standards for PM<sub>2.5</sub> and PM<sub>10</sub>.

<sup>7</sup> The 8-hour California O<sub>3</sub> standard was approved by the CARB on April 28, 2005, and became effective on May 17, 2006.

<sup>8</sup> On June 2, 2010, the EPA established a new 1-hour SO<sub>2</sub> standard, effective August 23, 2010, which is based on the 3-year average of the annual 99<sup>th</sup> percentile of 1-hour daily maximum concentrations. The existing 0.030 ppm annual and 0.14 ppm 24-hour SO<sub>2</sub> NAAQS however must continue to be used until one year following EPA initial designations of the new 1-hour SO<sub>2</sub> NAAQS.

<sup>9</sup> In December 2012, EPA strengthened the annual PM<sub>2.5</sub> NAAQS from 15.0 to 12.0 µg/m<sup>3</sup>. In December 2014, the EPA issued final area designations for the 2012 primary annual PM<sub>2.5</sub> NAAQS. Areas designated "unclassifiable/attainment" must continue to take steps to prevent their air quality from deteriorating to unhealthy levels. The effective date of this standard is April 15, 2015.

<sup>10</sup> CARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure below which there are no adverse health effects determined.

<sup>11</sup> National lead standards, rolling 3-month average: final rule signed October 15, 2008. Final designations effective December 31, 2011.

Source: South Coast Air Quality Management District, *Air Quality Management Plan*, 2022; California Air Resources Board, *Ambient Air Quality Standards*, May 6, 2016.

### ***California Energy Commission – Title 24 Building Energy Efficiency Standards***

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in CCR Title 24 Part 6, were established in 1978 in response to a legislative mandate to reduce California’s energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The Energy Standards include requirements for mandatory mechanical ventilation intended to improve indoor air quality in homes, and requirements for Minimum Efficiency Reporting Value (MERV) 13 air filtration on space conditioning systems, and ventilation systems that provide outside air to a dwelling’s occupiable space. The Residential Compliance Manual for the Building Energy Efficiency Standards notes that air filter efficiencies of at least MERV 13 protect occupants from exposure to the smaller airborne particles (i.e., PM<sub>2.5</sub>) that are known to adversely affect respiratory health. CCR Title 24 Part 6 requires a particle size efficiency rating equal to or greater than 85 percent in the 1.0 to 0.3 µm range.

### ***Assembly Bill 98 – Planning and Zoning: Logistics Use: Truck Routes***

Assembly Bill (AB) 98, beginning January 1, 2026, would prescribe various statewide warehouse design and build standards for any proposed new or expanded logistics use developments, as specified, including, among other things, standards for building design and location, parking, truck loading bays, landscaping buffers, entry gates, and signage. AB 98 would (except from those design and build standards) allow certain existing logistics use developments proposed expansions of a logistics use development, and property currently in a local entitlement process to become a logistics use, under prescribed conditions. AB 98 would require a facility operator, prior to the issuance of a certificate of occupancy, to establish and submit for approval by a city, county, or city and county a truck routing plan to and from the state highway system based on the latest truck route map of the city, county, or city and county, as prescribed. AB 98 would require a facility operator to enforce the plan and would provide for the revision of the plan in specified circumstances.

AB 98 would prohibit a city, county, or city and county from approving development of a logistics use that does not meet or exceed the standards outlined in AB 98. AB 98 would require a city, county, or city and county to condition approval of a logistics use on 2-to-1 replacement of any demolished housing unit that was occupied within the last 10 years unless the housing unit was declared substandard by a building official, as specified, and payments to displaced tenants if residential dwellings are affected through purchase, as prescribed. AB 98 would define terms for these purposes.

## **Regional**

### ***South Coast Air Quality Management District***

The SCAQMD is the air pollution control agency for Orange County and the urban portions of Los Angeles, Riverside, and San Bernardino counties. The agency’s primary responsibility is ensuring that CAAQS and NAAQS are attained and maintained in the SCAB. The SCAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions,



conducting public education campaigns, and many other activities. All projects are subject to SCAQMD rules and regulations in effect at the time of construction.

The SCAQMD is also the lead agency in charge of developing the AQMP, with input from the Southern California Association of Governments (SCAG) and CARB. The AQMP is a comprehensive plan that includes control strategies for stationery and area sources, as well as for on-road and off-road mobile sources. SCAG has the primary responsibility for providing future growth projections and the development and implementation of transportation control measures. CARB, in coordination with federal agencies, provides the control element for mobile sources.

The 2016 AQMP was adopted by the SCAQMD Governing Board on March 3, 2017. The purpose of the AQMP is to set forth a comprehensive and integrated program that would lead the SCAB into compliance with the federal 24-hour  $PM_{2.5}$  air quality standard, and to provide an update to the SCAQMD's commitments towards meeting the 8-hour  $O_3$  NAAQS. Specifically, the 2016 AQMP covers the following NAAQS: 1979 1-hour  $O_3$  NAAQS, 1997 8-hour  $O_3$  NAAQS, 2006 24-hour  $PM_{2.5}$  NAAQS, 2008 8-hour  $O_3$  NAAQS, and the 2012 annual  $PM_{2.5}$  NAAQS.

On October 1, 2015, the U.S. EPA strengthened the NAAQS for ground-level  $O_3$ . The 2022 AQMP, adopted by the SCAQMD Governing Board on December 2, 2022, was developed to address the requirements for meeting the 2015 8-hour  $O_3$  standard. The 2022 AQMP builds upon measures already in place from previous AQMPs. It also includes a variety of additional strategies such as regulation, accelerated deployment of available cleaner technologies (e.g., zero emissions technologies, when cost-effective and feasible, and low  $NO_x$  technologies in other applications), best management practices, co-benefits from existing programs (e.g., climate and energy efficiency), incentives, and other FCAA measures to achieve the 2015 8-hour ozone standard. The 2022 AQMP incorporates the latest scientific and technological information and planning assumptions, including the *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* (RTP/SCS) and updated emission inventory methodologies for various source categories.

The SCAQMD has published the CEQA Air Quality Handbook (approved by the SCAQMD Governing Board in 1993 and augmented with guidance for Local Significance Thresholds [LST] in 2008). The SCAQMD guidance helps local government agencies and consultants to develop environmental documents required by California Environmental Quality Act (CEQA) and provides identification of suggested thresholds of significance for criteria pollutants for both construction and operation (see discussion of thresholds below). With the help of the CEQA Air Quality Handbook and associated guidance, local land use planners and consultants are able to analyze and document how proposed and existing projects affect air quality in order to meet the requirements of the CEQA review process. The SCAQMD periodically provides supplemental guidance and updates to the handbook on their website.

The SCAG is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial counties and serves as a forum for regional issues relating to transportation, the economy, community development, and the environment. Under federal law, SCAG is designated as a Metropolitan Planning Organization and under State law as a Regional Transportation Planning Agency and a Council of Governments.

The state and federal attainment status designations for the SCAB are summarized in **Table 4.2-4: South Coast Air Basin Attainment Status**. The SCAB is currently designated as a nonattainment area with respect to the O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> CAAQS, as well as the 8-hour O<sub>3</sub> and PM<sub>2.5</sub> NAAQS. The SCAB is designated as attainment or unclassified for the remaining CAAQS and NAAQS.

**Table 4.2-4: South Coast Air Basin Attainment Status**

Pollutant	State	Federal
Ozone (O <sub>3</sub> ) (1 Hour Standard)	Non-Attainment	Non-Attainment (Extreme)
Ozone (O <sub>3</sub> ) (8 Hour Standard)	Non-Attainment	Non-Attainment (Extreme)
Particulate Matter (PM <sub>2.5</sub> ) (24 Hour Standard)	–	Non-Attainment (Serious)
Particulate Matter (PM <sub>2.5</sub> ) (Annual Standard)	Non-Attainment	Non-Attainment (Moderate)
Particulate Matter (PM <sub>10</sub> ) (24 Hour Standard)	Non-Attainment	Attainment (Maintenance)
Particulate Matter (PM <sub>10</sub> ) (Annual Standard)	Non-Attainment	–
Carbon Monoxide (CO) (1 Hour Standard)	Attainment	Attainment (Maintenance)
Carbon Monoxide (CO) (8 Hour Standard)	Attainment	Attainment (Maintenance)
Nitrogen Dioxide (NO <sub>2</sub> ) (1 Hour Standard)	Attainment	Unclassifiable/Attainment
Nitrogen Dioxide (NO <sub>2</sub> ) (Annual Standard)	Attainment	Attainment (Maintenance)
Sulfur Dioxide (SO <sub>2</sub> ) (1 Hour Standard)	Attainment	Unclassifiable/Attainment
Sulfur Dioxide (SO <sub>2</sub> ) (24 Hour Standard)	Attainment	–
Lead (Pb) (30 Day Standard)	–	Unclassifiable/Attainment
Lead (Pb) (3 Month Standard)	Attainment	–
Sulfates (SO <sub>4-2</sub> ) (24 Hour Standard)	Attainment	–
Hydrogen Sulfide (H <sub>2</sub> S) (1 Hour Standard)	Unclassified	–

Source: South Coast Air Quality Management District, *Air Quality Management Plan*, 2016; United States Environmental Protection Agency, *Nonattainment Areas for Criteria Pollutants (Green Book)*, 2021.

The following is a list of SCAQMD rules that are required of construction activities associated with the Project:

**Rule 402 (Nuisance)** – This rule prohibits the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. This rule does not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

**Rule 403 (Fugitive Dust)** – This rule requires fugitive dust sources to implement best available control measures for all sources, and all forms of visible particulate matter are prohibited from crossing any

property line. This rule is intended to reduce PM<sub>10</sub> emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. PM<sub>10</sub> suppression techniques are summarized below.

- Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
- All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
- All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
- Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.

**Rule 445 (Wood Burning)** – Rule 445 prohibits permanently installed wood-burning devices into any new development. A wood-burning device means any fireplace, wood burning heater, or pellet-fueled wood heater, or any similarly enclosed, permanently installed, indoor or outdoor device burning any solid fuel for aesthetic or space-heating purposes, which has a heat input of less than one million British thermal units per hour.

**Rule 1113 (Architectural Coatings)** – This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce ROG emissions from the use of these coatings, primarily by placing limits on the ROG content of various coating categories.

## Local

### *City of Pico Rivera General Plan Update 2014*

Chapter 8, Environmental Resources of the Pico Rivera General Plan identifies goals that address the long-term management of Pico Rivera's environmental resources. Goals and policies that relate to air quality impacts include the following:

#### *Environmental Resources Element*

**Goal 8.2**      **Continued improvement in local and regional air quality with reduced greenhouse gas emissions to maintain the community's health.**

**Policy 8.2-3**      **Construction Emissions.** Require new development projects to incorporate feasible measures that reduce emissions from construction, grading, excavation, and demolition activities to avoid, minimize, and/or offset their impacts consistent with South Coast Air Quality Management District (SCAQMD) requirements.

**Policy 8.2-4**      **Operational Emissions.** Require new development projects to incorporate feasible measures that reduce operational emissions through project and site design and use best of management practices to avoid, minimize, and/or offset their impacts consistent with SCAQMD.

## Other Rules

All building demolition activities would be required to adhere to SCAQMD Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities).

### 4.2.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the development of the site would have a significant environmental impact if one or more of the following occurs:

- Conflict with or obstruct implementation of the applicable air quality plan;
- 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;
- Expose sensitive receptors to substantial pollutant concentrations; or
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

## SCAQMD Thresholds

The significance criteria established by SCAQMD may be relied upon to make the above determinations. According to the SCAQMD, an air quality impact is considered significant if the Project would violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The SCAQMD has established thresholds of significance for air quality during construction and operational activities of land use development projects, as shown in **Table 4.2-5: South Coast Air Quality Management District Emissions Thresholds**.

**Table 4.2-5: South Coast Air Quality Management District Emissions Thresholds  
(Maximum Pounds Per Day)**

Criteria Air Pollutants and Precursors	Construction-Related	Operational-Related
Reactive Organic Gases (ROG)	75	55
Carbon Monoxide (CO)	550	550
Nitrogen Oxides (NO <sub>x</sub> )	100	55
Sulfur Oxides (SO <sub>x</sub> )	150	150
Coarse Particulates (PM <sub>10</sub> )	150	150
Fine Particulates (PM <sub>2.5</sub> )	55	55

Source: South Coast Air Quality Management District, *South Coast AQMD Air Quality Significance Thresholds*, March 2023.

### Localized Carbon Monoxide

In addition to the daily thresholds listed above, development associated with the Project would also be subject to the CAAQS and NAAQS. These are addressed through an analysis of localized CO impacts. The significance of localized impacts depends on whether ambient CO levels near the Project are above CAAQS and NAAQS (the more stringent CAAQS are 20 ppm for 1-hour and 9 ppm for 8-hour). The SCAB has been designated as attainment under the 1-hour and 8-hour CAAQS.

## WBODSP Impacts

The improvements envisioned in the proposed WBODSP are recommended conceptual designs intended to be used as guidance for the City in implementing future improvements. The proposed WBODSP does not include any site-specific designs or proposals, nor does it grant any entitlements for development. As a policy and regulatory document, the WBODSP would have no physical effect on the environment. Therefore, the Project would not conflict with or obstruct implementation of any applicable attainment or maintenance plans related to CAAQS or NAAQS. This impact would be less than significant.

The Project is a policy document that identifies future land uses, but does not propose any specific development; therefore, adoption of the Plan would not violate any air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase of any criteria pollutant. Future development under the Plan would not generate a net increase in pollutant concentrations because development under the WBODSP would result in less building square footage and less vehicle trips than the current existing General Plan land uses. As a result, the Project would not result in a net increase in emissions beyond those anticipated under the Pico Rivera General Plan. However, future site-specific improvements would require further CEQA review of project-level impacts prior to implementation.

The WBODSP is a policy document that does not propose any specific development; therefore, adoption of the Specific Plan would not expose sensitive receptors to substantial pollutant concentrations. Development under the WBODSP would result in less building square footage and less vehicle trips than the current General Plan land uses. As a result, the Project would not expose sensitive receptors to substantial pollutant concentrations beyond those anticipated under the Pico Rivera General Plan.

The land use designations in the WBODSP area are not odor-generating. The potential for the WBODSP to create objectionable odors affecting a substantial number of people is minimal. A less than significant impact would occur.

However, any future development projects associated with the WBODSP would require further CEQA review of project-level impacts prior to implementation.

### 4.2.5 Impacts and Mitigation Measures

**Impact 4.2-1** *Would the Project conflict with or obstruct implementation of the applicable air quality plan?*

***Level of Significance: Significant and Unavoidable***

### Future Development Impacts

However, any future development projects associated with the WBODSP would require further CEQA review of project-level impacts prior to implementation, including consistency with the AQMP. The 2022 AQMP is designed to meet the CCAA and FCAA planning requirements and focuses on O<sub>3</sub> and PM<sub>2.5</sub> NAAQS. The SCAQMD's AQMP was prepared to: accommodate growth; reduce the high levels of pollutants within the areas under the jurisdiction of SCAQMD; and attain clean air within the region.

Projects that are considered consistent with the AQMP would not interfere with attainment because this growth is included in the projections used to formulate the AQMP.

The SCAQMD's CEQA Handbook identifies two key indicators of consistency with the AQMP:

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

The Project site comprises approximately 305 acres. The Project site is currently developed with approximately 238,247 SF of residential uses, approximately 1,541,731 SF of commercial space, approximately 344,763 SF of institutional and recreational space, approximately 4,179,578 SF of Industrial, and approximately 7,849 SF of public facilities development. This includes development within approximately 35 acres of the City's Rancho de Bartolo Specific Plan (SP-400) and 12.84 acres of the City's Specific Plan 301 (SP-301).

The WBTODSP does not propose any specific projects. The Project would facilitate the redevelopment the Project area as a mixed-use development, emphasizing residential uses and decreasing the amount of general industrial. In general, the WBTODSP would allow for the future redevelopment of approximately 2,336 new residential dwelling units (DU)s and 5,889,747.60 SF of new non-residential (commercial, retail, office, public facilities, etc.) uses. The maximum overall intensity of development within the Specific Plan designation shall be consistent with the provisions of the Pico Rivera General Plan as determined through the development review process. In all cases, the intensity of Specific Plan developments, and each portion thereof, shall be compatible with the underlying General Plan densities and intensities and adjacent and adjacent and existing and planned land uses. Therefore, the Project would not conflict with the first criterion.

Future development of additional residential units within the WBTODSP area would generate increased population growth beyond what was anticipated in the 2022 AQMP. However, although population within the WBTODSP area would increase, vehicle trips, a major source of criteria pollutants, are anticipated to decrease due to the potential reduction of truck trips from the decrease of industrial uses, and through establishing a TOD-oriented multi-modal transportation improvements proposed as part of the Project, which is anticipated to result in an overall reduction in vehicle trips. Pursuant to **MM AQ-1**, future developments under the WBTODSP, not exempt from CEQA, must prepare an air quality assessment to analyze construction-related air quality impacts and identify feasible mitigation to reduce potential impacts, if necessary. However, due to the unknown nature of future construction activities associated with implementation of the Specific Plan, the potential exists that SCAQMD thresholds may be exceeded. Therefore, the Project would not be consistent with the second criterion. Therefore, construction- and operational-related air quality impacts would be considered significant and unavoidable due to the potential magnitude of construction that could occur from WBTODSP implementation.

Due to changes in land use and increases in population growth, future development associated with the WBTODSP could conflict or obstruct implementation of AQMP and could result in a significant and unavoidable impact.

### **Mitigation Measures**

Refer to **MM AQ-1** below. No additional feasible mitigation measures are proposed at the programmatic level to reduce future construction and operational emissions associated with development facilitated by the WBTODSP. Future construction and operational emissions could conflict with implementation of the AQMP. Impacts remain significant and unavoidable.

**Impact 4.2-2**      *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?*

***Level of Significance: Significant and Unavoidable***

### **Future Development - Construction Emissions**

The WBTODSP would allow for the development of an approximately 305-acre mixed use project site. Construction activities associated with future development under the WBTODSP would require further CEQA review of project-level impacts. The Project identifies future land uses but does not contain specific development proposals. As a result, construction-related emissions are speculative and cannot be accurately determined for the following phases of construction:

- **Demolition.** The removal of buildings and structures.
- **Site Preparation.** Clearing vegetation (grubbing and tree/stump removal) and removing stones and other unwanted material or debris prior to grading.
- **Grading.** Involves the cut and fill of land to ensure that the proper base and slope is created for the foundation.
- **Building Construction.** Construction of the foundation, structures, and buildings.
- **Paving.** Involves the laying of concrete or asphalt such as in parking lots, roads, driveways, or sidewalks.
- **Architectural Coating.** The application of coatings to both the interior and exterior of buildings or structures, parking lot striping and associated signage and curbs.

Construction activities would consist of grading, demolition, excavation, cut-and-fill, paving, building construction, and application of architectural coatings. In addition, construction worker vehicle trips, building material deliveries, soil hauling, etc., would occur during construction. Construction-related emissions are typically site-specific and depend upon multiple variables. Quantifying future, construction-related air emissions is not possible due to project-level variability and uncertainties concerning locations, detailed site plans, construction schedules/duration, equipment requirements, which are presently unknown. Therefore, quantifying precise construction-related emissions and impacts would be speculative.

Project implementation would facilitate development in the Specific Plan Area to create a mixed-use, multi-modal environment; promote sustainable principles in design and development; and support land uses that support transit. Future development would re-capture and re-use underutilized land area in the City. Depending on how development proceeds, construction-related emissions associated with future development could exceed SCAQMD thresholds of significance. In addition to site-specific mitigation that would be determined on a project-by-project basis compliance with existing and SCAQMD practices would be required. SCAQMD Rule 403 (Fugitive Dust) would reduce fugitive dust emissions generated at future construction sites by requiring dust abatement measures. State Vehicle Code Section 23114 requires all trucks hauling excavated or graded material to the prevention of such material spilling onto public streets. SCAQMD Rule 1113 (Architectural Coatings) limits volatile organic compounds from architectural coatings. Additionally, all building demolition activities would be required to adhere to SCAQMD Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities).

### Future Development - Operational Emissions

The WBTODSP area currently contains a mix of general industrial, light industrial, commercial, mixed-use, and residential uses. The WBTODSP proposes to redevelop the Project area as a mixed-use development, emphasizing residential uses and decreasing the amount of general industrial. In general, the WBTODSP would allow a maximum of 2,336 new residential units and 5,889,747.60 SF of new non-residential (commercial, retail, office, public facilities, etc.) uses.

As a result of the Project's changes in land use and the WBTODSP's proposed internal street network of pedestrian and vehicle connectivity, the number of vehicle trips generated in the WBTODSP area are anticipated to decrease (refer to **Appendix C: Mobility Assessment**). Currently, the existing uses within the Project area generate approximately 29,904 daily trips (after taking into account internal capture, transit, and pass-by reductions), with 1,849 AM peak hour trips and 3,010 PM peak hour trips. With the implementation of the WBTODSP, the Project area could generate approximately 71,294 daily trips (after taking into account internal capture, transit, and pass-by reductions), with 4,105 AM peak hour trips with approximately 6,330 PM peak hour trips. As a result, traffic is anticipated to increase. However, while it is anticipated that the Project would generate an increase in daily traffic compared to existing conditions, the Project would generate a net reduction in traffic trips compared to the current General Plan and that is without taking into account the allowance for internal trip capture, pass-by trips, and transit-oriented development (TOD).

The Project identifies future land uses but does not contain specific development proposals. As a result, operational emissions are speculative and cannot be accurately determine the operational emissions associated with:

- **Mobile Sources.** Mobile source emissions are generated by resident, worker, customer, and delivery vehicles traveling to and from locations. The vehicle emissions are associated with engine related emissions such as starting the vehicle, engine idling, and driving, as well as brake wear, tire wear, and road dust. Mobile source emissions are calculated based on the number of trips, the vehicle miles traveled (VMT), and vehicle emission rates.



- **Area Sources.** Area source emissions are from hearths (including wood stoves and fireplaces), consumer products (including cleaning supplies, kitchen aerosols, cosmetics, and toiletries), architectural coatings (paint), and landscaping equipment.
- **Energy.** Energy emissions are associated with natural gas usage.

Based on the Project's reduced overall building area and the reduction in vehicle trips, operational air quality emissions are anticipated to decrease when compared to existing uses. However, quantifying future, operational air emissions is not possible due to project-level variability and uncertainties. Therefore, quantifying precise operational emissions and impacts would be speculative.

Projects would also be required to demonstrate consistency with Pico Rivera General Plan policies and City of Pico Rivera Municipal Code (PRMC) requirements, including those intended to protect public health from air quality impacts. The SCAQMD's significance thresholds would be relied upon to determine the significance level of a future project's operational impact. In addition, individual development projects would be required to comply with energy performance and water efficiency building code requirements established under State Title 24 Energy Regulations, which would further reduce criteria air pollutant emissions. While some of the individual future development projects may be able to incorporate design and reduction features that would reduce emissions to below SCAQMD thresholds, the overall project must be evaluated for significance consideration.

Given the general nature of the WBTODSP and the long buildout potential, it is not possible to quantify the exact reduction in emissions that would be provided by typical air quality mitigation measures. At a programmatic level, the proposed Project may not meet the performance standard for annual emissions reductions and could result in a cumulatively considerable net increase of one or more criteria pollutants for which the Project region is in nonattainment under an applicable NAAQS or CAAQS. The thresholds of significance recommended by the SCAQMD were established for individual development projects and are based on the SCAQMD's New Source Review emissions standards for individual sources of new emissions, such as boilers and generators. They do not apply to cumulative development or multiple projects. Project-related air quality emissions would be regional and not confined to the limits of the WBTODSP area. The destinations of motor vehicles, which are the primary contributors to air pollution, would vary widely and cross many jurisdictional boundaries. Future development projects facilitated by the Specific Plan would occur throughout the buildout period and be subject to comply with SCAQMD standards.

**MM AQ-1** requires that any future WBTODSP development projects, which are subject to discretionary review and not exempt from CEQA, must prepare an air quality assessment to analyze operational air quality impacts and identify all feasible mitigation to reduce potential impacts if necessary. Individual development projects may not result in significant air quality emissions. However, at a programmatic level, due to the size of the Project, operational impacts would be potentially significant.

### **Mitigation Measures**

**MM AQ-1** Proposed development projects that are not exempt from CEQA shall prepare an air quality assessment for construction and operational air quality impacts using the latest available air emissions model, or other analytical method determined in conjunction with the SCAQMD. The results of the air quality impact analysis shall be

included in the development project's CEQA documentation. To address potential localized impacts, the air quality analysis shall incorporate SCAQMD's Localized Significance Threshold analysis or other appropriate analyses as determined in conjunction with the SCAQMD. If such analyses identify potentially significant regional or local air quality impacts, the City shall require the incorporation of appropriate mitigation to reduce such impacts.

**Impact 4.2-3** *Would the Project expose sensitive receptors to substantial pollutant concentrations?*

**Level of Significance: Less than Significant with Mitigation Incorporated**

### **Future Development Impacts**

However, future site-specific improvements would require further CEQA review of project-level impacts prior to implementation. Because the construction and operation of future WBTODSP development projects could expose existing sensitive receptors to pollutants, **MM AQ-1** requires any future WBTODSP development projects, not exempt from CEQA, to prepare an air quality assessment, analyzing both construction and operational air quality impacts on sensitive receptors and identify localized significance thresholds. In addition, **MM AQ-2** requires a construction health risk assessment to be prepared for future WBTODSP development projects located within 500 feet of existing residential uses and identify any feasible mitigation to reduce potential impacts if necessary and **MM AQ-3** prohibits locating sensitive receptors within 1,000 feet of TAC sources unless a health risk assessment can show that health risks can be reduced to less than significant.

### **Mitigation Measures**

**MM AQ-2** Proposed development projects within 500 feet of existing residential uses, and are not exempt from CEQA, shall prepare a construction health risk assessment to determine health impacts to surrounding residents that would result from the operation of diesel construction equipment on site and from on-road diesel trucks used for hauling soil and equipment to and from the site. The results of the construction health risk assessment shall be included in the development project's CEQA documentation. The health risk assessment shall include mitigation measures to reduce impacts from the construction of future developments on sensitive receptors.

**MM AQ-3** Consistent with the CARB Land Use Planning Handbook, residential and mixed-use developments shall be prohibited within 1,000 feet of the BNSF Pico Rivera Rail Yard, State Route 19 (SR-19)/Rosemead Boulevard, or existing industrial/warehouse properties unless a project specific health risk assessment is prepared and can show that health risks would be less than significant.

**Impact 4.2-4** *Would the Project Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

**Level of Significance: Less than Significant**

## Future Development - Construction Emissions

Potential sources that may emit odors during construction activities include the use of architectural coatings and solvents. SCAQMD Rule 1113 limits the allowable amount of VOCs from architectural coatings and solvents. Additionally, construction odors are subject to SCAQMD Rule 402 (Nuisance), which would prevent odor nuisances on sensitive land uses.

Since compliance with SCAQMD Rules governing these compounds is mandatory, no construction activities or materials are proposed that would create objectionable odors adversely affecting a substantial number of people. Therefore, impacts would be less than significant, and no mitigation is required.

## Future Development – Operational Emissions

According to the SCAQMD CEQA Air Quality Handbook, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Long-term Project operations would not introduce new sources of odors and would not create objectionable odors that could adversely affect a substantial number of people. The Project does not include any uses identified by the SCAQMD as being typically associated with objectionable or nuisance odors. Waste collection areas and disposal for future developments would be covered and situated away from off-site uses. Therefore, potential odor impacts would be less than significant, and no mitigation is required.

### Mitigation Measures

No mitigation is necessary.

## 4.2.6 Cumulative Impacts

As discussed in **Section 4.2.5: Impacts and Mitigation Measures**, Project impacts concerning air quality are anticipated to remain significant and unavoidable despite implementation of **MM AQ-1** through **MM AQ-3** and compliance with all applicable federal, state, and local statutes and regulations, including the PRMC and applicable WBTODSP design guidelines and development standards.

This EIR has incorporated, by reference, the Pico Rivera GP EIR, which addresses cumulative effects resulting from build out of the Pico Rivera GP. Additionally, the SCAG 2024-2050 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera GP. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera GP EIR (refer to Section 3.0, Table 3.0-6: Allowed Maxim Density and Project Density Comparison which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera GP EIR.

Furthermore, the Project site is fully developed and is absent of natural open space. The Project site has been previously graded and developed consistent with the current Pico Rivera GP and zoning designations. The Project is being evaluated at a programmatic level and there are no specific

development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the PRMC as well as the design guidelines and development standards within the WBTODSP area. However, despite compliance with mitigation measures and all applicable federal, state, and local statutes and regulations, implementation of the WBTODSP would have the potential to result in potentially significant air quality impacts. That is, implementation of the WBTODSP would change existing land uses and exceed the population growth forecasted in the 2022 AQMP, which would result in significant and unavoidable air quality impacts. Therefore, the Project's contribution to cumulative impacts, via future development under the WBTODSP, could result in "cumulatively considerable" air quality impacts.

#### 4.2.7 Significant Unavoidable Impacts

The Project would result in a significant and unavoidable impact related to implementation of an air quality plan and net increases of criteria pollutants associated with construction and operation of future developments.

#### 4.2.8 References

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- United States Environmental Protection Agency. 2023. *Nonattainment Areas for Criteria Pollutants (Green Book)* <https://www.epa.gov/green-book>.

## 4.3 BIOLOGICAL RESOURCES

### 4.3.1 Introduction

This section of the Draft Program Environmental Impact Report (EIR) identifies and evaluates potential impacts related to biological resources with the development of the Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBODSP”). Information included in this section is provided from the following biological resources:

- Kimley-Horn and Associates, Inc. December 2023. California Natural Diversity Database (CNDDB) output.
- City of Pico Rivera General Plan Update, 2014.
- Pico Rivera General Plan Update Draft Environmental Impact Report.

The analysis in this section provides a description of the existing biological resources found on the Project site and identifies potentially significant impacts to sensitive biological resources through Project implementation. The Project site encompasses approximately 305 acres, with the primary goal of promoting future revitalization and reuse of the Washington/Rosemead area to complement the future E Line extension in the City of Pico Rivera (City). The City plans to create a framework that strategically assesses and executes an implementable plan, providing a compact multi-modal, mixed-use, and sustainable environment that will become a focal point for community activity.

### 4.3.2 Environmental Setting

#### Existing Conditions

##### *Site Conditions*

The Project site and the City are considered a highly urbanized environment and the majority of the land within the City is developed or disturbed vacant land. Pico Rivera does not contain any migratory wildlife corridors or native wildlife nursery sites. The City also does not maintain any ordinances protecting biological resources and no habitat conservation plans, or natural community conservation plans for biological resources exist in the City.<sup>1</sup> The Project site is made up of 88 parcels; one parcel within the Project site is vacant, and the remaining parcels are fully developed with a mix of industrial, light-industrial, commercial, and residential developments. There is no portion of the Project site that remains in its native state.

##### *Biological Resources*

The Los Angeles County General Plan designates the 4,145-acre Whittier Narrows Recreation Area (WNRA) as a local Significant Ecological Area. The WNRA includes a mix of oak, sycamore and willow riparian woodland, freshwater marsh, grasslands and coastal sage scrub. It also supports resident and migratory bird species, and many regional biological values, including protection of existing core populations of rare species, presence of plant communities with restricted distribution, essential habitat

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<sup>1</sup> City of Pico Rivera. 2014. *Pico Rivera General Plan Update Environmental Impact Report, Section 5 CEQA Mandated Sections*. Page 5-2.

for resident species and migratory birds, and potential habitat linkages along and between the San Gabriel River and the Puente Hills corridor.<sup>2</sup>

According to the City of Pico Rivera General Plan Update (Pico Rivera General Plan) Draft EIR, portions of the San Gabriel River and most of the Rio Hondo River remain in a fairly natural state, supporting stream-side vegetation of willows, sycamores, cottonwoods, and mule fat. The Rio Hondo Spreading Grounds along the western boundary of the city provide a refuge for many species of birds. The open water is particularly important as a resting and feeding site for migrating and withering waterfowl. The spreading grounds are void of significant natural vegetation. Plant cover primarily consists of low-growing shrub and herb species, many of which are weeds. Freshwater marsh vegetation is beginning to establish itself in a few isolated areas. Although the most significant resource is the birdlife, reptiles, mammals, amphibians, and fish are undoubtedly present.<sup>3</sup>

As part of the Pico Rivera General Plan Draft EIR, the City conducted a California Natural Diversity Database (CNDDDB) search, which determined that there is a potential for coast horned lizard to be present in the northeastern portion of the City along the San Gabriel River, north of Whittier Boulevard. The CNDDDB also determined potential for Coastal California Gnatcatcher to be present in the far northern portion of the City near the WNRA. The WNRA effectively isolates the City from the significant wildlife habitat areas on the dam's upstream side. This location factor and the disturbed condition of the vegetation in the city combined have minimized the amount of wildlife in the City. However, vacant lots and undeveloped parcels within the City support a variety of weedy or introduced plant species. Existing species most likely include small rodents, rabbits, moles, mourning doves, crows, and lizards typical of an urban setting. No rare or endangered species are known to be present.<sup>4</sup>

### ***Project Site Specific CNDDDB Search***

To determine Project site biological resources conditions, a CNDDDB search was conducted to determine if endangered, rare, or threatened status at a federal and/or state level have the potential to be found within the Project site. The CNDDDB data output for the Project site (see Appendix A) shows that, consistent with the Pico Rivera General Plan Draft EIR CNDDDB results, the Project site does not contain any endangered, rare, or threatened species onsite. Additionally, neither the Coastal California Gnatcatcher nor horned lizard are determined to have suitable habitat to exist in the Project site.

### ***State and Federal Jurisdictional Areas***

There are three key agencies that regulate activities within inland streams, wetlands, and riparian areas in California. The U.S. Army Corps of Engineers (USACE) Regulatory Branch regulates discharge of dredge or fill materials into "waters of the United States" (WUS) pursuant to Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Of the State agencies, the California Department of Fish and Wildlife (CDFW) regulates alterations to streambed and bank under Fish and Game Code (FGC) Sections 1600 et seq., and the Regional Water Quality Control Boards (RWQCB) regulates discharges into

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<sup>2</sup> City of Pico Rivera. October 2014. *Pico Rivera General Plan Update. Biological Resources*, page 8-7.

<sup>3</sup> City of Pico Rivera. May 2014. *General Plan Update Draft Environmental Impact Report. Biological Resources*, page 5-2.

<sup>4</sup> Ibid. *Table 5-1: CNDDDB Special Status Species*, page 5-3.



surface waters pursuant to Section 401 of the CWA and the California Porter-Cologne Water Quality Control Act.

The U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) and the USGS National Hydrography Dataset were reviewed to determine if any blueline streams or riverine resources have been documented on the Project site. Based on this review, no freshwater pond features have been mapped in the Project site.

### 4.3.3 Regulatory Setting

#### Federal

##### *Endangered Species Act of 1973*

The Federal Endangered Species Act (FESA) and subsequent amendments provide guidance for the conservation of endangered and threatened species and the ecosystems upon which they depend. The FESA defines species as “threatened” or “endangered” and provides regulatory protection for listed species. The FESA provides a program for conservation and recovery of threatened and endangered species, and conservation of designated critical habitat that the USFWS has determined is required for the survival and recovery of these listed species.

Section 4 requires Federal agencies to, among other things, prepare recovery plans for newly listed species unless USFWS determines such a plan would not promote the conservation of the species.

Section 7 requires Federal agencies, in consultation with, and with the assistance of the Secretary of the Interior or the Secretary of Commerce, as appropriate, to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of threatened or endangered species or result in the destruction or adverse modification of critical habitat for these species. The USFWS and National Marine Fisheries Service (NMFS) share responsibilities for administering FESA. Regulations governing interagency cooperation under Section 7 are found at 50 CFR Part 402. The opinion issued at the conclusion of consultation would include a statement authorizing a take that may occur incidental to an otherwise legal activity.

Section 9 lists those actions that are prohibited under FESA. Take of a species listed in FESA is prohibited. Section 9 of FESA prohibits take (i.e., to harass, harm, pursue, hunt, wound, kill, etc.) of listed species of fish, wildlife, and plants without special exemption. “Harm” is further defined to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns such as breeding, feeding, or shelter. “Harass” is further defined as actions that create the likelihood of injury to listed species, resulting in significantly disrupting normal behavior patterns which include, but are not limited to, breeding, feeding, and shelter.

Section 10 provides a means whereby a non-Federal action with a potential to result in the take of a listed species could be allowed under an incidental take permit. Application procedures are found at 50 CFR Parts 13 and 17 for species under the jurisdiction of USFWS and 50 CFR Parts 217, 220, and 222 for species under the jurisdiction of NMFS.



### ***Clean Water Act/Rivers and Harbors Act***

Section 401 requires that a project proponent for a Federal license or permit that allows activities resulting in a discharge to WUS must obtain a State certification that the discharge complies with other provisions of CWA. The RWQCBs administer the certification program in California.

Section 402 establishes a permitting system for the discharge of any pollutant (except dredge or fill material) into WUS, commonly referred to as the National Pollutant Discharge Elimination System (NPDES) Permit process, described further below.

Section 404 establishes a permit program, administered by the USACE, regulating the discharge of dredged or fill material into WUS, including wetlands. The extent of WUS is generally defined as the portion that falls within the limits of the ordinary high-water mark, which typically corresponds to the two-year flood event. Wetlands, including swamps, bogs, seasonal wetlands, seeps, marshes, and similar areas are defined by USACE as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3[c](4); 40 CFR 230.3[o](iv)). Implementing regulations by USACE are found at 33 CFR Parts 320-330. Guidelines for implementation are referred to as the Section 404(b)(1) Guidelines and were developed by the U.S. Environmental Protection Agency (U.S. EPA) in conjunction with USACE (40 CFR Parts 230). The Guidelines allow the discharge of dredged or fill material into the aquatic system only if there is no practicable alternative that would have less adverse impacts.

The Rivers and Harbors Act regulates placement of obstacles or structures within navigable waterways, including the area vertically beneath the ocean floor.

### ***Migratory Bird Treaty Act (16 U.S.C. 701 through 719(c))***

The Migratory Bird Treaty Act (MBTA) is the domestic law that affirms, or implements, the United States’ commitment to four international conventions (with Canada, Mexico, Japan, and Russia) for the protection of a shared migratory bird resource. The MBTA makes it unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, or kill migratory birds. The law also applies to the removal of nests occupied by migratory birds during the breeding season. The MBTA makes it unlawful to take, pursue, molest, or disturb these species, their nests, or their eggs anywhere in the United States.

## **State**

### ***California Environmental Quality Act***

Section 15380 of the CEQA Guidelines independently defines “endangered” and “rare” species separately from the definitions of the California Endangered Species Act (CESA). Under CEQA, “endangered” species of plants or animals are defined as those whose survival and reproduction in the wild are in immediate jeopardy, while “rare” species are defined as those who are in such low numbers that they could become endangered if their environment worsens.

### ***California Endangered Species Act (California State FGC Section 2050 et seq.)***

In addition to federal laws, the state of California implements the CESA which is enforced by CDFW. The CESA program maintains a separate listing of species beyond the Federal ESA, although the provisions of each act are similar.

State-listed threatened and endangered species are protected under provisions of the CESA. Activities that may result in “take” of individuals (defined in CESA as; “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) are regulated by CDFW. Habitat degradation or modification is not included in the definition of “take” under CESA. Nonetheless, CDFW has interpreted “take” to include the destruction of nesting, denning, or foraging habitat necessary to maintain a viable breeding population of protected species.

The State of California considers an endangered species as one whose prospects of survival and reproduction are in immediate jeopardy. A threatened species is considered as one present in such small numbers throughout its range that it is likely to become an endangered species in the near future in the absence of special protection or management. A rare species is one that is considered present in such small numbers throughout its range that it may become endangered if its present environment worsens. State threatened and endangered species are fully protected against take, as defined above.

The CDFW has also produced a species of special concern list to serve as a species watch list. Species on this list are either of limited distribution or their habitats have been reduced substantially, such that a threat to their populations may be imminent. Species of special concern may receive special attention during environmental review, but they do not have formal statutory protection. At the federal level, USFWS also uses the label species of concern, as an informal term that refers to species which might be in need of concentrated conservation actions. As the Species of Concern designated by USFWS do not receive formal legal protection, the use of the term does not necessarily ensure that the species will be proposed for listing as a threatened or endangered species.

### ***Fish and Game Code***

FGC Section 1600 et. seq. establishes a fee-based process to ensure that projects conducted in and around lakes, rivers, or streams do not adversely impact fish and wildlife resources, or, when adverse impacts cannot be avoided, ensures that adequate mitigation and/or compensation is provided.

FGC Section 1602 requires any person, state, or local governmental agency or public utility to notify the CDFW before beginning any activity that will do one or more of the following:

- 1) substantially obstruct or divert the natural flow of a river, stream, or lake;
- 2) substantially change or use any material from the bed, channel, or bank of a river, stream, or lake;  
or
- 3) deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into a river, stream, or lake.

FGC Section 1602 applies to all perennial, intermittent, and ephemeral rivers, streams, and lakes in the state. CDFW’s regulatory authority extends to include riparian habitat (including wetlands) supported by

a river, stream, or lake regardless of the presence or absence of hydric soils and saturated soil conditions. Generally, the CDFW takes jurisdiction to the top of bank of the stream or to the outer limit of the adjacent riparian vegetation (outer drip line), whichever is greater. Notification is generally required for any project that will take place in or in the vicinity of a river, stream, lake, or their tributaries. This includes rivers or streams that flow at least periodically or permanently through a bed or channel with banks that support fish or other aquatic life and watercourses having a surface or subsurface flow that support or have supported riparian vegetation. A Section 1602 Streambed Alteration Agreement (SAA) would be required if impacts to identified CDFW jurisdictional areas occur.

FGC Section 3503, 3503.5, 3511, and 3513 are applicable to natural resource management. For example, Section 3503 of the FGC makes it unlawful to destroy any birds' nest or any birds' eggs that are protected under the MBTA. Further, any birds in the orders Falconiformes or Strigiformes (Birds of Prey, such as hawks, eagles, and owls) are protected under Section 3503.5 of the FGC which makes it unlawful to take, possess, or destroy their nest or eggs. A consultation with CDFW may be required prior to the removal of any bird of prey nest that may occur on a project site. Section 3511 of the FGC lists fully protected bird species, where the CDFW is unable to authorize the issuance of permits or licenses to take these species. Pertinent species that are fully protected by the state include golden eagle (*Aquila chrysaetos*) and white-tailed kite (*Elanus leucurus*). Section 3513 of the FGC makes it unlawful to take or possess any migratory nongame bird as designated in the MBTA 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 MBTA.

### ***California Native Plant Protection Act (NPPA; California State FGC 1900 through 1913)***

CNPPA requires all State agencies to utilize their authority to carry out programs to conserve endangered and rare native plants. Provisions of the NPPA prohibit the taking of listed plants from the wild and require notification of the CDFW at least 10 days in advance of any change in land use. This allows CDFW to salvage listed plant species that would otherwise be destroyed. A project proponent is required to conduct botanical inventories and consult with CDFW during project planning to comply with the provisions of this Act and sections of CEQA that apply to rare or endangered plants.

### ***Regional Water Quality Control Board***

Under Section 401 of the CWA, the RWQCB must certify that actions receiving authorization under Section 404 of the CWA also meet State water quality standards. The RWQCB also regulates waters of the State under the Porter-Cologne Act Water Quality Control Act (Porter-Cologne Act) (see below). The RWQCB requires projects to avoid impacts to wetlands if feasible and requires that projects do not result in a net loss of wetland acreage or a net loss of wetland function and values. The RWQCB typically requires compensatory mitigation for impacts on wetlands and/or waters of the State. The RWQCB also has jurisdiction over waters deemed isolated or not subject to Section 404 jurisdiction under the *Solid Waste Agency of Northern Cook County v. Army Corps of Engineers* decision. Dredging, filling, or excavation of isolated waters constitutes a discharge of waste to waters of the State and prospective dischargers are required to obtain authorization through an Order of Waste Discharge or waiver thereof from the RWQCB and comply with other requirements of Porter-Cologne Act.

### **Porter-Cologne Water Quality Control Act**

Under the Porter-Cologne Water Quality Control Act, waters of the State fall under the jurisdiction of the appropriate RWQCB. Under the Act, the RWQCB must prepare and periodically update basin plans. Each basin plan sets forth water quality standards for surface water and groundwater as well as actions to control nonpoint and point sources of pollution, thereby achieving and maintaining these standards. Projects that affect wetlands or waters must meet waste discharge requirements of the RWQCB, which may be issued in addition to water quality certification or a waiver under Section 401 of the CWA.

## **Local**

### **City of Pico Rivera General Plan Update 2014**

#### **Environmental Resource Element**

The Pico Rivera General Plan Environmental Resources Element addresses the long-term management of the City's environmental resources including air quality, greenhouse gas emissions, water resources, biological resources, mineral resources, and cultural resources.<sup>5</sup>

**Goal 8.6**      **Preservation of the City's open space and significant biological resources as components of a sustainable community.**

**Policy 8.6-3**      **New Development.** Require discretionary development proposals that could potentially impact natural resources to conduct a biological resource assessment to ensure that project-related impacts are considered and mitigated consistent with federal, state, and local regulations.

**Policy 8.6-6**      **Native Plants.** Use native and drought tolerant plants and trees in all public and private landscaping.

### **4.3.4 Impact Thresholds and Significance Criteria**

The following significance criteria for biological resources were derived from the Environmental Checklist in CEQA Guidelines, Appendix G. An impact of the Project would be considered significant and would require mitigation if it would meet one of the following criteria:

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

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<sup>5</sup> City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Environmental Resources Element*.

- 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;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

## WBTODSP Impacts

The proposed WBTODSP does not include any site-specific designs or proposals, nor does it grant any entitlements for development. However, future development in the WBTODSP area would be required to assess individual biological resources impacts associated with construction and operation of each development project, as identified below.

### 4.3.5 Impacts and Mitigation Measures

**Impact 4.3-1** *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 Wildlife or U.S. Fish and Wildlife Service?*

**Level of Significance: Less than Significant**

#### **Construction and Operations**

The Pico Rivera General Plan Draft EIR determined that future development projects within the City, inclusive of the WBTODSP site would result primarily in infill development within parcels that are currently developed or that have been developed in the past.<sup>6</sup> Consistent with the Pico Rivera General Plan Draft EIR determination, the WBTODSP site is fully developed with commercial, light industrial, residential, and public facilities uses. Out of the 88 Project site parcels, only one parcel is currently undeveloped. No native habitat remains onsite. The Project CNDDB output determined that no critical habitat, candidate, sensitive, or special status species that would exist in local or regional plans, policies, or regulations, or by the CDFW or USFWS occur onsite. A less than significant impact would occur.

#### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.3-2** *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 Wildlife or U.S. Fish and Wildlife Service?*

**Level of Significance: Less than Significant**

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<sup>6</sup> City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Environmental Resources Element*, page 5-3.

The Project site is fully developed with the exception of one parcel. The parcel however has been previously disturbed. No portion of the Project site contains any riparian habitat or other sensitive natural community. The Pico Rivera General Plan Draft EIR determined that no development within or adjacent to Rio Hondo and the San Gabriel River channels or within the spreading grounds of the rivers is permitted because, according to City of Pico Rivera Municipal Code (PRMC) Chapter 15.50, Floodplain Management, new development is prohibited from occurring adjacent to the Rio Hondo and San Gabriel River channels. Thus, the Project would not affect any riparian habitat or other natural sensitive communities. In addition, future development projects would be required to comply with Pico Rivera General Plan Policies 8.6-1 through 8.6-3 to ensure that development occurring within the WBTODSP site would result in less than significant impacts to riparian habitat, would help preserve and restore open space where significant biological resources are present.<sup>7</sup> A less than significant impact would occur.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.3-3**      *Would the Project 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?*

**Level of Significance: Less Than Significant**

As noted in Impact 4.2-3, aside from the Rio Honda and San Gabriel River channels traversing the City, no other riparian habitat or water features existing within the City or the WBTODSP site. Future development projects are not anticipated to affect state or federally protected wetlands. A less than significant impact would occur.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.3-4**      *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?*

**Level of Significance: Less than Significant with Mitigation Incorporated**

As previously noted, the Project site is fully developed and no native habitat remains on site. The Pico Rivera General Plan does not identify any portion of the City as a wildlife corridor. Additionally, any future development project would be required to comply with Policy 8.6-5 which would require for the preservation of wildlife movement by preserving and enhancing interconnected open space and natural areas. As such, interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impeding the use of native wildlife nursery sites is anticipated to be less than significant. However, in abundance of caution, Mitigation Measure (MM) BIO-1 would be required to be implemented to avoid impacting nesting birds.

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<sup>7</sup> City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Environmental Resources Element*, page 5-3.



### **Mitigation Measures**

**MM BIO-1** Nesting birds are protected pursuant to the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513 prohibit the take, possession, or destruction of birds, their nests or eggs). In order to protect migratory bird species, a nesting bird clearance survey should be conducted prior to any ground disturbance or vegetation removal activities that may disrupt the birds during the nesting season.

If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds should be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer will be determined by the wildlife biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

**Impact 4.3-5** *Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

**Impact 4.3-6** *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?*

***Level of Significance: Less than Significant***

The Project site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan. Therefore, impacts to any local, regional, or state habitat conservation plans would not occur from development of the Project, and mitigation is not required. Additionally, future development project would be required to comply with Policy 8.6-4, Tree Preservation, which would require the preservation of significant native and heritage trees and reduce the loss of these trees through mitigation and replacing programs. With implementation of Policy 8.6-4, a less than significant impact to heritage trees would occur.

### **Mitigation Measures**

No mitigation is necessary.

### **4.3.6 Cumulative Impacts**

As discussed in **Section 4.3.5: Impacts and Mitigation Measures**, Project impacts concerning biological resources are anticipated to be less than significant with incorporation of **MM BIO-1** and compliance with all applicable federal, state, and local statutes and regulations, including the PRMC and applicable WBODSP design guidelines and development standards.

This EIR has incorporated, by reference, the Pico Rivera GP EIR, which addresses cumulative effects resulting from build out of the Pico Rivera GP. Additionally, the SCAG 2024-2050 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera GP. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera GP EIR (refer to Section 3.0, Table 3.0-6: Allowed Maxim Density and Project Density Comparison which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera GP EIR.

Furthermore, the Project site is fully developed and is absent of natural open space. The Project site has been previously graded and developed consistent with the current Pico Rivera GP and zoning designations. The Project is being evaluated at a programmatic level and there are no specific development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the PRMC as well as the design guidelines and development standards within the WBODSP area. These regulations, in combination with applicable mitigation measures, would further reduce Project and cumulative impacts. Therefore, the Project's contribution to cumulative impacts is not considered to be "cumulatively considerable."

### **4.3.7 Significant Unavoidable Impacts**

No significant and unavoidable impacts have been identified.

### **4.3.8 References**

City of Pico Rivera. City of Pico Rivera General Plan Update.

City of Pico Rivera. 2014. Pico Rivera General Plan Update Draft Environmental Impact Report.

Kimley-Horn and Associates, Inc. December 2023. California Natural Diversity Database (CNDDB) output.

## 4.4 CULTURAL RESOURCES

### 4.4.1 Introduction

This section of the Draft Program Environmental Impact Report (EIR) identifies and analyzes the environmental and regulatory settings for cultural resources, as they relate to archaeological remains and historic built environment resources and assesses whether the Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBODSP”) would cause any potentially significant impacts to cultural resources.

Cultural resources are defined as buildings, sites, structures, or objects that may have historic, architectural, archaeological, cultural, and/or scientific importance. They can include archaeological remains, historic buildings, artifacts, historical documents, and public records, along with traditional customs that make a location unique or significant. Since the Assembly Bill 52 (AB 52) amendments to CEQA in 2014, a new category for Tribal Cultural Resources was created. As such, though resources discussed in this section may be important to Tribes, resources that meet the definition of Tribal Cultural Resources are discussed in Draft EIR **Section 4.15: Tribal Cultural Resources**.

The analysis in this section is derived from information provided by the following:

- Kimley-Horn and Associates, Inc. 2023. *Cultural Resources Inventory Report for the Washington Boulevard Transit-Oriented Development Specific Plan in the City of Pico Rivera*, Los Angeles County, California (**Appendix B**).
- City of Pico Rivera. October 2014. *Pico Rivera General Plan Update. Environmental Resources Element*.
- City of Pico Rivera. May 2014. *Pico Rivera General Plan Update Draft Environmental Impact Report. Section 5, CEQA Mandated Sections*.

The cultural resources inventory was prepared in compliance with California Public Resources Code (PRC) Section 5024.1 to identify archaeological and historic built environment resources located within the Project site and to identify potential significant impacts that could result from future development projects within the Project site.

### 4.4.2 Environmental Setting

#### Existing Conditions

The Project site encompasses 305.1 acres, with the goal of promoting future revitalization and reuse of the Washington/Rosemead area to complement the future E Line extension in the City of Pico Rivera (City). The Project would establish a vibrant, interconnected community-oriented environment that reinforces and compliments reuse, revitalization, and community health. The WBODSP would be used as a policy and regulatory guide for subsequent project-specific review when project-level proposals within the Project site are presented to the City.

## Natural Setting<sup>1</sup>

The Project area is located within the Los Angeles Basin with the Rio Hondo River located immediately to the west. The natural geomorphology consists of an alluvial fan associated with the river environment. While the Project area is now comprised of urban, developed land, this area would have once been a lush, wet environment that supported an abundance of plant and animal resources. The Project area is situated north of the Lower Elysian Park thrust Quaternary line.

## History<sup>2</sup>

The City has been the setting for a long history of human occupation, including Native American villages, Spanish and Mexican ranchos, and post-World War II (WWII) settlements. Because of this cultural and historical background, the City contains numerous historic and archaeological resources.

The Project site is located within the ancestral lands of the Gabrieleño/Tongva. Gabrieleño is a Spanish word associated with the San Gabriel Mission, which was located approximately nine miles to the north. However, exact traditional territories remain unclear, especially in the coastal regions, for several reasons. First, traditional territories were dynamic and changing. Second, early European settlement in this region displaced Native Americans living here prior to significant ethnographic documentation of their occupation in this region. Many Gabrieleño/Tongva were forcibly recruited into the Spanish Mission system. Although exact boundaries are undefined, a range of archaeological, ethnographic, and historic evidence still exists to support prehistoric occupation by Gabrieleño/Tongva peoples in this part of the Los Angeles Basin. The Gabrieleño/Tongva were engaging in trade with other regional communities and exporting marine resources. In addition to exploiting sea resources, Gabrieleño/Tongva hunted mammals, such as deer and antelope, and gathered and processed a variety of native plants. A range of lithic resources were utilized, most notably steatite. Gabrieleño/Tongva established settlements throughout their traditional lands, while fostering long-distance trade that included the prominent shell bead network.

After vast decimation of Gabrieleño/Tongva communities in the region, the Project site was included in the Rancho Paso de Bartolo Mexican land grant awarded by Governor Jose Figueroa to Juan Crispin Perez in 1835. California achieved statehood in the U.S. in 1850. Afterward, this area was largely settled as farmland due to the rich, fertile soil. The arrival of the Union Pacific rail line and Atchison, Topeka, and Santa Fe rail line in the 1880s brought new industry and increased development to the region. The City was founded in 1958 by merging two historic communities: Pico and Rivera. The City transformed from agricultural land into an industrial and residential community following WWII.

## Cultural Resources Records Search<sup>3</sup>

A cultural resources records search was conducted at the South-Central Coastal Information Center (SCCIC) on November 13, 2023, by Kimley-Horn cultural staff for the Project site plus a 0.5-mile buffer. The results indicated that six cultural studies were previously conducted, and eight cultural resources

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<sup>1</sup> Kimley-Horn and Associates, Inc. 2023. *Cultural Resources Inventory Report for the Washington and Rosemead Boulevards Transit-Oriented Development Specific Plan*. Page 1.

<sup>2</sup> Ibid, Page. 3.

<sup>3</sup> Ibid, Page 3-4.

previously recorded within the Project area, all of which are historic built environment resources; see **Table 4.4-1: Cultural Resources Previously Recorded in the Project Area**. These resources are generally concentrated in the northern and northeastern region of the Project area. Seven buildings were previously evaluated and recommended ineligible for listing in the National Register and California Register. However, one resource, P-19-191099, was recommended eligible for the National Register. This resource, known as the Dal Rae Restaurant, appeared eligible for listing in the National Register under Criterion A at the local level of significant for its association with the broad pattern of postwar suburbanization, dining, and entertainment in southern California after World War II (WWII). It was additionally noted that, despite modifications to the building, it continued to exhibit a high level of integrity of overall design, location, setting, feeling, and association. However, based on the resource record the Dale Rae Restaurant remains unevaluated for the California Register. An additional 105 cultural resources were previously recorded within 0.5 mile of the Project site as a result of 12 previous cultural studies.

**Table 4.4-1: Cultural Resources Previously Recorded in the Project Area**

Resource	Age	Type	Description
P-19-191099	Historic	Building	9023 Washington Blvd, Dal Rae Restaurant, one story commercial building
P-19-191489	Historic	Building	8335 Washington Blvd, multi-family residence
P-19-191490	Historic	Building	8423 Washington Blvd, Luau Manor, multi-family residence
P-19-191491	Historic	Building	8535 Washington Blvd, one story commercial building
P-19-191492	Historic	Building	8737 Washington Blvd, one story commercial building
P-19-191493	Historic	Building	9033 Washington Blvd, two story commercial building
P-19-191494	Historic	Building	9049 Washington Blvd, one story commercial building
P-19-191495	Historic	Building	9055 Washington Blvd, one story commercial building
Source: Kimley-Horn and Associates. 2023. <i>Cultural Resources Inventory Report for the Washington and Rosemead Boulevards Transit-Oriented Development Specific Plan</i> . Page 4.			

### Additional Research<sup>4</sup>

A review of available historical and topographic maps, aerial imagery, historic resource repository data, City General Plans, and literature was conducted to ascertain the level of existing disturbance potential for archaeological resources, and presence of built historic resources within the Project area. A review of resource databases and repositories indicated the general area's sensitivity for historic built environment resources. For example, within the Pico Rivera City limits, 371 historic resources are listed on the Built Environment Resources Directory managed by the California Office of Historic Preservation (OHP).

The City also acknowledges and tracks the information regarding its historic built environment. The City of Pico Rivera General Plan Update (Pico Rivera General Plan) describes how the City's history has played a role in defining the City's current land use pattern. Certain pieces of history, such as 13 buildings and sites identified by the City as having potential for historical significance, have also endured and become important assets to the community. The Pico Rivera General Plan outlines seven policies with the goal of preserving important cultural and paleontological resources that contribute to the unique identity and character of the City.

<sup>4</sup> Ibid, Page 4-5.



Historic topographic maps of the Project area date to 1896. The earliest maps portray the Atchison, Topeka and Santa Fe rail line immediately south of the WBTODSP area and the Rio Hondo River to the west. The presence of the railroad in the immediate vicinity contributes to the historical background of the Project site and indicates long-term use of this area as an important travel corridor. Historic maps from the early 1900s also portray a tributary of the river running southeast across the Project area. Historic aerial images of the Project area from 1953 indicate that the property consisted almost entirely of vacant agricultural land at that time. Throughout the 1960s, the Project site was largely developed with industrial warehouses. A small part of the Project area was also residentially or commercially developed. However, in 2002, the central part of the property was redeveloped with new warehouse buildings.

A review of Los Angeles County property data revealed that of the 88 parcels within the proposed Project area, 43 parcels contain buildings that are of 45 years of age or older. As indicated in the Cultural Resources Records Search section above, eight of these historic buildings have previously been recorded.

**Table 4.4-2: Properties in the Project Area with Unrecorded Historic Buildings** lists the remaining 35 properties that have not previously been subject to recordation or evaluation.

**Table 4.4-2: Properties in the Project Area with Unrecorded Historic Buildings**

Date of Construction	Property Address
1961	6726 Keltonview Dr.
1978	8701 Washington Blvd.
1973	8605 Washington Blvd.
1961	7240 Crider Ave.
1962	7065 Paramount Blvd.
1966	8320 Rex Rd.
1961	7343 Paramount Blvd.
1961	6623 Rosemead Blvd.
1974	6505 Rosemead Blvd.
1961	6508 Rosemead Blvd.
1977	7004 Rosemead Blvd.
1917	7246 Rosemead Blvd.
1952	7314 Rosemead Blvd.
1972	6730 Rosemead Blvd.
1956	8809 Washington Blvd.
1963	8323 Canford St.
1960	7029 Paramount Blvd.
1958	7105 Paramount Blvd.
1958	7141 Paramount Blvd.
1959	7157 Paramount Blvd.
1958	8320 Canford St.
1971	8350 Rex Rd.
1972	7330 Crider Ave.
1961	7317 Paramount Blvd.
1963	7305 Paramount Blvd.
1959	7271 Paramount Blvd.
1960	8300 Rex Rd.
1959	7225 Paramount Blvd.
1973	6525 Rosemead Blvd.
1962	6540 Rosemead Blvd.

Date of Construction	Property Address
1972	9050 Carron Dr.
1952	9015 Carron Dr.
1962	6616 Rosemead Blvd.
1961	7226 Rosemead Blvd.
1952	7246 Rosemead Blvd.
Source: Kimley-Horn and Associates. 2023. <i>Cultural Resources Inventory Report for the Washington and Rosemead Boulevards Transit-Oriented Development Specific Plan</i> . Page 6.	

## Results<sup>5</sup>

Prior to historic and modern development, the archaeological sensitivity of the Project area may have been moderate given the proximity to the Rio Hondo River and presence of natural resources associated with the river (e.g., plants and animals) that were vital for Native American communities to thrive in the environment. However, in its current condition, the Project site has a low potential for surface or subsurface archaeological resources due to the level of previous development spanning 60 plus years within the Project site boundaries. However, the Project area is sensitive for historic built environment resources. Eight historic buildings were previously recorded within the Project area, one of which was recommended eligible for listing on the National Register of Historic Places (NRHP) but remains unevaluated for the California Register. Additionally, literature review identified an additional 35 properties over 45 years of age that have not been recorded or evaluated for potential eligibility.

## Paleontological Setting

The University of California Los Angeles (UCLA) Institute of Archeology identified two prehistoric sites within the City, LAn-182 and LAn-1179H, both in the northern portion of the City.<sup>6</sup> Site LAn-182 is the Gabrielino Indian Village of “Sejat,” it is reported to be located near the Pico Adobe structure in the Pio Pico State Historical Park (in Whittier), but the exact location has never been determined.<sup>7</sup> There are no other known archaeological sites in the City.<sup>8</sup>

### 4.4.3 Regulatory Setting

#### Federal

##### *National Register Bulletin 38*

The National Park Service (NPS) has prepared guidelines to assist in the documentation of Traditional Cultural Places (TCPs) by public entities. While it is federal guidance, it serves as the best and most recognized guidance for identifying TCPs. National Register Bulletin (NRB) 38 is intended to be an aid in determining whether properties have traditional cultural significance and if they are eligible for inclusion in the NRHP. It is also intended to assist federal agencies, State Historic Preservation Offices (SHPO), Certified Local Governments, tribes, and other historic preservation practitioners who need to evaluate

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<sup>5</sup> Ibid, Page 6.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

such properties when considering their eligibility for the NRHP as part of the review process prescribed by the Advisory Council on Historic Preservation (ACHP).

### ***Natural Register of Historic Places***

The NRHP was established by the National Historic Preservation Act (NHPA) of 1966, as “an authoritative guide to be used by federal, State, and local governments, private groups and citizens to identify the Nation’s historic resources and to indicate what properties should be considered for protection from destruction or impairment” (Code of Federal Regulations [CFR] 36 Section 60.2). The NRHP recognizes both historical-period and prehistoric archaeological properties that are significant at the national, state, and local levels.

To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must meet one or more of the following four established criteria (U.S. Dept. of the Interior, 1995):

1. Are associated with events that have made a significant contribution to the broad patterns of our history;
2. Are associated with the lives of persons significant in our past;
3. Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. Have yielded, or may be likely to yield, information important in prehistory or history.

Unless the property possesses exceptional significance, it must be at least 50 years old to be eligible for listing in the NRHP. In addition to meeting the criteria of significance, a property must have integrity. Integrity is defined as “the ability of a property to convey its significance” (U.S. Dept. of the Interior, 1995). The NRHP recognizes seven qualities that, in various combinations, define integrity: location, design, setting, materials, workmanship, feeling, and association. To retain historic integrity a property must possess several, and usually most, of these seven aspects. Thus, the retention of the specific aspects of integrity is paramount for a property to convey its significance.

## **State**

### ***California Environmental Quality Act***

California public agencies must consider the effects of their actions on both “historical resources” and “unique archaeological resources.” Pursuant to PRC Section 21084.1, a “project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.” PRC Section 21083.2 additionally requires agencies to determine whether proposed projects would have effects on “unique archaeological resources.”

“Historical resource” is a term with a defined statutory meaning. Under California Code of Regulations (CCR), Title 14, Chapter 3 (California Environmental Quality Act [CEQA] Guidelines), Section 15064.5(a) “historical resource” includes the following:

- A resource listed in, or determined to be eligible by the State Historical Resources Commission (SHRC), for listing in the California Register of Historical Resources (CRHR) (PRC Section 5024.1 and 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 PRC or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the PRC, 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 a 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 CRHR (PRC Section 5024.1 and Title 14 CCR Section 4852) including the following:
  - Criterion 1 - Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
  - Criterion 2 - Is associated with the lives of persons important in our past;
  - Criterion 3 - 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
  - Criterion 4 - Has yielded, or may be likely to yield, information important in prehistory or history.

CEQA addresses significant impacts to historical resources. "A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. Substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired." (CEQA Guidelines Section 15064.5(b)(1)).

CEQA also requires agencies to consider whether projects will affect "unique archaeological resources." PRC Section 21083.2, subdivision (g), states that "'unique archaeological resources' means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- 1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- 2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- 3) Is directly associated with a scientifically recognized, important prehistoric or historic event or person."

### ***California Public Records Act***

Sections 6254(r) and 6254.10 of the California Public Records Act (Government Code Section 6250 et seq.) were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to “Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects... maintained by, ..., the Native American Heritage Commission....”. Section 6254.10 specifically exempts from disclosure requests for “records that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the [NAHC], another state agency, or a local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency.”

### ***California Register of Historical Resources***

Created in 1992 and implemented in 1998, the CRHR is “an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change” (PRC Section 5024.1). Certain properties, including those listed in or formally determined eligible for listing in the NRHP and California Historical Landmarks (CHL) numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the California Points of Historical Interest (PHI) program, identified as significant in historical resources surveys or designated by local landmarks programs, may be nominated for inclusion in the CRHR. A resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the SHRC determines that it meets one or more of the following criteria, which are modeled on NRHP criteria:

- **Criterion 1:** It is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
- **Criterion 2:** It is associated with the lives of persons important in our past.
- **Criterion 3:** It embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of an important creative individual; or possesses high artistic values.
- **Criterion 4:** It has yielded, or may be likely to yield, information important in history or prehistory.

Under PRC Section 5024.1 and 14 CCR Section 4852(c), a cultural resource must retain integrity to be considered eligible for the CRHR. Specifically, it must retain sufficient character or appearance to be recognizable as a historical resource and convey reasons of significance. Integrity is evaluated with regard to retention of such factors as location, design, setting, materials, workmanship, feeling, and association. Cultural sites that have been affected by ground-disturbing activities, such as agricultural activities and off-road vehicle use (both of which occur within the Project site), often lack integrity because they have been directly damaged or removed from their original location, among other changes.

Typically, a prehistoric archaeological site in California is recommended eligible for listing in the CRHR based on its potential to yield information important in prehistory or history (Criterion 4). Important information includes chronological markers such as projectile point styles or obsidian artifacts that can be



subjected to dating methods or undisturbed deposits that retain their stratigraphic integrity. Sites such as these have the ability to address research questions.

### ***California Historical Landmarks***

CHLs are buildings, structures, sites, or places that have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value and that have been determined to have statewide historical significance by meeting at least one of the criteria listed below. The resource also must have written consent of the property owner; be recommended by the SHRC; and be officially designated by the Director of California State Parks. The specific standards now in use were first applied in the designation of CHL No. 770. CHLs numbered 770 and above are automatically listed in the CRHR.

To be eligible for designation as a CHL, a resource must meet at least one of the following criteria:

- It is the first, last, only, or most significant of its type in the state or within a large geographic region (northern, central, or southern California);
- It is associated with an individual or group having a profound influence on the history of California; or,
- It is a prototype of, or an outstanding example of, a period, style, architectural movement, or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer, or master builder.

### ***California Register of Historical Resources***

Created in 1992 and implemented in 1998, the CRHR is “an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change” (PRC Section 5024.1). Certain properties, including those listed in or formally determined eligible for listing in the NRHP and CHL numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the California PHI program, identified as significant in historical resources surveys or designated by local landmarks programs, may be nominated for inclusion in the CRHR. A resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the SHRC determines that it meets one or more of the following criteria, which are modeled on NRHP criteria:

- **Criterion 1:** It is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
- **Criterion 2:** It is associated with the lives of persons important in our past.
- **Criterion 3:** It embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of an important creative individual; or possesses high artistic values.
- **Criterion 4:** It has yielded, or may be likely to yield, information important in history or prehistory.

Under PRC Section 5024.1 and 14 CCR Section 4852(c), a cultural resource must retain integrity to be considered eligible for the CRHR. Specifically, it must retain sufficient character or appearance to be recognizable as a historical resource and convey reasons of significance. Integrity is evaluated with regard to retention of such factors as location, design, setting, materials, workmanship, feeling, and association. Cultural sites that have been affected by ground-disturbing activities, such as agricultural activities and off-road vehicle use (both of which occur within the warehouse site), often lack integrity because they have been directly damaged or removed from their original location, among other changes.

Typically, a prehistoric archaeological site in California is recommended eligible for listing in the CRHR based on its potential to yield information important in prehistory or history (Criterion 4). Important information includes chronological markers such as projectile point styles or obsidian artifacts that can be subjected to dating methods or undisturbed deposits that retain their stratigraphic integrity. Sites such as these have the ability to address research questions.

### ***California Health and Safety Code, Sections 7050 and 7052***

Health and Safety Code, Section 7050.5, declares that, in the event of the discovery of human remains outside of a dedicated cemetery, all ground disturbance must cease, and the county coroner must be notified. Section 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

### ***California Penal Code, Section 622.5***

California Penal Code, Section 622.5, provides misdemeanor penalties for injuring or destroying objects of historic or archaeological interest located on public or private lands but specifically excludes the landowner.

## **Local**

### ***City of Pico Rivera General Plan Update 2014***

#### ***Environmental Resources Element***

The Pico Rivera General Plan Environmental Resources Element is focused on the long-term management of the City's environmental resources including air quality, greenhouse gas emissions, water resources, biological resources, mineral resources, and cultural resources.<sup>9</sup>

**Goal 3.12**      **Inventory and protection of Pico Rivera's historic and cultural resources.**

**Policy 3.12-2**    **Adaptive Reuse.** Adaptive Reuse. Encourage the adaptive reuse of buildings of historical significance to serve meaningful contemporary uses while preserving the character, spirit and original identity of the structures.

**Policy 3.12-3**    **Consultation.** Consult with appropriate organizations and individuals to minimize potential impacts to historic and cultural resources, including the Pico Rivera History and Heritage Society.

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<sup>9</sup> City of Pico Rivera. 2014. *City of Pico Rivera General Plan – Environmental Resources Element*. Retrieved at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-8.pdf>. (Accessed August 2023).

- Goal 8.7**      **Preservation of important cultural and paleontological resources that contribute to the unique identity and character of Pico Rivera**
- Policy 8.7-1**    **Resource Preservation.** Protect and preserve significant historic, archaeological, and paleontological resources, including those recognized at the national, state, and local levels.
- Policy 8.7-3**    **Consultation.** As part of the development review process, ensure that potential impacts to historic, archaeological, and paleontological resources are minimized.
- Policy 8.7-4**    **Resource Assessment.** Require new development necessitation discretionary approval that could potentially impact historic, archaeological, and/or paleontological resources to conduct a resource survey to ensure that potential sites are identified for avoidance or special treatment.
- Policy 8.7-5**    **Incentives.** Consider providing financial incentives to private owners and development in order to maintain, rehabilitate, and preserve significant historic resources.

### *City of Pico Rivera Municipal Code*

The City of Pico Rivera Municipal Code (PRMC) Title 15.50.200, *Buildings and Construction* establishes a mechanism by which the City can define and identify historic structures within the City. This portion of the code defines a “Historic Structure” as any structure that is listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior.<sup>10</sup> The PRMC also defines “Historic Structures” as a structure that is certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district, individually listed on a state inventory of historic places in states with historic preservation programs, or individually listed on a local inventory of historic places in communities with historic preservation programs that are certified either by an approved state program as determined by the Secretary of the Interior.<sup>11</sup>

#### **4.4.4      Impact Thresholds and Significance Criteria**

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the development of the site would have a significant environmental impact if one or more of the following occurs:

- Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- Disturb any human remains, including those interred outside of dedicated cemeteries.

### **WBTODSP Impacts**

The improvements envisioned in the proposed WBTODSP are recommended conceptual designs intended to be used as guidance for the City in implementing future improvements. The proposed WBTODSP does

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<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

not include any site-specific designs or proposals, nor does it grant any entitlements for development. As a policy and regulatory document, the WBTODSP would have no physical effect on the environment. Future development projects will be required to assess their individual impacts on Cultural resources on a project-by-project basis.

#### 4.4.5 Impacts and Mitigation Measures

**Impact 4.4-1** *Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?*

**Level of Significance: Less than Significant with Mitigation Incorporated**

##### Construction and Operations

Impacts to historical resources occur largely due to the physical modification of land and structures within the City. The Project does not propose physical alterations to the City. Rather, the WBTODSP would allow for the future development of the Project site with up to 2,336 new mixed use high and low residential units and approximately 5,889,747SF of new non-residential (mixed-use commercial, industrial mixed-use, light industrial, etc.) uses. The WBTODSP would allow for the creation of a compact multi-modal, mixed-use, and sustainable environment that is a focal point for community activity. The WBTODSP would be used as a policy and regulatory guide for subsequent project-specific reviews and approvals when project level proposals within the WBTODSP are submitted to the City.

Future development facilitated by the WBTODSP would be required to preserve the cultural significance of historical significance as stated in the Pico Rivera General Plan Policies 8.7-1 and 8.7-3. Additionally, any future developments facilitated by the WBTODSP would also be required under CEQA to be evaluated at the time a parcel-specific development project is proposed. Additionally, any future development facilitated by the WBTODSP on parcels with potential historic resources would require future site-specific cultural evaluations prior to any alteration, demolition, relocation, or new development to determine any potential impacts to cultural historic resources, prior to approval of future development permits, if proposed development has the potential to impact a significant historical resource, or whether the existing development or property is eligible for listing on the CRHR or local listing.

Generally, structures 50 years of age or older have the potential to qualify as a historic resource, based on NRHP guidelines. Structures must have retained their original integrity and context to be considered a historic resource. To ensure future development projects do not result in the alteration or destruction of a historic structure, object, or site, Mitigation Measures (MMs) **CUL-1** through **CUL-3** are required to be implemented, which specify the mitigation framework for historic buildings in the Project site. Therefore, with mitigation measures implemented, impacts would be less than significant.

##### Mitigation Measures

**MM CUL-1** Before project activities can be permitted within areas of the Project site/WBTODSP that contain historic-period resources, these would require formal recordation on Department of Parks and Recreation (DPR) 523 forms and evaluation for the CRHR eligibility to determine if any are significant under CEQA. Evaluations must be

completed under the oversight of a cultural resources professional that meets the U.S. Secretary of the Interior Professional Qualifications for Architectural History.

**MM CUL-2** Vacant parcels on the Project site require intensive-level pedestrian cultural resources field surveys under the oversight of a cultural resources professional that meets the U.S. Secretary of the Interior Professional Qualification Standards for Archaeology. This inventory would determine the presence and significance of prehistoric and historic period archeological resources.

**MM CUL-3** Future development projects within the Project site would be subject to project-specific resource inventory and evaluations and would be required to adhere to applicable policies related to cultural resources within the Pico Rivera General Plan, such as Pico Rivera General Plan Policies 8.7-1 through 8.7-7.

**Impact 4.4-2** *Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?*

**Level of Significance: Less than Significant with Mitigation Incorporated**

## Construction and Operations

As discussed above, approval of the WBTODSP would not directly result in new construction within the Project site. Instead, the WBTODSP would be used as a policy and regulatory guide for subsequent project-specific reviews and approvals when project level proposals within the Project site are submitted to the City. Despite, there being no direct modifications to the Project site from the approval of the WBTODSP, future development facilitated by the WBTODSP has the potential to impact undiscovered subsurface archaeological resources directly or indirectly through ground-disturbing activities such as grading or excavation. Undeveloped sites often have a higher potential for the presence of unknown archaeological resources as the likelihood of encountering archaeological resources is greatest on sites that have been minimally excavated in the past (e.g., undeveloped parcels, vacant lots, and lots containing undeveloped areas). Areas that have been previously excavated are generally considered to have a low potential for archaeological resources.

However, there are very few known archaeological sites within the City and because, as noted in the Pico Rivera General Plan, the City is primarily urbanized and approximately 99 percent built-out.<sup>12</sup> The potential to encounter archaeological resources within the City is low.<sup>13</sup> Additionally, **MM CUL-2** would require intensive-level pedestrian cultural resources inventory on vacant parcels within the Project site prior to any future development. Therefore, with mitigation implemented, impacts would be less than significant with incorporation of **MM CUL-4**.

## Mitigation Measures

**MM CUL-4** Future If previously unidentified cultural resources are encountered during ground-disturbing activities, work within 100 feet of the discovery shall halt and a qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's

<sup>12</sup> City of Pico Rivera. 2014. General Plan Update Draft EIR. Page 3.2-8.

<sup>13</sup> City of Pico Rivera. 2014. Pico Rivera General Plan Update Draft EIR, CEQA Mandated Sections. Page 5-9.



Professional Qualification Standards for archaeology, shall be retained by the Applicant immediately to evaluate the significance of the discovery. The City of Pico Rivera Planning Division shall be notified immediately. If the discovery proves to be significant under the California Environmental Quality Act (CEQA), additional work such as data recovery excavation may be warranted to mitigate any significant impacts. In the event that an identified cultural resource is of Native American origin, the qualified archaeologist shall consult with the development project Applicant and City of Pico Rivera Planning Division to implement Native American consultation procedures. Construction shall not resume until the qualified archaeologist states in writing that the proposed construction activities would not significantly damage any archaeological and/or tribal cultural resources.

***Impact 4.4-3      Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?***

***Level of Significance: Less than Significant with Mitigation Incorporated***

### **Construction and Operations**

The City is approximately 99 percent developed and very few parcels remain vacant in the City. Out of the 88 parcels within the Project site, Assessor's Parcel Number (APN) 6370-013-014, located at 6605 Rosemead Boulevard is the only parcel that remains vacant to date. The Project site is mainly developed with commercial, residential, and industrial uses and the Project site is not located near a formal cemetery. The nearest formal cemetery to the Project site is located at 6555 East Gage Avenue, approximately 1.8 miles to the southwest. Therefore, it is not expected that human remains within a formal cemetery would be disturbed as a result of future development projects facilitated by the WBTODSP.

However, human remains may still be discovered during future development. As such, any remains discovered would require proper treatment in accordance with applicable laws, including California Health and Safety Code (HSC) Section 7050.5 and 7052, and PRC Sections 5097.98 and 5097.99. HSC Section 7050.5 and 7052 describe the general provisions for treatment of human remains. Specifically, HSC Section 7050.5 prescribes the requirements for the treatment of any human remains that are accidentally discovered during excavation of a site. HSC Section 7050.5 also requires that all activities cease immediately, and the County Coroner be immediately contacted. As required by state law, the procedures set forth in PRC Section 5087.98 would be implemented, including evaluation by the County Coroner and, if human remains are identified as Native American, notification of the find to the NAHC. The NAHC would then designate the Most Likely Descendant (MLD) of the unearthed human remains, who will work directly with the landowner to identify appropriate disposition of the remains.

It is unlikely that any human remains would be encountered given that the Project site essentially fully disturbed. However, If human remains are found during construction for future development projects, excavation should be halted in the vicinity of the find and any area that is reasonably suspected to overlay adjacent remains shall remain undisturbed until the County Coroner has investigated, and appropriate recommendations have been made for the treatment and disposition of the remains. Following

compliance with the established regulatory framework and the application of **MM-CUL-5**, the Project's impacts concerning potential to disturb human remains, would be reduced to a less than significant impact.

### **Mitigation Measures**

**MM CUL-5** If human remains or funerary objects are encountered during the undertaking, 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. If the remains are determined to be Native American in origin, the coroner will notify the Native American Heritage Commission (NAHC), who will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

### **4.4.6 Cumulative Impacts**

As discussed in **Section 4.4.5: Impacts and Mitigation Measures**, Project impacts concerning cultural resources are anticipated to be less than significant with incorporation of **MMs CUL-1** through **CUL-5** and compliance with all applicable federal, state, and local statutes and regulations, including the PRMC and applicable WBTODSP design guidelines and development standards.

This EIR has incorporated, by reference, the Pico Rivera GP EIR, which addresses cumulative effects resulting from build out of the Pico Rivera GP. Additionally, the SCAG 2024-2050 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera GP. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera GP EIR (refer to Section 3.0, Table 3.0-6: Allowed Maxim Density and Project Density Comparison which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera GP EIR.

Furthermore, the Project site is fully developed and is absent of natural open space. The Project site has been previously graded and developed consistent with the current Pico Rivera GP and zoning designations. The Project is being evaluated at a programmatic level and there are no specific development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the PRMC as well as the design guidelines and development standards within the WBTODSP area. Additionally, projects located in an archaeologically sensitive area are required to conduct archaeological monitoring during construction. These regulations, in combination with applicable mitigation measures, would further reduce Project and cumulative impacts. Therefore, the Project's contribution to cumulative impacts is not considered to be "cumulatively considerable."

#### 4.4.7 Significant Unavoidable Impacts

No significant and unavoidable impacts have been identified.

#### 4.4.8 References

California Historic Building Code (Sections 18950 to 18962 of Division 13, Part 2.7 of California Health and Safety Code).

City of Pico Rivera. 2014. *City of Pico Rivera General Plan – Environmental Resources Element*. Retrieved at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-8.pdf>. (Accessed August 2023).

ESA. 2014. *Pico Rivera General Plan Update Draft EIR, CEQA Mandated Sections*.

Kimley-Horn and Associates, Inc. 2023. *Cultural Resources Inventory Report for the Washington and Rosemead Boulevards Transit-Oriented Development Specific Plan*.

## 4.5 ENERGY

### 4.5.1 Introduction

The section identifies existing conditions in the Project area concerning energy use and evaluates the Washington Boulevard Transit-Oriented Development Specific Plan's ("Project" or "WBTODSP") potential to result in impacts due to wasteful, inefficient, or unnecessary consumption of energy resources or conflict with an energy plan. Mitigation to avoid/reduce impacts is identified, as needed.

### 4.5.2 Environmental Setting

#### Electricity

Electricity as a utility is a man-made resource. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. The delivery of electricity involves a number of system components including substations and transformers that lower transmission line power (voltage) to a level appropriate for on-site distribution and use. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Conveyance of electricity through transmission lines is typically responsive to market demands.

Energy capacity, or electrical power, is generally measured in watts (W) while energy use is measured in watt-hours (Wh). For example, if a light bulb has a capacity rating of 100 W, the energy required to keep the bulb on for 1 hour would be 100 Wh. If ten 100 W bulbs were on for 1 hour, the energy required would be 1,000 Wh or 1 kilowatt-hour (kWh). On a utility scale, a generator's capacity is typically rated in megawatts (MW), which is one million watts, while energy use is measured in megawatt-hours (MWh) or gigawatt-hours (GWh), which is one billion watt-hours.

The Pico Rivera Innovative Municipal Energy (PRIME) serves as the electricity provider for the City of Pico Rivera (City). PRIME is governed by the Pico Rivera City Council, which purchases energy from Southern California Edison (SCE) and utilizes SCE infrastructure to deliver electricity to consumers in the City. PRIME offers three options for consumers who opt into the program; PRIME Power which provides consumers a standard energy product of 50 percent renewable energy from various renewable sources; PRIME Future, which offers 100 percent renewable energy; or PRIME Partner which offers consumers the option to install an on-site solar, wind, or other self-generation system to provide electricity needs. Additionally, the City is a community choice aggregator (CCA), meaning that consumers have the ability to opt out of PRIME, and elect SCE as their sole electricity service provider. However, about 94 percent of consumers within the City have chosen to utilize PRIME as their sole electricity provider.<sup>1</sup>

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<sup>1</sup> Ferrer, Victor. June 25, 2024. Personal communication via email.

**Table 4.5-1: Energy Resources Used to Generate Electricity for SCE (2022)**

Energy Resources	2022 SCE Power Mix	2022 CA Power Mix
Eligible Renewable:	33.2%:	35.8 %:
Biomass and Biowaste	0.1%	2.1 %
Geothermal	5.7 %	4.7 %
Eligible Hydroelectric	0.5 %	1.1 %
Solar	17.0 %	17.0 %
Wind	9.8 %	10.8 %
Coal	0.0 %	2.1 %
Large Hydroelectric	3.4 %	9.2 %
Natural Gas	24.7 %	36.4 %
Nuclear	8.3 %	9.2%
Other	0.1 %	0.1 %
Unspecified Sources of Power <sup>1</sup>	30.3 %	7.1 %
<b>Total</b>	<b>100%</b>	<b>100%</b>
<sup>1</sup> Electricity from transactions that are not traceable to specific generation sources. Source: SCE. (2024). <i>2022 Power Content Label</i> , Southern California Edison. Retrieved from SCE Website: <a href="https://www.sce.com/sites/default/files/custom-files/PDF_Files/SCE_2022_Power_Content_Label_B%26W.pdf">https://www.sce.com/sites/default/files/custom-files/PDF_Files/SCE_2022_Power_Content_Label_B%26W.pdf</a> (accessed January 2024).		

## Natural Gas

The Southern California Gas Company (SoCalGas), the service provider for Project area, services approximately 21 million people in a 20,000-square-mile service territory. SoCalGas has four storage fields: Aliso Canyon, Honor Rancho, La Goleta, and Playa del Rey, as well as a combined storage capacity of approximately 134 billion cubic feet. According to the CEC, natural gas demand in the SoCalGas service area was 5,026 million therms in 2022, while natural gas demand in the County of Los Angeles was 2,820 million therms in 2022.<sup>2</sup>

SoCalGas projects that total natural gas demand will decline at an annual rate of 1.5 percent from 2022-2035.<sup>3</sup> The decline in demand is due to modest economic growth, California Public Utilities Commission (CPUC) mandated energy efficiency standards and programs, and Senate Bill (SB) 350 goals. Other factors that contribute to the downward trend are tighter standards created by revised Title 24 Codes and Standards, renewable electricity goals, a decline in core commercial and industrial demand, and conservation savings linked to Advanced Metering Infrastructure (AMI).

## Energy Use

Energy use is estimated based on a number of sources including coal, natural gas, gasoline, jet fuel, etc., and is quantified using the British Thermal Unit (BTU). Total energy use in California was 7,359 trillion BTU in 2021<sup>4</sup> (the most recent year for which this specific data is available), which equates to an average of

<sup>2</sup> California Energy Commission. (2024). *2022 Gas Consumption by Southern California Gas*. Available at: <http://ecdms.energy.ca.gov/gasbycounty.aspx> (accessed January 2024).

<sup>3</sup> California Gas and Electric Utilities. 2022. *2022 California Gas Report*. Pg. 115. Retrieved from: [https://www.socalgas.com/sites/default/files/Joint\\_Utility\\_Biennial\\_Comprehensive\\_California\\_Gas\\_Report\\_2022.pdf](https://www.socalgas.com/sites/default/files/Joint_Utility_Biennial_Comprehensive_California_Gas_Report_2022.pdf) (accessed January 2024).

<sup>4</sup> US Energy Information Administration. 2024. *California Energy Consumption Estimates*. <https://www.eia.gov/state/print.php?sid=CA> (accessed January 2024).

approximately 189 million BTU per capita. California's energy consumption by sector in 2021 was approximately 10.3 percent transportation, 5.2 percent industrial, 8.0 percent commercial, and 7.1 percent residential compared to the United States. Electricity and natural gas in California are generally used by stationary sources such as residences, commercial sites, and industrial facilities, whereas petroleum use is generally accounted for by transportation-related energy use.

### 4.5.3 Regulatory Setting

The following is a description of State and local environmental laws and policies that are relevant to energy conservation. See also **Section 4.2: Air Quality**, **Section 4.7: Greenhouse Gas Emissions**, and **Section 4.14: Transportation**, for other policies related to energy use. See **Section 4.16: Utilities and Service Systems** for policies related to water, electricity, and natural gas consumption.

#### Federal

##### *National Energy Conservation Policy Act*

The National Energy Conservation Policy Act serves as the underlying authority for federal energy management goals and requirements. Signed into law in 1978, it has been regularly updated and amended by subsequent laws and regulations. This act is the foundation of most federal energy requirements.

##### *Energy Policy Act of 2005*

On August 8, 2005, President George W. Bush signed the National Energy Policy Act of 2005 (Public Law 109-58) into law. This comprehensive energy legislation contains several electricity-related provisions that aim to:

- Help ensure that consumers receive electricity over a dependable, modern infrastructure;
- Remove outdated obstacles to investment in electricity transmission lines;
- Make electric reliability standards mandatory instead of optional; and
- Give Federal officials the authority to site new power lines in Department of Energy-designated national corridors in certain limited circumstances.

The Renewable Fuel Standard (RFS) program was created under the Energy Policy Act of 2005 and established the first renewable fuel volume mandate in the United States. The program regulations were developed in collaboration with refiners, renewable fuel producers, and many other stakeholders. As required under Energy Policy Act, the original RFS program (RFS1) required 7.5 billion gallons of renewable fuel to be blended into gasoline by 2012.

##### *Energy Independence and Security Act of 2007*

The Energy Independence and Security Act (EISA; Public Law 110-140) was signed into law by President George W. Bush on December 19, 2007. The Act's goal is to achieve energy security in the United States by increasing renewable fuel production, improving energy efficiency and performance, protecting consumers, improving vehicle fuel economy, and promoting research on greenhouse gas (GHG) capture and storage.



Under the EISA, the RFS program (RFS2) was expanded in several key ways:

- Expanded the RFS program to include diesel, in addition to gasoline;
- Increased the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022;
- Established new categories of renewable fuel and set separate volume requirements for each; and
- Required U.S. Environmental Protection Agency (U.S. EPA) to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

RFS2 lays the foundation for achieving significant reductions of GHG emissions from the use of renewable fuels, for reducing imported petroleum, and encouraging the development and expansion of our nation's renewable fuels sector.

The EISA also includes a variety of new standards for lighting and for residential and commercial appliance equipment. The equipment includes residential refrigerators, freezers, refrigerator-freezers, metal halide lamps, and commercial walk-in coolers and freezers.

## State

### *Assembly Bill 32 and Senate Bill 32*

California's major initiative for reducing GHG emissions is outlined in Assembly Bill (AB) 32, the "California Global Warming Solutions Act of 2006." AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels; the same requirement as under S-3-05) and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Reductions in overall energy consumption have been implemented to reduce emissions. See **Section 4.7: Greenhouse Gas Emissions** for a further discussion of AB 32.

In September 2016, the Governor signed into legislation SB 32, which builds on AB 32 and requires the state to cut GHG emissions to 40 percent below 1990 levels by 2030. With SB 32, the Legislature also passed AB 197, which provides additional direction for updating the Scoping Plan to meet the 2030 GHG reduction target codified in SB 32. CARB has published a draft update to the Scoping Plan and has received public comments on this draft but has not released the final version.

Additional energy efficiency measures beyond the current regulations are needed to meet these goals as well as the AB 32 GHG reduction goal of reducing statewide GHG emissions to 1990 levels by 2020 and the SB 32 goal of 40 percent below 1990 levels by 2030 (see **Section 4.7: Greenhouse Gas Emissions**, for a discussion of AB 32 and SB 32). Part of the effort in meeting California's long-term reduction goals include reducing petroleum use in cars and trucks by 50 percent, increasing from one-third to more than one-half of California's electricity derived from renewable sources, doubling the efficiency savings achieved at existing buildings and making heating fuels cleaner; reducing the release of methane, black

carbon, and other short-lived climate pollutants, and managing farm and rangelands, forests, and wetlands so they can store carbon.

### ***California Building Energy Efficiency Standards: Title 24, Part 6 (California Energy Code)***

Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6), commonly referred to as “Title 24”, California’s energy efficiency standards for residential and non-residential buildings, was established by the CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California’s energy consumption, and provide energy efficiency standards for residential and non-residential buildings. The 2022 Building Energy Efficiency Standards, which took effect on January 1, 2023, promote photovoltaic (PV) systems in newly constructed buildings, electric ready requirements in new homes, and new electric heat pump requirements for buildings. The California Building Energy Efficiency Standards (CBEES) updates focus on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings and include requirements that will enable both demand reductions during critical peak periods and future solar electric and thermal system installations.

The latest standards include provisions applicable to all buildings, residential and non-residential, which describe requirements for documentation and certificates that the building meets the standards. These provisions include mandatory requirements for efficiency and design of the following types of systems, equipment, and appliances:

- Air Conditioning Systems
- Heat Pumps
- Water Chillers
- Gas- and Oil-Fired Boilers
- Cooling Equipment
- Water Heaters and Equipment
- Pool and Spa Heaters and Equipment
- Gas-fired equipment Including Furnaces and Stoves/Ovens
- Windows and Exterior Doors
- Joints and Other Building Structure Openings (Envelope)
- Insulation and Cool Roofs
- Lighting Control Devices
- Solar PV Systems

The standards include additional mandatory requirements for space conditioning (cooling and heating), water heating, indoor and outdoor lighting systems, as well as equipment in non-residential, high-rise residential, and hotel or motel buildings. Mandatory requirements for low-rise residential buildings cover indoor and outdoor lighting, fireplaces, space cooling and heating equipment (including ducts and fans), and insulation of the structure, foundation, and water piping. The standards require solar PV systems for

new homes. In addition to the mandatory requirements, the standards call for further energy efficiency that can be provided through a choice between performance and prescriptive compliance approaches. Separate sections apply to low-rise residential and to non-residential, high-rise residential, and hotel or motel buildings. In buildings designed for mixed use (e.g., commercial and residential), each section must meet the standards applicable to that type of occupancy.

The performance approach set forth under these standards provides for the calculation of an energy budget for each building and allows flexibility in building systems and features to meet the budget. The energy budget addresses space-conditioning (cooling and heating), lighting, and water heating. Compliance with the budget is determined using a CEC-approved computer software energy model. The alternative prescriptive standards require demonstrating compliance with specific minimum efficiency for components of the building such as building envelope insulation R-values, fenestration (areas, U-factor and solar heat gain coefficients of windows and doors) and heating and cooling, and water heating and lighting system design requirements. These requirements vary depending on the building's location in the State's 16 climate zones.

### ***California Green Building Standards, Title 24, Part 11 (CALGreen Code)***

The California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as the CALGreen Code, is a statewide mandatory construction code that was developed and adopted by the California Building Standards Commission and the California Department of Housing and Community Development. CALGreen standards require new residential and commercial buildings to comply with mandatory measures under five topical areas: planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt which encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code was adopted in 2022 and went into effect January 1, 2023.<sup>5</sup>

### ***2008 California Energy Action Plan Update***

The 2008 Energy Action Plan (EAP) Update provides a status update to the 2005 EAP II, which is the State of California's principal energy planning and policy document. The 2008 EAP continues the goals of the original EAP and describes a coordinated implementation plan for State energy policies and identifies specific action areas to ensure that California's energy is adequate, affordable, technologically advanced, and environmentally sound. First-priority actions to address California's increasing energy demands are energy efficiency, demand response (i.e., reduction of customer energy usage during peak periods in order to address system reliability and support the best use of energy infrastructure), and the use of renewable sources of power. If these actions are unable to satisfy the increasing energy and capacity needs, the plan supports clean and efficient fossil-fired generation.

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<sup>5</sup> California Building Standards Commission. (2022). *California Green Building Standards*. Retrieved at: [www.bsc.ca.gov/Home/CALGreen.aspx](http://www.bsc.ca.gov/Home/CALGreen.aspx), (accessed January 2024).

### ***Appliance Efficiency Regulations – Title 20***

The CEC adopted Appliance Efficiency Regulations (Title 20, California Code of Regulations Section 1601 through 1608) on October 11, 2006. The regulations were approved by the California Office of Administrative Law on December 14, 2006, and have been amended periodically. The regulations include standards for both federally regulated appliances and non-federally regulated appliances. While these regulations are now often viewed as “business-as-usual,” they exceed the standards imposed by all other states and they reduce GHG emissions by reducing energy demand.

### ***Senate Bill 1078 and 107; Executive Order S-14-08, S-21-09, and SB 2X***

SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010. In November 2008, then-Governor Schwarzenegger signed Executive Order S-14-08, which expands the State’s Renewable Portfolio Standard to 33 percent renewable power by 2020. In September 2009, then-Governor Schwarzenegger continued California’s commitment to the Renewable Portfolio Standard by signing Executive Order S-21-09, which directs the CARB under its AB 32 authority to enact regulations to help the State meet its Renewable Portfolio Standard goal of 33 percent renewable energy by 2020. In April 2011, Governor Brown signed SB 2X, which legislated the prior Executive Order S-14-08 renewable standard.

### ***Executive Order B-30-15, Senate Bill 350, and Senate Bill 100***

In April 2015, the Governor issued Executive Order B-30-15, which established a GHG reduction target of 40 percent below 1990 levels by 2030. SB 350 (Chapter 547, Statutes of 2015) advanced these goals through two measures. First, the law increases the renewable power goal from 33 percent renewables by 2020 to 50 percent by 2030. Second, the law requires the CEC to establish annual targets to double energy efficiency in buildings by 2030. The law also requires the CPUC to direct electric utilities to establish annual efficiency targets and implement demand-reduction measures to achieve this goal. In 2018, SB 100 revised the goal of the program to achieve the 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31, 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

### ***Appendix F to CEQA Guidelines***

Public Resources Code Section 21100(b)(3) and CEQA Guidelines Section 15126.4 require EIRs to describe, where relevant, the wasteful, inefficient, and unnecessary use of energy caused by a project. In 1975, largely in response to the oil crisis of the 1970s, the California State Legislature adopted AB 1575, which created the CEC. The CEC’s statutory mission is to forecast future energy needs, license thermal power plants of 50 megawatts or larger, develop energy technologies and renewable energy resources, plan for and direct State responses to energy emergencies, and promote energy efficiency through the adoption and enforcement of appliance and building energy efficiency standards. AB 1575 also amended Public Resources Code Section 21100(b)(3) to require EIRs to consider the wasteful, inefficient, and unnecessary use of energy caused by a project. In addition, CEQA Guidelines Section 15126.4 was adopted in 1998 which requires that an EIR describe feasible mitigation measures which would minimize the inefficient

and unnecessary use of energy. Thereafter, the State Resources Agency created CEQA Guidelines Appendix F.

Pursuant to Appendix F, an EIR must include a “discussion of the potential energy impacts of proposed projects...”<sup>6</sup> However, because lead agencies have not consistently included such analysis in their EIRs, California's Natural Resources Agency amended Appendix F to the CEQA Guidelines in 2009 “to ensure that lead agencies comply with the substantive directive in Section 21100(b)(3).” CEQA Guidelines Appendix F lists environmental impacts and mitigation measures that an EIR may include. What is required is a “discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.” Potential impacts that may be discussed include:

- The Project’s energy requirements and its energy use efficiencies by amount and fuel type for each stage of the Project including construction, operation, maintenance, or removal. If appropriate, the energy intensiveness of materials may be discussed.
- The effects of the Project on local and regional energy supplies and on requirements for additional capacity.
- The effects of the Project on peak and base period demands for electricity and other forms of energy.
- The degree to which the Project complies with existing energy standards.
- The effects of the Project on energy resources.
- The Project’s projected transportation energy use requirements and its overall use of efficient transportation alternatives.

State CEQA Guidelines Appendix F assists EIR preparers in determining whether a Project will result in the inefficient, wasteful, and unnecessary use of energy. The discussion below analyzes the Project’s effect on energy resources.

## Local

### *City of Pico Rivera General Plan Update 2014*

The City of Pico Rivera General Plan Update (Pico Rivera General Plan) Environmental Resources Element contains goals and policies that are designed to address the long-term management of Pico Rivera’s environmental resources including air quality, GHG emissions, water resources, biological resources, mineral resources, and cultural resources.<sup>7</sup> The goals and policies help the City pursue thoughtful conservation of environmental resources.

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<sup>6</sup> California Natural Resources Agency. (2019). *California Environmental Quality Act, Appendix F Energy Conservation*.

<sup>7</sup> City of Pico Rivera. 2014. *City of Pico Rivera-Environmental Resources Element*. Retrieved at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-8.pdf> (Accessed August 2023).

## **Environmental Resources Element**

**Goal 8.3**      **A community with improved energy conservation and efficiency.**

**Policy 8.3-1**      **Energy Conserving Land Use Practices.** Implement energy conserving land use practices including higher density and mixed-use development in proximity to transit along with infill development; improvements to the community's bicycle system; and expansion of transit routes, facilities, and services.

**Policy 8.3-5**      **Renewable Energy.** Encourage new development to install, and consider providing incentives for, on-site renewable energy systems and facilities (e.g., solar).

**Policy 8.3-7**      **Energy Efficiency.** Encourage all new development to implement additional energy efficient measures beyond what is required by State law to exceed minimum energy efficiency requirements.

### **4.5.4      Impact Thresholds and Significance Criteria**

The following significance criteria for Energy were derived from the Environmental Checklist in State CEQA Guidelines Appendix G. An impact would be considered significant and would require mitigation if it would:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

### **WBTODSP Impacts**

The improvements envisioned in the proposed WBTODSP are recommended conceptual designs intended to be used as guidance for the City in implementing future improvements. The proposed WBTODSP does not include any site-specific designs or proposals, nor does it grant any entitlements for development. As a policy and regulatory document, the WBTODSP would have no physical effect on the environment. Future development in the WBTODSP area would involve the use of energy during and associated with construction and operation. Future development projects will be required to assess their individual impacts on Energy resources on a project-by-project basis.

### **4.5.5      Impacts and Mitigation Measures**

**Impact 4.5-1**      *Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?*

***Level of Significance: Less than Significant***

### **Future Development – Construction Energy**

Energy use during construction would primarily be in the form of fuel consumption to operate heavy equipment, light-duty vehicles, machinery, and generators for lighting. Electrical power may also be provided to construction trailers or electric construction equipment. In addition, construction activities would also result in short-term fuel consumption from worker trips, operation of diesel-powered



equipment, and hauling trips. Energy use during construction would be temporary and would be standard for similar construction projects in the region. Any future development facilitated by the WBTODSP would be subject to CalGreen regulations, which requires 65 percent of construction waste to be diverted from landfills. Recycling construction and demolition waste not only keeps it from being transported to the landfill, but also reduces the “upstream” energy consumption from the manufacturing of virgin material.

As discussed above, there are no unusual characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in the region or state. Therefore, it is expected that construction fuel consumption associated with the WBTODSP would not be any more inefficient, wasteful, or unnecessary than other similar projects of this nature. Therefore, impacts to energy resources associated with the future developments’ construction activities would be less than significant, and no mitigation is required.

### **Future Development – Operational Energy**

Energy use associated with the operation of future development projects would require electricity and natural gas service to power internal and exterior building lighting, as well as heating and cooling systems. Operations of the Project could potentially use approximately 2.1 GWh of electricity, 14,213 therms of natural gas, 499,561 gallons of gasoline, and 199,539 gallons of diesel annually. With the increase in vehicle trips associated with development of the WBTODSP area, fuel consumption is anticipated to increase over existing conditions.

However, future development in the WBTODSP area would be subject to energy conservation requirements in the California Energy Code (Title 24, Part 6, of the CCR, California’s Energy Efficiency Standards for Residential and Nonresidential Buildings) and the California Green Building Standards Code (CalGreen) (Title 24, Part 11, of the CCR). Therefore, compliance with these energy efficiency and energy reduction measures would reduce the use of nonrenewable energy sources for development in the Project area. Adherence to Title 24 requirements and California Green Building Standards would ensure that future development in the Specific Plan area would not result in wasteful and inefficient use of non-renewable resources due to building operation. As a result, impacts would be less than significant.

#### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.5-2**      *Would the Project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?*

***Level of Significance: Less than Significant***

The WBTODSP is a policy and regulatory document and would not conflict with or obstruct state or local plans. However, future site-specific development improvements would require further CEQA review of project-level impacts prior to implementation. Future WBTODSP development would be constructed in accordance with the City’s building code, and California Building Energy Efficiency Standards, including the CALGreen Code (CCR Title 24, Part 11) and the California Energy Code (CCR Title 24, Part 6), which includes provisions related to insulation and efficient design aimed at minimizing energy consumption.

The Building Energy Efficiency Standards and CALGreen are updated on three-year cycles. Each edition of the Building Energy Efficiency Standards and CALGreen improves on the energy efficiency of the previous edition. The Project would be built over an extended time frame and future updated Title 24 and CALGreen requirements would lead to greater energy efficiency for future development projects.

Future development under the WBTODSP is required to comply with the State of California's Title 24 requirements as well as the Pico Rivera General Plan and City of Pico Rivera Municipal Code (PRMC). Compliance with City and State requirements would result in consistency with State and local plans related to energy conservation and energy efficiency. Therefore, future development facilitated by the WBTODSP would be consistent with applicable federal, state, and local laws, policies, and regulations related to renewable energy and energy efficiency. As a result, impacts would be less than significant.

#### **Mitigation Measures**

No mitigation is necessary.

### **4.5.6 Cumulative Impacts**

As discussed in **Section 4.5.5: Impacts and Mitigation Measures**, Project impacts concerning energy are anticipated to be less than significant with compliance with all applicable federal, state, and local statutes and regulations, including the PRMC and applicable WBTODSP design guidelines and development standards.

This EIR has incorporated, by reference, the Pico Rivera GP EIR, which addresses cumulative effects resulting from build out of the Pico Rivera GP. Additionally, the SCAG 2020-2045 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera GP. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera GP EIR (refer to Section 3.0, Table 3.0-6: Allowed Maxim Density and Project Density Comparison which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera GP EIR.

Furthermore, the Project site is fully developed and is absent of natural open space. The Project site has been previously graded and developed consistent with the current Pico Rivera GP and zoning designations. The Project is being evaluated at a programmatic level and there are no specific development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the PRMC as well as the design guidelines and development standards within the WBTODSP area. These regulations, in combination with applicable mitigation measures, would further reduce Project and cumulative impacts. Therefore, the Project's contribution to cumulative impacts is not considered to be "cumulatively considerable."

### **4.5.7 Significant Unavoidable Impacts**

No significant and unavoidable impacts have been identified.

## 4.5.8 References

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## 4.6 GEOLOGY AND SOILS

### 4.6.1 Introduction

This section of the Draft Program Environmental Impact Report (EIR) will identify potential environmental impacts concerning geological and soil resources, paleontological resources, or unique geologic features in the City of Pico Rivera (City) associated with the development of the Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBTODSP”). The data collected provides information on existing conditions within the Project site. The analysis is based on information provided in the following geological resources studies:

- City of Pico Rivera General Plan Update, 2014.
- Pico Rivera General Plan Update, 2014. Draft Environmental Impact Report.

### 4.6.2 Environmental Setting

#### Existing conditions

The Project is in the southwest portion of the City within the eastern portion of the County of Los Angeles. The Project site is generally bound to the north by commercial uses and existing residential neighborhoods, to the south by industrial facilities, railroad and single-family residential, to the east by existing residential neighborhoods and Rosemead Boulevard, and to the west by warehouses and Paramount Boulevard. The Project encompasses approximately 305 acres and is made up of 88 parcels, as shown in **Table 4.6-1: WBTOD Specific Plan Assessor Parcel Numbers**.

The southern portion of the Project site is developed primarily with light-industrial uses. The City generally slopes to the southwest, with elevations ranging from approximately 200 feet above mean sea level (amsl) at the northern boundary of the City to 140 feet amsl at the southern boundary of the City.<sup>1</sup> Additionally, the City is located in an area of alluvial fans, plains, and terrace.<sup>2</sup> The soils within the City have resulted from stream flow from the San Gabriel Mountains to the north.<sup>3</sup> The alluvial deposits found within the foothill region consist of coarse-grained sediment mixed with organic matter with depositions of finer-grained silts and clays in areas further downstream from the mountains.<sup>4</sup>

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<sup>1</sup> ESA. 2014. *Pico Rivera General Plan Update Draft EIR – 3.7 Hydrology and Water Quality*, page 3.7-9

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

**Table 4.6-1: Assessor Parcel Numbers**

6369006032	6369006028	6369004011	6378017004
6369006013	6369006034	6369004018	6378018900
6369006038	6369027022	6369004010	6378018002
6369006033	6369027006	6369004002	6378018003
6369006037	6369006039	6369004003	6378019072
6369006035	6369027900	6369004021	6378019067
6369006042	6369006027	6369004012	6378019053
6369006043	6369006802	6369004013	6378019037
6369006044	6348026026	6369004006	6370027013
6369006049	6370030015	6369004007	6370024033
6369006045	6378019068	6369004017	6378019071
6369006048	6381014006	6369004016	6378019058
6369027023	6381014011	6369005009	6378019019
6369027021	6381014010	6369005008	6378019052
6369027019	6369006901	6370013021	6370027021
6369027018	6378019900	6370013033	6370027018
6369027002	6369002012	6370013032	6370027014
6369027001	6369002004	6370021001	6370025009
6369027020	6369002900	6370022025	6370024033
6369006026	6369002007	6381014007	6370024026
6369006025	6369002006	6370013014	6370030016
6369006024	6369002005	6378017001	6348026027
6369006032	6369006028	6369004011	6378017004
6369006013	6369006034	6369004018	6378018900

Source: Washington Boulevard Transit-Oriented Development Specific Plan

## Geologic Conditions

### *Regional Geological Setting*

The City's topography is relatively flat, and ranges from approximately 200 feet above mean sea level (amsl) in the northern portion of the City to 140 feet amsl in the southern portion.<sup>5</sup> Additionally, according to the California Soil Conservation Service, most of the City is characterized by soils of low shrink-swell potential.<sup>6</sup>

### *Local Geological Setting*

#### *Faulting and Seismicity*

The faulting and seismicity of southern California is dominated by the San Andreas Fault zone. The zone separates two of the major tectonic plates that comprise the earth's crust. The Pacific Plate lies west of the fault zone. This plate is moving in a northwesterly direction relative to the North American Plate, which lies east of the fault zone. This relative movement between the two plates is the driving force of fault ruptures in western California.

<sup>5</sup> ESA. 2014. *Pico Rivera General Plan Update Draft Environmental Impact Report – Section 5.0 CEQA Mandated Sections*, page 5-10.

<sup>6</sup> Ibid.

There are numerous faults in southern California that are categorized as active, potentially active, and inactive. A fault is classified as active by the state if it has either moved during the Holocene epoch (during the last 11,000 years) or is included in an Alquist-Priolo Earthquake Fault zone (as established by the California Geological Survey [CGS]). A fault is classified as potentially active if it has experienced movement within the Quaternary period (during the last 1.6 million years). Faults that have not moved in the last 1.6 million years are generally considered inactive. The City has three local faults: the Rio Hondo that is not classified as currently active, the Pico Fault that is classified as inactive, and the Whittier Fault that is classified as active.<sup>7</sup> The faults most likely to affect the City within the next 200 years would occur as a result of seismic activity along the San Andreas, the Sierra Madre, or the Raymond Hill Fault zones.<sup>8</sup> The nearest fault to the Project area is the Whittier Fault, located approximately 4.0-miles northeast.

### *Ground Shaking*

Ground shaking is a general term referring to all aspects of motion of the earth's surface resulting from an earthquake and is normally the major cause of damage in seismic events. The extent of ground shaking is controlled by the magnitude and intensity of the earthquake, distance from the epicenter of the earthquake, and local geologic conditions. The magnitude of an earthquake is assessed using seismographs, which measure the energy released from an earthquake. Earthquake intensity is subjective and varies with distance from the epicenter and local geologic conditions. Intensity increases closer to the epicenter.

Additionally, ground shaking occurs when energy released during a fault rupture travels through subsurface rock, sediment, and soil materials, resulting in motion experience at the ground surface. Ground shaking intensity varies with the magnitude of the earthquake, the distance from the earthquake epicenter, and the type(s) of geologic substrate the seismic waves move through. Depending on the level of ground motion and the stiffness of the soil, the ground shaking can amplify or de-amplify. Ground shaking is normally the major cause of damage in earthquakes, and the amount of damage generally correlates to the magnitude of the earthquake, and proximity to the event's epicenter. The severity of an earthquake is generally expressed in two ways: magnitude and intensity. The energy released, as measured on the Moment Magnitude (MW) scale, represents the magnitude of an earthquake. The intensity of an earthquake is measured by the Modified Mercalli Intensity (MMI) scale, which emphasizes the seismic response at a subject site and measures ground shaking severity according to damage done to structures, changes in the earth surface, and personal accounts. The California Building Code (CBC) considers proximity to potential seismic sources and the maximum anticipated ground shaking, the City requires that all construction meet the latest CBC standards.<sup>9</sup>

### *Secondary Seismic Hazards*

Ground shaking is the leading cause of injury and damage from an earthquake and can result in secondary seismic hazards generally associated with severe ground shaking during an earthquake include ground

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<sup>7</sup> City of Pico Rivera. 2011. *City of Pico Rivera Multi-Jurisdictional Hazard Mitigation Plan Update*, page 48.

<sup>8</sup> ESA. 2014. *Pico Rivera General Plan Update Draft Environmental Impact Report – Section 5.0 CEQA Mandated Sections*, page 5-10.

<sup>9</sup> City of Pico Rivera. (2014). *Pico Rivera General Plan Update. Draft Environmental Impact Report*, page 5-10.



rupture, lurching, liquefaction, landslides and rockfall, lateral spreading, settlement, tsunamis, building failure, and broken gas or other utility lines, that can lead to fire and other collateral damage.

### *Surface Fault Rupture*

Rupture of the ground surface during an earthquake generally is limited to the narrow strip of land immediately adjacent to/above the fault on which the earthquake is occurring. Surface fault rupture may occur suddenly during an earthquake or slowly in the form of fault creep and almost always follows pre-existing faults. The faults are zones of weakness that cause the separation.

### *Lurching*

Lurching is a phenomenon in which loose to poorly consolidated deposits move laterally as a response to strong ground shaking during an earthquake. Lurching is typically associated with soil deposits on or adjacent to steep slopes.

### *Landslides*

Shaking during an earthquake can lead to seismically induced landslides, especially in areas that have previously experienced landslides or slumps, in areas of steep slopes, or in saturated hillsides. The City generally slopes to the southwest, with elevations ranging from 200 feet amsl to 140 feet amsl.<sup>10</sup> Because of the relatively flat topography, the City has a low risk for landslides.<sup>11</sup>

### *Liquefaction*

Liquefaction of free-running type soils, such as sand and gravel, can be caused by strong ground shaking motion due to earthquakes. Liquefaction is characterized by a loss of shear strength in the affected soil layers, causing the soil to behave like a syrupy liquid. When insufficient confining pressure is present, liquefaction may be manifested at the ground surface by settlement or sand volcanoes. For the potential effects of liquefaction to be demonstrated at the ground surface, the soils generally have to be granular, loose to medium dense, saturated relatively near the ground surface and must be subjected to a sufficient magnitude and duration of ground shaking. Ground accelerations generated from a seismic event can produce settlements in sands or granular earth materials both above and below the water table, posing a potential hazard to land uses on the surface. The Project site is located in a low generalized liquefaction susceptibility area.<sup>12</sup>

### *Lateral Spreading*

Lateral spreading is the lateral movement of saturated soil deposits and is caused by intense ground shaking. Damage or rupture of pipelines during a seismic event could result in underground and surface release of water, which could result in lateral spreading.

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<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

### *Settlement*

Soil settlement is the condition where soils deform in a vertical direction when a vertical load is placed on top of it. Developments related to the Project would need to conduct a site-specific geotechnical investigation, to determine the potential for soil settlement in a given area to ensure that all necessary and appropriate engineering features are incorporated to reduce potential geologic hazards.

## **4.6.3 Regulatory Setting**

### **Federal**

#### *Occupational Safety and Health Administration Regulations*

Excavation and trenching are among the most hazardous construction activities. The Occupational Safety and Health Administration's (OSHA) Excavation and Trenching standard, Title 29 of the Code of Federal Regulations, Part 1926.650, covers requirements for excavation and trenching operations. OSHA requires that all excavations in which employees could potentially be exposed to cave-ins be protected by sloping or benching the sides of the excavation, supporting the sides of the excavation, or placing a shield between the side of the excavation and the work area.

#### *Soil and Water Resources Conservation Act*

The purpose of the Soil and Water Resources Conservation Act of 1977 is to protect or restore soil functions on a permanent sustainable basis. Protection and restoration activities include prevention of harmful soil changes, rehabilitation of the soil of contaminated sites and of water contaminated by such sites, and precautions against negative soil impacts. Disruptions of natural soil functions and functions as an archive of natural and cultural history should be avoided, as far as practicable. In addition, the Federal Water Pollution Control Act (also referred to as the Clean Water Act [CWA]) requirements, through the National Pollution Discharge Elimination System (NPDES) permitting process, provide guidance for protection of geologic and soil resources.

#### *Earthquake Hazards Reduction Act*

The Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) established the National Earthquake Hazards Reduction Program (Program) which is coordinated through the Federal Emergency Management Agency (FEMA), the U.S. Geological Survey (USGS), the National Science Foundation, and the National Institute of Standards and Technology. The purpose of the Program is to establish measures for earthquake hazards reduction and promote the adoption of earthquake hazards reduction measures by federal, state, and local governments; national standards and model code organizations; architects and engineers; building owners; and others with a role in planning and constructing buildings, structures, and lifelines through (1) grants, contracts, cooperative agreements, and technical assistance; (2) development of standards, guidelines, and voluntary consensus codes for earthquake hazards reduction for buildings, structures, and lifelines; and (3) development and maintenance of a repository of information, including technical data, on seismic risk and hazards reduction. The Program is intended to improve the understanding of earthquakes and their effects on communities, buildings, structures, and lifelines through interdisciplinary research that involves engineering, natural sciences, and social, economic, and decisions sciences.

### ***U.S. Geological Survey Landslide Hazard Program***

The USGS Landslide Hazard Program provides information on landslide hazards including information on current landslides, landslide reporting, real-time monitoring of landslide areas, mapping of landslides through the National Landslide Hazards Map, local landslide information, landslide education, and research.

### ***Paleontological Resources Preservation Act***

The Paleontological Resources Preservation Act (PRPA) is part of the Omnibus Public Land Management Act of 2009 (Public Law 111-011 Subtitle D). The PRPA directs the Secretary of the Interior or the Secretary of Agriculture to manage and protect paleontological resources on federal land, and develop plans for inventorying, monitoring, and deriving the scientific and educational use of such resources. It prohibits the removal of paleontological resources from federal land without a permit issued under the PRPA, establishes penalties for violation of the PRPA and establishes a program to increase public awareness about such resources. As of May 18, 2015, the U.S. Department of Agriculture has implemented a new rule that “provides for the preservation, management, and protection of paleontological resources on National Forest System (NFS) lands and ensures that these resources are available for current and future generations to enjoy as part of America’s national heritage. The rule addresses the management, collection, and curation of paleontological resources from NFS lands including management using scientific principles and expertise, collecting of resources with and without a permit, curation in an approved repository, maintaining confidentiality of specific locality data, and authorizing penalties for illegal collecting, sale, damaging, or otherwise altering or defacing paleontological resources”.

## **State**

### ***California Environmental Quality Act***

The California Environmental Quality Act (CEQA) requires that public agencies and private interests identify the potential environmental consequences of their Projects on any object or site of significance to the scientific annals of California (Division I, California Public Resources Code [PRC] Section 5020.1 [b]). Appendix G in Section 15023 provides an Environmental Checklist of questions (PRC Section 15023, Appendix G, Section VII, Part f) that includes the following: “Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?”

CEQA does not define “a unique paleontological resource or site.” However, the Society of Vertebrate Paleontology has provided guidance specifically designed to support state and Federal environmental review. The Society of Vertebrate Paleontology broadly defines significant paleontological resources as follows:

*“Fossils and fossiliferous deposits consisting of identifiable vertebrate fossils, large or small, uncommon invertebrate, plant, and trace fossils, and other data that provide taphonomic, taxonomic, phylogenetic, paleoecologic, stratigraphic, and/or biochronologic information. Paleontological resources are considered to be older than recorded human history and/or older than middle Holocene (i.e., older than about 5,000 radiocarbon years).”*

Significant paleontological resources are determined to be fossils or assemblages of fossils that are unique, unusual, rare, diagnostically important, or are common but have the potential to provide valuable scientific information for evaluating evolutionary patterns and processes, or which could improve our understanding of paleo chronology, paleoecology, paleo phylogeography, or depositional histories. New or unique specimens can provide new insights into evolutionary history; however, additional specimens of even well-represented lineages can be equally important for studying evolutionary pattern and process, evolutionary rates, and paleo phylogeography. Even unidentifiable material can provide useful data for dating geologic units if radiometric dating is possible. As such, common fossils (especially vertebrates) may be scientifically important, and therefore considered significant.

### ***Alquist-Priolo Earthquake Fault Zoning Act***

The California Alquist-Priolo Earthquake Fault Zoning Act was signed into state law in 1972, and amended, with its primary purpose being to mitigate the hazard of fault rupture by prohibiting the location of structures for human occupancy across the trace of an active fault. The California Alquist-Priolo Earthquake Fault Zoning Act was a direct result of the 1971 San Fernando Earthquake, which was associated with extensive surface fault ruptures that damaged numerous homes, commercial buildings, and other structures. California Alquist-Priolo Earthquake Fault Zoning Act requires the State Geologist to delineate regulatory zones known as “earthquake fault zones” along faults that are “sufficiently active” and “well defined” and to issue and distribute appropriate maps to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Pursuant to the California Alquist-Priolo Earthquake Fault Zoning Act and as stipulated in Section 3603(a) of the California Code of Regulations (CCR), structures for human occupancy are not permitted to be placed across the trace of an active fault. The California Alquist-Priolo Earthquake Fault Zoning Act also prohibits structures for human occupancy within 50 feet of the trace of an active fault, unless proven by an appropriate geotechnical investigation and report that the development site is not underlain by active branches of the active fault, as stipulated in Section 3603(a) of the CCR. Furthermore, the act requires that cities and counties withhold development permits for sites within an earthquake fault zone until geologic investigations demonstrate that the sites are not threatened by surface displacement from future faulting, as stipulated in Section 3603(d) of the CCR.

### ***Seismic Hazard Mapping Act***

The Seismic Hazard Mapping Act was adopted by the State in 1990 for the purpose of protecting the public from the effects of non-surface fault rupture earthquake hazards, including strong ground shaking, liquefaction, seismically induced landslides, or other ground failure caused by earthquakes. The goal of the act is to minimize loss of life and property by identifying and mitigating seismic hazards. The CGS prepares and provides local governments with seismic hazard zones maps that identify areas susceptible to amplified shaking, liquefaction, earthquake-induced landslides, and other ground failures.

### ***California Public Resources Code***

The California Public Resources Code (PRC), Chapter 1.7, Sections 5097.5 and 30244, include additional State-level requirements for the assessment and management of paleontological resources. These statutes require reasonable mitigation of adverse impacts to paleontological resources resulting from development on state lands, define the removal of paleontological “sites” or “features” from state lands

as a misdemeanor, and prohibit the removal of any paleontological “site” or “feature” from state land without permission of the jurisdictional agency. These protections apply only to State land.

### ***2022 California Building Code***

The California Code of Regulations (CCR) Title 24, also known as the California Building Standards Code (CBSC), includes regulations for how buildings are designed and constructed, and are intended to ensure the maximum structural integrity and safety of private and public buildings. The CBSC, which applies to all applications for building permits, consists of 12 parts that contain CBSC administrative regulations for all State agencies that implement or enforce building standards. Local agencies must ensure the development complies with the CBSC standards. Cities and counties can adopt additional standards beyond the CBSC including CBSC Part 2, named the California Building Code (CBC).

### ***Natural Hazards Disclosure Act***

The Natural Hazards Disclosure Act (California Civil Code Section 1103 et seq.), which became effective June 1, 1998, requires sellers (and their real estate agents) to disclose to prospective buyers when real estate property being sold is in an earthquake fault zone, seismic hazard zone, flood hazard zone, dam inundation area, or special fire hazard area. Disclosure can be achieved in one of two ways: 1) the Natural Hazards Disclosure Statement; or 2) the Local Option Real Estate Disclosure Statement as provided in Section 1102.6 of the California Civil Code. When houses built before 1960 are sold, the seller must also give the buyer an earthquake hazards disclosure report and a copy of “The Homeowner’s Guide to Earthquake Safety” to inform the buyer of potential hazards and ways to address them. However, it is important to note that the Natural Hazards Disclosure Act does not invalidate a property sale based on a failure to comply with the above requirements. Therefore, prospective homebuyers should ensure that real estate disclosure requirements are adhered to during the purchase process.

### ***State Earthquake Protection Law***

The State Earthquake Protection Law (California Health and Safety Code [HSC] 19100 et seq.) requires that structures be designed to resist stresses produced by lateral forces caused by wind and earthquakes. Specific minimum seismic safety and structural design requirements are set forth in Chapter 16 of the CBC. The CBC requires a site-specific geotechnical study to address seismic issues and identifies seismic factors that must be considered in structural design. Because the proposed Project area is not located within an Alquist–Priolo Earthquake Fault Zone, no special provisions would be required for project development related to fault rupture.

## **Local**

### ***City of Pico Rivera General Plan Update 2014***

#### ***Environmental Resources Element***

The City of Pico Rivera General Plan Update (Pico Rivera General Plan) Environmental Resources Element addresses the long-term management of the City’s environmental resources including air quality,

greenhouse gas emissions, water resources, biological resources, mineral resources, and cultural resources.<sup>13</sup>

**Goal 8.7**      **Preservation of important cultural and paleontological resources that contribute to the unique identity and character of Pico River.**

**Policy 8.7-1**      **Resources Preservation.** Protect and preserve significant historic, archaeological, and paleontological resources, including those recognized at the national, state, and local levels.

**Policy 8.7-4**      **Resource Assessment.** Require new development necessitating discretionary approval that could potentially impact historic, archaeological, and/or paleontological resources to conduct a resource survey to ensure that potential sites are identified for avoidance or special treatment.

### *Safety Element*

The Pico Rivera General Plan Safety Element addresses seismic and geologic hazards, flood hazards, hazardous materials, and emergency preparedness.<sup>14</sup> The Project is located in the Los Angeles Basin, which is traversed by numerous regional earthquake faults, many of which lay in the vicinity of the City. Earthquakes can cause serious structural damage to buildings, overlying aqueducts, transportation facilities, utilities, and can lead to loss of life.

Protecting Pico Rivera from the threat of geological hazards is achieved through the identification of hazards, mitigation of structures at risk, enforcement of building codes and development standards, and public education and emergency preparedness.

**Goal 9.1**      **Standards, improvements and actions that minimize risks posed by geologic and seismic hazards.**

**Policy 9.1-1**      **Safety Standards.** Maintain enforcement of up-to-date seismic safety and structural design standards, including the California Building Standards Code for new and retrofitted buildings.

**Policy 9.1-2**      **Geotechnical Studies.** Require that geotechnical studies be prepared for development in areas where geologic or seismic hazards may be present, such as liquefaction in the central portion of the City and in the Whittier Narrows dam area.

**Policy 9.1-3**      **Infrastructure.** Encourage property owners, Caltrans, the railroads, and local utility companies to regularly inspect and strengthen (as needed) infrastructure susceptible to failure during an earthquake.

### *City of Pico Rivera Multi-Jurisdictional Hazard Mitigation Plan Update, 2011*

The City, the Pico Water District (PWD), and the El Ranch Unified School District (ERUSD) prepared a multi-jurisdictional hazard mitigation plan (MHMP) in 2004. An update to this MHMP was approved by FEMA in 2011. The 2011 update recommended 20 actions for mitigating the risks that natural hazards present in

<sup>13</sup> City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Environmental Element Resources Element*. Retrieved at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-8.pdf> (accessed August 2023).

<sup>14</sup> City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Safety Element*. Retrieved at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-9.pdf> (accessed August 2023).



the City. The MHMP integrated hazard mitigation strategies into the day-to-day activities and programs of each participating jurisdiction. The following goals were established for the 2011 MHMP:<sup>15</sup>

- Support the priorities of the mandate of the employees, citizens, and the business community.
- Promote economic development consistent with seismic, floodplain and risk management guidance as developed by the planning jurisdictions and their agencies organization.
- Provide for an effective public awareness program for natural and technological hazards present in the City.
- Encourage scientific study and the development of data to support mitigation strategies for those hazards that are a threat to the planning jurisdictions.
- Promote the recognition of the real value of hazard mitigation to public facilities, public safety, and welfare of all citizens of the planning jurisdictions.
- Support the mitigation efforts of local governments, private citizens, non-profit organizations, and private businesses throughout.
- Formulate additional goals for high priority tasks.

#### 4.6.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the development of the site would have a significant environmental impact if one or more of the following occurs:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - 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;
  - Strong seismic ground shaking;
  - Seismic-related ground failure, including liquefaction;
  - Landslides;
- Result in substantial soil erosion or the loss of topsoil;
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property;
- Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater; or

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<sup>15</sup> City of Pico Rivera. 2011. *City of Pico Rivera Multi-Jurisdictional Hazard Mitigation Plan Update*, page 17.

- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

## WBODSP Impacts

The improvements envisioned in the proposed WBODSP are recommended conceptual designs intended to be used as guidance for the City in implementing future improvements. The proposed WBODSP does not include any site-specific designs or proposals, nor does it grant any entitlements for development. As a policy and regulatory document, the WBODSP would have no physical effect on the environment. Future development projects will be required to assess their individual impacts on or from Geological and Soils resources on a project-by-project basis.

### 4.6.5 Impacts and Mitigation Measures

**Impact 4.6-1** *Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

- 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.*

**Level of Significance: Less than Significant**

No portion of the Project site is in proximity of any known active earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map.<sup>16</sup> As is most of California, the Project site is within a seismically active region in southern California. The faults most likely to affect the City within the next 200 years would occur as a result of seismic activity along the San Andreas, the Sierra Madre, or the Raymond Hill Fault zones.<sup>17</sup> The nearest fault to the Project area is the Whittier Fault, located approximately 4.0-miles northeast. However, future development facilitated by the Project would be required to comply with seismic safety provisions and the latest CBC approved at the time individual development project-level applications are received by the City. Therefore, impacts associated with the surface rupture of a known fault would be less than significant, and no mitigation is required.

#### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.6-2** *Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

- Strong seismic ground shaking?*

**Level of Significance: Less than Significant**

The Project does not propose any development on the WBODSP. When future development project proposals within the Project site are presented to the City, City staff will use the WBODSP established by the Project as a policy and regulatory guide for subsequent project review and approval. As discussed in

<sup>16</sup> California Department of Conservation. 2022. Geologic Hazards. Retrieved at: <https://maps.conservation.ca.gov/geologicHazards/DataViewer/index.html> (accessed September 2023).

<sup>17</sup> Pico Rivera General Plan Update. 2014. Section 5, CEQA Mandated Sections. Geology and Soils, page 5-10.

Impact 4.6-1 above, southern California is considered a seismically active region and the surrounding area of the Project site contains known active earthquake faults. Developments considered for approval within the WBTODSP would be required to comply with seismic safety provisions of the latest CBC. The CBC design parameters ensure that proper building design is applied to reduce the risk of structure failure during a strong seismic ground shaking event. Construction of any future development on the Project site would be required to conform to the seismic design parameters of the latest CBC that is current at the time of construction, as adopted by the City. Therefore, the Project would not cause or exacerbate adverse effects related to seismic shaking and future development of structures within the Project site would be conducted in accordance with the CBC Seismic Design Parameters, which would reduce impacts from seismic ground shaking to a less than significant level.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.6-3**      *Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

*iii) Seismic-related ground failure, including liquefaction?*

***Level of Significance: Less than Significant***

Liquefaction describes a phenomenon in which saturated, cohesionless soils temporarily lose shear strength (liquefy) due to increased pore water pressures induced by strong, cyclic ground motions during an earthquake. The central portion of the City has a medium liquefaction potential.<sup>18</sup> To reduce impacts due to liquefaction, compliance with Pico Rivera General Plan Policy 9.1-2 would be required. Pico Rivera General Plan Policy 9.1-2 would require that future developments in the Project area where geologic or seismic hazards are present, specifically related to liquefaction potential, would be required to prepare a geotechnical study. Additionally, by following the latest CBC design parameters and all relevant building codes, potential impacts due to liquefaction would be reduced to less than significant, and no mitigation is necessary.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.6-4**      *Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

*iv) Landslides?*

***Level of Significance: Less than Significant***

Landslides and other forms of mass wasting, including mudflows, debris flows, soil slips, and rock falls occur as soil or rock moves downslope under the influence of gravity. Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. The susceptibility of a geologic unit to landslides is dependent upon various factors, primarily: 1) the presence and orientation

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<sup>18</sup> City of Pico Rivera. 2011. *Multi-Jurisdiction Hazard Mitigation Plan Update*, page 56.

of weak structures, such as fractures, faults, and joints; 2) the height and steepness of the pertinent natural or cut slope; 3) the presence and quantity of groundwater; and 4) the occurrence of strong seismic shaking. The topography of the City generally slopes to the southwest, with elevations ranging from approximately 200 feet amsl at the northern border of the City to 140 feet amsl at the southern portion of the City.<sup>19</sup> Topographic relief is minor, with slopes at approximately 0.5 percent or less. Due to the relatively flat topography, the City has a low risk for landslide.<sup>20</sup> Therefore, impacts associated with landslides on future development projects sites would be less than significant, and no mitigation would be required.

### **Mitigation Measures**

No mitigation is necessary.

#### ***Impact 4.6-5      Would the Project result in substantial soil erosion or the loss of topsoil?***

##### ***Level of Significance: Less than Significant***

Erosion and the loss of topsoil to wind, rain, and other forces is a natural process, but when intensified by human activity, it can have negative environmental, societal, and economic impacts. The City is known to have several soil types which most have been determined to have a low potential for shrink-swell or erosion hazards.<sup>21</sup> Nonetheless, future construction activities associated with future development projects proposed in the Project site, would be required to comply with erosion and siltation control measures. The erosion and siltation control measures would include an erosion control plan with measures such as sandbagging, placement of silt fencing, erosion control blankets, straw wattles, mulching, etc., to reduce runoff and to hold topsoil in place during all grading activities. Future construction contractors would also be required to create a dust control plan in compliance with South Coast Air Quality Management District (SCAQMD) Rule 403 to further reduce wind erosion. In addition, future construction on the Project site would be required to comply with NPDES permitting requirements; refer to **Section 4.9: Hydrology and Water Quality** for discussion of the anticipated NPDES permitting process. Additionally, future development on the Project site would be required to implement project-specific Stormwater Pollution Prevention Plans (SWPPP), Water Quality Management Plans (WQMP), and maintenance of the on-site storm drains and gutters, if applicable. This would ensure that future development projects on the Project site would not result in the loss of topsoil or sedimentation into local drainage facilities. Therefore, a less than significant impact would occur.

### **Mitigation Measures**

No mitigation is necessary.

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<sup>19</sup> ESA. 2014. *Pico Rivera General Plan Update Draft Environmental Impact Report – Section 5.0 CEQA Mandated Sections*, page. 5-10.

<sup>20</sup> Ibid.

<sup>21</sup> Pico Rivera General Plan Update. 2014. *Chapter 9 – Safety Element, Seismic and Geologic Hazards*, page 9-1.

**Impact 4.6-6** *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?*

**Level of Significance: Less than Significant**

The Project site is located in an area with a medium liquefaction potential.<sup>22</sup> Future development projects would be subject to complying with the Pico Rivera General Plan Policy 9.1-2. Additionally, with compliance with the latest CBC design parameters and all relevant building codes, the potential for landslides, lateral spreading, subsidence, or collapse would be mitigated with the implementation of the latest CBC parameters.<sup>23</sup> A less than significant impact would occur.

**Mitigation Measures**

No mitigation is necessary.

**Impact 4.6-7** *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?*

**Level of Significance: Less than Significant**

Soils that expand and contract in volume (“shrink-swell” pattern) are considered to be expansive and may cause damage to aboveground infrastructure as a result of density changes that shift overlying materials. Expansive soils can lead to structural damage as their composition and volume changes dramatically. Fine-grain clay sediments are most likely to exhibit shrink-swell patterns in response to changing moisture levels. Per the California Soil Conservation Service, most of the City is characterized by soils of low shrink-swell potential.<sup>24</sup> Nonetheless, future development projects would be subject to comply with Policy 9.1-2, requiring that projects prepare a site-specific Geotechnical Study to ensure that expansive soils will not adversely impact the design, construction, or operation of each project. Therefore, the Project would not be impacted by significant soil expansion and a less than significant impact would occur.

**Mitigation Measures**

No mitigation is necessary.

**Impact 4.6-8** *Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

**Level of Significance: No Impact**

The Project does not propose any site-specific developments and the City of Pico Rivera uses the Los Angeles County Sanitation District (LACSD) for sewer services to the City. Future development projects would not require septic tanks or other alternative wastewater disposal systems. The Project site and any future development projects would continue to be serviced by the LACSD for wastewater services. As

<sup>22</sup> City of Pico Rivera. 2011. *Multi-Jurisdiction Hazard Mitigation Plan Update*, page 56.

<sup>23</sup> Pico Rivera General Plan Update. 2014. *Draft Environmental Impact Report – Section 5.0 CEQA Mandated Sections*, page 5-10.

<sup>24</sup> ESA. 2014. *Pico Rivera General Plan Update Draft Environmental Impact Report – Section 5.0 CEQA Mandated Sections*, page 5-11.

such, no impacts would occur from soils on septic tanks or alternative wastewater disposal systems. Water and wastewater systems and their development are further discussed in **Section 4.16: Utilities and Service Systems** of this EIR. No impact would occur.

### **Mitigation Measures**

No mitigation is necessary.

#### ***Impact 4.6-9      Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

***Level of Significance: Less than Significant with Mitigation Incorporated***

Although the City of Pico Rivera is almost completely developed, prior to the commencement of future development projects on the Project site, a paleontological resource assessment would be required to be prepared to review the susceptibility of subsurface geologic units to containing paleontological resources as well as to review records for fossil localities near the Project site. While no significant paleontological resources are expected to occur, future project applicants would utilize the services of a paleontologist to prepare a Paleontological Resources Mitigation and Monitoring Plan (PRMMP), to monitor ground disturbance activities exceeding depths of five feet and any inadvertent discoveries, if required. Overall, development within the Project site is anticipated to cause a less than significant impact with implementation of **Mitigation Measure (MM) GEO-1** as well as **MM TCR-1** and **MM TCR-2** (refer to **Section 4.15, Tribal Cultural Resources**).

### **Mitigation Measures**

**MM GEO-1:**      A paleontological resource assessment should be prepared to review the susceptibility of subsurface geologic units to containing paleontological resources as well as to review records for fossil localities near the Project site.

**MM TCR-1:**      Refer to **Section 4.15: Tribal Cultural Resources**.

**MM TCR-2:**      Refer to **Section 4.15: Tribal Cultural Resources**.

## **4.6.6      Cumulative Impacts**

As discussed in **Section 4.6.5: Impacts and Mitigation Measures**, Project impacts concerning geology and soils are anticipated to be less than significant with incorporation of **MM GEO-1**, **MM TCR-1**, and **MM TCR-2**, and compliance with all applicable federal, state, and local statutes and regulations, including the most recent CBC, Pico Rivera Municipal Code, and applicable WBTODSP design guidelines and development standards.

This EIR has incorporated, by reference, the Pico Rivera GP EIR, which addresses cumulative effects resulting from build out of the Pico Rivera GP. Additionally, the SCAG 2020-2045 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera GP. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera GP EIR (refer to refer to Section 3.0,



Table 3.0-6: Allowed Maxim Density and Project Density Comparison which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera GP EIR.

Furthermore, the Project site is fully developed and is absent of natural open space. The Project site has been previously graded and developed consistent with the current Pico Rivera GP and zoning designations. The Project is being evaluated at a programmatic level and there are no specific development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the Pico Rivera Municipal Code as well as the design guidelines and development standards within the WBTODSP area. These regulations, in combination with applicable mitigation measures, would further reduce Project and cumulative impacts. Therefore, the Project's contribution to cumulative impacts is not considered to be "cumulatively considerable."

#### 4.6.7 Significant Unavoidable Impacts

No significant unavoidable impacts have been identified.

#### 4.6.8 References

California Department of Conservation. 2022. Geologic Hazards. Retrieved at:

<https://maps.conservation.ca.gov/geologichazards/DataViewer/index.html>, accessed September 2023.

City of Pico Rivera. 2011. *City of Pico Rivera Multi-Jurisdictional Hazard Mitigation Plan Update*.

City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Environmental Element Resources Element*. Retrieved at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-8.pdf>, accessed August 2023.

City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Safety Element*. Retrieved at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-9.pdf>, accessed August 2023.

ESA. 2014. *Pico Rivera General Plan Update Draft EIR – 3.7 Hydrology and Water Quality*.

ESA. 2014. *Pico Rivera General Plan Update Draft Environmental Impact Report – Section 5.0 CEQA Mandated Sections*.

## **4.7 GREENHOUSE GAS EMISSIONS**

### **4.7.1 Introduction**

This section addresses greenhouse gas (GHG) emissions generated by the construction and operation of the Project inclusive of mandatory and voluntary energy and resource conservation measures that have been incorporated into the proposed Project to reduce GHG emissions and associated impacts. The analysis also addresses the consistency of the Project with applicable regulations, plans, and policies set forth by the State of California and the City of Pico Rivera (City) to reduce GHGs. The Project's potential contributions to global climate change impacts are identified.

### **4.7.2 Environmental Setting**

Certain gases in the earth's atmosphere classified as GHGs, play a critical role in determining the earth's surface temperature. Solar radiation enters the earth's atmosphere from space. A portion of the radiation is absorbed by the earth's surface and a smaller portion of this radiation is reflected back toward space. This absorbed radiation is then emitted from the earth as low-frequency infrared radiation. The frequencies at which bodies emit radiation are proportional to temperature. Because the earth has a much lower temperature than the sun, it emits lower-frequency radiation. Most solar radiation passes through GHGs; however, infrared radiation is absorbed by these gases. As a result, radiation that otherwise would have escaped back into space is instead "trapped," resulting in a warming of the atmosphere. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on earth.

The primary GHGs contributing to the greenhouse effect are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O). Fluorinated gases also make up a small fraction of the GHGs that contribute to climate change. Examples of fluorinated gases include chlorofluorocarbons (CFCs), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF<sub>6</sub>), and nitrogen trifluoride (NF<sub>3</sub>); however, it is noted that these gases are not associated with typical land use development. Human-caused emissions of GHGs exceeding natural ambient concentrations are believed to be responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the Earth's climate, known as global climate change or global warming.

GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants (TACs), which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one to several thousand years). GHGs persist in the atmosphere for long enough time periods to be dispersed around the globe. Although the exact lifetime of a GHG molecule is dependent on multiple variables and cannot be pinpointed, more CO<sub>2</sub> is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, or other forms of carbon sequestration. Of the total annual human-caused CO<sub>2</sub> emissions, approximately 55 percent is sequestered through ocean and land uptakes every year, averaged over the last 50 years, whereas the remaining 45 percent of human-caused CO<sub>2</sub> emissions remains stored in the

atmosphere.<sup>1</sup> **Table 4.7-1: Description of Greenhouse Gases** describes the primary GHGs attributed to global climate change, including their physical properties.

**Table 4.7-1: Description of Greenhouse Gases**

Greenhouse Gas	Description
Carbon Dioxide (CO <sub>2</sub> )	CO <sub>2</sub> is a colorless, odorless gas that is emitted naturally and through human activities. Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood. The largest source of CO <sub>2</sub> emissions globally is the combustion of fossil fuels such as coal, oil, and gas in power plants, automobiles, and industrial facilities. The atmospheric lifetime of CO <sub>2</sub> is variable because it is readily exchanged in the atmosphere. CO <sub>2</sub> is the most widely emitted GHG and is the reference gas (Global Warming Potential of 1) for determining Global Warming Potentials for other GHGs.
Nitrous Oxide (N <sub>2</sub> O)	N <sub>2</sub> O is largely attributable to agricultural practices and soil management. Primary human-related sources of N <sub>2</sub> O include agricultural soil management, sewage treatment, combustion of fossil fuels, and adipic and nitric acid production. N <sub>2</sub> O is produced from biological sources in soil and water, particularly microbial action in wet tropical forests. The atmospheric lifetime of N <sub>2</sub> O is approximately 120 years. The Global Warming Potential of N <sub>2</sub> O is 298.
Methane (CH <sub>4</sub> )	CH <sub>4</sub> , a highly potent GHG, primarily results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. Methane is the major component of natural gas, about 87 percent by volume. Human-related sources include fossil fuel production, animal husbandry, rice cultivation, biomass burning, and waste management. Natural sources of CH <sub>4</sub> include wetlands, gas hydrates, termites, oceans, freshwater bodies, non-wetland soils, and wildfires. The atmospheric lifetime of CH <sub>4</sub> is about 12 years and the Global Warming Potential is 25.
Hydrofluorocarbons (HFCs)	HFCs are typically used as refrigerants for both stationary refrigeration and mobile air conditioning. The use of HFCs for cooling and foam blowing is increasing, as the continued phase out of CFCs and HCFCs gains momentum. The 100-year Global Warming Potential of HFCs range from 124 for HFC-152 to 14,800 for HFC-23.
Perfluorocarbons (PFCs)	PFCs have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Two main sources of PFCs are primary aluminum production and semiconductor manufacturing. Global Warming Potentials range from 6,500 to 9,200.
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. The Montreal Protocol on Substances that Deplete the Ozone Layer prohibited their production in 1987. Global Warming Potentials for CFCs range from 3,800 to 14,400.
Sulfur Hexafluoride (SF <sub>6</sub> )	SF <sub>6</sub> is an inorganic, odorless, colorless, and nontoxic, nonflammable gas. It has a lifetime of 3,200 years. This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas. The Global Warming Potential of SF <sub>6</sub> is 23,900.
Hydrochlorofluorocarbons (HCFCs)	HCFCs are solvents, similar in use and chemical composition to CFCs. The main uses of HCFCs are for refrigerant products and air conditioning systems. As part of the Montreal Protocol, HCFCs are subject to a consumption cap and gradual phase out. The United States is scheduled to achieve a 100 percent reduction to the cap by 2030. The 100-year Global Warming Potentials of HCFCs range from 90 for HCFC-123 to 1,800 for HCFC-142b.

<sup>1</sup> Intergovernmental Panel on Climate Change, *Carbon and Other Biogeochemical Cycles*. In: *Climate Change 2013: The Physical Science Basis, Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*, 2013, <https://www.ipcc.ch/report/ar5/wg1/>.

Greenhouse Gas	Description
Nitrogen Trifluoride (NF <sub>3</sub> )	NF <sub>3</sub> was added to Health and Safety Code section 38505(g)(7) as a GHG of concern. This gas is used in electronics manufacture for semiconductors and liquid crystal displays. It has a high global warming potential of 17,200.
Source: Compiled from U.S. EPA, <i>Overview of Greenhouse Gases</i> , April 11, 2018 ( <a href="https://www.epa.gov/ghgemissions/overview-greenhouse-gases">https://www.epa.gov/ghgemissions/overview-greenhouse-gases</a> ); U.S. EPA, <i>Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2016</i> , 2018; Intergovernmental Panel on Climate Change, <i>Climate Change 2007: The Physical Science Basis</i> , 2007; National Research Council, <i>Advancing the Science of Climate Change</i> , 2010; U.S. EPA, <i>Methane and Nitrous Oxide Emission from Natural Sources</i> , April 2010.	

### 4.7.3 Regulatory Setting

#### FEDERAL

To date, no national standards have been established for nationwide GHG reduction targets, nor have any regulations or legislation been enacted specifically to address climate change and GHG emissions reduction at the project level. Various efforts have been promulgated at the federal level to improve fuel economy and energy efficiency to address climate change and its associated effects.

**The Energy Independence and Security Act of 2007** (December 2007), among other key measures, requires the following, which would aid in the reduction of national GHG emissions:

- Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel in 2022.
- Set a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020 and direct the National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.
- Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.

**U.S. Environmental Protection Agency Endangerment Finding.** The U.S. Environmental Protection Agency (U.S. EPA) authority to regulate GHG emissions stems from the U.S. Supreme Court decision in *Massachusetts v. EPA* (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Federal Clean Air Act (FCAA) and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, the U.S. EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs (carbon dioxide [CO<sub>2</sub>], methane [CH<sub>4</sub>], nitrous oxide [N<sub>2</sub>O], hydrofluorocarbons [HFCs], perfluorocarbons [PFCs], and sulfur hexafluoride [SF<sub>6</sub>]) constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing FCAA and the U.S. EPA's assessment of the scientific evidence that form the basis for the U.S. EPA's regulatory actions.

**Federal Vehicle Standards.** The main federal regulatory program for automobiles is the Corporate Average Fuel Economy (CAFE) program, which has been in place since 1975. Under previous administrations, CAFE was the primary means of limiting mobile source carbon emissions. Rules finalized in 2012 put in place binding standards through Model Year 2021 and offered estimated standards

through 2024. The federal light-duty vehicle standards were developed in two phases that harmonized with State standards through 2016 (Phase 1) and 2025 (Phase 2) and developed the first ever federal GHG standards for medium-duty and heavy-duty vehicles. At the time, the U.S. EPA estimated the new standards in this rule would reduce CO<sub>2</sub> emissions by approximately 270 million metric tons (MMT) and save 530 million barrels of oil over the life of vehicles sold during the 2014 through 2018 model years.

However, in 2018, the U.S. EPA proposed a new, less-stringent set of standards called the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021–2026 Passenger Cars and Light Trucks. The SAFE Vehicles Rule would amend certain existing CAFE and tailpipe CO<sub>2</sub> emissions standards for passenger cars and light trucks and establish new standards, all covering model years 2021 through 2026. In December 2021, the U.S. EPA issued new GHG emissions standards for new passenger cars and light trucks for model years 2023 through 2026. The updated standards will result in avoiding more than three billion tons of GHG emissions through 2050.<sup>2</sup>

## State

### *California Air Resources Board*

The California Air Resources Board (CARB) is responsible for the coordination and oversight of State and local air pollution control programs in California. Various statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness about climate change and its potential for severe long-term adverse environmental, social, and economic effects. California is a significant emitter of CO<sub>2</sub> equivalents (CO<sub>2</sub>e) in the world and produced 381 million gross metric tons of CO<sub>2</sub>e in 2021.<sup>3</sup> In the State, the transportation sector is the largest emitter of GHGs, followed by industrial operations such as manufacturing and oil and gas extraction.

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation, such as the landmark Assembly Bill (AB) 32, California Global Warming Solutions Act of 2006, was specifically enacted to address GHG emissions. Other legislation, such as Title 24 building efficiency standards and Title 20 appliance energy standards, were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes the major provisions of the legislation.

### *Assembly Bill 32 (California Global Warming Solutions Act of 2006)*

AB 32 instructs the CARB to develop and enforce regulations for the reporting and verification of statewide GHG emissions. AB 32 also directed CARB to set a GHG emissions limit based on 1990 levels, to be achieved by 2020. It set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner.

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<sup>2</sup> U.S. Environmental Protection Agency. (2021) *Final Rule to Revise Existing National GHG Emissions Standards for Passenger Cars and Light Trucks Through Model Year 2026*. Available at: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-revise-existing-national-ghg-emissions>. Accessed January 2024.

<sup>3</sup> California Air Resources Board, *Current California GHG Emissions Inventory Data, 2000-2021 GHG inventory (2023 Edition)*, <https://ww2.arb.ca.gov/ghg-inventory-data>, accessed January 2024.

### *CARB Scoping Plan*

CARB adopted the Scoping Plan to achieve the goals of AB 32. The Scoping Plan establishes an overall framework for the measures that would be adopted to reduce California's GHG emissions. CARB determined that achieving the 1990 emissions level would require a reduction of GHG emissions of approximately 29 percent below what would otherwise occur in 2020 in the absence of new laws and regulations (referred to as "business-as-usual").<sup>4</sup> The Scoping Plan evaluates opportunities for sector-specific reductions, integrates early actions and additional GHG reduction measures by both CARB and the State's Climate Action Team, identifies additional measures to be pursued as regulations, and outlines the adopted role of a cap-and-trade program.<sup>5</sup> Additional development of these measures and adoption of the appropriate regulations occurred through the end of 2013. Key elements of the Scoping Plan include:

- Expanding and strengthening existing energy efficiency programs, as well as building and appliance standards.
- Achieving a statewide renewables energy mix of 33 percent by 2020.
- Developing a California cap-and-trade program that links with other programs to create a regional market system and caps sources contributing 85 percent of California's GHG emissions (adopted in 2011).
- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets (several sustainable community strategies have been adopted).
- Adopting and implementing measures pursuant to existing State laws and policies, including California's clean car standards, heavy-duty truck measures, the Low Carbon Fuel Standard (amendments to the Pavley Standard adopted 2009; Advanced Clean Car standard adopted 2012), goods movement measures, and the Low Carbon Fuel Standard (adopted 2009).
- Creating targeted fees, including a public goods charge on water use, fees on gasses with high global warming potential, and a fee to fund the administrative costs of the State of California's long-term commitment to AB 32 implementation.
- The California Sustainable Freight Action Plan was developed in 2016 and provides a vision for California's transition to a more efficient, more economically competitive, and less polluting freight transport system. This transition of California's freight transport system is essential to supporting the State's economic development in coming decades while reducing pollution.
- CARB's Mobile Source Strategy demonstrates how the State can simultaneously meet air quality standards, achieve GHG emission reduction targets, decrease health risk from transportation emissions, and reduce petroleum consumption over the next fifteen years. The mobile Source Strategy includes increasing zero-emission vehicle (ZEV) buses and trucks.

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<sup>4</sup> CARB defines business-as-usual (BAU) in its Scoping Plan as emissions levels that would occur if California continued to grow and add new GHG emissions but did not adopt any measures to reduce emissions. Projections for each emission-generating sector were compiled and used to estimate emissions for 2020 based on 2002–2004 emissions intensities. Under CARB's definition of BAU, new growth is assumed to have the same carbon intensities as was typical from 2002 through 2004.

<sup>5</sup> The Climate Action Team, led by the secretary of the California Environmental Protection Agency, is a group of State agency secretaries and heads of agencies, boards, and departments. Team members work to coordinate statewide efforts to implement global warming emissions reduction programs and the State's Climate Adaptation Strategy.



In 2012, CARB released revised estimates of the expected 2020 emissions reductions. The revised analysis relied on emissions projections updated in light of current economic forecasts that accounted for the economic downturn since 2008, reduction measures already approved and put in place relating to future fuel and energy demand, and other factors. This update reduced the projected 2020 emissions from 596 million metric tons of CO<sub>2</sub>e (MMTCO<sub>2</sub>e) to 545 MMTCO<sub>2</sub>e. The reduction in forecasted 2020 emissions means that the revised business-as-usual reduction necessary to achieve AB 32's goal of reaching 1990 levels by 2020 is now 21.7 percent, down from 29 percent. CARB also provided a lower 2020 inventory forecast that incorporated State-led GHG emissions reduction measures already in place. When this lower forecast is considered, the necessary reduction from business-as-usual needed to achieve the goals of AB 32 is approximately 16 percent.

CARB adopted the first major update to the Scoping Plan on May 22, 2014. The updated Scoping Plan summarizes the most recent science related to climate change, including anticipated impacts to California and the levels of GHG emissions reductions necessary to likely avoid risking irreparable damage. It identifies the actions California has already taken to reduce GHG emissions and focuses on areas where further reductions could be achieved to help meet the 2020 target established by AB 32.

In 2016, the Legislature passed Senate Bill (SB) 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation, AB 197, which provides additional direction for developing the Scoping Plan. On December 14, 2017 CARB adopted a second update to the Scoping Plan.<sup>6</sup> The 2017 Scoping Plan details how the State will reduce GHG emissions to meet the 2030 target set by Executive Order B-30-15 and codified by SB 32. Other objectives listed in the 2017 Scoping plan are to provide direct GHG emissions reductions; support climate investment in disadvantaged communities; and support other Federal actions.

Adopted December 15, 2022, CARB's 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) sets a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels by 2045 in accordance with AB 1279. To achieve the targets of AB 1279, the 2022 Scoping Plan relies on existing and emerging fossil fuel alternatives and clean technologies, as well as carbon capture and storage. Specifically, the 2022 Scoping Plan focuses on zero-emission transportation; phasing out use of fossil gas use for heating homes and buildings; reducing chemical and refrigerants with high global warming potential (GWP); providing communities with sustainable options for walking, biking, and public transit; displacement of fossil-fuel fired electrical generation through use of renewable energy alternatives (e.g., solar arrays and wind turbines); and scaling up new options such as green hydrogen. The 2022 Scoping Plan sets one of the most aggressive approaches to reach carbon neutrality in the world. Unlike the 2017 Scoping Plan, CARB no longer includes a numeric per capita threshold and instead advocates for compliance with a local GHG reduction strategy (i.e., Climate Action Plan) consistent with CEQA Guidelines Section 15183.5.

The key elements of the 2022 CARB Scoping Plan focus on transportation. Specifically, the 2022 Scoping Plan aims to rapidly move towards zero-emission transportation (i.e., electrifying cars, buses, trains, and trucks), which constitutes California's single largest source of GHGs. The regulations that impact the

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<sup>6</sup> California Air Resources Board, *California's 2017 Climate Change Scoping Plan*, [https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/scoping\\_plan\\_2017.pdf](https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/scoping_plan_2017.pdf). (accessed January 2024).

transportation sector are adopted and enforced by CARB on vehicle manufacturers and are outside the jurisdiction and control of local governments. The 2022 Scoping Plan accelerates development of new regulations as well as amendments to strengthen regulations and programs already in place.

Included in the 2022 Scoping Plan is a set of Local Actions (2022 Scoping Plan Appendix D) aimed at providing local jurisdictions with tools to reduce GHGs and assist the state in meeting the ambitious targets set forth in the 2022 Scoping Plan. Appendix D to the 2022 Scoping Plan includes a section on evaluating plan-level and project-level alignment with the State's Climate Goals in CEQA GHG analyses. In this section, CARB identifies several recommendations and strategies that should be considered for new development in order to determine consistency with the 2022 Scoping Plan. Notably, this section is focused on Residential and Mixed-Use Projects.<sup>7</sup> CARB specifically states that Appendix D does not address other land uses (e.g., industrial).<sup>8</sup> However, CARB plans to explore new approaches for other land use types in the future.<sup>9</sup>

### ***Senate Bill 32 (California Global Warming Solutions Act of 2006: Emissions Limit)***

Signed into law in September 2016, SB 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). The bill authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030. CARB also must adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions.

### ***SB 375 (The Sustainable Communities and Climate Protection Act of 2008)***

Signed into law on September 30, 2008, SB 375 provides a process to coordinate land use planning, regional transportation plans, and funding priorities to help California meet the GHG reduction goals established by AB 32. SB 375 requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies.

### ***AB 1493 (Pavley Regulations and Fuel Efficiency Standards)***

AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light-duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the EPA's denial of an implementation waiver. The EPA subsequently granted the requested waiver in 2009, which was upheld by the U.S. District Court for the District of Columbia in 2011. The regulations establish one set of emission standards for model years 2009–2016 and a second set of emissions standards for model years 2017 to 2025. By 2025, when all rules will be fully implemented, new automobiles will emit 34 percent fewer CO<sub>2</sub>e emissions and 75 percent fewer smog-forming emissions.

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<sup>7</sup> California Air Resources Board, *2022 Scoping Plan for Achieving Carbon Neutrality, Appendix D: Local Actions*, Page 21, November 2022.

<sup>8</sup> California Air Resources Board, *2022 Scoping Plan for Achieving Carbon Neutrality, Appendix D: Local Actions*, Page 4, November 2022.

<sup>9</sup> California Air Resources Board, *2022 Scoping Plan for Achieving Carbon Neutrality, Appendix D: Local Actions*, Page 21, November 2022.

### ***SB 1368 (Emission Performance Standards)***

SB 1368 is the companion bill of AB 32, which directs the California Public Utilities Commission (CPUC) to adopt a performance standard for GHG emissions for the future power purchases of California utilities. SB 1368 limits carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than 5 years from resources that exceed the emissions of a relatively clean, combined cycle natural gas power plant. The new law 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. The CPUC adopted the regulations required by SB 1368 on August 29, 2007. The regulations implementing SB 1368 establish a standard for baseload generation owned by, or under long-term contract to publicly owned utilities, for 1,100 pounds of CO<sub>2</sub> per megawatt-hour.

### ***SB 1078 and SBX1-2 (Renewable Electricity Standards)***

SB 1078 requires California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 changed the due date to 2010 instead of 2017. On November 17, 2008, Governor Arnold Schwarzenegger signed Executive Order S-14-08, which established a Renewable Portfolio Standard (RPS) target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. Executive Order S-21-09 also directed CARB to adopt a regulation by July 31, 2010, requiring the State's load-serving entities to meet a 33 percent renewable energy target by 2020. CARB approved the Renewable Electricity Standard on September 23, 2010 by Resolution 10-23. SBX1-2, which codified the 33 percent by 2020 goal.

### ***SB 350 (Clean Energy and Pollution Reduction Act of 2015)***

Signed into law on October 7, 2015, SB 350 implements the goals of Executive Order B-30-15. The objectives of SB 350 are to increase the procurement of electricity from renewable sources from 33 percent to 50 percent (with interim targets of 40 percent by 2024, and 25 percent by 2027) and to double the energy efficiency savings in electricity and natural gas end uses of retail customers through energy efficiency and conservation. SB 350 also reorganizes the Independent System Operator to develop more regional electricity transmission markets and improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

### ***AB 398 (Market-Based Compliance Mechanisms)***

Signed on July 25, 2017, AB 398 extended the duration of the Cap-and-Trade program from 2020 to 2030. AB 398 required CARB to update the Scoping Plan and for all GHG rules and regulations adopted by the State. It also designated CARB as the statewide regulatory body responsible for ensuring that California meets its statewide carbon pollution reduction targets, while retaining local air districts' responsibility and authority to curb toxic air contaminants and criteria pollutants from local sources that severely impact public health. AB 398 also decreased free carbon allowances over 40 percent by 2030 and prioritized Cap-and-Trade spending to various programs including reducing diesel emissions in impacted communities.

### ***SB 150 (Regional Transportation Plans)***

Signed on October 10, 2017, SB 150 aligns local and regional GHG reduction targets with State targets (i.e., 40 percent below their 1990 levels by 2030). SB 150 creates a process to include communities in discussions on how to monitor their regions' progress on meeting these goals. The bill also requires the CARB to regularly report on that progress, as well as on the successes and the challenges regions experience associated with achieving their targets. SB 150 provides for accounting of climate change efforts and GHG reductions and identify effective reduction strategies.

### ***SB 100 (California Renewables Portfolio Standard Program: Emissions of Greenhouse Gases)***

Signed into Law in September 2018, SB 100 increased California's renewable electricity portfolio from 50 to 60 percent by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

### ***Executive Orders Related to GHG Emissions***

California's Executive Branch has taken several actions to reduce GHGs using executive orders. Although not regulatory, they set the tone for the State and guide the actions of state agencies.

#### ***Executive Order S-3-05***

Executive Order S-3-05 was issued on June 1, 2005, which established the following GHG emissions reduction targets:

- By 2010, reduce GHG emissions to 2000 levels.
- By 2020, reduce GHG emissions to 1990 levels.
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

#### ***Executive Order S-01-07***

Issued on January 18, 2007, Executive Order S 01-07 mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. The executive order established a Low Carbon Fuel Standard (LCFS) and directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission (CEC), CARB, the University of California, and other agencies to develop and propose protocols for measuring the "life-cycle carbon intensity" of transportation fuels. CARB adopted the LCFS on April 23, 2009.

#### ***Executive Order S-13-08***

Issued on November 14, 2008, Executive Order S-13-08 facilitated the California Natural Resources Agency development of the 2009 California Climate Adaptation Strategy. Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

### *Executive Order S-14-08*

Issued on November 17, 2008, Executive Order S-14-08 expands the State's Renewable Energy Standard to 33 percent renewable power by 2020. Additionally, Executive Order S-21-09 (signed on September 15, 2009) directs CARB to adopt regulations requiring 33 percent of electricity sold in the State come from renewable energy by 2020. CARB adopted the Renewable Electricity Standard on September 23, 2010, which requires 33 percent renewable energy by 2020 for most publicly-owned electricity retailers.

### *Executive Order S-21-09*

Issued on July 17, 2009, Executive Order S-21-09 directs CARB to adopt regulations to increase California's RPS to 33 percent by 2020. This builds upon SB 1078 (2002), which established the California RPS program, requiring 20 percent renewable energy by 2017, and SB 107 (2006), which advanced the 20 percent deadline to 2010, a goal which was expanded to 33 percent by 2020 in the 2005 Energy Action Plan II.

### *Executive Order B-30-15*

Issued on April 29, 2015, Executive Order B-30-15 established a California GHG reduction target of 40 percent below 1990 levels by 2030 and directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of CO<sub>2</sub>e (MMTCO<sub>2</sub>e). The 2030 target acts as an interim goal on the way to achieving reductions of 80 percent below 1990 levels by 2050, a goal set by Executive Order S-3-05. The executive order also requires the State's climate adaptation plan to be updated every three years and for the State to continue its climate change research program, among other provisions. With the enactment of SB 32 in 2016, the Legislature codified the goal of reducing GHG emissions by 2030 to 40 percent below 1990 levels.

### *Executive Order B-55-18*

Issued on September 10, 2018, Executive Order B-55-18 establishes a goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter. This goal is in addition to the existing statewide targets of reducing GHG emissions. The executive order requires CARB to work with relevant state agencies to develop a framework for implementing this goal. It also requires CARB to update the Scoping Plan to identify and recommend measures to achieve carbon neutrality. The executive order also requires state agencies to develop sequestration targets in the Natural and Working Lands Climate Change Implementation Plan.

## ***California Regulations and Building Codes***

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat even with rapid population growth.

**Title 20 Appliance Efficiency Regulations.** The appliance efficiency regulations (California Code of Regulations [CCR] Title 20, Sections 1601-1608) include standards for new appliances. Twenty-three categories of appliances are included in the scope of these regulations. These standards include

minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

**Title 24 Building Energy Efficiency Standards.** California's Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR Title 24, Part 6), was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy-efficient technologies and methods. Energy-efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The CEC adopted the 2022 Energy Code on August 11, 2021, which was subsequently approved by the California Building Standards Commission for inclusion into the California Building Standards Code. The 2022 Title 24 standards will result in less energy use, thereby reducing air pollutant emissions associated with energy consumption across California. For example, the 2022 Title 24 standards require efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, and strengthens ventilation standards.

**Title 24 California Green Building Standards Code.** The California Green Building Standards Code (CCR Title 24, Part 11 code) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code went into effect January 1, 2023 (2022 CALGreen). The 2022 CALGreen standards has improved upon the 2019 standards for new construction of, and additions and alterations to, residential and nonresidential buildings.

## Regional

### *South Coast Air Quality Management District Thresholds*

The South Coast Air Quality Management District (SCAQMD) formed a GHG California Environmental Quality Act (CEQA) Significance Threshold Working Group to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents. As of the last Working Group meeting (Meeting 15) held in September 2010, the SCAQMD is proposing to adopt a tiered approach for evaluating GHG emissions for development projects where SCAQMD is not the lead agency.

With the tiered approach, the Project is compared with the requirements of each tier sequentially and would not result in a significant impact if it complies with any tier. Tier 1 excludes projects that are specifically exempt from SB 97 from resulting in a significant impact. Tier 2 excludes projects that are consistent with a GHG reduction plan that has a certified final CEQA document and complies with AB 32 GHG reduction goals. Tier 3 excludes projects with annual emissions lower than a screening threshold. For all industrial projects, the SCAQMD is proposing a screening threshold of 10,000 million tons of CO<sub>2</sub>e



(MTCO<sub>2</sub>e) per year. SCAQMD concluded that projects with emissions less than the screening threshold would not result in a significant cumulative impact.

Tier 4 consists of three decision tree options. Under the Tier 4 first option, SCAQMD initially outlined that a project would be excluded if design features and/or mitigation measures resulted in emissions 30 percent lower than business as usual emissions. However, the Working Group did not provide a recommendation for this approach. The Working Group folded the Tier 4 second option into the third option. Under the Tier 4 third option, a project would be excluded if it was below an efficiency-based threshold of 4.8 MTCO<sub>2</sub>e per service population per year. Tier 5 would exclude projects that implement off-site mitigation (GHG reduction projects) or purchase offsets to reduce GHG emission impacts to less than the proposed screening level.

GHG efficiency metrics are utilized as thresholds to assess the GHG efficiency of a project on a per capita basis or on a service population basis (the sum of the number of jobs and the number of residents provided by a project) such that a project would allow for consistency with the goals of AB 32 (i.e., 1990 GHG emissions levels by 2020 and 2035). GHG efficiency thresholds can be determined by dividing the GHG emissions inventory goal of the State, by the estimated 2035 population and employment. This method allows highly efficient projects with higher mass emissions to meet the overall reduction goals of AB 32, and is appropriate, because the threshold can be applied evenly to all project types (residential or commercial/retail only and mixed use).

## Local

### *City of Pico Rivera General Plan 2014*

The City of Pico Rivera's General Plan outlines the concerns of the community and the means of addressing those concerns. Chapter 8, Environmental Resources Element of the City's General Plan focuses on clean air and water, responsible use of energy and other renewable resources, reduction in the generation of GHG emissions, and protection of unique biological and cultural resources. General Plan policies that related to greenhouse gas impacts include the following:<sup>10</sup>

#### *Environmental Resources Element*

**Goal 8.2**      **Continued improvement in local and regional air quality with reduced greenhouse gas emissions to maintain the community's health.**

**Policy 8.2-3**      **Construction Emissions.** Require new development projects to incorporate feasible measures that reduce emissions from construction, grading, excavation, and demolition activities to avoid, minimize, and/or offset their impacts consistent with South Coast Air Quality Management District Requirements.

### **4.7.4      Impact Thresholds and Significance Criteria**

Addressing GHG emissions generation impacts requires an agency to determine what constitutes a significant impact. The amendments to the CEQA Guidelines specifically allow lead agencies to

<sup>10</sup> City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Environmental Resources Element*. Retrieved at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-8.pdf>. (Accessed August 2022).

determine thresholds of significance that illustrate the extent of an impact and are a basis from which to apply mitigation measures. This means that each agency is left to determine whether a project's GHG emissions will have a "significant" impact on the environment. The guidelines direct that agencies are to use "careful judgment" and "make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" the project's GHG emissions.<sup>11</sup>

Based upon the criteria derived from Appendix G of the CEQA Guidelines, a project normally would have a significant effect on the environment if it would:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance; or
- Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.

## WBODSP Impacts

The improvements envisioned in the proposed WBODSP are recommended conceptual designs intended to be used as guidance for the City in implementing future improvements. The proposed WBODSP does not include any site-specific designs or proposals, nor does it grant any entitlements for development. As a policy and regulatory document, the WBODSP would have no physical effect on the environment. Future development projects will be required to assess their individual impacts regarding Greenhouse Gas Emissions on a project-by-project basis.

### 4.7.5 Methodology

State CEQA Guidelines Section 15064.4 was amended to assist lead agencies in determining the significance of the impacts of GHG emissions. Section 15064.4 gives lead agencies the discretion to determine whether to assess those emissions quantitatively and/or qualitatively. This section recommends certain factors that should be used in the determination of significance (i.e., extent to which the project may increase or reduce GHG emissions compared to the existing environment; whether the project exceeds an applicable significance threshold; and extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for reduction or mitigation of GHGs). The amendments do not establish a threshold of significance; rather, lead agencies are granted discretion to establish significance thresholds for their respective jurisdictions, including looking to thresholds developed by other public agencies, or suggested by other experts, such as CAPCOA, so long as any threshold chosen is supported by substantial evidence (see Guidelines Section 15064.7(c)).

The California Natural Resources Agency has also clarified that the State CEQA Guidelines amendments focus on the effects of GHG emissions as cumulative impacts, and that they should be analyzed in the context of CEQA's requirements for cumulative impact analysis (see Section 15064(h)(3)).

Although GHG emissions can be quantified as discussed above, the CARB, SCAQMD, and the City have not adopted quantitative project-level significance thresholds for GHG emissions that would be

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<sup>11</sup> 14 California Code of Regulations, Section 15064.4a

applicable to the Project. The Governor's Office of Planning and Research (OPR) released a Discussion Draft: CEQA and Climate Change Advisory in December 2018 to provide updates and regulatory changes to a prior 2008 climate change advisory. The discussion draft addresses project-level analyses of GHG impacts and recognizes, "lead agency discretion in determining the appropriate methodologies, thresholds, and if necessary, mitigation measures." Furthermore, the discussion draft explains that significance thresholds may be based on efficiency metrics, compliance with state goals and percentage reduction from BAU emissions, consistency with relevant regulations, plans, policies, and regulatory programs, or an absolute numerical/quantitative threshold.

Per State CEQA Guidelines Section 15064.4(b), "in determining the significance of a project's GHG emissions, the lead agency should focus its analysis on the reasonably foreseeable incremental contribution of the project's emissions to the effects of climate change. A project's incremental contribution may be cumulatively considerable even if it appears relatively small compared to statewide, national or global emissions." When determining the significance of GHG impacts, lead agencies should consider the project's impact as compared to the existing environmental setting, whether the project exceeds a threshold of significance, and compliance with relevant GHG-related plans (see, e.g., State CEQA Guidelines Section 15064.4(b)). Regarding the latter criterion, lead agencies should consider "the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (see, e.g., State CEQA Guidelines Section 15183.5(b)). Per State CEQA Guidelines Section 15064.4(b)(3), such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of GHG emissions.

#### 4.7.6 Impacts and Mitigation Measures

**Impact 4.7-1** *Would the Project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment?*

**Level of Significance: Significant and Unavoidable**

##### Future Development Impacts

Future development under the WBTODSP would require further CEQA review of project-level impacts prior to implementation. The construction and operation of these improvements would generate GHG emissions from construction activities, increased vehicle use, natural gas combustion, and other operational sources. However, proposed development under the WBTODSP for non-residential uses would be less intensive than currently allowed under the existing General Plan land use. Refer to **Section 4.14, Transportation**, for a detailed description of existing and future traffic generation. As a result, compared to the existing conditions, GHG emissions are anticipated to increase.

Relative to comparing the Project to existing conditions, the WBTODSP area currently contains a mix of general industrial, light industrial, commercial, mixed-use, and residential uses. The WBTODSP proposes to redevelop the Project area as a TOD mixed-use development, emphasizing residential uses and decreasing the amount of general industrial. In general, compared to existing conditions and as show in **Table 3.0-5, Development Plan Land Use Summary**, the WBTODSP would allow for the increase of

residential dwelling units by 2,005 units, and up to 5,889,747.60 SF of non-residential development which would include commercial, industrial mixed use, and a flex district.

As a result of the Project's changes in land use and the WBTODSP's proposed internal street network of pedestrian and vehicle connectivity, the number of vehicle trips generated in the WBTODSP area are anticipated to increase compared to existing conditions (refer to **Appendix C, Mobility Assessment**). Currently, the existing uses within the Project area generate approximately 29,904 daily trips (after taking into account internal capture, transit, and pass-by reductions), with 1,849 AM peak hour trips and 3,010 PM peak hour trips. With the implementation of the WBTODSP, the Project area could generate approximately 71,294 daily trips (after taking into account internal capture, transit, and pass-by reductions), with 4,105 AM peak hour trips with approximately 6,330 PM peak hour trips. As a result, traffic is anticipated to increase. However, while it is anticipated that the Project would generate an increase in daily traffic compared to existing conditions, the Project would generate a net reduction in traffic trips compared to the current General Plan and that is without taking into account the allowance for internal trip capture, pass-by trips, and transit-oriented development (TOD). As noted above, compared to the existing General Plan, the Project would result in a net decrease in projected future daily traffic levels and associated traffic-related impacts.

The Project identifies future land uses but does not contain specific development proposals. As a result, GHG emissions are speculative and cannot be accurately determined the emissions associated with:

**Mobile Sources.** Vehicle GHG emissions are conservatively based on trip generation rates for land uses and are incorporated into CalEEMod as recommended by the SCAQMD. Trip generation rates associated with WBTODSP land include the following Institute of Transportation Engineers (ITE) land use categories:

- ITE Land Use 221: Multifamily Housing (Mid-Rise) Not Close to Transit. [4.54 Trips per DU]
- ITE Land Use 820: Shopping Center (>150,000). [37.01 trips per thousand square feet (KSF)]
- ITE Land Use 710: General Office Building. [10.84 trips per KSF]
- ITE Land Use 110: General Light Industrial. [4.87 trips per KSF]
- ITE Land Use 130: Industrial Park. [3.37 trips per KSF]
- ITE Land Use 822: Strip Retail Plaza (<40,000). [54.45 trips per KSF]

**Area Sources.** Area source GHG emissions occur from architectural coatings, landscaping equipment, and consumer products. Area source emissions for the Project are calculated in CalEEMod based on consumer product use, architectural coatings, and landscape maintenance equipment. Landscaping equipment and consumer products (i.e., personal care products, home, lawn, and garden products, disinfectants, sanitizers, polishes, cosmetics, and floor finishes) would be part of the GHG emissions from area sources. The primary emissions from architectural coatings are volatile organic compounds, which are relatively insignificant as direct GHG emissions.

**Energy.** GHGs are emitted as a result of activities in buildings that consume energy in the form of natural gas and electricity. Energy consumption consists of emissions from project consumption of electricity and natural gas. Primary uses of electricity and natural gas by the Project would be for space heating and cooling, water heating, ventilation, lighting, appliances, and electronics. Combustion of any type of fuel, including natural gas, emits GHGs directly into the atmosphere. GHGs are also emitted during the generation of electricity at fossil fuel power plants. Energy emissions are calculated based on consumption rates and emissions factors in CalEEMod.

**Water and Wastewater.** Water used and wastewater generated by land use development projects results in indirect GHG emissions from the energy used to supply, distribute, and treat the water and wastewater. The wastewater treatment process can also directly emit GHGs.

**Solid Waste.** Municipal solid waste is the material that is disposed of by landfill, recycling, or composting. CalEEMod calculates GHG emissions associated with waste that is disposed of in landfills.

**Refrigeration.** Refrigerants are substances with high global warming potentials that are used in equipment for air conditioning and refrigeration. CalEEMod calculates annual emissions based on leaks during regular operations and routine servicing. Different types of refrigeration equipment are used by different types of land uses.

The City of Pico Rivera is currently developing a climate action plan (CAP) to reduce GHG emissions and minimize negative impacts from climate change. The CAP will establish GHG reduction targets and develop policies and actions to achieve those GHG reduction targets. Until the CAP has been approved, the City will use SCAQMD's bright-line threshold of 3,000 MTCO<sub>2</sub>e per year to determine GHG impact significance. Following approval of the City's CAP, future developments will demonstrate compliance with thresholds identified in the CAP.

To determine if future development will result in a significant impact, **MM GHG-1** requires future development projects, not exempt from CEQA, to prepare a GHG emissions assessment and mitigate to the extent feasible. A future development project with GHG emissions that are City's threshold is considered to have a less than significant impact. However, future development projects associated with the WBTODSP could potentially exceed the City's GHG threshold, resulting in a significant and unavoidable impact.

### **Mitigation Measures**

**MM GHG-1** Proposed development projects that are not exempt from CEQA shall prepare a greenhouse gas (GHG) emissions assessment using the latest available air emissions model, or other analytical method determined in conjunction with the SCAQMD, to identify GHG impacts. Where possible, GHG emissions of existing uses shall be modeled and compared with the emissions for future development projects to determine if the net increase in GHG emissions exceeds SCAQMD's threshold of 3,000 MTCO<sub>2</sub>e or any applicable thresholds developed by the CAP. The results of the GHG emissions assessment shall be included in the development project's CEQA documentation. If the assessment identifies potentially significant GHG impacts, the

City shall require the incorporation of appropriate mitigation to reduce such impacts to the extent feasible.

**Impact 4.7-2** *Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

**Level of Significance: Less than Significant**

## Future Development Impacts

Future development under the WBTODSP would require further CEQA review of project-level impacts prior to implementation. Future development projects must show consistency with CARB's 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan). The 2022 Scoping Plan sets a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels by 2045 in accordance with AB 1279.

The key elements of the 2022 CARB Scoping Plan focus on transportation. Specifically, the 2022 Scoping Plan aims to rapidly move towards zero-emission (ZE) transportation (i.e., electrifying cars, buses, trains, and trucks), which constitutes California's single largest source of GHGs. The regulations that impact the transportation sector are adopted and enforced by CARB on vehicle manufacturers and are outside the jurisdiction and control of local governments. The 2022 Scoping Plan accelerates development of new regulations as well as amendments to strengthen regulations and programs already in place. Statewide strategies to reduce GHG emissions in the latest 2022 Scoping Plan include:

- Implementing SB 100 (achieve 100 percent clean electricity by 2045);
- Achieving 100 percent zero emission vehicle sales in 2035 through Advanced Clean Cars II;
- Implementing the Advanced Clean Fleets regulation to deploy zero-emission vehicle (ZEV) buses and trucks; and
- Implementing VMT reduction initiatives to achieve a 30 percent VMT reduction below 2019 levels by 2045.

The Scoping Plan notes that efforts to support VMT reduction include coordination across state agencies on affordable housing measures. Fostering more compact, transportation-efficient development in infill areas and increasing transportation choices with the goal of reducing VMT not only reduces demand for transportation fuel but also requires less energy for buildings and helps to conserve natural and working lands that sequester carbon. The multiple and often interwoven actions that reduce VMT both reduce emissions from the transportation sector and support reductions needed in other sectors.

In addition to the 2022 Scoping Plan, the City is currently developing a CAP. Although the CAP is currently not available, once approved, future development projects associated with the WBTODSP will also be required to demonstrate compliance with CAP.

Based on the above, future development projects would be required to comply with applicable regulatory requirements promulgated through the 2022 Scoping Plan and the CAP, once approved. As a result, impacts would be less than significant.



### **Mitigation Measures**

No mitigation is necessary.

#### **4.7.7 Cumulative Impacts**

Climate change is a global issue. GHGs are global pollutants, unlike criteria air pollutants and TACs, which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about 1 day), GHGs have much longer atmospheric lifetimes of 1 year to several thousand years that allow them to be dispersed around the globe.

As discussed previously, the Project is a policy document and does not propose any specific development. However, future developments associated with the WBTODSP would generate GHG emissions and would be subject to all applicable regulatory requirements. Therefore, future development under the Plan could have significant impacts related to GHG emissions despite implementation of **MM GHG-1**. As a result, the implementation of the proposed Project would potentially have a considerable contribution to a cumulatively significant impact related to GHG emissions.

#### **4.7.8 Significant Unavoidable Impacts**

Implementation of **MM GHG-1** would mitigate potentially significant GHG emissions to the extent feasible. Future development with GHG emissions below the City's GHG threshold would be considered to have a less than significant impact. However, due to the size of the WBTODSP, potential GHG emissions associated with the construction and operation of future development projects could exceed City thresholds, resulting in a significant and unavoidable impact on the environment.

#### **4.7.9 References**

California Air Resources Board, Current California GHG Emissions Inventory Data, 2000-2021 GHG inventory (2023 Edition), <https://ww2.arb.ca.gov/ghg-inventory-data>, accessed January 2024.

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## 4.8 HAZARDS AND HAZARDOUS MATERIALS

### 4.8.1 Introduction

This section of the Draft Program Environmental Impact Report (EIR) identifies potential impacts concerning hazards and hazardous materials that could result from implementation of the Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBTODSP”). As discussed in **Section 3.0: Project Description**, the Project would encompass approximately 305.1 acres, with the primary goal of promoting future revitalization and reuse of the Washington/Rosemead area to complement the future E Line extension through the City of Pico Rivera (City). The City seeks to establish a WBTODSP that creates a compact multi-modal, mixed-use, and sustainable environment that is a focal point for community activity.

The current conditions (site conditions at the time of Notice of Preparation [NOP] distribution [September 21, 2023]) were used as the baseline against which to compare potential impacts associated with Project implementation. The information presented in this analysis herein is derived on the following documentation:

- Pico Rivera General Plan Update, 2014.
- City of Pico Rivera. 2014. Pico Rivera General Plan Update Draft Environmental Impact Report.

### 4.8.2 Environmental Setting

Hazardous materials generally refer to hazardous substances that exhibit corrosive, poisonous, flammable, and/or reactive properties and have the potential to harm human health and/or the environment. Hazardous materials are used in products (household cleaners, industrial solvents, paint, pesticides, etc.) and in the manufacturing of products (e.g., electronics, newspapers, plastic products). Hazardous materials can include petroleum, natural gas, synthetic gas, acutely toxic chemicals, and other toxic chemicals that are used in agriculture, commercial, and industrial uses, businesses, hospitals, and households. Accidental releases of hazardous materials can occur from a variety of causes, including highway incidents, warehouse fires, train derailments, shipping accidents, and industrial incidents.

#### Historical Site Usage

The Project area is bound (generally) by Washington Boulevard to the north, the Burlington Northern Santa Fe railroad to the south, Rosemead Boulevard to the east, and Paramount Boulevard to the west. The Project site is traversed by various roadways including Rex Road, Mercury Lane, and Stealth Parkway. The Project site is largely developed.

Based on historical photography of the Project area, industrial uses were developed by 1994.<sup>1</sup> Historical photography also showed commercial development on the Project site by May 1994.<sup>2</sup> Based on a review

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<sup>1</sup> Google Earth. 2023. Imagery Date: 5/30/1994. Location 33° 58'55.59"N 118°06'2.78"W.

<sup>2</sup> Ibid Imagery Date 5/30/1994

of historical photography of the Project area, the vacant parcel on the northeast area of the Project site has remained vacant since May 1994.<sup>3</sup>

According to the Cultural Resources Inventory Report for the Project (**Appendix B**), historic topographic maps of the WBTODSP area date to 1896. The earliest maps portray the Atchison, Topeka, and Santa Fe rail line immediately south of the WBTODSP area and the Rio Hondo River to the west. The presence of the railroad in the immediate vicinity contributes to the historical background of the WBTODSP site and indicates long-term use of this area as an important travel corridor. Historic maps from the early 1900s also portray a tributary of the river running southeast across the WBTODSP area. Historic aerial images of the WBTODSP area from 1953 indicate that the property consisted almost entirely of vacant agricultural land at that time. Throughout the 1960s, the WBTODSP site was largely developed with industrial warehouses. A small part of the WBTODSP area was also residentially or commercially developed. However, in 2002, the central part of the property was redeveloped with new warehouse buildings.

### Site Characteristics and Current Use

The Project area encompasses 305.1 acres, and all Project site parcels are fully developed, except for one vacant parcel, which is located on the northeast portion of the Project site. Retail commercial services, restaurants, lodging, and residential uses are located in the northern portion of the Project area. Development along the northern, southern, and eastern Project area boundaries is primarily single-family residential development. The western portion of the Project area is developed with warehouse and beyond it is designated for public facilities and includes open space and trail amenities adjacent to the Rio Hondo River. The southwestern portion of the Project area is primarily bordered by industrial uses.

A search of the California Department of Toxic Substances Control (DTSC) EnviroStor database of cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known contamination was conducted for the Project site. No hazardous cleanup, permitted, or leaking underground storage tank (LUST) sites are identified within the entire Project area. The nearest hazardous site to the Project is a Southern California Gas Company site approximately half a mile south of the Project site.<sup>4</sup>

#### 4.8.3 Regulatory Setting

Hazardous materials and wastes are identified and defined by federal and state regulations for the purpose of protecting public health and the environment. Hazardous materials contain certain chemical, physical, or infectious properties that cause them to be considered hazardous. Hazardous wastes are defined in the Code of Federal Regulations Title 40, Volume 25, Parts 260–265 and in the California Code of Regulations (CCR), Title 22 Div. 4.5, Chapter 11, Article 1, Section 66261. Over the years, the laws and regulations have evolved to deal with different aspects of the handling, treatment, storage, and disposal of hazardous substances.

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<sup>3</sup> Ibid. Imagery Date: 5/30/1994

<sup>4</sup> Department of Toxic Substances Control (DTSC). 2023. EnviroStor. Retrieved from: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=picorivera> (Accessed August 2023)

## **Federal**

### ***Federal Toxic Substances Control Act of 1976***

The Federal Toxic Substances Control Act of 1976 tasked the U.S. Environmental Protection Agency (EPA) with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. The Federal Toxic Substances Control Act addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint (LBP).

### ***Resource Conservation and Recovery Act of 1976***

The objectives of the Resource Conservation and Recovery Act (RCRA) are to protect human health and the environment from the potential hazards of waste disposal to conserve energy and natural resources, to reduce the amount of waste generated, and to ensure that wastes are managed in an environmentally sound manner. RCRA of 1976, which was an amendment of the Solid Waste Disposal Act in 1965, addresses solid and hazardous waste management activities. RCRA affirmed and extended the “cradle-to-grave” system of regulating hazardous wastes. “Cradle-to-grave” refers to the responsibility of the generator of the hazardous waste to manage the transportation, treatment, storage, and disposal of hazardous materials. The use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by the Hazardous and Solid Waste Amendments to RCRA in 1984. The Hazardous and Solid Waste Amendments of 1984 also added Subtitle I, which regulates underground storage tanks.

### ***Emergency Planning and Community Right-to-Know Act***

The Federal Emergency Planning and Community Right-To-Know Act (EPCRA) was enacted to inform communities and residents of chemical hazards in their area. Businesses are required to report the locations and quantities of chemicals stored on-site to both state and local agencies. EPCRA requires the U.S. EPA to maintain and publish a digital database list of toxic chemical releases and other waste management activities reported by certain industry groups and Federal facilities. This database, known as the Toxic Release Inventory, gives the community more power to hold companies accountable for their chemical management.

### ***Hazardous Materials Transportation Act***

The U.S. Department of Transportation (DOT) receives authority to regulate the transportation of hazardous materials from the Hazardous Materials Transportation Act, as amended and codified (49 U.S. Code [USC] 5101 et seq.). The DOT is the primary regulatory authority for the interstate transport of hazardous materials and establishes regulations for safe handling procedures (i.e., packaging, marking, labeling, and routing).

In California, Section 31303 of the California Vehicle Code states that any hazardous material being moved from one location to another must use the route with the least travel time. This, in practice, means major roads and highways, although secondary roads are permitted to be used for local delivery. These policies are enforced by both the California Highway Patrol and the California Department of Transportation (Caltrans).

### ***Toxic Substances Control Act***

The Toxic Substances Control Act of 1976 (TSCA) provides the U.S. EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. TSCA addresses the production, importation, use, and disposal of specific chemicals including PCBs, asbestos, radon, and LBP. Title IV of the TSCA directs the U.S. EPA to regulate LBP hazards.

TSCA Sections 402 and 404 requires that those engaged in lead abatements, risk assessments and inspections in homes or child-occupied facilities (such as daycare centers and kindergartens) built prior to 1978 be trained and certified in specific practices to ensure accuracy and safety. TSCA Section 403, sets standards for dangerous levels of lead in paint, household dust, and residential soil.

### ***Clean Water Act/Spill Prevention, Control, and Countermeasure Rule***

The Clean Water Act (CWA) (33 USC Section 1251 et seq., formerly the Federal Water Pollution Control Act of 1972), was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the U.S. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and certain non-point source discharges to surface water. Those discharges are regulated by the national Pollutant Discharge Elimination System (NPDES) permit process (CWA Section 402). In California, NPDES permitting authority is delegated to, and administered by, the nine Regional Water Quality Control Boards (RWQCB). The Project is within the jurisdiction of the Santa Ana RWQCB.

Section 402 of the CWA authorizes the State Water Resources Control Board (SWRCB) to issue NPDES General Construction Storm Water Permit (Water Quality Order 99-08-DWQ), referred to as the “General Construction Permit.” Construction activities can comply with and be covered under the General Construction Permit provided that they:

- Develop and implement a Storm Water Pollution Prevention Plan (SWPPP) which specifies Best Management Practices (BMPs) that would prevent all construction pollutants from contacting stormwater and with the intent of keeping all products of erosion from moving off-site into receiving waters;
- Eliminate or reduce non-stormwater discharges to storm sewer systems and other waters of the nation; and
- Perform inspections of all BMPs.

NPDES regulations are administered by the RWQCB. Projects that disturb one or more acres are required to obtain NPDES coverage under the Construction General Permit.

As part of the CWA, the U.S. EPA oversees and enforces the Oil Pollution Prevention regulation contained in Title 40 of the CFR, Part 112 (Title 40 CFR, Part 112), which is often referred to as the Spill Prevention, Control, and Countermeasure (SPCC) rule because the regulations describe the requirements for facilities to prepare, amend, and implement SPCC Plans. A facility is subject to SPCC regulations if a single oil (or gasoline, or diesel fuel) storage tank has a capacity greater than 660 gallons; the total above ground oil storage capacity exceeds 1,320 gallons; or the underground oil storage capacity exceeds 42,000



gallons; and if, due to its location, the facility could reasonably be expected to discharge oil into or upon the “Navigable Waters” of the U.S.

### ***Occupational Safety and Health Administration (OSHA)***

Congress passed 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. To establish standards for workplace health and safety, OSHA also created the National Institute for Occupational Safety and Health as the research institution for OSHA. The Administration is a division of the U.S. Department of Labor that oversees the administration of OSHA and enforces standards in all states. OSHA standards are listed in Title 29 CFR Part 1910.

OSHA’s Hazardous Waste Operations and Emergency Response Standard apply to five groups of employers and their employees. This includes any employees who are exposed or potentially exposed to hazardous substances (including hazardous waste) and who are engaged in clean-up operations; corrective actions; voluntary clean-up operations; operations involving hazardous wastes at treatment, storage, and disposal facilities; and emergency response operations.

### ***Comprehensive Environmental Response, Compensation, and Liability Act of 1980***

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as “Superfund,” was enacted by Congress on December 11, 1980. This law provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled the revision of the National Contingency Plan. The National Contingency Plan provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also establishes the National Priorities List, which is a list of contaminated sites warranting further investigation by the EPA. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986, to help further manage contaminated sites.

### ***Requirements for Phase I Environmental Site Assessments***

Phase I Environmental Site Assessments are required for land purchasers to qualify for the Innocent Landowner Defense under CERCLA, to minimize environmental liability under other laws such as RCRA, and as a lender prerequisite to extend a loan for purchase of land.

## **State**

### ***California Environmental Protection Agency***

The California Environmental Protection Agency (CalEPA) was created in 1991 by Governor’s Executive Order. The six boards, departments, and office were placed under the CalEPA “umbrella” to create a cabinet-level voice for the protection of human health and the environment and to ensure the

coordinated deployment of state resources. CalEPA and the SWRCB establish rules governing the use of hazardous materials and the management of hazardous waste.

Applicable state and local laws include the following:

- Public Safety/Fire Regulations/Building Codes
- Hazardous Waste Control Law
- Hazardous Substances Information and Training Act
- Air Toxics Hot Spots and Emissions Inventory Law
- Underground Storage of Hazardous Substances Act
- Porter-Cologne Water Quality Control Act

### ***California Fire Code***

The California Fire Code, which is updated every three years, is included in California Code of Regulations Title 24, Chapter 9 and was created by the California Building Standards Commission. Based on the International Fire Code, the California Fire Code serves as the primary means for authorizing and enforcing procedures and methods to ensure the safe handling and storage of hazardous substances that pose potential public health and safety hazards. The code regulates the use, handling, and storage requirements for hazardous materials at certain facilities. The California Fire Code and the California Building Code apply a classification system in identifying appropriate protective measures relative to fire protection and public safety. Such measures may include identification and use of proper construction standards, setbacks from property lines, and/or installation of specialized equipment.

### ***State Fire Regulations***

Fire regulations for California are established in Sections 13000 et seq. of the California Health and Safety Code, which includes regulations for structural standards (similar to those identified in the California Building Code), fire protection and public notification systems, fire protection devices such as extinguishers and smoke alarms, standards for high-rise structures and childcare facilities, and fire suppression training. The State Fire Marshal is responsible for enforcement of these established regulations and building standards for all state-owned buildings, state-occupied buildings, and state institutions in California.

### ***Government Code Section 65962.5(a), Cortese List***

As required by Government Code Section 65962.5, CalEPA develops an annual update to the Hazardous Waste and Substances Sites (Cortese) List, which is a planning document used by the state, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. The DTSC is responsible for a portion of the information contained in the Cortese List. Other state and local government agencies are required to provide additional hazardous material release information for the list.

The EnviroStor database constitutes the DTSC's component of Cortese List data by identifying state response sites, federal Superfund sites, school cleanup sites, and voluntary cleanup sites. The EnviroStor

database identifies sites that have known contamination or sites for which further investigation is warranted. It also identifies facilities that are authorized to treat, store, dispose, or transfer hazardous waste.<sup>5</sup>

State agencies with involvement and/or jurisdiction over public health hazards and hazardous materials management and regulations include the:

- **California Environmental Protection Agency:** The boards, departments, and offices that make up the California Environmental Protection Agency (CalEPA) include the California Air Resources Board, the Department of Pesticide Regulation, the Department of Resources Recycling and Recovery, the DTSC, the Office of Environmental Health Hazard Assessment, and the SWRCB. These boards, departments and offices were placed within the CalEPA “umbrella” to create a cabinet-level voice for the protection of human health and the environment (such as clean air, clean water, clean soil, safe pesticides, and waste recycling and reduction) to assure the coordinated deployment of state resources.
- **Department of Toxic Substances Control:** The mission of the DTSC is to protect California’s people and environment from harmful effects of toxic substances by restoring contaminated resources, enforcing hazardous waste laws, reducing hazardous waste generation, and encouraging the manufacture of chemically safer products. As part of its mission, the DTSC maintains its Enforcement and Emergency Response Division (EERD) to administer the technical implementation of the State Unified Program. The Unified Program is a consolidation of six environmental programs at the local level. Those agencies at the local level with responsibility for the program are known as Certified Unified Program Agencies (CUPA). The DTSC also has the responsibility of overseeing and regulating hazardous materials, generators, transporters, and facilities that may use, generate, store, transport, or recycle, hazardous materials.
- **State Water Resources Control Board:** Brownfields are underutilized properties where reuse is hindered by the actual or suspected presence of pollution or contamination. The SWRCB’s Brownfield Program goals are to:
  - Expedite and facilitate site cleanups and closures for brownfield sites to support reuse of those sites;
  - Preserve open space and green fields;
  - Protect groundwater and surface water resources, safeguard public health, and promote environmental justice; and
  - Streamline site assessment, clean up, monitoring, and closure requirements and procedures within the various SWRCB site cleanup programs.

Site clean-up responsibilities for brownfields primarily reside within four main SWRCB programs: The Underground Storage Tank Program; Site Cleanup Program; Department of Defense Program; and the Land Disposal Program. These SWRCB cleanup programs are charged with ensuring sites are remediated to protect California’s surface and groundwater and return them to beneficial uses.

- **Regional Water Quality Control Board**

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<sup>5</sup> DTSC. 2019. *EnviroStor*. Retrieved at: <https://www.envirostor.dtsc.ca.gov/public/search?basic=True>. (Accessed April 2023).

- Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA): Cal/OSHA is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. California OSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR 337–340). The regulations specify requirements for employee training, availability of safety equipment, accident prevention programs, and hazardous substance exposure warnings.
- Construction Safety Orders 1529 (pertaining to asbestos), and 1532.1 (pertaining to lead) from Title 8 of the CCR
- Office of Emergency Services (Office of Emergency Services–California Accidental Release Prevention Implementation)
- California Department of Fish and Wildlife
- California Air Resources Board
- Caltrans
- State Office of Environmental Health Hazard Assessment (Proposition 65 implementation)
- California Integrated Waste Management Board
- California Highway Patrol (for the enforcement for hazardous materials transportation regulations. Hazardous materials and waste transporters are responsible for complying with all applicable packaging, labeling, and shipping regulations.)
- South Coast Air Quality Management District Rules and Regulations (pertaining to asbestos abatement, including Rule 1403)

Hazardous chemical and biohazardous materials management laws in California include the following statutes:

- Hazardous Materials Management Act – requires that businesses handling or storing certain amounts of hazardous materials prepare a hazardous materials business plan, which includes an inventory of hazardous materials stored on site (above specified quantities), an emergency response plan, and an employee training program.
- Hazardous Waste Control Act (California Health and Safety Code, Division 20, Chapter 6.5, Article 2, Section 25100, et seq.) – authorizes the DTSC and local certified unified program agencies to regulate facilities that generate or treat hazardous waste.
- Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) – requires the governor to publish and update, at least annually, a list of chemicals known to the state to cause cancer, birth defects, or other reproductive harm, and to inform citizens about exposures to such chemicals.
- Hazardous Waste Management Planning and Facility Siting, also known as the Tanner Act (Assembly Bill (AB) 2948, 1986) – requires counties to prepare, for California DTSC approval, hazardous waste management plans, and prescribes specific public participation activities, which must be carried out during the local land use permit process for siting new or expanding off-site commercial treatment, storage, and disposal facilities.

- Hazardous Materials Storage and Emergency Response (AB 2185) – requires the immediate reporting to local fire departments and Offices of Emergency Services of any release or threatened release of a hazardous material, regardless of the amount handled by the business.
- California Medical Waste Management Act (California Health and Safety Code, Sections 117600–118360) – establishes procedures for the proper handling, storage, treatment, and transportation of medical waste.
- Land Disposal Restrictions (CCR, Chapter 18, Title 22) – set up by Congress in 1984 for the EPA, ensures that toxic constituents present in hazardous waste are properly treated before hazardous waste is land disposed.

### ***Department of Toxic Substances Control***

The mission of the DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated resources, enforcing hazardous waste laws, reducing hazardous waste generation, and encouraging the manufacture of chemically safer products. As part of its mission, the DTSC maintains its EERD to administer the technical implementation of the State Unified Program. The Unified Program is a consolidation of six environmental programs at the local level. Those agencies at the local level with responsibility for the program are known as CUPA. The DTSC also has the responsibility of overseeing and regulating hazardous materials, generators, transporters, and facilities that may use, generate, store, transport, or recycle, hazardous materials.

### ***Government Code Section 65962.5***

Pursuant to Government Code 65962.5, environmental regulatory database lists were reviewed to identify and locate properties with known hazardous substance contamination within the proposed 1-mile radius Project area (California Government Code, Section 65960 et seq.). Four state agencies are required to provide lists of facilities that have contributed, harbor, or are responsible for environmental contamination within their jurisdiction. The four state agencies that are required to provide these lists to the Secretary for Environmental Protection include the DTSC, the State Department for Health Services, the SWRCB, and the California Integrated Waste Management Board. The Secretary for Environmental Protection then takes each of the four-respective agency lists and forms one list, referred to as the Hazardous Waste and Substances Site List – Site Cleanup (Cortese List), which is made available to every city and/or county in California (DTSC 2007).

### ***California Health and Safety Code Section 25501***

California law defines a hazardous material as any material that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may pose a present or potential hazard to human health and safety or to the environment if released in the workplace or the environment (California Health and Safety Code Section 25501).

### ***California Hazardous Waste Control Law***

The California Hazardous Waste Control Law (Health and Safety Code, Division 20, Chapter 6.5) is administered by the CalEPA to regulate the management of hazardous wastes. While the Hazardous Waste Control Law is generally more stringent than RCRA, until the EPA approves the California hazardous

waste control program (which is charged with regulating the generation, treatment, storage, and disposal of hazardous waste), both the state and federal laws apply in California. The Hazardous Waste Control Law lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for treatment, storage, disposal, and transportation; and identifies wastes that cannot be disposed of in landfills.

### ***California Accidental Release Prevention Program***

Similar to the Federal Risk Management Program, the California Accidental Release Prevention Program includes state requirements as well as a list of regulated substances and thresholds. The regulations of the program are contained in CCR Title 19, Division 2, Chapter 4.5. The intent of California Accidental Release Prevention Program is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to ensure compliance with community right-to-know laws.

### ***California Health and Safety Code***

The handling and storage of hazardous materials is regulated by Division 20, Chapter 6.95 of the California Health and Safety Code. Under Sections 25500–25543.3, facilities handling hazardous materials are required to prepare a hazardous materials business plan (HMBP). HMBPs contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the state. Chapter 6.95 of the Health and Safety Code establishes minimum statewide standards for HMBPs.

In addition, in the event that a facility stores a quantity of specific acutely hazardous materials above the thresholds set forth by California code, facilities are also required to prepare a risk management plan and California Accidental Release Plan. The risk management plan and California Accidental Release Plan provide information on the potential impact zone of a worst-case release and require plans and programs designed to minimize the probability of a release and mitigate potential impacts (California Health and Safety Code, Chapter 6.95).

### ***Hazardous Materials Release Response Plans and Inventory Act of 1985***

The California HSC, Division 20, Chapter 6.95, known as the Hazardous Materials Release Response Plans and Inventory Act or the Business Plan Act, requires businesses using hazardous materials to prepare a plan that describes their facilities, inventories, emergency response plans, and training programs. Businesses must submit this information to the County Department of Environmental Health. The Environmental Health Division verifies the information and provides it to agencies responsible for protection of public health and safety and the environment. Business Plans are required to include emergency response plans and procedures in the event of a reportable release or threatened release of hazardous materials, including, but not limited to, all of the following:

- Immediate notification to the administering agency and to the appropriate local emergency rescue personnel.
- Procedures for the mitigation of a release or threatened release to minimize any potential harm or damage to persons, property, or the environment.



- Evacuation plans and procedures, including immediate notice, for the business site.

Business Plans are also required to include training for all new employees, and annual training, including refresher courses, for all employees in safety procedures in the event of a release or threatened release of hazardous material.

## Local

### *South Coast Air Quality Management District (SCAQMD)*

The SCAQMD is the air pollution control agency for Orange County and the urban portions of Los Angeles, Riverside, and San Bernardino counties. The agency's primary responsibility is ensuring that state and federal ambient air quality standards are attained and maintained in the South Coast Air Basin. The SCAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, conducting public education campaigns, and many other activities. All projects are subject to SCAQMD rules and regulations in effect at the time of construction.

The following is a list of applicable SCAQMD rules that are required of construction activities associated with the Project:

- **Rule 1166 (Volatile Organic Compound [VOC] Emissions from Decontamination of Soil)** – This rule requires that any person conducting excavation for USTs or transferring piping which currently stores, or previously stored VOCs shall operate under an approved mitigation plan, conduct consistent VOC monitoring, and provide notice to an Executive officer at least 24 hours prior to excavation activities. If VOC-contaminated soil is encountered, remediation tasks outlined in this rule are to be implemented by the person handling the VOC-encountered soil. This includes the segregation of contaminated soils, the use of vapor suppressants, consistent visual inspections, and proper storage and handling methods.
- **Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities)** – This rule provides guidelines intended to limit and prevent the exposure of asbestos to the outside air. Requirements within this rule include the completion of facility surveys, proper notification of SCAQMD, an established schedule of removal, accepted removal actions, storage and handling procedures, climate considerations, and additional regulations based on disposal facility and site characteristics. This rule also includes requirements for material handling training for those that would be in contact with contaminated soils and proper testing protocols.
- **Rule 1466 (Control of Particulate Emissions from Soils with Toxic Air Contaminants)** – This rule requires that any person performing earth-moving activities conduct consistent monitoring of PM<sub>10</sub> particles, or particles which are generally 10 micrometers or smaller. This rule includes the installation of PM<sub>10</sub> monitors, the use of a data acquisition system (DAS), and coordination with an Executive Officer. This rule was expanded in January 2022 to include additional measures for the reduction of fugitive dust.

### ***Los Angeles County Public Health Agencies***

The County of Los Angeles, Department of Public Health, Division of Environmental Health Services has regulatory control over hazardous and solid waste, land use, wastewater.

Additionally, the Department of Public Works manages solid waste, transportation, and storm water. This department also manages all construction and demolition activities.

The Health Hazardous Materials Division of the Los Angeles County Fire Department is designated by the State Secretary for Environmental Protection as the CUPA for the County of Los Angeles to focus the management of specific environmental programs at the local government level. The Los Angeles County Fire Department manages the Hazardous Waste Generator Program, the Hazardous Materials Release Response Plans and Inventory Program, the California Accidental Release Prevention Program (Cal-ARP), the Aboveground Storage Tank Program, and the Underground Storage Tank Program.<sup>6</sup>

### ***County of Los Angeles All Hazards Mitigation Plan***

The City adheres to the county-wide County of Los Angeles All Hazards Mitigation Plan (AHMP), which provides a comprehensive, single source of guidance and procedures for the County to prepare for and respond to significant or catastrophic natural, environmental, or conflict-related risks that produce situations requiring coordinated response. The AHMP describes the County's mitigation action plans, that communities hope to implement to reduce their risks and vulnerabilities.

### ***City of Pico Rivera Multi-Jurisdiction Hazard Mitigation Plan Update***

The City's Federal Emergency Management Agency (FEMA)-approved Multi-Jurisdictional Hazard Mitigation Plan (MHMP) provides a framework for the identification, incorporation, and coordination of hazard mitigation strategies developed with other plans: City of Pico Rivera General Plan Update (Pico Rivera General Plan), Standardized Emergency Management System (SEMS)/National Incident Management System (NIMS) Emergency Operation Plan, Water Master Plan, Los Angeles County Operational Area Emergency Response Plan, Los Angeles County Operational Area Strategic Plan for Emergency Management, and Los Angeles County All-Hazard Mitigation Plan.

The City developed the MHMP in coordination with an internal/external planning team including representatives from city departments, external stakeholders/agencies, and the general public. The City's current 2011 MHMP is an update to its' previously adopted 2004 MHMP.

### ***City of Pico Rivera General Plan Update 2014***

The Pico Rivera General Plan was updated in 2014 and covers a broad range of topics on all aspects of community life. The Pico Rivera General Plan is the guiding document that provides residents, elected officials, business owners, and other stakeholders with direction on how to meet the needs of a growing city and provides a greater quality of life for its current and future residents. The Pico Rivera General Plan contains the following chapters: Introduction; Core Values and Guiding Principles; Land Use Element;

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<sup>6</sup> County of Los Angeles Fire Department. N.d. *Certified Unified Program Agency (CUPA)*. Retrieved from: <https://fire.lacounty.gov/cupa-programs/> (Accessed August 2023).

Housing Element; Circulation Element; Community Facilities Element; Economic Prosperity Element; Environmental Resource Element; Safety Element; Healthy Community Element; and Noise Element. Each element within the Pico Rivera General Plan contains goals and policies that guide development and may be applied to this Project.

### *Safety Element*<sup>7</sup>

The Pico Rivera General Plan Safety Element addresses seismic and geologic hazards, flood hazards, hazardous materials, and emergency preparedness.

**Goal 9.3      Safe production, use, storage, and transports of hazardous materials.**

**Policy 9.3-3      Hazardous Waste Management Plan.** Require businesses that store, generate, use, or transport hazardous materials to comply with the Los Angeles County Hazardous Waste Management Plan. Provide appropriate response and notification in the event of an emergency or violation.

**Policy 9.3-5      Known Areas of Contamination.** Require new development in areas of known contamination to perform comprehensive soil and groundwater contamination assessments prior to development approvals. If contamination exceeds regulatory levels, require remediation procedures consistent with applicable regulations for the proposed use prior to any site disturbance.

**Policy 9.4-2      Emergency Management Plans.** Maintain a Standardized Emergency Management System/National Incident Management System Emergency Operation Plan and Multi-Jurisdictional Hazard Mitigation Plan in coordination with local, state and federal agencies and organizations.

**Policy 9.4-4      Evacuation Routes.** Coordinate with Caltrans, the County and adjacent cities to improve roadway capacity along evacuation routes, and to designate additional routes.

### *Hazard Mitigation Plan Update*<sup>8</sup>

The City of Pico Rivera has developed a hazard mitigation plan (HMP) to reduce risks from disasters to the people, property, economy and environment within the city. The plan complies with federal and state hazard mitigation planning requirements to establish eligibility for funding under Federal Emergency Management Agency (FEMA) grant programs.

**Goal 4      Promote community resilience through integration of hazard mitigation with public policy and standard business practices.**

**Goal 5      Promote, coordinate and implement hazard mitigation projects that are consistent with and supportive of climate action and adaptive policies and programs.**

<sup>7</sup> City of Pico Rivera. 2014. *Pico Rivera General Plan Update 2014, Chapter 9 Safety Element*. Retrieved from: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-9.pdf> (Accessed December 2023).

<sup>8</sup> City of Pico Rivera. 2014. *Pico Rivera General Plan Update 2014, Chapter 9 Safety Element*. Retrieved from: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-9.pdf> (Accessed December 2023).

#### 4.8.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the development of the site would have a significant environmental impact if one or more of the following occurs:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- 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;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- 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;
- 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;
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan or
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

#### WBODSP Impacts

The improvements envisioned in the proposed WBODSP are recommended conceptual designs intended to be used as guidance for the City in implementing future improvements. The proposed WBODSP does not include any site-specific designs or proposals, nor does it grant any entitlements for development. As a policy and regulatory document, the WBODSP would have no physical effect on the environment. Future development projects will be required to assess their individual impacts regarding Hazards and Hazardous Materials on a project-by-project basis.

#### 4.8.5 Impacts and Mitigation Measures

**Impact 4.8-1** *Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

**Level of Significance: Less than Significant**

#### Construction and Operations

The Project proposes a WBODSP that establishes an effective and implementable policy mechanism that introduces a complementary mix of land uses including compacted integrated development, a mix of residential, retail, open space, and commercial uses that capitalizes on the areas current and future opportunities. Future development facilitated by the Project would involve the routine transport, use, and

disposal of hazardous materials on and off-site during construction, which include fuels, paints, mechanical fluids, and solvents. The hazardous materials would not be present in such a quantity or used in such a manner that would pose a significant hazard to the public. This transport would be limited in duration. Additionally, should a spill or other hazardous materials incident occur, construction staff are well versed in how to handle such a situation, including containment and who to contact in such a situation (LA County Fire). Material Safety Data Sheets would also be posted on-site to provide workers and emergency responders with procedures for handling hazardous materials safely, including information for fire suppression, toxicity/first aid, storage/disposal, and spill handling.

The routine transport, use and disposal of hazardous materials can result in hazards to people and the environment due to the potential for accidental release. Such hazards are typically associated with certain types of land uses, such as chemical manufacturing facilities, industrial processes, waste disposal, and hazardous material storage and distribution facilities. The Project would not allow for those types of land uses.

Operations related to future development within the Project area could involve the use, storage, transport, and disposal of hazardous materials, however, the specific substances and quantities are presently unknown. Commercial businesses that would operate within the Project site that would regularly receive, store, handle, generate, or dispose of regulated types and quantities of hazardous materials and waste products would be regulated pursuant to several agencies including the U.S. EPA, U.S. DOT, California Division of Occupational Safety and Health, and the Los Angeles County Fire Protection District. Adherence to these laws and regulations would ensure that the Project would minimize the potential for safety impacts. Increased residential development would also generate an increase in hazardous waste such as paint, chemicals, oil, anti-freeze, pesticides, cleaners, etc. However, it is required that the waste be disposed of at the proper City Household and Hazardous Waste Facility, in accordance with State and local regulations. Additionally, the Project area is not on the Cortese List.<sup>9</sup> Therefore, the Projects would result in a less than significant impact.

### **Mitigation Measures**

No mitigation is necessary.

***Impact 4.8-2      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?***

***Level of Significance: Less than Significant with Mitigation Incorporated***

## **Construction and Operations**

As discussed in **Impact 4.8-1** above, the use of hazardous materials during construction and operation of future commercial and residential developments is anticipated to generate less than significant effects to the environment. Additionally, future development within the Project area would involve typical hazardous materials/chemical associated with residential and commercial land development such as

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<sup>9</sup> California, State of, Department of Toxic Substances Control, DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). Retrieved from: <https://dtsc.ca.gov/dtscs-cortese-list/> (Accessed September 2023).

fuels, paints, mechanical fluids, and solvents. As stated above in Impact 4.8-1, future development has the potential to increase generation of household hazardous waste. However, under applicable federal, state, county, and local laws and regulations relating to hazardous materials the Project would ensure that all potentially hazardous materials are used and handled appropriately. To further limit the potential for public exposure to hazardous materials, **Mitigation Measures (MM) HAZ-1, HAZ-2, and HAZ-3** are proposed to ensure that construction activities adequately address any potential hazards associated with hazardous materials found at each site. Therefore, impacts are anticipated to be less than significant with mitigation applied.

### **Mitigation Measures**

- MM HAZ-1** If a proposed use at the Project site has a threshold quantity of a regulated substance greater than as specified by the applicable health and safety code, the user shall prepare and implement a Hazardous Materials Risk Management Plan for facilities that store, handle, or use regulated substances as defined in the California Health and Safety Code Section 25532(g) in excess of threshold quantities. This plan shall be reviewed and approved by the Los Angeles County Fire Department Division of Health Hazardous Materials through the Certified Unified Program Agencies (CUPA) process prior to implementation as required by the California Accidental Release Prevention (CalARP) Program.
- MM HAZ-2** If potentially contaminated soil is identified during site disturbance activities for the Project, as evidenced by discoloration, odor, detection by instruments, or other signs, a qualified environmental professional shall inspect the site, determine the need for sampling to confirm the nature and extent of contamination, and provide a written report to the Master Developer, Site Developer, or Lead Agency, as applicable, stating the recommended course of action. Depending on the nature and extent of contamination, the qualified environmental professional shall have the authority to temporarily suspend construction activity at that location for the protection of workers or the public. If, in the opinion of the qualified environmental professional, substantial remediation may be required, the Master Developer, Site Developer, or Lead Agency, as applicable, shall contact representatives of the Los Angeles County Fire Department and/or DTSC for guidance and oversight and shall comply with all performance standards and requirements of the respective agency for proper removal and disposal of contaminated materials.
- MM HAZ-3** Prior to the issuance of a demolition permit for any buildings or structures on-site, the Master Developer or Site Developer, as applicable, shall conduct a comprehensive asbestos-containing materials (ACM) survey to identify the locations and quantities of ACM in above-ground structures. The Master Developer or Site Developer, as applicable, shall retain a licensed or certified asbestos consultant to inspect buildings and structures on-site. The consultant's report shall include requirements for abatement, containment, and disposal of ACM, if encountered, in accordance with SCAQMD's Rule 1403.



**Impact 4.8-3** *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?*

**Level of Significance: Less Than Significant with Mitigation Incorporated**

### Construction and Operations

The closest schools to the Project site are Rivera Middle School, approximately 0.4 mile to the east of the Project site, and El Rancho High School, approximately 0.4 miles northeast of the Project site. This would fall outside of the 0.25-mile requirement of this threshold. Future construction on the Project site would involve the occasional transport, use, and disposal of hazardous materials on-site and off-site such as fuels, paints, mechanical fluids, and solvents. These materials would not be present in such a quantity or used in such a manner that would pose a significant hazard to nearby schools. The future development of the Project site would be required to adhere to all applicable federal, state, and local regulations discussed in Impact 4.8-1 for transport, handling, storage, and disposal of hazardous substances. Along with implementation of **MMs HAZ-1** through **HAZ-3**, future Project site development would not create a significant hazard to nearby schools due to the transport of any hazardous materials on local roadways. Therefore, impacts associated with the accidental release of hazardous materials near schools are anticipated to be less than significant with mitigation applied.

#### Mitigation Measures

Mitigation measures **HAZ-1** through **HAZ-3** would be applied.

**Impact 4.8-4** *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?*

**Level of Significance: Less than Significant**

### Construction and Operations

The Project site is not included on the hazardous sites list compiled pursuant to California Government Code Section 65962.5 (Cortese List).<sup>10</sup> Additionally, as discussed above in Environmental Setting, no hazardous cleanup, permitted, or leaking underground storage tank (LUST) sites are identified within the entire Project area. The nearest hazardous site to the Project is a Southern California Gas Company site approximately half a mile south of the Project site.<sup>11</sup> Since the Project is not listed on the Cortese List and does not contain any known hazardous waste facilities or sites, a less than significant impact is anticipated.

#### Mitigation Measures

No mitigation is necessary.

<sup>10</sup> California, State of, Department of Toxic Substances Control, DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). Retrieved from: <https://dtsc.ca.gov/dtscs-cortese-list/> (Accessed September 2023).

<sup>11</sup> Department of Toxic Substances Control (DTSC). 2023. EnviroStor. Retrieved from: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=picorivera> (Accessed August 2023)

**Impact 4.8-5** *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?*

**Level of Significance: No Impact**

## Construction and Operations

The Los Angeles International Airport is located approximately 17 miles west of the Project site and the Ontario International Airport is located approximately 28 miles east and the San Gabriel Valley Airport is located approximately 8 miles northeast of the Project site. The Project site is not within the Airport Influence Area (AIA) for Los Angeles or Ontario International Airport.<sup>12,13</sup> Additionally, the Project is outside of the Los Angeles International Airport and Ontario International Airport Safety Zones, Noise Impact zones, Airspace Protection Zones, and Overflight Notification Zones.<sup>14</sup> No impact would occur.

### Mitigation Measures

No mitigation is necessary.

**Impact 4.8-6** *Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

**Level of Significance: Less than Significant**

## Construction and Operations

The City adopted its Hazard Mitigation Plan (HMP) Update in 2019 which identifies potential hazards that may occur within the City, such as risks associated with earthquakes, wildfires, terrorism, climate change, etc. The MHMP also provides mitigation to minimize identified risks. The HMP notes that the City of Pico Rivera has developed a Whittier Narrows Flood Evacuation Plan with input from the USACE, LASD, LACoFD and other cities in the Los Angeles Operational Area to establish protocols for flood warning and response to imminent dam failure in the region.<sup>15</sup>

Future Project site construction activities may require the transport of heavy equipment and materials to and from the Project site, which may impede traffic flows. However, these impediments would be localized and short-term. Additionally, Project implementation would not disrupt or interfere with emergency access or impede access to nearby roadways. The Project is also not anticipated to impair implementation of, or physically conflict with, the County's Health Hazardous Materials Division (designated as the County's CUPA) specific hazard mitigation goals, objectives, and related potential actions within the City. As a result, future development facilitated by the Project would not conflict with

<sup>12</sup> County of Los Angeles Department of Regional Planning. 1991. Los Angeles County Airport Land Use Plan. Pg. 25. Retrieved at:

<https://planning.lacounty.gov/wp-content/uploads/2022/10/Los-Angeles-County-Airport-Land-Use-Plan.pdf>. (Accessed September 2023).

<sup>13</sup> City of Ontario. 2018. Ontario International Airport Land Use Compatibility Plan – Chapter 2. Retrieved at: <https://www.ont-iac.com/airport-land-use-compatibility-plan/ont-alucp-chapter-2/>. (Accessed September 2023).

<sup>14</sup> Ibid.

<sup>15</sup> City of Pico Rivera. 2019. *Hazard Mitigation Plan Update*.

any state, county, or local plan aimed at preserving and maintaining adopted emergency response or emergency evacuation plans.

Section 15.2 of the HMP establishes goals and Section 15.3 establishes objectives that would help reduce vulnerabilities. Goals 4 and 5 of the HMP promote community resilience and the promotion, coordination and implementation of hazard mitigation projects. Additionally, the HMP provides a list of mitigation alternatives in a collections of potential hazard mitigation actions that were developed and present a broad range of alternatives to consider for use in the City, in compliance with 44 CFR (Section 201.6(c)(3)(ii)). One collection was developed for each natural hazard of concern evaluated in the HMP. The collections of mitigations, actions and implementation of the mitigations are be considered by the City, as well as their implementation depending on the natural disaster.<sup>16</sup>

The Project would not require the closure of roadways that could be necessary in the event of an evacuation with the City. The Project is not anticipated to interfere with an adopted emergency response plan or emergency evacuation plan with compliance with Policies 9.4-2 and 9.4-4 of the Pico Rivera General Plan,<sup>17</sup> or the HMP goals. The Project would not conflict with adopted emergency response or evacuation plans and would therefore generate a less than significant impact.

### **Mitigation Measures**

No mitigation is necessary.

***Impact 4.8-7      Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?***

***Level of Significance: Less than Significant***

Impacts regarding wildfire are further discussed in **Section 7.0 Effects Found Not to be Significant** of this EIR. Per CAL FIRE's Fire and Resource Assessment Program Fire Hazard Safety Zone (FHSZ) Viewer, the Project site is not located in or near a State Responsibility Area (SRA); the nearest SRA to the Project site is located approximately three miles northeast.<sup>18</sup> The Project site is located within a Local Responsibility Area (LRA) for the County of Los Angeles. However, the Project is located outside of any delineated FHSZ. Additionally, the Project side does not contain land classified as a very high fire hazard severity zone (VHFHSZ). The closest VHFHSZ is located approximately two and a half miles to the northeast of the Project site. Due to the Project site's proximity outside of known FHSZs, impacts are anticipated to be less than significant.

### **Mitigation Measures**

No mitigation is necessary.

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<sup>16</sup> City of Pico Rivera. 2019. *Hazard Mitigation Plan Update*. Pg. 16-1.

<sup>17</sup> General Plan Update. October 2014. Chapter 9, Safety Element. Pg. 9-13.

<sup>18</sup> CAL FIRE. 2023. FRAP FHSZ Viewer. Retrieved from: <https://egis.fire.ca.gov/FHSZ/>. (Accessed September 2023).

#### 4.8.6 Cumulative Impacts

As discussed in **Section 4.8.5: Impacts and Mitigation Measures**, Project impacts concerning hazards and hazardous materials are anticipated to be less than significant with incorporation of **MM HAZ-1** through **MM HAZ-3** and compliance with all applicable federal, state, and local statutes and regulations, including the Pico Rivera Municipal Code and applicable WBTODSP design guidelines and development standards.

This EIR has incorporated, by reference, the Pico Rivera GP EIR, which addresses cumulative effects resulting from build out of the Pico Rivera GP. Additionally, the SCAG 2024-2050 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera GP. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera GP EIR (refer to **Section 3.0, Table 3.0-6: Allowed Maxim Density and Project Density Comparison** which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera GP EIR.

Furthermore, the Project site is fully developed and is absent of natural open space. The Project site has been previously graded and developed consistent with the current Pico Rivera GP and zoning designations. The Project is being evaluated at a programmatic level and there are no specific development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the Pico Rivera Municipal Code as well as the design guidelines and development standards within the WBTODSP area. These regulations, in combination with applicable mitigation measures, would further reduce Project and cumulative impacts. Therefore, the Project's contribution to cumulative impacts is not considered to be "cumulatively considerable."

#### 4.8.7 Significant Unavoidable Impacts

No significant unavoidable impacts have been identified.

#### 4.8.8 References

CAL FIRE. 2023. *FRAP FHSZ Viewer*. Retrieved from: <https://egis.fire.ca.gov/FHSZ/>, accessed September 2023.

California, State of, Department of Toxic Substances Control, *DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List)*. Retrieved from: <https://dtsc.ca.gov/dtscs-cortese-list/>, accessed September 2023.

City of Pico Rivera. 2014. *Pico Rivera General Plan Update 2014, Chapter 9 Safety Element*. Retrieved from: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-9.pdf>, accessed December 2023).

City of Ontario. 2018. *Ontario International Airport Land Use Compatibility Plan – Chapter 2*. Retrieved at: <https://www.ont-iac.com/airport-land-use-compatibility-plan/ont-alucp-chapter-2/>, accessed September 2023.

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County of Los Angeles Fire Department. N.d. *Certified Unified Program Agency (CUPA)*. Retrieved from: <https://fire.lacounty.gov/cupa-programs/>, accessed August 2023.

Department of Toxic Substances Control (DTSC). 2023. *EnviroStor*. Retrieved from: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=picorivera>, accessed August 2023.

Google Earth. 2023. Imagery Date: 5/30/1994. Location 33° 58'55.59"N 118°06'2.78"W.

## 4.9 HYDROLOGY AND WATER QUALITY

### 4.9.1 Introduction

This section of the Draft Program Environmental Impact Report (EIR) will identify potential significant impacts to hydrologic and water quality conditions that may occur from implementation of the Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WB TODSP”). The analysis includes a description of the current hydrological conditions of the Project site and any pertinent federal, state, or local regulations and policies intended for the management of hydrological resources. If the Project is determined to pose a potentially significant impact to the environment, appropriate mitigation measures would be included to reduce the significance of each impact.

The information and analysis rely on the following:

- Pico Rivera General Plan Update, 2014.
- Pico Rivera General Plan Update Draft EIR.
- IMEG. 2021. *Pico Rivera Water Authority - Urban Water Management Plan*.

### 4.9.2 Environmental Setting

#### Surface Water Hydrology

The City of Pico Rivera (City) is located within two watersheds; the western portion of the City is located in the Los Angeles River watershed and the eastern portion of the City is located in the San Gabriel River watershed. The Los Angeles watershed is shaped by a portion of the Los Angeles River, which flows from its headwaters in the mountains eastward to the northern corner of Griffith Park.<sup>1</sup> The Los Angeles River watershed has a total area of approximately 834 square miles.<sup>2</sup> The San Gabriel River watershed is bound by the San Gabriel Mountains to the north, most of San Bernardino/Orange County to the east, the division of the Los Angeles River from the San Gabriel River to the west, the Pacific Ocean to the south, and is approximately 690 square miles.<sup>3</sup>

The Project site is located within the Alhambra Wash-Rio Hondo Watershed (HUC12 180701050303).<sup>4</sup> This is a smaller drainage basin that drains into the Los Angeles River system, and ultimately discharges into the Pacific Ocean.<sup>5</sup>

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<sup>1</sup> California Water Boards. ND. *Los Angeles River Watershed*. [https://www.waterboards.ca.gov/rwqcb4/water\\_issues/programs/regional\\_program/Water\\_Quality\\_and\\_Watersheds/los\\_angeles\\_river\\_watershed/la\\_summary.shtml](https://www.waterboards.ca.gov/rwqcb4/water_issues/programs/regional_program/Water_Quality_and_Watersheds/los_angeles_river_watershed/la_summary.shtml) (accessed January 2024).

<sup>2</sup> Ibid.

<sup>3</sup> California Water Boards. ND. *San Gabriel River Watershed*. [https://www.waterboards.ca.gov/rwqcb4/water\\_issues/programs/regional\\_program/Water\\_Quality\\_and\\_Watersheds/san\\_gabriel\\_river\\_watershed/summary.shtml](https://www.waterboards.ca.gov/rwqcb4/water_issues/programs/regional_program/Water_Quality_and_Watersheds/san_gabriel_river_watershed/summary.shtml) (accessed January 2024).

<sup>4</sup> California Waterboards. 2022. *HUC Watersheds*. <https://gispublic.waterboards.ca.gov/portal/home/webmap/viewer.html?useExisting=1&layers=b6c1bab9acc148e7ac726e33c43402ee> (accessed January 2024).

<sup>5</sup> Arroyo Seco Foundation. ND. <https://www.arroyoseco.org/riohondowatershed.htm> (accessed January 2024).



## Groundwater Hydrology

The City and the Project area rely on water drawn from the Central Basin, which underlies the entire San Gabriel Valley. The Central Basin groundwater basin is recharged via recycled water and imported water originating in northern California from the State Water Project and Los Angeles Aqueduct.<sup>6</sup> Groundwater recharge through surface spreading occurs intentionally in the Montebello Forebay Spreading Grounds adjacent to the Rio Hondo and the San Gabriel rivers, within the unlined portion of the San Gabriel River, and incidental recharge behind the Whittier Narrows Dam in the Whittier Narrows Reservoir.<sup>7</sup>

### *Existing Site Drainage*

The Project area is comprised of approximately 305.1 acres within the Washington/Rosemead area of the City. The Project site is largely developed and has existing storm drain infrastructure that serve the Project site. Storm drains are the primary flood control facilities in the City, which convey local water runoff to Whittier Narrows Dam and the Rio Hondo and San Gabriel spreading grounds, located adjacent to the Rio Hondo and San Gabriel rivers. The Whittier Narrows Dam captures local stormwater flows for groundwater replenishment.

### *Flood Hazard, Tsunami, or Seiche Zone*

The Project site is located in Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map 06037C1830F (effective September 26, 2008).<sup>8</sup> The Project is designated Zone X, an area of reduced flood risk due to a levee.<sup>9</sup> Additionally, the City is located approximately 20 miles east of the Pacific Ocean and is not located within a tsunami hazard zone.<sup>10</sup> There are no large open bodies of water in the Project area.

## Water Quality

### *Groundwater Quality*

Due to the quality of recycled water used at the spreading grounds to recharge the Central Water Basin, groundwater in the Central Water Basin is of good quality and is suitable for public use.<sup>11</sup> Potential groundwater contamination sources include leaking underground storage tanks, petroleum pipeline leaks at refineries and petrochemical plants, and discharges from dry cleaning facilities, auto repair shops, metal work facilities, and others. However, the City does not contain any high-priority contaminated groundwater sites.<sup>12</sup>

### *Surface Water Quality*

Section 303(d) of the federal Clean Water Act (CWA) requires states to identify the waters of the state that do not meet the designated beneficial uses and to develop total maximum daily loads (TMDLs) for such waters, with oversight by the U.S. Environmental Protection Agency (U.S. EPA). These waterbodies

<sup>6</sup> IMEG. 2021. *2020 Urban Water Management Plan Update Pico Rivera Water Authority*. Page 36.

<sup>7</sup> Ibid, Page 37.

<sup>8</sup> FEMA. ND. *FEMA's National Flood Hazard Layer (NFHL) Viewer. Map Number 06037C1830F*. <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>. (Accessed August 2023).

<sup>9</sup> Ibid.

<sup>10</sup> ESA. 2014. *Pico Rivera General Plan Update Administrative Draft Environmental Impact Report – 3.7 Hydrology and Water Quality*. Page 3.7-9.

<sup>11</sup> Ibid, Page 3.7-12.

<sup>12</sup> Ibid.

are commonly referred to as impaired. A total maximum daily load (TMDL) is a quantifiable assessment of potential water quality issues, contributing sources, and load reductions or control actions needed to restore or protect bodies of water. Parts of the Santa Ana River are included on the 303(d) list. The Rio Hondo Reach 2 (At Spreading Grounds) is listed for Coliform Bacteria and Cyanide, and the San Gabriel River Reach 2 (Firestone to Whittier Narrows Dam) is listed for Cyanide, Lead, and Water Temperature.<sup>13</sup>

### 4.9.3 Regulatory Setting

#### Federal

##### *Clean Water Act*

The primary goals of the Clean Water Act (CWA) are to maintain the chemical, physical, and biological integrity of the nation's waters and to make all surface waters fishable and swimmable. The CWA forms the basic national framework for the management of water quality and the control of pollution discharges; it provides the legal framework for several water quality regulations, including the National Pollutant Discharge Elimination System (NPDES), effluent limitations, water quality standards, pretreatment standards, antidegradation policy, nonpoint-source discharge programs, and wetlands protection. The U.S. Environmental Protection Agency (EPA) has delegated the administrative responsibility for portions of the CWA to State and regional agencies. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The SWRCB works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality.

Under the NPDES permit program, the EPA establishes regulations for discharging stormwater by municipal and industrial facilities and construction activities. Section 402 of the CWA prohibits the discharge of pollutants into "Waters of the United States" from any point source unless the discharge is in compliance with an NPDES Permit.

The Anti-degradation Policy under EPA's Water Quality Standards Regulations (48 F.R. 51400, 40 CFR 131.12, November 8, 1983), requires states and tribes to establish a three-tiered anti-degradation program to prevent a decrease in water quality standards.

- Tier 1—Maintains and protects existing uses and water quality conditions that support such uses. Tier 1 is applicable to all surface waters.
- Tier 2—Maintains and protects "high quality" waters where existing conditions are better than necessary to support "fishable/swimmable" waters. Water quality can be lowered in such waters but not to the point at which it would interfere with existing or designed uses.
- Tier 3—Maintains and protects water quality in outstanding national resource waters (ONRWs). Water quality cannot be lowered in such waters except for certain temporary changes.

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<sup>13</sup> SWRCB. 2022. *California 2020-2022 Integrated Report*.  
<https://gispublic.waterboards.ca.gov/portal/apps/webappviewer/index.html?id=6cca2a3a1815465599201266373cbb7b> (accessed January 2024).

Anti-degradation was explicitly incorporated into the federal CWA through 1987 amendments, codified in Section 303(d)(4)(B), requiring satisfaction of anti-degradation requirements before making certain changes in NPDES permits.

Section 303(d) of the CWA requires the SWRCB to list impaired water bodies that are too polluted or otherwise degraded to meet the water quality standards set by states, territories, or authorized tribes. The law requires that these jurisdictions establish priority rankings for waters on the lists and develop TMDLs for these waters.

Section 404 of the CWA is administered and enforced by the U.S. Army Corps of Engineers (USACE). Section 404 establishes a program to regulate the discharge of dredged and fill material into waters of the United States, including wetlands and coastal areas below the mean high tide. USACE administers the day-to-day program and reviews and considers individual permit decisions and jurisdictional determinations. USACE also develops policy and guidance and enforces Section 404 provisions.

### ***Federal Emergency Management Agency – National Flood Insurance Program***

FEMA is tasked with responding to, planning for, recovering from, and mitigating against disasters. Among other things, FEMA is responsible for coordinating the federal response to floods. The Federal Insurance and Mitigation Administration within FEMA is responsible for administering the National Flood Insurance Program (NFIP) and other programs that provide assistance for mitigating damage from natural hazards. Established in 1968 with the passage of the National Flood Insurance Act, the NFIP is a federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for state and community floodplain management regulations that reduce future flood damages. Participation in the NFIP is based on an agreement between communities and the federal government. This insurance is designed to provide an insurance alternative to disaster assistance to reduce the escalating costs of repairing damage to buildings and their contents caused by floods.

### ***California Toxics Rule***

The California Toxics Rule is a federal regulation issued by the EPA with water quality criteria for potentially toxic constituents in receiving waters with human health or aquatic life designated uses in California. Criteria are applicable to the receiving water body and therefore must be calculated based on the receiving waters' probable hardness values for evaluation of acute (and chronic) toxicity criteria. At higher hardness values for the receiving water, copper, lead, and zinc are more likely to be complexed (bound with) components in the water column. This, in turn, reduces these metals' bioavailability and resulting potential toxicity.

Because of the intermittent nature of stormwater runoff, especially in southern California, the acute criteria are considered to be more applicable to stormwater conditions than the chronic criteria and therefore are used in assessing impacts. The acute criteria represent the highest concentration of a pollutant to which aquatic life can be exposed for a short period of time without deleterious effects; the chronic criteria equal the highest concentration to which aquatic life can be exposed for an extended period of time (four days) without deleterious effects.

## State

### *California Porter-Cologne Water Quality Control Act (Porter-Cologne Act)*

The Porter-Cologne Act (California Water Code Section 13000 et seq) is the principal law governing water quality regulation in California. It established a comprehensive program to protect water quality and the beneficial uses of water. 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 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 RWQCB's (based on hydrogeologic barriers which prevent the movement of viable pathogens from a contaminant source to a public supply well) and the SWRCB, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The SWRCB provides program guidance and oversight, allocates funds, and reviews RWQCB decisions. In addition, the SWRCB allocates rights to the use of surface water. The RWQCBs have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrology regions. The SWRCB and RWQCBs have numerous nonpoint source pollution (NPS) (broad and disconnected sources of pollution)-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 CWA, such as the NPDES permitting program. Section 401 of the CWA gives the SWRCB the authority to review any proposed federally permitted or federally licensed activity that may impact water quality and to certify, condition, or deny the activity if it does not comply with State water quality standards. If the SWRCB imposes a condition on its certification, those conditions must be included in the federal permit or license. Except for dredge and fill activities, injection wells, and solid waste disposal sites, waste discharge requirements may not "specify the design, location, type of construction, or particular manner in which compliance may be had...." (Porter-Cologne Act Section 13360). Thus, waste discharge requirements ordinarily specify the allowable discharge concentration or load or the resulting condition of the receiving water, rather than the manner by which those results are to be achieved. However, the RWQCBs may impose discharge prohibitions and

other limitations on the volume, characteristics, area, or timing of discharges and can set discharge limits such that the only practical way to comply is to use management practices. The RWQCBs can also waive waste discharge requirements for a specific discharge or category of discharges on the condition that management measures identified in a water quality management plan approved by the SWRCB or RWQCBs are followed.

The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. A number of statewide water quality control plans have been adopted by the SWRCB. 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. Statewide and regional water quality control plans include enforceable prohibitions against certain types of discharges, including those that may pertain to nonpoint sources. Portions of water quality control plans, the water quality objectives and beneficial use designations, are subject to review by EPA. When approved, they become water quality standards under the CWA. On a statewide basis, according to the California SWRCB, the water basin for the area is under jurisdiction of the Los Angeles RWQCB.

The Porter-Cologne Act establishes a comprehensive program for the protection of beneficial uses of the waters of the state. California Water Code Section 13050(f) describes the beneficial uses of surface and ground waters that may be designated by the state or regional board for protection as follows: "Beneficial uses of the waters of the state that may be protected against quality degradation include, but are not necessarily limited to, domestic, municipal, agricultural and industrial supply; power generation; recreation; aesthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves." Water bodies with substantial evidence which indicates that the waterbody supports rare, threatened, or endangered species are identified as RARE. This report requires a complete characterization of the discharge including design and actual flows, a list of constituents and the discharge concentration of each constituent, a list of other appropriate waste discharge characteristics, a description and schematic drawing of all treatment processes, a description of any best management practices (BMPs) used, and a description of disposal methods, and a site map.

### ***Construction General Permit***

Pursuant to the CWA, in 2009, the SWRCB issued a statewide general NPDES Permit for stormwater discharges from construction sites (NPDES No. CAS000002). Under this permit, discharges of stormwater from construction sites with a disturbed area of one or more acres must obtain individual NPDES permits or be covered by the General Permit—i.e., by filing a Notice of Intent with the SWRCB and developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must list best management practices (BMPs) implemented on the construction site to protect/retain stormwater runoff, and must contain a visual monitoring program, a sampling, analysis, and monitoring requirement for "non-visible" pollutants, and a monitoring plan if the site discharges directly to a water body listed on the state's 303(d) list of impaired waters.

### ***State Water Resources Control Board***

The SWRCB administers water rights, water pollution control, and water quality functions throughout the State, while the RWQCBs conduct planning, permitting, and enforcement activities. The City lies within the jurisdiction of the Los Angeles RWQCB.

The NPDES permit is broken up into two Phases: I and II. Phase I requires medium and large cities, or certain counties with populations of 100,000 or more to obtain NPDES permit coverage for their stormwater discharges. Phase II requires regulated small MS4s in urbanized areas, as well as small MS4s outside the urbanized areas that are designated by the permitting authority, to obtain NPDES permit coverage for their stormwater discharges. Concerning the proposed Project, the NPDES permit is divided into two parts: construction and post-construction. The construction permitting is administered by the SWRCB, while the post-construction permitting is administered by the RWQCB. Development projects typically result in the disturbance of soil that requires compliance with the NPDES General Permit, Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Construction Activities (Order No. 2012-0006-DWQ, NPDES Number CAS000002) (General Construction Permit). This Statewide General Construction Permit regulates discharges from construction sites that disturb one or more acres of soil.

The SWRCB has issued and periodically renews a statewide General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (GCASP) and a statewide General Industrial Activities Stormwater Permit (GIASP) for projects that do not require an individual permit for these activities. The GCASP was adopted in 2009 and further revised in 2012 (Order No. 2012-0006-DWQ). The most recent GIASP (Order No. 2014-0057-DWQ) was adopted in April 2014 and requires dischargers to develop and implement a Stormwater Pollution Prevention Plan (SWPPP) to reduce or prevent industrial pollutants in stormwater discharges, eliminate unauthorized non-storm discharges, and conduct visual and analytical stormwater discharge monitoring to verify the effectiveness of the SWPPP and submit an annual report.

By law, all stormwater discharges associated with construction activity where clearing, grading, and excavation results in soil disturbance of at least one acre of total land area must comply with the provisions of this NPDES Permit and develop and implement an effective SWPPP. The SWPPP is required to contain a site map, which shows the construction site perimeter, existing and proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the Project site. The SWPPP is required to list BMPs the discharger would use to protect stormwater runoff (such as stormwater treatment systems) and the placement of those BMPs. Additionally, the SWPPP must contain the following elements: a visual monitoring program; a chemical monitoring program for “non-visible” pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Construction General Permit Section A describes the elements that must be contained in an SWPPP. A project applicant must submit a Notice of Intent (NOI) to the SWRCB to be covered by the NPDES General Permit and prepare the SWPPP before beginning construction. SWPPP implementation starts with the commencement of construction and continues through project



completion. Upon project completion, the applicant must submit a Notice of Termination (NOT) to the SWRCB to indicate that construction is completed.

The Municipal Stormwater Permitting Program regulates stormwater discharges from municipal separate storm sewer (drain) systems (MS4s). Most of these permits are issued to a group of co-permittees encompassing an entire metropolitan area. The MS4 permits require the discharger to develop and implement a Stormwater Management Plan/Program with the goal of reducing the discharge of pollutants to the maximum extent practicable (MEP). MEP is the performance standard specified in CWA Section 402(p). The management programs specify what BMPs will be used to address certain program areas. The program areas include public education and outreach; illicit discharge detection and elimination; construction and post-construction; and good housekeeping for municipal operations.

For construction activities that would result in the disturbance of one acre or more, permittees must develop, implement, and enforce a program to reduce pollutant runoff in stormwater. This includes: (1) a program to prevent illicit stormwater discharges; (2) structural and non-structural BMPs to reduce pollutants in runoff from construction sites; and (3) preventing discharges from causing or contributing to violations of water quality standards. Permittees are required to review construction site plans to determine potential water quality impacts and ensure proposed controls are adequate. These include preparation and submission of an Erosion and Sediment Control Plan (ESCP) with elements of an SWPPP, prior to issuance of building or grading permits. The 2012 MS4 permit requires that the ESCP be developed by a Qualified SWPPP Developer. Permittees are required to develop a list of BMPs for a range of construction activities.

### ***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 (SWRCB, 2017). 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.<sup>14</sup>

### ***Sustainable Groundwater Management Act (SGMA)***

The California Department of Water Resources' (DWR's) 2014 Sustainable Groundwater Management Act (SGMA) requires local public agencies and Groundwater Sustainability Agencies (GSAs) in "high"- and

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<sup>14</sup> California Water Boards, Watershed Management Initiative (WMI). Retrieved from: [https://www.waterboards.ca.gov/water\\_issues/programs/watershed/](https://www.waterboards.ca.gov/water_issues/programs/watershed/). (accessed April 2023).

“medium”-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs (DWR, 2019). The DWR categorizes the priority of groundwater basins (DWR, 2018). The DWR categorizes the priority of groundwater basins (DWR, 2018). GSPs are detailed road maps for how groundwater basins will reach long term sustainability. Section 10720.8(a) of the SGMA exempts adjudicated basins from the SGMA’s requirement to prepare a GSP.<sup>15</sup>

## Regional

### *Los Angeles County Municipal Separate Storm Sewer System Permit<sup>16</sup>*

The current MS4 Permit for Los Angeles County (Order No. R4-2012-0175) was adopted on November 8, 2012, became effective on December 28, 2012, and was amended by Order WQ 2015-0075 on June 16, 2015. The existing MS4 permit is the fourth iteration of the storm water permit for the MS4s in the Los Angeles region (Los Angeles County Flood Control District, County of Los Angeles, 84 incorporated cities within the County watersheds excluding Long Beach). The permit includes requirements that are necessary to improve efforts to reduce the discharge of pollutants in stormwater runoff to the MEP and achieve water quality standards. The permit requires that runoff is addressed during the major phases of urban development (planning, construction, and operation) to reduce the discharge of pollutants from storm water to the MEP, effectively prohibit non-storm water discharges and protect receiving waters.

Compliance with MS4 Permit construction requirements includes implementation of minimal construction site BMPs for erosion, sediment, non-storm water management and waste management. The permit requires the design and implementation of specific post-construction controls to mitigate storm water pollution, prior to project completion, for all “new development” and “redevelopment” projects that meet certain criteria as specified in the permit. During operation of proposed facilities under the permit, non-storm water discharges from the development would be prohibited (with some conditional exceptions) and requires the implementation of BMPs to eliminate the discharges to the MEP. Storm water effluent must meet water-quality based effluent limitations, or water quality standards for discharge leaving the site, and must not cause or contribute to the exceedance of receiving water limitations.

The permit requires each permittee to implement a Planning and Land Development Program for all new development and redevelopment subject to:

- Lessen the water quality impacts of development by using smart growth practices such as compact development, directing development towards existing communities via infill or redevelopment, and safeguarding of environmentally sensitive areas.
- Minimize the adverse impacts from storm water runoff on the biological integrity of Natural Drainage Systems and the beneficial uses of water bodies in accordance with requirements under CEQA (Cal. Pub. Resources Code Section 21000 et seq.).

<sup>15</sup> United States Geologic Survey, 2014. Sustainable Groundwater Management. Retrieved from: <https://ca.water.usgs.gov/sustainable-groundwater-management/>. (accessed April 2023).

<sup>16</sup> ESA. 2014. *Pico Rivera General Plan Update – 3.7 Hydrology and Water Quality*. Pg. 3.7-19.

- Minimize the percentage of impervious surfaces on land developments by minimizing soil compaction during construction, designing projects to minimize the impervious area footprint, and employing Low Impact Development (LID) design principles to mimic predevelopment hydrology through infiltration, evapotranspiration and rainfall harvest and use.
- Maintain existing riparian buffers and enhance riparian buffers when possible.
- Minimize pollutant loadings from impervious surfaces such as roof tops, parking lots, and roadways through the use of properly designed, technically appropriate BMPs (including Source Control BMPs such as good housekeeping practices), LID Strategies, and Treatment Control BMPs.
- Properly select, design and maintain LID and Hydromodification Control BMPs to address pollutants that are likely to be generated, reduce changes to pre-development hydrology, assure long-term function, and avoid the breeding of vectors.
- Prioritize the selection of BMPs to remove storm water pollutants, reduce storm water runoff volume, and beneficially use storm water to support an integrated approach to protecting water quality and managing water resources in the following order of preference:
  - On-site infiltration, bioretention and/or rainfall harvest and use.
  - On-site biofiltration, off-site ground water replenishment, and/or off-site retrofit.

### ***Los Angeles County Standard Urban Storm Water Mitigation Plan<sup>17</sup>***

The Standard Urban Storm Water Mitigation Plan (SUSMP) outlines necessary BMPs which must be incorporated into design plans for the specific categories of development and/or redevelopment. These categories include:

- Single-family hillside homes (only development of one acre or more of surface area is subject to the SUSMP numerical design criteria requirement)
- Ten or more unit homes (includes single family homes, multifamily homes, condominiums, and apartments);
- Automotive service facilities (Standard industrial classification (SIC) codes 5013, 5014, 5541, 7532-7534, and 7536-7539);
- Restaurants (SIC code 5812);
- 100,000 or more square feet of impervious surface in industrial/commercial
- Retail gasoline outlet;
- Parking lot 5,000 square feet or more of surface area or with 25 or more parking spaces;
- Redevelopment projects in subject categories that meet redevelopment thresholds; and
- Location within or directly adjacent to or discharging directly to an environmentally sensitive area if the discharge is likely to impact a sensitive biological species or habitat and the development creates 2,500 square feet or more of impervious surface.

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<sup>17</sup> ESA. 2014. *Pico Rivera General Plan Update – 3.7 Hydrology and Water Quality*. Pg. 3.7-21.

The BMPs frequently pertain to the proper design of components of the project, including the outdoor storage areas and trash storage areas, as well as the protection of slopes and minimization of storm water pollutants of concern.

### ***Water Quality Control Plan for the Los Angeles Region<sup>18</sup>***

The California Water Code (Section 13240) requires the preparation and adoption of water quality control plans. Per Section 13050 of the California Water Code, Basin Plans establish the beneficial uses to be protected for the waters within a specified area, water quality objectives to protect those uses, and an implementation program for achieving the objectives. The Water Quality Control Plan for the Los Angeles Region (Basin Plan) is designed to preserve and enhance water quality and protect beneficial uses of all waters. The Basin Plan specifically designates beneficial uses for surface and ground waters; sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy; and describes implementation programs for achieving objectives to protect all waters in the Basin Plan. Additionally, the Basin Plan incorporates all applicable State and Regional Board plans, policies, and other pertinent water quality policies and regulations, including the anti-degradation policy.

## **Local**

### ***City of Pico Rivera Multi-Jurisdictional Hazard Mitigation Plan Update (MHMP)***

The City's MHMP is a plan that the City reviews, monitors, and updates to reflect changing conditions and new information regarding hazards faced by the City. The most current version is dated August 2011 and was approved and adopted by the Pico Rivera City Council on December 13, 2011. The MHMP addresses hazards associated with earthquakes, windstorms, heavy rain, transportation loss, utility disruption/loss, water/wastewater emergencies, data/telecommunications disruptions, transportation and pipeline accidents/incidents, hazardous materials, flooding, terrorism, wildfire, and drought. The MHMP includes mitigation measures and action plans to address concerns on a community-wide level. The MHMP mitigation measures include: increase public understanding and support for effective hazard mitigation; enhance hazard mitigation coordination and communication with federal, state, county, and local jurisdictions; reduce the possibility of damage and losses to new and existing assets, including people, critical facilities/infrastructure, and public facilities due to earthquakes; and reduce the possibility of damage and losses to new and existing assets, including people, critical facilities/infrastructure, and public facilities due to floods.

### ***The City of Pico Rivera General Plan Update 2014***

#### ***Environmental Resources Element***

The City of Pico Rivera General Plan Update (Pico Rivera General Plan) Environmental Resources Element focuses on the long-term management of the City's environmental resources including air quality,

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<sup>18</sup> ESA. 2014. *Pico Rivera General Plan Update – 3.7 Hydrology and Water Quality*. Pg. 3.7-18

greenhouse gas emissions, water resources, biological resources, mineral resources, and cultural resources.<sup>19</sup>

**Goal 8.4**      **Protection of the City’s water resources and quality with implementation of sustainable water use practices that meet the needs of its residents and businesses.**

**Policy 8.4-1**      **Surface Water.** Protect surface water resources in Pico Rivera, including the Rio Hondo and San Gabriel Rivers.

**Policy 8.4-4**      **Regional Coordination.** Coordinate and collaborate with agencies in the region and watershed to address water quality issues.

**Policy 8.4-5**      **National Pollution Discharge Elimination System.** Regulate construction and operational activities to incorporate stormwater protection measures and best management practices in accordance with the City’s National Pollution Discharge Elimination System (NPDES) permit.

**Policy 8.4-6**      **Industrial Users.** Regulate discharge from industrial users in accordance with local, regional, and State regulations to protect the City’s natural water bodies.

**Policy 8.4- 7**      **Underground Storage Tanks.** Monitor underground storage tanks containing hazardous materials on a regular basis in accordance with federal, state, and local regulations.

**Policy 8.4-8**      **New Development.** Require new development to protect the quality of surface and groundwater bodies and natural drainage systems through site design, stormwater retention and treatment, and implementation of low impact development measures.

**Policy 8.4-10**      **Water Conservation in New Development.** Require new development to incorporate water conservation techniques into building and site design including the use of water efficient fixtures, drought-tolerant and native landscaping, efficient irrigation systems, on-site stormwater capture and reuse systems, and water reuse in accordance with state and other relevant standards, including the City’s Water Efficient Landscape ordinance.

### *City of Pico Rivera Municipal Code*

#### *Chapter 15.50, Floodplain Management*

Chapter 15.50 of the City of Pico Rivera Municipal Code (PRMC) promotes public health, safety, and general welfare, and to minimize public and private losses due to flood conditions.<sup>20</sup> The PRMC includes provisions that include review of permits by the Floodplain Administrator to determine safety in regard to flooding.<sup>21</sup> The City outlines several provisions that are outlined in the entirety of Chapter 15.50.

The PRMC also lists standards of construction for all buildings built in special flood hazard areas, which include anchoring, utilization of flood damage-resistant materials, floodproofing, and prohibition of

<sup>19</sup> City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Environmental Resources Element*. Retrieved at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-8.pdf>. (Accessed August 2023).

<sup>20</sup> Quality code Publishing. 2023. *Chapter 15.50 Floodplain Management*. [https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code/item/title\\_15-chapter\\_15\\_50?view=all](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code/item/title_15-chapter_15_50?view=all) (Accessed August 2023).

<sup>21</sup> Ibid.

floodway encroachment.<sup>22</sup> Additionally, the PRMC includes specific standards for utilities and subdivisions to provide appropriate drainage and prevent flooding infiltration.<sup>23</sup>

#### *Chapter 13.70, Water Conservation and Water Supply Shortage Program*

The City has instituted water control measures and restrictions pursuant to Chapter 13.70 of the PRMC.<sup>24</sup> The goal of the conservation and planning measures is to establish a water conservation and supply shortage program that will reduce water consumption and maximize efficient use of water within the City.<sup>25</sup> Chapter 13.70.040 of the PRMC establishes permanent water conservation requirements, which include limits on watering hours, duration of watering, flow amount, vehicle washing and water systems.<sup>26</sup>

### **4.9.4 Impact Thresholds and Significant Criteria**

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the development of the site would have a significant environmental impact if one or more of the following occurs:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality;
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;
- 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:
  - result in a substantial erosion or siltation on- or off-site;
  - substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
  - create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
  - impede or redirect flood flows;
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

### **WBTODSP Impacts**

The proposed WBTODSP does not include any site-specific designs or proposals, nor does it grant any entitlements for development. However, future development in the WBTODSP area could impact the local

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<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> Quality code Publishing. 2023. *Chapter 13.70 Water Conservation and Water Supply Shortage Program*.

[https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code/item/title\\_13-division\\_iv-chapter\\_13\\_70?view=all](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code/item/title_13-division_iv-chapter_13_70?view=all) (Accessed August 2023).

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.



hydrology and water quality through associated construction and operational activities. Future development project(s) will be subject to any requirements and determinations made in this section.

#### 4.9.5 Impacts and Mitigation Measures

**Impact 4.9-1** *Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

***Level of Significance: Less than Significant***

##### Construction

The WBTODSP Project does not propose any specific developments but will provide opportunities for future development/redevelopment projects. Future development/redevelopment project's construction-related activities would include excavation, grading, and trenching, which would displace soils and temporarily increase the potential for soils to violate water quality standards or waste discharge requirements. Construction activity would be subject to the NPDES program's Construction General Permit. Construction activity subject to the Construction General Permit includes any construction or demolition activity, including, but not limited to, clearing, grading, grubbing, or excavation, or any other activity that results in a land disturbance of equal to or greater than 1.0 acres. To obtain coverage under the Construction General Permit, dischargers are required to file with the State Water Board the Permit Registration Documents, which include a Notice of Intent (NOI) and other compliance-related documents. The Construction General Permit requires development and implementation of a SWPPP and monitoring plan, which must include erosion-control and sediment-control BMPs that would meet or exceed measures required by the Construction General Permit to control potential construction-related pollutants. Erosion-control BMPs are designed to prevent erosion, whereas sediment control BMPs are designed to trap sediment once it has been mobilized. The types of required BMPs would be based on the amount of soil disturbed, the types of pollutants used or stored at the Project site, and proximity to water bodies.

The Project would also be required to comply with City regulations of the PRMC Title 16 Chapter 16.04: Stormwater and Urban Runoff Pollution Prevention). Additionally, the Pico Rivera General Plan and Zoning Code Update contains goals, policies, and actions to reduce water quality impacts. The goals include protection of the City's water resources and quality with implementation of sustainable water use practices that meet the needs of its residents and businesses. Policy 8.4-5 requires compliance with NPDES for construction and operational activities. The policy requires construction activities to incorporate stormwater protection measures and best management practices (BMPs) in accordance with the City's NPDES or MS4 permit. Compliance with the Statewide NPDES Construction General Permit and MS4 permit require implementation of best management practices to protect water quality. Minimum BMPs for all construction sites are listed in **Table 4.9-1, Applicable Set of BMPs for All Construction Sites**.

**Table 4.9-1: Applicable Set of BMPs for All Construction Sites**

Type	BMP
Erosion Control	<ul style="list-style-type: none"> <li>■ Scheduling</li> <li>■ Preservation of Existing Vegetation</li> </ul>
Sediment Controls	<ul style="list-style-type: none"> <li>■ Silt Fence</li> <li>■ Sandbag Barrier</li> <li>■ Stabilized Construction Site Entrance/Exit</li> </ul>
Non-Storm Water Management	<ul style="list-style-type: none"> <li>■ Water Conservation Practices</li> <li>■ Dewatering Operations</li> </ul>
Waste Management	<ul style="list-style-type: none"> <li>■ Material Delivery and Storage</li> <li>■ Stockpile Management</li> <li>■ Spill Prevention and Control</li> <li>■ Solid Waste Management</li> <li>■ Concrete Waste Management</li> <li>■ Sanitary/Septic Waste Management</li> </ul>
Cite: Order No. r4-2012-0175 Source: General Plan Update Draft EIR. 2014. Section 3.7, Hydrology and Water Quality, Table 3.7-5: Applicable Set of BMPs for all Construction Sites.	

Each future development proposal occurring within the WBODSP Project area would be assessed individually to ensure compliance with applicable NPDES requirements. Compliance with the Construction General Permit is required when the total construction disturbance would be greater than one acre; the developer would be required to obtain coverage under the Statewide NPDES Construction General Permit. The Statewide NPDES Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would address site-specific construction conditions. The SWPPP would identify the sources of sediment and other pollutants that may affect the quality of storm water discharges during construction and describes the implementation and maintenance of erosion control and sediment control BMPs to reduce or eliminate sediment, pollutants adhering to sediment, and non-sediment pollutants in storm water as well as non-storm water discharges. Erosion control BMPs are source control practices that protects the soil surface and prevents soil particles from being detached by rainfall, flowing water, and wind. Sediment control BMPs are any practices that traps soil particles after they have been detached and moved by rain, flowing water, and wind. Sediment control BMPs are passive systems that rely on filtering or settling the particles out of the water or wind that is transporting them. Sediment control BMPs are most effective when used in combination with erosion control BMPs; this combination of BMPs is the most effective means to prevent sediment from leaving the project site and potentially entering storm drains or receiving waters.

Developments disturbing less than one acre would not be required to comply with the Statewide NPDES Construction General Permit but would be required to comply with the construction requirements specified in the MS4 permit in effect at that time. These requirements would include the implementation of minimum BMPs (listed above in Table 4.9-1) on the construction site for erosion, sediment, non-storm water management and waste management. Adherence to the MS4 permit and Construction General Permit conditions, as stated in the goals, policies, and actions to reduce water quality impacts would ensure that potential water quality degradation associated with the construction of all large and small future development projects would be minimized. With implementation of erosion and sediment control BMPs, as would be required by the appropriate permitting authority and goals, policies, and actions to reduce water quality impacts, construction-related impacts to water quality from future development projects would be less than significant.

## Operational

As noted in the Pico Rivera General Plan Draft EIR, the City assumed that future General Plan and Zoning Code amendments would increase development and redevelopment within the City, inclusive of the WBODSP Project area. It was determined that the introduction of new land uses to an area not previously containing that same land use, such as changing industrial to commercial or residential, as well as the intensification of existing land uses, may introduce new or additional pollutants to the area (e.g., pathogens, nutrients, pesticides, sediment, trash and debris, oxygen demanding substances, organic compounds, oil and grease).

Build out under the Pico Rivera General Plan and Zoning Code Update amendments estimated potential increase of approximately 4,268 dwelling units and 5,920,323 ft<sup>2</sup> of commercial, industrial, public facility, and mixed use development within the City.<sup>27</sup> Consistent with the City's growth assumptions, the WBODSP Project would allow for future development projects with up to 2,336 multi-family dwelling units (DUs) and up to 5,889,747 SF of (non-residential) combined commercial, retail, office, light industrial, and public facilities; refer to **Section 3.0, Project Description**, for a detailed description of the Project.

Chemicals used during the operation of the new and/or redeveloped commercial, industrial, public facility, mixed use and residential structures could potentially discharge into surface waters either directly or during storm water runoff events, resulting in degradation of surface water quality. The two waterbodies near the project area (the Rio Hondo and San Gabriel rivers) are both currently listed as impaired on the EPA's 303(d) list,<sup>28</sup> nonpoint and urban runoff sources for coliform bacteria, cyanide and lead impairments. The Pico Rivera General Plan Draft EIR determined that future operations of project within the City could create new or exacerbate existing impairments within these waterbodies, which would result in a significant impact related to water quality. Future development projects associated with the WBODSP are not anticipate creating or exacerbate these water bodies.

The Pico Rivera General Plan and Zoning Code Update contains goals, policies, and actions to reduce water quality impacts. The goals include protection of the City's water resources and quality with implementation of sustainable water use practices that meet the needs of its residents and businesses. Policy 8.4-5 requires compliance with NPDES for construction and operational activities. In addition, Policy 8.4-8 requires new development to protect the quality of surface and groundwater bodies and natural drainage systems through site design, stormwater retention and treatment, and implementation of LID measures.

As part of compliance with the existing MS4 permit, the operation of future site-specific development projects and redevelopment projects would be required to comply with the Los Angeles RWQCB MS4 permit development planning requirements in effect at the time of planning and construction, as well as the City of Pico Rivera floodplain management and stormwater management ordinances in its City Code. Specific types of new development and redevelopment would be required to comply with the design requirements of the County Standard Urban Storm Water Mitigation Plan (SUSMP); these include

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<sup>27</sup> General Plan Update Draft EIR. *Chapter 3.7 – Hydrology and Water Quality*. Page 3.7-26.

<sup>28</sup> SWRCB. 2021. *2018 California Integrated Report (Clean Water Act Section 303(d) List and 305(b) Report)*. Available at [https://www.waterboards.ca.gov/water\\_issues/programs/water\\_quality\\_assessment/2018\\_integrated\\_report.html](https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2018_integrated_report.html)

implementation of non-structural, structural, source control and treatment control BMPs during the planning process prior to project approval. Examples of these BMPs can include preservation of natural areas, storm drain system stenciling and signage, minimize directly connected impervious areas, infiltration, bioswales, capture and reuse, bio filtration/ evapotranspiration, and/or high pollutant removal efficiency devices. Such non-structural, structural, source control and treatment control BMPs would help filter pollutants from surface water and protect water quality of receiving waters.

Policy 8.4-5 requires compliance with NPDES for construction and operational activities. Policy 8.4-6 request that industrial users are regulated discharge from industrial users in accordance with local, regional, and State regulations to protect the City's natural water bodies. Operation of existing industrial development must be in compliance with an existing site-specific Industrial SWPPP as required by the Industrial General Permit, which includes the implementation of exposure minimization, storm water containment, and treatment control BMPs. All new industrial development would be required to comply with the Industrial General Permit through development of a site-specific SWPPP and appropriate reporting of water quality threshold exceedances.

Adherence with the Los Angeles RWQCB MS4 permit, City floodplain management and stormwater management ordinances, LID standards, and the industrial and construction NPDES program requirements would ensure the implementation of non-structural, structural, source control and treatment control BMPs during operation of the proposed project. In addition, the Pico Rivera General Plan includes the following applicable policies related to water quality:

- Policy 8.4-1      Surface Water. Protect surface water resources in Pico Rivera, including the Rio Hondo and San Gabriel Rivers.
- Policy 8.4-4      Regional Coordination. Coordinate and collaborate with agencies in the region and watershed to address water quality issues.
- Policy 8.4-5      National Pollution Discharge Elimination System. Regulate construction and operational activities to incorporate stormwater protection measures and best management practices in accordance with the City's National Pollution Discharge Elimination System (NPDES) permit.
- Policy 8.4-6      Industrial Users. Regulate discharge from industrial users in accordance with local, regional, and State regulations to protect the City's natural water bodies.
- Policy 8.4-7      Underground Storage Tanks. Monitor underground storage tanks containing hazardous materials on a regular basis in accordance with federal, state, and local regulations.
- Policy 8.4-8      New Development. Require new development to protect the quality of surface and groundwater bodies and natural drainage systems through site design, stormwater retention and treatment, and implementation of low impact development measures (LID).

With compliance with applicable regulatory requirements, water quality impacts associated with development projects construction activities would be less than significant and no mitigation measures would be required.

### **Mitigation Measures**

No mitigation is necessary.

***Impact 4.9-2      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?***

***Level of Significance: Less than Significant***

According to the Pico Rivera Water Authority (PRWA) Urban Water Management Plan (UWMP), all current potable water demands are sourced from groundwater pumped from the Central Groundwater Basin. The groundwater within the Central Basin is recharged via recycled water and imported water originating in northern California from the State Water Project and Los Angeles Aqueduct.<sup>29</sup> Groundwater recharge through surface spreading occurs intentionally in the Montebello Forebay Spreading Grounds adjacent to the Rio Hondo and the San Gabriel rivers, within the unlined portion of the San Gabriel River, and incidental recharge behind the Whittier Narrows Dam in the Whittier Narrows Reservoir.<sup>30</sup>

As part of the UWMP, PRWA has projected water demand from 2025 through 2040 for residential and commercial uses. Total potable water demand would be 4,261 AF while the total water supply would be 4,352 AF by 2040.<sup>31</sup> The WBTODSP Project would allow for future development projects with up to 2,336 multi-family DUs and up to 5,889,747 SF of (non-residential) combined commercial, retail, office, light industrial, and public facilities. . The actual water demand in 2020 for residential and commercial sources was 4,220 AF while the actual water supply was 4,310.<sup>32</sup> Considering the 2020 UWMP projections for future groundwater supply and demand, the Project would not substantially decrease groundwater supply. However, future development projects would be required to complete their own project-specific water supply assessment to ensure that the proposed development project would not substantially degrade existing groundwater supply as determined by the UWMP.

Groundwater recharge of the Central Basin is sourced from natural recharge via percolation, imported recycled water, and imported water from northern California. PRWA purchases recycled water from Central Basin Municipal Water District (CBMWD) and imports it for groundwater recharge. The Water Replenishment District (WRD) is responsible for treating the recycled water for groundwater replenishment. Currently, WRD is capable of delivering 3.85 billion gallons (21,000 AF) of water to the San Gabriel Coastal Spreading Grounds for percolation back into the groundwater basin. Since majority of groundwater recharge is reliably supplied via recycled water, the Project would not directly impact

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<sup>29</sup> IMEG. 2021. *2020 Urban Water Management Plan Update Pico Rivera Water Authority*. Page 36.

<sup>30</sup> Ibid, Page 37.

<sup>31</sup> Ibid, Page 26.

<sup>32</sup> Ibid, Page 24 and Page 26.

groundwater recharge, nor would it impede with the WRD's ability to sustainably manage groundwater recharge of the Central Basin.

As previously mentioned, future development projects would be required to develop project-specific water supply assessments to ensure that development would not deplete groundwater supplies or interfere with groundwater recharge. Additionally, the Central Basin is a low-priority adjudicated basin according to the SGMA, which means that the governing agency of the Central Basin is not required to develop or implement a Groundwater Sustainability Plan. Considering the UWMP has determined that PRWA has sufficient water supply to meet projected demand and that WRD manages groundwater replenishment of the Central Basin, the Project would not substantially deplete groundwater supplies or impede groundwater recharge, and a less than significant impact would occur.

### **Mitigation Measures**

No mitigation is necessary.

***Impact 4.9-3***      ***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?***

***Level of Significance: Less than Significant***

Consistent with the 2020 UWMP regarding the City's is largely built out nature; the majority of development under the WBTODSP Project site would consist of redevelopment of existing developed sites. The existing drainage pattern of the San Gabriel River and the Rio Hondo River would not be altered as a result of the proposed Project. The WBTODSP Project does not propose altering any drainage patterns. All applicable standards would be applied to future development projects to ensure that they are not constructed in a way that would alter a stream or river or result in substantial erosion. Storm drains in Pico Rivera are the primary flood control facilities in the city and serve to convey local water runoff. Because the City is largely built out and paved, there is low erosion potential. As required by the MS4 Permit, new development and redevelopment would be designed to mimic and/or preserve the natural drainage patterns; such alterations consistent with drainage patterns would not result in substantial erosion or siltation.

The Pico Rivera General Plan contains goals, policies, and implementation measures to reduce water quality impacts. The goals include protection of the City's water resources and quality with implementation of sustainable water use practices that meet the needs of its residents and businesses. Policy 8.4-5 requires compliance with NPDES for construction and operational activities. In addition, Policy 8.4-8 requires new development to protect the quality of surface and groundwater bodies and natural drainage systems through site design, stormwater retention and treatment, and implementation of LID measures.

Adherence with Statewide NPDES Construction General Permit or MS4 construction requirements, as required by Policy 8.4-5, would ensure erosion or siltation does not occur on-site through the



implementation erosion and sediment control BMPs during all construction activities. These requirements would include the implementation of minimum BMPs (listed above in Table 4.9-1) on the construction site for erosion, sediment, non-storm water management and waste management. Adherence to the MS4 permit and Construction General Permit conditions, as stated in the goals, policies, and actions to reduce water quality impacts would ensure that potential water quality degradation associated with the construction of all large and small future development projects would be minimized. With implementation of erosion and sediment control BMPs, as would be required by the appropriate permitting authority and goals, policies, and actions to reduce water quality impacts, construction-related impacts to water quality from future development projects would be less than significant.

Compliance with the Los Angeles RWQCB MS4 permit, City of Pico Rivera floodplain management and stormwater management ordinances, LID standards would require the assessment of existing drainage and the appropriate design of drainage facilities to ensure that new development and redevelopment does not substantially alter the existing drainage pattern on the site or area as to cause substantial erosion or siltation on-or off-site. In addition, the Pico Rivera General Plan includes the following applicable policies related to runoff and storm drain capacity:

- Policy 8.4-5      National Pollution Discharge Elimination System. Regulate construction and operational activities to incorporate stormwater protection measures and best management practices in accordance with the City's National Pollution Discharge Elimination System (NPDES) permit.
- Policy 8.4-8      New Development. Require new development to protect the quality of surface and groundwater bodies and natural drainage systems through site design, stormwater retention and treatment, and implementation of low impact development measures (LID).

With compliance with applicable regulatory requirements, development projects within the WBTODSP Project area would have less than significant.

### **Mitigation Measures**

No mitigation is necessary.

***Impact 4.9-4      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:***

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

***Level of Significance: Less than Significant***

The 2020 UWMP assumes an increase in commercial and residential development and redevelopment. Build out under the Pico Rivera General Plan and Zoning Code Update amendments were anticipated to result in an estimated potential increase of 4,268 dwelling units and 5,920,323 ft<sup>2</sup> of commercial, industrial, public facility, and mixed-use development within the City. The presence of new development

within the City and changes in the extent of permeable and impermeable surfaces may alter the direction, and volume and rate of overland flows during both wet and dry periods. The Pico Rivera General Plan and PRMC contains goals, policies, and actions to reduce water quality impacts. The goals include protection of the City's water resources and quality with implementation of sustainable water use practices that meet the needs of its residents and businesses. Policy 8.4-5 requires compliance with NPDES for construction and operational activities. In addition, Policy 8.4-8 requires new development to protect the quality of surface and groundwater bodies and natural drainage systems through site design, stormwater retention and treatment, and implementation of LID measures. As part of the County SUSMP and MS4 permit requirements, overland flows and drainage volumes and rates at each future proposed development would be assessed and drainage facilities designed such that each priority development project must be required to implement hydromodification features or LID BMPs that are designed to retain (i.e., intercept, store, infiltrate, evaporate, and evapotranspire) on-site the volume of storm water runoff produced from a 24-hour 85th percentile storm event (design capture volume) and post-project runoff conditions (flow rates and durations) must not exceed pre-development runoff conditions by more than 10 percent. Adherence to requirements found in the County SUSMP and MS4 permit in effect at the time of construction would ensure no substantial increases in on-site or off-site flooding would occur as a result of drainage alteration. The Pico Rivera General Plan includes the following applicable policies related to runoff and storm drain capacity:

- Policy 8.4-5      National Pollution Discharge Elimination System. Regulate construction and operational activities to incorporate stormwater protection measures and best management practices in accordance with the City's National Pollution Discharge Elimination System (NPDES) permit.
- Policy 8.4-8      New Development. Require new development to protect the quality of surface and groundwater bodies and natural drainage systems through site design, stormwater retention and treatment, and implementation of low impact development measures (LID).

With compliance with applicable regulatory requirements, development projects impacts would be less than significant.

### **Mitigation Measures**

No mitigation is necessary.

***Impact 4.9-5      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:***

- iii) Create or contribute run-off water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?***

***Level of Significance: Less than Significant***

As previously discussed, future development projects must comply with the requirements of the NPDES Permit. Additionally, as mandated by the RWQCB and through implementation of the Water Quality Management Plan (WQMP), future projects on the Project site would incorporate design features that would include stormwater drainage systems that would be engineered, designed, and installed to satisfy all water quality requirements. To ensure that the new storm water drainage improvements are planned and designed to satisfy these requirements as well as all other applicable standards and requirements, would be verified by the City and incorporated as conditions of approval to all future projects prior to the issuance of any construction permit. Compliance with these requirements would ensure impacts are less than significant and mitigation would not be required.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.9-6**      *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:*

*iv) Impede or redirect flood flows?*

***Level of Significance: Less than Significant***

According to the FEMA, the Project site is located within FEMA FIRM Panel 06037C1830F, which is an area of minimal flood hazard.<sup>33</sup> The Project site is located within an area of reduced flood risk due to a levee (Zone X). Additionally, the entire City with the exception of the San Gabriel and Rio Hondo rivers is designated as an “X” Flood Risk Zoning, which indicates that the area is outside of the 500-year flood.<sup>34</sup> Lastly, any future development facilitated by the Project would require a WQMP. The WQMP would include project specific identification of drainage areas, impervious surfaces, anticipated flows, existing impaired waters, BMPs, and LID strategies to retain water on-site before being discharged. Therefore, the Project would result in a less than significant impact and no mitigation is required.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.9-7**      *Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

***Level of Significance: Less than Significant***

The City and the Project site are located approximately 20 miles east of the Pacific Ocean. Considering this distance, there is no potential for the site to be impacted by a tsunami. Additionally, as previously discussed above, the Project site is located on land designated as Zone X, an area outside of the 500-year flood and at a reduced flood risk due to a levee. Additionally, due to flood control measures and improvements to the dam areas for the San Gabriel and Rio Hondo Rivers the Project site is at limited risk

<sup>33</sup> FEMA. ND. *FEMA's National Flood Hazard Layer (NFHL) Viewer*. Map Number 06037C1830F. Available at: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>. (Accessed December 2024).

<sup>34</sup> City of Pico Rivera. 2014. *City of Pico Rivera General Plan, Chapter 9 Safety Element*. Page 9-4. Available at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-9.pdf> (Accessed December 2024).

that could cause flooding and inundate the Project site. Lastly, there is a limited risk of seiche damage within the City and the Project site given the soil and topographic conditions.<sup>35</sup> Therefore, the Project would result in a less than significant impact and no mitigation is required.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.9-8:** *Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

**Level of Significance: Less than Significant**

In 2014, the California Sustainable Groundwater Management Act (SGMA) was passed, which provides authority for agencies to develop and implement groundwater sustainability plans (GSP) or alternative plans that demonstrate water basins are being managed sustainably.<sup>36</sup> The Project site is located in a very low priority basin.<sup>37</sup> Under the SGMA, the Central Basin and West Coast Basin are exempted from the requirement to form a Groundwater Sustainability Agency, since they are adjudicated basins. Therefore, the Project would not conflict with or obstruct implementation of a sustainable groundwater management plan. Impacts would be less than significant in this regard.

### **Mitigation Measures**

No mitigation is necessary.

## **4.9.6 Cumulative Impacts**

As discussed in **Section 4.9.5: Impacts and Mitigation Measures**, Project impacts concerning hydrology and water quality are anticipated to be less than significant with compliance with all applicable federal, state, and local statutes and regulations, including the PRMC and applicable WBODSP design guidelines and development standards.

This EIR has incorporated, by reference, the Pico Rivera GP EIR, which addresses cumulative effects resulting from build out of the Pico Rivera GP. Additionally, the SCAG 2024-2050 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera GP. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera GP EIR (refer to Section 3.0, Table 3.0-6: Allowed Maxim Density and Project Density Comparison which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera GP EIR.

Furthermore, the Project site is fully developed and is absent of natural open space. The Project site has been previously graded and developed consistent with the current Pico Rivera GP and zoning

<sup>35</sup> City of Pico Rivera. 2014. *City of Pico Rivera General Plan, Chapter 9 Safety Element*. Page 9-3. Available at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-9.pdf> (Accessed December 2024).

<sup>36</sup> State Water Resources Control Board. (2024). Sustainable Groundwater Management Act (SGMA). [https://www.waterboards.ca.gov/water\\_issues/programs/gmp/sgma.html](https://www.waterboards.ca.gov/water_issues/programs/gmp/sgma.html).

<sup>37</sup> California Department of Water Resources. (2024). Basin Prioritization Dashboard. <https://gis.water.ca.gov/app/bp-dashboard/final/>.

designations. The Project is being evaluated at a programmatic level and there are no specific development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the PRMC as well as the design guidelines and development standards within the WBTODSP area. These regulations, in combination with applicable mitigation measures, would further reduce Project and cumulative impacts. Therefore, the Project's contribution to cumulative impacts is not considered to be "cumulatively considerable."

#### 4.9.7 Significant Unavoidable Impacts

No significant unavoidable impacts have been identified.

#### 4.9.8 References

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## 4.10 LAND USE AND PLANNING

### 4.10.1 Introduction

This section of the Draft Program Environmental Impact Report (EIR) will identify potential land use impacts associated with the implementation of the Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBTODSP”) within the City of Pico Rivera (City). The Project has been evaluated for its consistency with the City of Pico Rivera General Plan Update (Pico Rivera General Plan) and the Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) also referred to as the Connect SoCal.

Potential land use impacts of the Project analyzed in this section of the Draft EIR include those that could result in land use incompatibilities, division of neighborhoods or communities, or interference with other land use plans. Where applicable, mitigation measures are proposed to ensure the application of actions which would minimize or remove land use impacts that are identified as significant. As discussed in **Section 3.0: Project Description**, the Project SP would encompass an area of approximately 305.1 acres to promote future revitalization and reuse of the Washington/Rosemead area in anticipation of the future E Line extension in Pico Rivera. The Project area is composed of 88 parcels.

### 4.10.2 Environmental Setting

#### Existing and Surrounding Land Uses

The Project site is 305.1 acres. It is composed of 88 parcels and is bounded to the north by Washington Boulevard, commercial uses and single-family residential neighborhoods, to the south is the Burlington Northern Santa Fe (BNSF) railroad and single-family neighborhoods, to the east by Rosemead Boulevard and single-family residential neighborhoods, and to the west by Crider Avenue and industrial uses.; refer to **Figure 3-2: WBTOD Specific Plan Area**. The Project area is composed of 88 legal Assessor’s Parcel Numbers (APNs), as shown in **Table 3.0-1: WBTOD Specific Plan Assessor Parcel Numbers**.

The Project site’s existing zoning is composed of the following classifications: General Industrial (I-G), Specific Plan (SP), General Commercial (C-G), Community Commercial (C-C), and Multiple-Family Residential (R-M). Except for Assessor’s Parcel Number 6370-013-014, located at 6605 Rosemead Boulevard, which is the only vacant parcel within the Project site, the balance of the Project site parcels are fully developed with a mix of industrial, light-industrial, commercial, and residential uses. No portion of the Project site remains in its native state. Major thoroughfares including Washington Boulevard and Rosemead Boulevard border the Project site in an east/west and north/south direction, respectively. Roadways internal to the Project site include Rex Road and Mercury Lane. SP-400 and SP-301 is anticipated to be rescinded with the adoption of the proposed WBTODSP.

#### General Plan and Zoning Designations

The Project area has zoning designations of General Industrial (I-G), Specific Plan (SP-400 and SP-301), General Commercial (C-G), Community Commercial (C-C), Multiple-Family Residential (R-M), and Public Facilities (P-F). The Project area has General Plan Land Use designations of General Industrial (I), Specific

Plan (SP-400 and SP-301), Commercial (C), Mixed Use (MU), and High Density Residential (HDR). **Table 4.10-1: Existing Land Use and Zoning District** identifies the existing land use and zoning designations for the Project and surrounding developments.

**Table 4.10-1: Existing Land Use and Zoning Districts**

Location	Existing Land Use	Zoning District
Project Area	Residential, Commercial, Light Industrial	General Industrial (I-G), Specific Plan (SP-400 and SP-301), General Commercial (C-G), Community Commercial (C-C), Multiple-Family Residential (R-M), and Public Facilities (P-F)
North	Residential, Commercial	General Commercial (C); Low Density Residential (LDR), Housing Element Sites,
South	Residential and Railroad Yard	Light Industrial (LI) and Low Density Residential (LDR)
East	Residential, Commercial	Low Density Residential (LDR), High Density Residential (HDR), Commercial (C), SP-400.
West	Warehousing	General Industrial Uses (I)
Source: City of Pico Rivera. <i>City of Pico Rivera General Plan – Chapter 3 Land Use Element</i> . Available at: <a href="https://www.pico-rivera.org/index.php/general-plan/">https://www.pico-rivera.org/index.php/general-plan/</a> . (Accessed August 2023).		

### 4.10.3 Regulatory Setting

#### State

##### *Housing Crisis Act of 2019 - Senate Bill 330 (SB 330)*

On October 19, 2019, Governor Newsom signed into the Housing Crisis Act of 2018 Senate Bill (330). In part, SB 330 was meant to reduce the time needed to obtain building permits and disallowing local governments from reducing the densities of areas designated for residential development. SB 330 prohibits a jurisdiction from changing the current zoning and land use designations in the general plan that would reduce the residential density of the use. For example, a jurisdiction cannot downzone a site from residential to another type of use or make changes, such as decreasing structure height limits or increasing setbacks, which would lessen the number of units that could be built on a given site. In addition, SB 330 forbids the jurisdictions from limiting land use approvals and placing moratoriums on housing development.

##### *California Planning and Zoning Law*

The legal framework under which California cities and counties exercise local planning and land use functions is set forth in California Planning and Zoning Law, Government Code Sections 65000–66499.58. Under State 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 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.

### ***California Environmental Quality Act***

CEQA establishes that a significant effect on the environment involves an adverse change to the physical environment. Pursuant to the State CEQA Guidelines, a project's impact related to land use planning is evaluated in terms of physically dividing an established community, compatibility with existing land uses and consistency with local plans and other local land use controls (i.e., general plans, zoning codes, specific plans, etc.) such that if conflicts do exist, would the conflict result in a significant environmental impact. This is discussed in additional detail in the methodology and impacts section below.

## **Regional**

### ***Southern California Association of Governments***

SCAG is a Joint Powers Authority under California state law, established as an association of local governments and agencies that voluntarily convene as a forum to address regional issues. Under federal law, SCAG is designated as a Metropolitan Planning Organization (MPO) and under state law as a Regional Transportation Planning Agency and a Council of Governments. Generally, SCAG develops long-range regional transportation plans including sustainable communities' strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations, and a portion of the South Coast Air Quality Management District plans. SCAG also developed the Regional Comprehensive Plan, the Regional Housing Needs Assessment (RHNA), and the Connect SoCal.

### ***SCAG Regional Comprehensive Plan***

SCAG's 2008 Regional Comprehensive Plan (RCP) is a major advisory plan prepared by SCAG that addresses important regional issues such as land use and housing, open space and biological habitats, water, energy, air quality, solid waste, transportation, security and emergency preparedness, economy, and education. The RCP serves as an advisory document to local agencies in the southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance. The RCP presents a vision of how southern California can balance resource conservation, economic vitality, and quality of life. The RCP identifies voluntary best practices to approach growth and infrastructure challenges in an integrated and comprehensive way. It also includes goals and outcomes to measure our progress toward a more sustainable region.

### ***SCAG 2025-2050 Regional Transportation Plan/Sustainable Cities Strategy***

SCAG's 2020 – 2045 RTP/SCS or Connect SoCal is a long-term planning document intended to guide the growth of the region that includes Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties. The Connect SoCal allows public agencies who implement transportation projects to do so in a coordinated manner and assists the region in achieving California's greenhouse gas emission reduction goals and federal Clean Air Act requirements. The plan also strives to achieve broader regional objectives, such as the preservation of natural lands, improvement of public health, increased roadway safety, support for the region's vital goods movement industries, and more efficient use of resources.

## ***SCAG Regional Housing Needs Assessment***

SCAG is a council of governments representing Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. SCAG is the federally recognized MPO for this region, which encompasses over 38,000 square miles. It serves as a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG develops, refines, and maintains SCAG's regional and small area socio-economic forecasting/allocation models. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As the southern California region's MPO, SCAG cooperates with the South Coast Air Quality Management District, the California Department of Transportation, and other agencies in preparing regional planning documents. The socioeconomic estimates and projections are used for federal and state-mandated long-range planning efforts such as the RTP/SCS, the Air Quality Management Plan, the Federal Transportation Improvement Program, and the RHNA.

The RHNA is an assessment process performed periodically as part of Housing Element and General Plan updates at the local level. The RHNA quantifies the need for housing by income group within each jurisdiction during specific planning periods. The RHNA is used in land use planning, to prioritize local resource allocation and to help decide how to address existing and future housing needs. The RHNA allows communities to anticipate growth, so that collectively the region can grow in ways that enhance quality of life, improve access to jobs, promote transportation mobility, and address social equity and fair share housing needs.

## **Local**

### ***City of Pico Rivera General Plan Update 2014<sup>1</sup>***

The Pico Rivera General Plan was last updated in 2014 and covers a broad range of topics on all aspects of community life. The Pico Rivera General Plan is the guiding document that provides residents, elected officials, business owners, and other stakeholders with direction on how to meet the needs of a growing city and provides a greater quality of life for its current and future residents. The Pico Rivera General Plan contains the following chapters: Introduction, Core Values and Guiding Principles, Land Use Element, Housing Element, Circulation Element, Community Facilities Element, Economic Prosperity Element, Environmental Resource Element, Safety Element, Healthy Community Element, and Noise Element. Each element within the Pico Rivera General Plan contains goals and policies that guide development and may be applied to this project. Applicable policies to the Project are discussed in Impact 4.10-1.

### ***Land Use Element<sup>2</sup>***

The Land Use Element of the Pico Rivera General Plan is intended to facilitate the City's growth by promoting land uses and development activity in a way that further improves the City's future. Further,

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<sup>1</sup> City of Pico Rivera. (2014). *City of Pico Rivera General Plan*. Available at: <https://www.pico-rivera.org/index.php/general-plan/>. (accessed August 2023).

<sup>2</sup> City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Chapter 3 Land Use Element*. Retrieved from: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-3.pdf>. (accessed August 2023).

the Land Use Element focuses on the organization of the community's physical environment into logical, functional, and visually pleasing patterns, consistent with local values and priorities.

**Goal LU-3.5: Recognize the importance of the Whittier Narrows Dam, Rio Hondo, and San Gabriel River channels in shaping the character, identity and physical structure of the community by protecting and enhancing these features.**

- **Policy LU-3.5-1:** Expand bicycle and pedestrian trails, where feasible along the Rio Hondo and San Gabriel River Channels.
- **Policy LU-3.5-2:** Promote revitalization of neighborhoods in need by maintaining public improvements, encouraging infill development compatible with the scale and character of existing development, and supporting public and private efforts to upgrade and maintain neighborhood appearance and the existing housing stock.

**Goal LU-3.8: Diverse and attractive commercial, office and mixed-use development that serves the community's needs and contributes to the City's economic vitality.**

- **Policy LU-3.8-4:** Promote high quality commercial, office and mixed-use development and redevelopment that is compatible with surrounding uses and enhances adjacent streetscapes.

**Goal LU-3.9: A wide range of quality industries that project job opportunities for Pico Rivera's residents while ensuring compatibility with nearby residential neighborhoods.**

- **Policy LU-3.9-2:** Promote recruitment of a diverse range of new industrial users and retention and intensification of existing users that offer job opportunities for the City's residents and revenues to the City.

**Goal LU-3.11: New growth and redevelopment that is carefully planned, efficient, and contributes positively to the community.**

- **Policy LU-3.11-2:** Support the preparation and adoption of new specific plans consistent with policies pertaining to the redevelopment of properties within opportunity areas to assure achievement of the intended scale, character and quality of development.

### Housing Element<sup>3</sup>

The Housing Element of the Pico Rivera General Plan establishes housing goals and policies for the City to address the City's existing and projected housing needs.

**Goal 4: Provide adequate sites to meet the existing and future housing needs of the City.**

- **Policy 4.1:** Support the development of higher density housing along selected arterial corridors as a means to accommodate the City's projected housing need.

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<sup>3</sup> City of Pico Rivera.(2014). *City of Pico Rivera General Plan – Chapter 4 Housing Element*. Retrieved from: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-4.pdf>. (Accessed December 2023).

### ***City of Pico Rivera Municipal Code***<sup>4</sup>

The City's zoning code is found in the City of Pico Rivera Municipal Code (PRMC) Title 18, Zoning Code, which carries out the Pico Rivera General Plan policies by regulating development and land uses within the City. The Zoning Code establishes official land use zoning regulations and design guidelines.

The PRMC Section 18.02.030, Intent and Purpose, describes the general provisions within the Zoning Code. The intent and purpose of this title is to establish and set forth such regulations and procedures that will, when properly administered, cause the effectuation and implementation of the goals, provisions, and objectives of the Pico Rivera General Plan, more specifically as follows:

- By regulating the use of land, buildings and other structures, and other facilities for commerce, trade, industry, and other functions and uses, as may be necessary and required by the community;
- By regulating, among other matters, the location, height and size of buildings and other structures, yards, courts and concentration, and the environmental quality and balance of the various zone classifications established within the city;
- By dividing and segregating the city into various land use zone classifications of such size, shape, number, and variety best suited to carry out the goals, provisions and objectives of the comprehensive general plan and this division, and providing for the administration and enforcement thereof;
- By influencing, encouraging, promoting, protecting, maintaining, and perpetuating the best interests of the city's environmental quality and the public health, peace, safety, order, and general welfare; and
- By recognizing the need to constantly consider and effectively deal with the physical appearance, image, identity, character, atmosphere, environment, and ecology of the city, which can be attributed as a valuable resource contributing to the overall growth, economic welfare and urban development of the community. (Prior code Section 9201.02).

#### **4.10.4 Impact Thresholds and Significance Criteria**

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the development of the site would have a significant environmental impact if one or more of the following occurs:

- Physically divide an established community or
- 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.

### **Methodology and Assumptions**

This analysis reviews the Project's consistency with regional and local plans, policies, and regulations for the purposes of avoiding or mitigating an environmental effect. Specifically, the Project was analyzed with respect to the applicable regional planning guidelines and strategies of SCAG's Connect SoCal and the Pico

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<sup>4</sup> City of Pico Rivera. (2023). *Pico Rivera, California Municipal Code*. Retrieved from: [https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code). (Accessed August 2023).



Rivera General Plan. This analysis also analyzes whether the Project would physically divide an established community.

## Approach to Analysis

This analysis of impacts on land use and planning components examines the Project's consistency with existing land use designations, and developments. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in land use conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "substantial" adverse effects on land use and planning standards considers the available policies and regulations established by regional and local agencies and evaluates the Project's overall consistency with applicable goals and policies.

## WBODSP Impacts

The improvements envisioned in the proposed WBODSP are recommended conceptual designs intended to be used as guidance for the City in implementing future improvements. The proposed WBODSP does not include any site-specific designs or proposals, nor does it grant any entitlements for development. As a policy and regulatory document, the WBODSP would have no physical effect on the environment. Future development projects will be required to assess their individual impacts on Land Use on a project-by-project basis.

### 4.10.5 Impacts and Mitigation Measures

**Impact 4.10-1** *Would the Project physically divide an established community?*

**Level of Significance: Less than Significant**

## Construction and Operations

The WBODSP would create a compact multi-modal, mixed-use, and sustainable environment that is a focal point for community activity. The WBODSP assumes a maximum buildout of approximately 2,336 new residential dwelling units (DU)s and 5,889,747.60 square feet (SF) of new non-residential (commercial, retail, office, public facilities, etc.) uses. The Project is a policy document and does not propose any specific development or construction. **Table 4.10-2: Summary of Land Uses** below summarizes the development plan for the Project area.

**Table 4.10-2: Summary of Land Uses**

Land Use	Assumed Buildout				
	Acres	Density	Dwelling Units	FAR	Square Footage
Mixed Use Residential Low Multi-family	16.8 ac	25	420 du	0.30	219,542.40 SF
Mixed Use Residential High Multi-family	19.6 ac	40	784 du	0.30	256,132.80 SF
Mixed Use Commercial	28.3 ac	40	1,132 du	0.30	369,824.40 SF
Commercial	75.9 ac	--	--	0.50	1,653,102.00 SF
Industrial Mixed Use	39.5 ac	--	--	0.50	860,310.00 SF
Flex District	116.2 ac	--	--	0.50	2,530,836.00 SF
Washington Boulevard	8.8 ac	--		--	--
<b>TOTALS</b>	<b>305.1 AC</b>	<b>--</b>	<b>2,336 DU</b>	<b>--</b>	<b>5,889,747.60 SF</b>
Note: The General Plan states that this area “the project site area provides the opportunity to create a key mixed-use, activity center within the city” and establishes objectives to promote both residential and commercial development consistent with the development assumptions within the Housing Element. The WBTODSP will set in place the zoning for this area and will be focused on promoting the development of housing to revitalize this corridor with an influx of new residents. The WBTODSP will provide regional transit access to this corridor and allow future residents to be less reliant on a personal vehicle for employment opportunities.					

Projects that are typically considered to have the potential to divide an established community include the construction of new freeways, highways, roads, or other uses that physically separate an existing or established neighborhood. As discussed in **Section 4.10.2: Environmental Setting**, the Project area and the area surrounding the Project site is mostly developed. The existing zoning and land use designations within the Project area are designed to accommodate additional development such that it does not divide an established community. Future development within the Project area would not include improvements that would substantially alter existing roadways and transportation corridors in a manner that would cause the removal or separation of existing adjacent communities from important resources and neighboring units. Therefore, the Project would not divide a community and a less than significant impact is anticipated.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.10-2** *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?*

**Level of Significance: Less than Significant**

## Construction and Operations

CEQA requires that an EIR consider whether a Project may conflict with any applicable land use plan, policy, or regulation (including, but not limited to the general plan, specific plan, or zoning ordinance) that was adopted for the purpose of avoiding or mitigating an environmental effect. This environmental determination differs from the larger policy determination of whether a Project is consistent with a jurisdiction's general plan. The broader general plan consistency determination considers all evidence in the record concerning the project characteristics, its desirability, as well as economic, social, and other non-environmental effects. Regarding plan or policy consistency, a project is evaluated in terms of whether the proposed site plan, design features, and/or development at a particular location would substantially impede implementation of an adopted plan or policy. The Project would be required to comply with any applicable state, regional, and local land use plans, policies, and regulations. Projects should be consistent with applicable policies to promote the efficient, sustainable growth projected in the long-term planning documents. In addition, specific plans must be consistent with the adopted general plan. (Gov. Code, Section 65454).

At a regional level, the Project would comply with goals and policies presented in SCAG's Connect SoCal. Locally, the Project would comply with the Pico Rivera General Plan. In cases when a project may be inconsistent in some manner with specific policies in a general plan or zoning ordinance, this does not equate to a significant environmental effect. In relation to land use and planning, a significant impact occurs when conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project results in an adverse physical environmental impact. The consistency analysis provided below is a general overview of whether the Project results in an adverse physical environmental impact. The intent of the Pico Rivera General Plan goals and policies as well as other planning documents applicable to the Project is to guide development within the City by setting guidelines and expectations for development projects. It is within the City's purview to decide if the Project is consistent with applicable City goals or policies. The Project's consistency with these applicable goals and policies is described below in **Table 4.10-3: Consistency with SCAG's 2024-2050 RTP/SCS Connect SoCal Goals** and **Table 4.10-4: Consistency with the Pico Rivera General Plan**.

**Table 4.10-3: Consistency with SCAG's 2024-2050 RTP/SCS Connect SoCal Goals**

Goal	Consistency
Goal 1: Support investments that are well-maintained and operated, coordinated, and resilient, and result in improved safety and air quality and minimize greenhouse gas emissions.	<b>Consistent:</b> The Project's objective to create a well-maintained and organized community with enhanced bike and pedestrian connectivity in an area planned as a Transit Oriented Development (TOD) would minimize greenhouse gasses by reducing transportation emissions in the area.

Goal	Consistency
Goal 2: Create human-centered communities in urban, suburban, and rural settings to increase mobility options and reduce travel distances.	<b>Consistent:</b> Implementation of the Project would include human-centered design as it would prioritize pedestrian and bicycle connectivity and provide public gathering spaces centered around mixed-use development. Mobility options would be expanded with future TOD connectivity increasing in the project area.
Goal 3: Produce and preserve diverse housing types in an effort to improve affordability, accessibility, and opportunities for all households.	<b>Consistent:</b> The Project would allow for the future development of diverse housing types as it would create a variety of medium and high density and mixed-use residential units that would improve accessibility for housing in the area.
Goal 4: Improve access to jobs and educational resources.	<b>Consistent:</b> The Project would expand opportunities for additional jobs in the area, as office and retail/commercial space would be allowed to be developed. Additionally, by allowing for the development of additional housing units and job centers within one location, the Project would improve equity and accessibility regarding employment opportunities in the City as it would reduce barriers to accessing employment such as transportation constraints.
Goal 5: Develop communities that are resilient and can mitigate, adapt to, and respond to chronic and acute stresses and disruptions, such as climate change.	<b>Consistent:</b> The Project would create a more resilient community which would be centered around a mixed-use development which would integrate residential and commercial uses that are capable of adapting easier to climate change impacts by providing greater live and work proximity and the ability to travel taking advantage of a TOD area which will provide greater mobility without the need for a vehicle.
Goal 6: Integrate the regions development patterns and transportation network to improve air quality and reduce greenhouse gas emissions.	<b>Consistent:</b> The Project would be located in a TOD which would provide transportation network connectivity allowing future residents to have alternate modes of transportation.
Source: SCAG. 2024. 2024-2050 SCAG RTP/SCS Connect SoCal Goals. <a href="https://scag.ca.gov/sites/main/files/file-attachments/connect-social-2024-draft-goals-vision.pdf?1644350374">https://scag.ca.gov/sites/main/files/file-attachments/connect-social-2024-draft-goals-vision.pdf?1644350374</a> (accessed October 2024).	

**Table 4.10-4: Consistency with the Pico Rivera General Plan**

Policy	Consistency
<b>Land Use Element</b>	
<b>Goal 3.5: Recognize the importance of the Whittier Narrows Dam, Rio Hondo and San Gabriel River channels in shaping the character, identity and physical structure of the community by protecting and enhancing these features.</b>	
<b>Policy 3.5-1:</b> Expand bicycle and pedestrian trails, where feasible along the Rio Hondo and San Gabriel River channels.	<b>Consistent:</b> The Project proposes a bike route along Washington Boulevard connecting the Lario Bike Trail and the San Gabriel River Bike Trail.
<b>Policy 3.5-2:</b> Promote revitalization of neighborhoods in need by maintaining public improvements, encouraging infill development compatible with the scale and character of existing	<b>Consistent:</b> The Project proposes a SP that addresses revitalization and reuse of the Washington/Rosemead area in anticipation of the future E Line extension in the City.

Policy	Consistency
development, and supporting public and private efforts to upgrade and maintain neighborhood appearance and the existing housing stock.	
<b>Goal 3.8: Diverse and attractive commercial, office and mixed-use development that serves the community's needs and contributes to the City's economic vitality.</b>	
<b>Policy 3.8-4:</b> Promote high quality commercial, office and mixed-use development and redevelopment that is compatible with surrounding uses, and enhances adjacent streetscapes.	<b>Consistent:</b> The Project proposes a SP that incorporates mixed use commercial uses and mixed-use low and high multi-family residences.
<b>Goal 3.9: A wide range of quality industries that provides job opportunities for Pico Rivera's residents while ensuring compatibility with nearby residential neighborhoods.</b>	
<b>Policy 3.9-2:</b> Promote recruitment of a diverse range of new industrial users and retention and intensification of existing users that offer job opportunities for the City's residents and revenues to the City.	<b>Consistent:</b> The Project proposes a SP that incorporates industrial mixed-use land uses and a Flex District which would allow for very light industrial to commercial uses.
<b>Goal 3.11: New growth and redevelopment that is carefully planned, efficient, and contributes positively to the community.</b>	
<b>Policy 3.11-2:</b> Support the preparation and adoption of new specific plans consistent with policies pertaining to the redevelopment of properties within opportunity areas to assure achievement of the intended scale, character and quality of development.	<b>Consistent:</b> The Project proposes a new SP that would address revitalization and reuse for the Project area, in anticipation of the future E Line extension in the City.
<b>Chapter 4 Housing Element Update</b>	
<b>Goal 4: Provide adequate sites to meet the existing and future housing needs of the City.</b>	
<b>Policy 4.1:</b> Support the development of higher density housing along selected arterial corridors as a means to accommodate the City's projected housing need.	<b>Consistent:</b> The Project SP proposes mixed-use high multi-family residences along Rosemead Boulevard and Washington Boulevard.
City of Pico Rivera. (2014). <i>City of Pico Rivera General Plan</i> . <a href="https://www.pico-rivera.org/general-plan/">https://www.pico-rivera.org/general-plan/</a> . (accessed December 2023).	

As shown in **Table 4.10-4: Consistency with the Pico Rivera General Plan** the Project would be generally consistent with the Pico Rivera General Plan goals and policies. It should be noted that a Project need not satisfy all guidance contained in the Pico Rivera General Plan and CEQA does not require a Project to be consistent with all guidance but instead requires a discussion of inconsistencies. The Project is generally consistent and in harmony with the Pico Rivera General Plan, Land Use Category and is located in a largely developed portion of the City that would allow for the proposed commercial, industrial, and residential uses. Additionally, consistent with the Pico Rivera General Plan, the Draft Program EIR includes mitigation measures related to specific environmental resource areas to reduce or eliminate potential effects of the Project. The City's Development Code is not in and of itself intended to reduce impacts to the environment. The intent of the Development Code is to prescribe zones in which certain land uses are permitted, and to define allowable Project elements and designs within those zones. Nonetheless, conformance with the Development Code typically signifies that a Project would not result in environmental impacts beyond those which are already planned for or disclosed in an environmental document.

The Project would not conflict with any specific objectives, policies, or actions in the Pico Rivera General Plan Land Use Element; Housing Element; Circulation Element; Community Facilities Element; Economic Prosperity Element; Environmental Resources Element; Safety Element; Healthy Community Element; or Noise Element that were adopted for the purpose of avoiding or mitigating an environmental effect. Additionally, the Project would not result in a change in, or conflict with a land use or zoning district that would result in potentially significant impacts. Lastly, the Project would be consistent with the goals of SCAG's Connect SoCal. Therefore, impacts associated with any existing plan, policy or regulation would be less than significant.

### **Mitigation Measures**

No mitigation is necessary.

## **4.10.6 Cumulative Impacts**

As discussed in **Section 4.10.5: Impacts and Mitigation Measures**, Project impacts concerning land use and planning are anticipated to be less than significant with compliance with all applicable federal, state, and local statutes and regulations, including the PRMC and applicable WBTODSP design guidelines and development standards.

This EIR has incorporated, by reference, the Pico Rivera GP EIR, which addresses cumulative effects resulting from build out of the Pico Rivera GP. Additionally, the SCAG 2024-2045 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera GP. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera GP EIR (refer to **Section 3.0, Table 3.0-6: Allowed Maxim Density and Project Density Comparison** which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera GP EIR.

Furthermore, the Project site is fully developed and is absent of natural open space. The Project site has been previously graded and developed consistent with the current Pico Rivera GP and zoning designations. The Project is being evaluated at a programmatic level and there are no specific development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the PRMC as well as the design guidelines and development standards within the WBTODSP area. These regulations, in combination with applicable mitigation measures, would further reduce Project and cumulative impacts. Therefore, the Project's contribution to cumulative impacts is not considered to be "cumulatively considerable."

## **4.10.7 Significant Unavoidable Impacts**

No significant unavoidable impacts have been identified.



## 4.10.8 References

City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Chapter 3 Land Use Element*. Retrieved from: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-3.pdf>, accessed August 2023.

City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Chapter 4 Housing Element*. Retrieved from: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-4.pdf>, accessed December 2023.

City of Pico Rivera. (2023). *Pico Rivera, California Municipal Code*. Retrieved from: [https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code), accessed August 2023.

Kimley-Horn and Associates, Inc. (2023). *Washington Boulevard Transit-Oriented Development Specific Plan*.

Southern California Association of Governments. (2020). *Connect SoCal 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. Retrieved from: [https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan\\_0.pdf](https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf), accessed December 2023.

## 4.11 NOISE

### 4.11.1 Introduction

This section of the Draft Program Environmental Impact Report (EIR) identifies potential noise and vibration impacts associated with the development of the Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBODSP”) within the City of Pico Rivera (City). Specifically, the analysis describes the existing noise environment near the Project site; the regulatory framework that guided the analysis pursuant to federal, state, and local regulations; forecasts of future noise and vibration levels at surrounding land uses; and the potential for significant noise impacts.

### 4.11.2 Environmental Setting

#### Noise Concepts

Noise is generally defined as loud, unexpected, or unwanted sound typically associated with human activity. Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm, or when it has adverse effects on health. The definition of noise as unwanted sound implies that it has an adverse effect on people and their environment. Sound is composed of various frequencies; however, the human ear does not respond to all frequencies, being less sensitive to very low and high frequencies than to medium frequencies that correspond with human speech.

There are three conceptual components to noise: a noise source, a receptor, and the propagation path between the two. The loudness of the noise source, obstructions, or atmospheric factors affecting the propagation path, determine the perceived sound level and noise characteristics at the receptor. Noise sources can be classified in two forms: point sources, such as individual pieces of stationary or mobile equipment (pumps, heavy construction equipment), and line sources, such as a roadway with a large number of pass-by sources (motor vehicles).

Measuring sound directly in terms of pressure would require a large range of numbers. To avoid this, the decibel (dB) scale was devised. The dB scale uses the hearing threshold of 20 micropascals ( $\mu\text{Pa}$ ) as a point of reference, defined as 0 dB. Other sound pressures are then compared to this reference pressure, and the logarithm is taken to keep the numbers in a practical range. The dB scale allows a million-fold increase in pressure to be expressed as 120 dB, and changes in levels correspond closely to human perception of relative loudness.

The dB scale alone does not adequately characterize how humans perceive noise. The dominant frequencies of a sound have a substantial effect on the human response to that sound. Several rating scales have been developed to analyze the adverse effect of community noise on people. Because environmental noise fluctuates over time, these scales consider that the noise’s effect on people is largely dependent on the noise’s total acoustical energy content, as well as the time when the noise occurs. The equivalent noise level ( $L_{eq}$ ) represents the equivalent continuous sound pressure level over the measurement period, while the day-night noise level ( $L_{dn}$ ) and Community Equivalent Noise Level (CNEL) are measures of energy average during a 24-hour period, with dB weighted sound levels from 7:00 PM to

7:00 AM. Most commonly, environmental sounds are described in terms of an average level ( $L_{eq}$ ) that has the same acoustical energy as the summation of all the time-varying events.

Sound-level meters adjust for the weight the human ear gives to certain frequencies, applying a correction to each frequency range to approximate the human ear's sensitivity within each range. This is called "A weighting" and is commonly used in measurements of community environmental noise. The A weighted sound level (dBA) is determined to be the most appropriate unit of measure for community noise. The following noise descriptors are used in this evaluation:

- dB: The decibel (dB) scale is used to quantify sound intensity, with 0 dB corresponding roughly to the threshold of human hearing, and 120 to 140 dB corresponding to the threshold of pain.
- dBA: A-weighted decibels (dBA) are measured using a filter that de-emphasizes the frequencies below 1,000 hertz (Hz) and above 5,000 Hz in a manner corresponding to the human ear's decreased sensitivity to low and extremely high frequencies.
- $L_{dn}$ : The day-night average sound level ( $L_{dn}$ ) is the average of the A-weighted sound levels occurring during a 24-hour period and accounts for the greater sensitivity of most people to noise at night.  $L_{dn}$  "penalizes" noise occurring between 10:00 PM and 7:00 AM by adding 10 dBA to nighttime noise levels.
- $L_{eq}$ : The energy-equivalent sound level ( $L_{eq}$ ) provides a single numerical value for noise measured over a specified period of time. The  $L_{eq}$  is the noise exposure level for the given time period.
- $L_{max}$ : The instantaneous maximum noise level ( $L_{max}$ ) measured during the measurement period.
- CNEL: Similar to  $L_{dn}$ , the CNEL treats each evening noise event as though it were three, which adds a 4.77-dB "penalty" for noise events occurring between 7:00 PM and 10:00 PM. Nighttime events are multiplied by ten, which adds a 10-dB penalty to noise events occurring between 10:00 PM and 7:00 AM.

## Noise and Vibration-Sensitive Receptor Locations

Some land uses are considered more sensitive to noise than others, due to the types of activities of the land use requiring quiet. Noise-sensitive zones are those areas having residential or semi-residential/commercial land uses, provided that conspicuous signs are displayed near the institution or facility. Noise sensitive land uses near the Project include adjacent single-family and multi-family residential uses, approximately 10 feet from the Project boundaries.

### *Ambient Noise Levels*

The Project area is generally bound by commercial uses and existing residential neighborhoods to the north, industrial facilities and residential neighborhoods to the south, residential neighborhoods to the east, and industrial facilities to the west. The predominant existing noise source in this area is vehicle traffic noise from Rex Road, Rosemead Boulevard, Crider Avenue, Washington Boulevard, and Paramount Boulevard.

### *Vibration Concepts*

Vibration tolerance typically depends on the structure types affected. Structural response to vibration is typically evaluated in terms of peak particle velocity (PPV). PPV is often used since it is related to the

stresses experienced by the buildings. Various general standards are contained in the International Standards Organization's standards 3945, 4866, and 7626-1. Limits set by these standards indicate a low probability of structural damage occurring to common structures at a PPV of 2 inches per second (IPS). Older residential structures have a limit of 0.3 IPS to 0.5 IPS.<sup>1</sup> The Federal Transit Administration (FTA) identifies a vibration damage threshold criterion of 0.20 IPS for non-engineered timber and masonry buildings (i.e., fragile buildings) and 0.12 IPS for buildings extremely susceptible to vibration (i.e., fragile historic buildings).<sup>2</sup>

The FTA has identified the following three categories of vibration-sensitive uses:

- Category 1 – High Sensitivity Uses: Buildings where ambient vibration well below levels associated with human annoyance is essential for equipment or operations within the building. Typically uses covered in Category 1 include vibration-sensitive research and manufacturing facilities, hospitals, and university research operations.
- Category 2 – Residential Uses: Buildings where people sleep. Typical uses covered in Category 2 include residential, hotels, and hospitals.
- Category 3 – Institutional Uses: Buildings that do not have vibration-sensitive equipment, but still have the potential for activity interference. Typical uses covered in Category 3 include schools, churches, other institutions, and quiet offices.

### 4.11.3 Regulatory Setting

#### Federal

##### *Federal Transit Administration Noise and Vibration Guidance*

The FTA has published the Transit Noise and Vibration Impact Assessment Report to provide guidance on procedures for assessing impacts at different stages of transit Project development. The report covers both construction and operational noise impacts and describes a range of measures for controlling excessive noise and vibration. The specified noise criteria are an earlier version of the criteria provided by the Federal Railroad Administration's High-Speed Ground Transportation Noise and Vibration Impact Assessment. In general, the primary concern regarding vibration relates to potential damage from construction. The guidance document establishes criteria for evaluating the potential for damage for various structural categories from vibration.

#### State

##### *California Government Code*

California Government Code Section 65302(f) mandates that the legislative body of each county and city adopt a noise element as part of its comprehensive general plan. The local noise element must recognize the land use compatibility guidelines established by the State Department of Health Services. The guidelines rank noise land use compatibility in terms of "normally acceptable," "conditionally acceptable," "normally unacceptable," and "clearly unacceptable" noise levels for various land use types. Single-family

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<sup>1</sup> Caltrans, *Transportation and Construction Vibration Guidance Manual*, 2020.

<sup>2</sup> Federal Transit Administration (FTA), *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

homes are “normally acceptable” in exterior noise environments up to 60 CNEL and “conditionally acceptable” up to 70 CNEL. Multiple-family residential uses are “normally acceptable” up to 65 CNEL and “conditionally acceptable” up to 70 CNEL. Schools, libraries, and churches are “normally acceptable” up to 70 CNEL, as are office buildings and business, commercial, and professional uses.

### ***Title 24 – Building Code***

The State’s noise insulation standards are codified in the California Code of Regulations, Title 24: Part 1, Building Standards Administrative Code, and Part 2, California Building Code. These noise standards are applied to new construction in California for interior noise compatibility from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are located near major transportation noise sources, and where such noise sources create an exterior noise level of 65 dBA CNEL or higher. Acoustical studies that accompany building plans must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new multi-family residential buildings, the acceptable interior noise limit for new construction is 45 dBA CNEL.

### ***California General Plan Guidelines***

The California General Plan Guidelines, published by the Governor’s Office of Planning and Research (OPR), provides guidance for the acceptability of specific land use types within areas of specific noise exposure. **Table 4.11-1: Land Use Compatibility for Community Noise Environments** presents guidelines for determining acceptable and unacceptable community noise exposure limits for various land use categories. The guidelines also present adjustment factors that may be used to arrive at noise acceptability standards that reflect the noise control goals of the community, the particular community’s sensitivity to noise, and the community’s assessment of the relative importance of noise pollution. OPR guidelines are advisory in nature. Local jurisdictions, including the City, have the responsibility to set specific noise standards based on local conditions.

**Table 4.11-1: Land Use Compatibility for Community Noise Environments**

Land Use Category	Community Noise Exposure (CNEL)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential – Low Density, Single-Family, Duplex, Mobile Homes	50 – 60	55 - 70	70-75	75-85
Residential – Multiple-Family	50 – 65	60 - 70	70 – 75	70 - 85
Transient Lodging – Motel, Hotels	50 – 65	60 - 70	70 – 80	80 - 85
Schools, Libraries, Churches, Hospitals, Nursing Homes	50 – 70	60 - 70	70 – 80	80 - 85
Auditoriums, Concert Halls, Amphitheaters	NA	50 - 70	NA	65 - 85
Sports Arenas, Outdoor Spectator Sports	NA	50 - 75	NA	70 - 85
Playgrounds, Neighborhood Parks	50 – 70	NA	67.5 – 75	72.5 - 85
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50 – 70	NA	70 – 80	80 - 85
Office Buildings, Business Commercial and Professional	50 – 70	67.5 - 77.5	75 – 85	NA
Industrial, Manufacturing, Utilities, Agriculture	50 – 75	70 - 80	75 – 85	NA

Land Use Category	Community Noise Exposure (CNEL)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
NA: Not Applicable; Ldn: average day/night sound level; CNEL: Community Noise Equivalent Level				
<p>Notes:</p> <p><u>Normally Acceptable</u> – Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.</p> <p><u>Conditionally Acceptable</u> – New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.</p> <p><u>Normally Unacceptable</u> – New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.</p> <p><u>Clearly Unacceptable</u> – New construction or development should generally not be undertaken.</p> <p>Source: Office of Planning and Research, California, <i>General Plan Guidelines</i>, October 2017.</p>				

## Local

### *City of Pico Rivera General Plan Update 2014*

Land uses near these significant noise-producers can incorporate buffers and noise control techniques including setbacks, landscaping, building transitions, site design, and building construction techniques to reduce the impact of excessive noise. Selection of the appropriate noise control technique would vary depending on the level of noise that needs to be reduced as well as the location and intended land use. The City of Pico Rivera General Plan Update (Pico Rivera General Plan) Noise Element examines noise sources in the City with a focus toward identifying and evaluating the potential for noise conflicts and identifies ways to reduce existing and potential noise impacts.<sup>3</sup> Additionally, the Noise Element identifies transportation noise policies designed to minimize disruptions to residential neighborhoods and business caused by transportation related noise.<sup>4</sup> The following Pico Rivera General Plan Noise Element goals and policies for addressing noise are applicable to the Project:

#### *Noise Element*

**Goal 11.1:** *An acceptable noise environment for existing and future residents that also meets the business needs of the community.*

**Policy 11.1-3: New Noise-Sensitive Development.** Require development of new noise-sensitive land uses to provide appropriate noise buffers or barriers, as well as to implement feasible building designs needed to meet the noise compatibility guidelines as show in **Table 4.11-1: Land Use Compatibility for Community Noise Environments.**

**Policy 11.5: Development Site Planning.** Encourage new mixed use and multi-unit residential developments to provide for separation of onsite noise-sensitive and noise generating uses to the extent feasible, as well as to use appropriate building placement to create noise barriers that protect noise-sensitive uses. In addition to sound barriers, design techniques to mitigate noise impacts may include, but are not limited to:

- Increase building setbacks to increase the distance between the noise sources and sensitive receptor.

<sup>3</sup> City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Noise Element*. Retrieved at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-11.pdf>. (Accessed August 2023).

<sup>4</sup> Ibid.



- Orient buildings which are compatible with higher noise levels adjacent to noise generators or in clusters to shield more noise sensitive areas and uses.
- Orient delivery, loading docks, and outdoor work areas away from noise sensitive uses.
- Place noise tolerant uses, such as parking areas, and noise tolerant structures, such as garages, between noise sources and sensitive receptors.
- Cluster office, commercial, or multi-unit residential structures to reduce noise levels within interior open space areas.
- Provide double glazed and double paned windows on the side of the structure facing a major noise source, and place entries away from the noise source to the extent possible.

### ***City of Pico Rivera Municipal Code***

Standards established under the City of Pico Rivera Municipal Code (PRMC) are used to analyze noise impacts originating from the Project. To address noise issues, the City adopted a Noise Ordinance Chapter 8.40 of the PRMC. PRMC Section 8.40.010 of the ordinance defines noises that are prohibited in the City, such as unnecessary noises or sounds, and loud or unruly assemblages.<sup>5</sup> Section 8.40.020 of the PRMC states that a person shall not operate a motor vehicle on any vacant lot, parking lot, vacant property or acreage where the peace or quiet of any neighborhood would be disturbed.<sup>6</sup>

Additionally, the City has set standards for noise levels generated by industrial properties, Section 18.40.050 of the PRMC states that the occupancy of existing structures or expansions of less than 2,500 square feet for industrial zoned properties located adjacent to residentially zoned properties must limit their hours of operation to seven AM to six PM. from Monday through Friday unless noise generated by the industrial facility does not spill offsite.<sup>7</sup> In addition, when measured from the adjacent residential property line, noise levels from the industrial properties are not allowed to exceed 65 dBA.<sup>8</sup>

The City has also set restrictions to control noise impacts from construction activities. Section 18.42.050 of the PRMC states that all construction activities on any lot or parcel shall take place between the hours of seven AM and seven PM except for purposes of emergencies.<sup>9</sup>

#### **4.11.4 Impact Thresholds and Significance Criteria**

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the development of the site would have a significant environmental impact if one or more of the following occurs:

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<sup>5</sup> Quality Code Publishing. 2024. *Chapter 8.40 Noise*. [https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code/item/title\\_8-chapter\\_8\\_40?view=all](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code/item/title_8-chapter_8_40?view=all) (Accessed January 2024).

<sup>6</sup> Ibid.

<sup>7</sup> Quality Code Publishing. 2023. *Chapter 18.40 Land Use Regulations*. [https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code/item/title\\_18-chapter\\_18\\_40-18\\_40\\_050](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code/item/title_18-chapter_18_40-18_40_050) (Accessed January 2024).

<sup>8</sup> Ibid.

<sup>9</sup> Quality Code Publishing. 2023. *Chapter 18.42 Property Development Regulations*. Note 50 [https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code/item/title\\_18-chapter\\_18\\_42-article\\_i-18\\_42\\_050](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code/item/title_18-chapter_18_42-article_i-18_42_050) (Accessed January 2024).

- 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;
- Generation of excessive groundborne vibration or groundborne noise levels; or
- 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 thresholds presented above are qualitative and do not provide specific guidance regarding impact determination. No site-specific surveys or technical studies were conducted for this analysis. Future buildout of the WBTODSP is evaluated based on information contained in this EIR at a programmatic level.

## WBTODSP Impacts

The improvements envisioned in the proposed WBTODSP are recommended conceptual designs intended to be used as guidance for the City in implementing future improvements. The proposed WBTODSP does not include any site-specific designs or proposals, nor does it grant any entitlements for development. As a policy and regulatory document, the WBTODSP would have no physical effect on the environment. Future development projects will be required to assess their individual impacts from Noise on a project-by-project basis.

### 4.11.5 Impacts and Mitigation Measures

**Impact 4.11-1** *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?*

***Level of Significance: Less than Significant with Mitigation Incorporated***

## Construction Noise

Construction noise typically occurs intermittently and varies depending on the construction activity's nature or phase (e.g., land clearing, grading, excavation, paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. During construction, exterior noise levels could affect noise-sensitive receptors, with the nearest sensitive uses located approximately 10 feet from the Project boundaries. The construction of future development under the Specific Plan would include the following activities: demolition, site preparation, grading, building construction, paving, and the application of architectural coatings. Note that the Project is a policy document and does not propose any specific development at this time.

Construction would include the following typical equipment:

- Industrial saws, excavators, and dozers during demolition;
- Dozers and tractors during site preparation;
- Excavators, graders, dozers, scrapers, and tractors during grading;

- Cranes, forklifts, generators, tractors, and welders during building construction;
- Pavers, rollers, and paving equipment during paving; and
- Air compressors during architectural coating.

Noise levels associated with individual pieces of construction equipment are listed in **Table 4.11-2: Typical Construction Equipment Noise Levels**.

**Table 4.11-2: Typical Construction Equipment Noise Levels**

Equipment	Typical Noise Level (dBA) at 50 feet from Source	Typical Noise Level (dBA) at 10 feet from Source <sup>1</sup>
Air Compressor	80	94
Backhoe	80	94
Compactor	82	96
Concrete Mixer	85	99
Concrete Pump	82	96
Concrete Vibrator	76	90
Crane, Mobile	83	97
Dozer	85	99
Generator	82	96
Grader	85	99
Impact Wrench	85	99
Jack Hammer	88	102
Loader	80	94
Paver	85	99
Pneumatic Tool	85	99
Pump	77	91
Roller	85	99
Saw	76	90
Scraper	85	99
Shovel	82	96
Truck	84	98
1. Calculated using the inverse square law formula for sound attenuation: $dBA_2 = dBA_1 + 20\log(d_1/d_2)$ Where: $dBA_2$ = estimated noise level at receptor; $dBA_1$ = reference noise level; $d_1$ = reference distance; $d_2$ = receptor location distance Source: Federal Transit Administration, <i>Transit Noise and Vibration Impact Assessment Manual</i> , September 2018.		

During all construction phases, noise-generating activities within the Project site would only be permitted between 7:00 AM and 7:00 PM. In general, construction noise can vary substantially from day to day, depending on the level of activity and the specific type of equipment in operation. As a result, **MM NOI-1** requires that future WBODSP development projects, not exempt from CEQA, must prepare an acoustical assessment to analyze construction noise impacts and identify all feasible mitigation to reduce potential impacts if necessary.

## Operational Noise

Operational noise would be generated by a variety of sources including stationary and mobile sources. The Specific Plan area currently contains a mix of general industrial, light industrial, commercial, mixed-use, and residential uses. The WBODSP proposes to redevelop the Project area as a mixed-use

development, emphasizing residential uses and decreasing the amount of general industrial. In general, as shown in **Section 3.0, Project Description, Table 3.0-6, Allowed Maximum Density and Project Density Comparison**, the WBTODSP would, in comparison to the existing General Plan land use designations, increase the amount of residential dwelling units (DUs) by 2,005 DUs, and would decrease the overall non-residential intensity by 175,813 SF.

As a result of the Project's changes in land use and the WBTODSP's proposed internal street network of pedestrian and vehicle connectivity, the number of vehicle trips generated in the WBTODSP area are anticipated to decrease in comparison to existing General Plan land use designations; refer to **Appendix C, Mobility Assessment**. Currently, the existing uses within the Project area generate approximately 29,904 daily trips. With the implementation of the WBTODSP, when compared to the existing land uses, the Project is anticipated to generate 71,294 daily trips. As a result, traffic noise generated by the Project is also anticipated to increase in comparison to existing conditions.

To protect sensitive receptors within and adjacent to the Specific Plan area, **MM NOI-1** requires that future WBTODSP development projects, not exempt from CEQA, must prepare an acoustical assessment to analyze operational noise impacts, including stationary and mobile sources, and identify all feasible mitigation to reduce potential impacts if necessary. With implementation of MM NOI-1, a less than significant impact is anticipated to occur.

### **Mitigation Measures**

**MM NOI-1** Proposed development projects that are not exempt from CEQA shall prepare an acoustic assessment, addressing noise and vibration impacts from construction and operational activities. The results of this acoustic assessment shall be included in the development project's CEQA documentation. If the assessment identifies potentially significant noise or vibration impacts, the City shall require the incorporation of appropriate mitigation to reduce such impacts.

#### ***Impact 4.11-2 Generation of excessive groundborne vibration or groundborne noise levels?***

##### ***Level of Significance: Less than Significant with Mitigation Incorporated***

The proposed Specific Plan does not include any site-specific designs or development proposals, nor grant any entitlements for development. As a policy and regulatory document, the proposed Specific Plan would have no direct impacts related to vibration or noise. However, future development projects associated with the Specific Plan would require further CEQA review of project-level impacts prior to implementation.

None of the potential uses proposed in the Specific Plan area are associated with the generation of excessive groundborne vibration or groundborne noise although construction of future development in the Specific Plan Area may temporarily generate potential vibration impacts during construction activities. **MM NOI-1** would require the preparation of an acoustical assessment for future development projects within the Specific Plan area. The acoustical assessment would address noise impacts including groundborne vibration and identify all feasible mitigation to reduce potential impacts if necessary.

## **Mitigation Measures**

Refer to **MM NOI-1**.

**Impact 4.11-3** *For or 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?*

**Level of Significance: No Impact**

The Specific Plan Area is not located in an airport land use plan area or within two miles of an airport. The San Gabriel Valley Airport is located approximately eight miles northeast of the Specific Plan area. Given the distance to this airport, the Specific Plan area would not be exposed to excessive noise levels associated with airport operation. Therefore, there would be no impact.

## **Mitigation Measures**

No mitigation is necessary.

### **4.11.6 Cumulative Impacts**

As discussed in **Section 4.11.5: Impacts and Mitigation Measures**, Project impacts concerning noise are anticipated to be less than significant with incorporation of **MM NOI-1** and compliance with all applicable federal, state, and local statutes and regulations, including the PRMC and applicable WBTODSP design guidelines and development standards.

This EIR has incorporated, by reference, the Pico Rivera GP EIR, which addresses cumulative effects resulting from build out of the Pico Rivera GP. Additionally, the SCAG 2024-2050 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera GP. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera GP EIR (refer to **Section 3.0, Table 3.0-6: Allowed Maxim Density and Project Density Comparison** which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera GP EIR.

Furthermore, the Project site is fully developed and is absent of natural open space. The Project site has been previously graded and developed consistent with the current Pico Rivera GP and zoning designations. The Project is being evaluated at a programmatic level and there are no specific development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the PRMC as well as the design guidelines and development standards within the WBTODSP area. These regulations, in combination with applicable mitigation measures, would further reduce Project and cumulative impacts. Therefore, the Project's contribution to cumulative impacts is not considered to be "cumulatively considerable."

#### 4.11.7 Significant Unavoidable Impacts

No significant unavoidable impacts have been identified.

#### 4.11.8 References

- Caltrans, 2020. *Transportation and Construction Vibration Guidance Manual*. <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf>.
- City of Pico Rivera. 2014. *City of Pico Rivera General Plan – Noise Element*. <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-11.pdf>.
- City of Pico Rivera. 2023. *City of Pico Rivera Municipal Code*. [https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code/item/title\\_8-chapter\\_8\\_40?view=all](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code/item/title_8-chapter_8_40?view=all).
- Federal Transit Administration (FTA). 2018. *Transit Noise and Vibration Impact Assessment Manual*. [https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123\\_0.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf).
- Office of Planning and Research (OPR). 2017. *General Plan Guidelines*. <https://opr.ca.gov/planning/general-plan/guidelines.html>.



## 4.12 POPULATION AND HOUSING

### 4.12.1 Introduction

The section of the Draft Program Environmental Impact Report (EIR) identifies existing conditions in the Washington Boulevard Transit-Oriented Development Specific Plan (“WBODSP” or “Project”) area and evaluates the Project’s potential to induce substantial unplanned population growth or displace people or housing in a manner which would necessitate the development of additional housing elsewhere. Mitigation to avoid/reduce impacts is identified, as needed. To provide regional context, this section analyzes the Project’s estimated population, housing, and employment effects relative to the County of Los Angeles (County) and the City of Pico Rivera (City).

This section is based on demographic data obtained from the following sources:

- City of Pico Rivera. (2014). *City of Pico Rivera General Plan Update* (Pico Rivera General Plan);
- California Department of Finance (DOF). (2024). *E-5 City/County Population and Housing Report* (2024); and
- Southern California Association of Governments (SCAG). (2024) *2024-2050 Regional Transportation Plan/Sustainable Communities Strategy* (RTP/SCS) *Demographics and Growth Forecast*.

### 4.12.2 Environmental Setting

#### Population

**Table 4.12-1: Population Estimates and Forecasts (2024-2050)**, shows the County’s and City’s existing 2024 and forecast 2050 populations. The Department of Finance (DOF) population estimates are derived by multiplying the number of occupied housing units (i.e., households) by the average persons per household. The DOF estimates the City’s and County’s existing 2024 population (as of January 1, 2024) are approximately 60,820 persons and 9,824,091 persons, respectively. SCAG’S 2024-2050 RTP/SCS, generally referred as the Connect SoCal 2024, provides population, household, and employment data for counties and cities in the SCAG region towards forecasted year 2050. SCAG’s forecasts are based on a jurisdiction’s existing land uses and General Plan land use designations. Population forecasts are calculated based on household growth and household size. As shown in **Table 4.12-1**, the Connect SoCal 2024 RTP/SCS forecasts that City’s and County’s populations are estimated to increase to 66,818 persons and 10,793,000 persons, respectively by 2050. This represents an increase of approximately 9.9 percent in population growth, respectively, between 2024 and 2050, for both the City and the County.

**Table 4.12-1: Population Estimates and Forecast (2024-2050)**

Jurisdiction	2024 <sup>1</sup>	2050 <sup>2</sup>	Change (Numeric/Percent)
City of Pico Rivera	60,820	66,818 <sup>3</sup>	+5,998/+9.9%
County of Los Angeles	9,824,091	10,793,000	+968,909/+9.9%
Source:			
1. California DOF. 2024. <i>E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2024, with 2020 Benchmark</i> . Available at: <a href="https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/">https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/</a> (accessed October 2024).			

Jurisdiction	2024 <sup>1</sup>	2050 <sup>2</sup>	Change (Numeric/Percent)
2. SCAG. (2024). <i>Connect SoCal 2024: Demographics &amp; Growth Forecast Technical Report</i> . Available at: <a href="https://scag.ca.gov/sites/main/files/file-attachments/23-2987-tr-demographics-growth-forecast-final-040424.pdf?1712261839">https://scag.ca.gov/sites/main/files/file-attachments/23-2987-tr-demographics-growth-forecast-final-040424.pdf?1712261839</a> (accessed October 2024).			
3. Per Connect SoCal 2024, forecasted 2050 population growth for the City of Pico Rivera was derived using County-level Population: Housing Ratio and applying it to City of Pico Rivera's future household growth.			

## Housing

The DOF estimates housing units by adding new construction and land annexations and subtracting housing that is removed (e.g., demolition) and adjusting for units lost or gained by conversions. Annual housing unit change data are supplied to the DOF by local jurisdictions and the U.S. Census Bureau. As identified in **Table 4.12-2: Housing Estimates and Forecast (2024-2050)**, the DOF estimates that the City's and County's housing units (as of January 1, 2024) total 17,557 housing units and 3,696,408 housing units, respectively. The average persons per household are estimated to be 3.52 and 2.73 persons for the City and County, respectively. Additionally, the City's and County's 2024 vacancy rates are estimated to be approximately 2.4 percent and 4.8 percent, respectively. As reported by the DOF, the vacancy rate is a measure of the availability of housing in a community. The vacancy rate also correlates the types of units available to the market demand. A low vacancy rate suggests that households may have difficulty finding housing within their price range; a high supply of vacant units may indicate either the existence of a high number of desired units or an oversupply of units.

Furthermore, **Table 4.12-2** shows that the SCAG Connect SoCal 2024 that City's and County's housing stock are forecasted to increase by 643 housing units or 3.7 percent and 458,592 housing units or 12.4 percent, respectively, between 2024 and 2050.

**Table 4.12-2: Housing Estimates and Forecast (2024-2050)**

	City of Pico Rivera	County of Los Angeles
Total Housing Units (2024) <sup>1</sup>	17,557	3,696,408
Vacancy Rate (2024) (Percentage)	2.4%	4.8%
Average Persons Per Household (2024)	3.52	2.73
Projected Housing Units (2050) <sup>2</sup>	18,200	4,155,000
Change from 2024 to 2050 (Numeric/Percent)	+643/+3.7	+458,592/+12.4%
Note: Household population estimates are derived by multiplying the number of occupied housing units by the current persons per household. The persons per household estimates are based on 2020 Census benchmark data and are adjusted by raking the current county population series into these estimates. Because timeliness and coverage in these series vary, corrections, smoothing, and other adjustments may be applied.		
Sources:		
1. California DOF. 2024. <i>E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2024, with 2020 Benchmark</i> . Available at: <a href="https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/">https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/</a> (accessed October 2024).		
2. SCAG. (2024). <i>Connect SoCal 2024: Demographics &amp; Growth Forecast Technical Report</i> . Available at: <a href="https://scag.ca.gov/sites/main/files/file-attachments/23-2987-tr-demographics-growth-forecast-final-040424.pdf?1712261839">https://scag.ca.gov/sites/main/files/file-attachments/23-2987-tr-demographics-growth-forecast-final-040424.pdf?1712261839</a> (accessed October 2024).		

The City is required to ensure that sufficient sites that are planned and zoned for housing are available to accommodate its need and to implement proactive programs that facilitate and encourage the production of housing commensurate with its housing needs. Accordingly, **Table 4.12-3: City of Pico Rivera Final RHNA Allocation** below shows the results of the SCAG's Final RHNA allocation for the October 2021 through October 2029 cycle for the City and County. As shown in **Table 4.12-3**, the City's and County's allocation goal towards 2029 was 1,024, and 812,060 total dwelling units (DU), respectively.

**Table 4.12-3: City and County Final RHNA Allocation**

Income Level	Percent of AMI	Target (Units)	Percent of Housing Units
<b>City of Pico Rivera</b>			
Very Low	0-50%	299	29%
Low	50-80%	146	14%
Moderate	80-120%	149	15%
Above Moderate	120%+	430	42%
<b>Total</b>		1,024	100%
<b>County of Los Angeles</b>			
Very Low	0-50%	217,273	26%
Low	50-80%	123,022	15%
Moderate	80-120%	131,381	16%
Above Moderate	120%+	340,384	41%
<b>Total</b>		812,060	100%
Notes: AMI = Area Median Income			
Source:			
1. SCAG. March 4, 2021. 6th Cycle Final Regional Housing Needs Allocation 2021-2029. Available at: <a href="https://scag.ca.gov/sites/main/files/file-attachments/6th-cycle-rhna-proposed-final-allocation-plan.pdf?1614911196">https://scag.ca.gov/sites/main/files/file-attachments/6th-cycle-rhna-proposed-final-allocation-plan.pdf?1614911196</a>			

## Employment

The State of California Economic Development Department (EDD) employment numbers for 2024 have been used to represent employment in the area. As shown in **Table 4.12-4: Employment Estimates and Projections (2024-2050)**, the City's employment, as reported by EDD in September 2024, is estimated to be 28,300 jobs and forecasted to decrease by 9.9 percent (2,800 jobs) by 2050. The County's 2024 employment is estimated to be 4,815,500 jobs and is forecasted to increase by approximately 13.4 percent (645,500 jobs) by 2050. The City's and County's 2024 unemployment as of September 2024 (not seasonally adjusted) is roughly 6.4 percent and six percent, respectively.

**Table 4.12-4: Employment Estimates and Projections (2024-2050)**

Jurisdiction	2024 <sup>1</sup>	2050 <sup>2</sup>	Change (Numeric/Percent)
City of Pico Rivera (employment)	28,300	25,500	-2,800 -9.9%
Labor Force	30,200	-	-
Unemployment Rate (September 2024)	6.4%	-	-
County of Los Angeles (employment)	4,815,500	5,461,000	+645,500 +13.4%
Labor Force	5,123,800	-	-
Unemployment Rate (September 2024)	6.0%	-	-
Sources:			
1. California Economic Development Department. (2024). Unemployment Rates and Labor Force. <i>Current Month Labor Force Data for Cities and Census Designated Places (Excel)</i> Available at: <a href="https://labormarketinfo.edd.ca.gov/geography/losangeles-county.html">https://labormarketinfo.edd.ca.gov/geography/losangeles-county.html</a> (accessed October 2024)			
2. SCAG. (2024). <i>Connect SoCal 2024: Demographics &amp; Growth Forecast Technical Report</i> . Available at: <a href="https://scag.ca.gov/sites/main/files/file-attachments/23-2987-tr-demographics-growth-forecast-final-040424.pdf?1712261839">https://scag.ca.gov/sites/main/files/file-attachments/23-2987-tr-demographics-growth-forecast-final-040424.pdf?1712261839</a> (accessed October 2024).			

## Jobs to Housing Balance

SCAG states that “a balance between jobs and housing in a metropolitan region can be defined as a provision of an adequate supply of housing to house workers employed in a defined area (i.e., community

or subregion). Alternatively, a jobs/housing balance can be defined as an adequate provision of employment in a defined area that generates enough local workers to fill the housing supply.” Jobs and housing are considered in balance when a subregion has enough employment opportunities for most people who live there and enough housing opportunities for most of the people who work there. The jobs/housing balance is one indicator of a project’s effect on growth and quality of life in a project area. SCAG uses the jobs/housing ratio to assess the relationship between housing and employment growth.

Alternatively, an imbalance between employment and housing in a community is a key contributor to local traffic congestion. These types of origin/destination disparities may also be considered an impediment to environmental justice. Ideally, job-housing balance would be a ratio between 1.0 to 1.25. A higher ratio would indicate more jobs than housing, while a lower ratio would indicate more housing. A job-housing imbalance can indicate potential air quality and traffic problems associated with commuting.

**Table 4.12-5: Jobs/Housing Ratio (2024-2050)** presents the City’s and County’s jobs/housing ratio. As identified in **Table 4.12-5**, the County’s and City’s jobs/housing ratios indicates both are jobs rich and would need more housing growth to provide greater balance. Comparatively, the City’s jobs/housing imbalance is higher than the County’s.

**Table 4.12-5: Jobs/Housing Ratio (2024-2050)**

Jurisdiction	2024	2050
<b>City of Pico Rivera</b>		
Jobs	28,300	25,500
Housing Units	17,557	18,200
Jobs/Housing Ratio	1.6	1.4
<b>County of Los Angeles</b>		
Jobs	4,815,500	5,461,000
Housing Units	3,696,408	4,155,000
Jobs/Housing Ratio	1.3	1.3

### 4.12.3 Regulatory Setting

#### Federal

No federal laws, regulations, or executive orders concerning population and housing apply to this Project.

#### State

##### *Housing Crisis Act of 2019 - Senate Bill 330 (SB 330)*

On October 19, 2019, Governor Newsom signed into the Housing Crisis Act of 2018 Senate Bill (SB) 330. In part, SB 330 was meant to reduce the time needed to obtain building permits and disallowing local governments from reducing the densities of areas designated for residential development. As it specifically pertains to the Project and the proposed zone change, with a few exceptions, SB 330 bill prohibits a jurisdiction from changing the current zoning and land use designations in the general plan that would reduce the density of the use. For example, a jurisdiction cannot downzone a site from residential to another type of use or make changes, such as decreasing structure height limits or increasing setbacks, which would lessen the number of units that could be built on a given site. In addition,

SB 330 forbids the jurisdictions from limiting land use approvals and placing moratoriums on housing development.<sup>1</sup>

### ***California Planning and Zoning Law***

The legal framework under which California cities and counties exercise local planning and land use functions is set forth in California Planning and Zoning Law, Government Code Sections 65000–66499.58. Under State 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 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.

### ***California Environmental Quality Act***

CEQA establishes that a significant effect on the environment involves an adverse change to the physical environment. Pursuant to the State CEQA Guidelines, a project's impact related to land use planning is evaluated in terms of physically dividing an established community, compatibility with existing land uses and consistency with local plans and other local land use controls (i.e., general plans, zoning codes, specific plans, etc.) such that if conflicts do exist, would the conflict result in a significant environmental impact. This is discussed in additional detail in the methodology and impacts section below.

## **Regional**

### ***SCAG and Regional Housing Needs Assessment***

SCAG is a council of governments representing Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. SCAG is the federally recognized metropolitan planning organization (MPO) for this region, which encompasses over 38,000 square miles. It serves as a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG develops, refines, and maintains SCAG's regional and small area socio-economic forecasting/allocation models. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As the southern California region's MPO, SCAG cooperates with the South Coast Air Quality Management District, the California Department of Transportation, and other agencies in preparing regional planning documents. The socioeconomic estimates and projections are used for federal and state-mandated long-range planning efforts such as the RTP/SCS, the Air Quality Management Plan, the Federal Transportation Improvement Program, and the Regional Housing Needs Assessment (RHNA).

The RHNA is an assessment process performed periodically as part of Housing Element and General Plan updates at the local level. The RHNA quantifies the need for housing by income group within each jurisdiction during specific planning periods. The RHNA is used in land use planning, to prioritize local

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<sup>1</sup> Holland & Knight. 2019. California Legislature Passes Housing Crisis Act of 2019 and Rent Control, Among Others. Available: <https://www.jdsupra.com/legalnews/california-legislature-passes-housing-78188/> (accessed August 2023).

resource allocation and to help decide how to address existing and future housing needs. The RHNA allows communities to anticipate growth, so that collectively the region can grow in ways that enhance quality of life, improve access to jobs, promote transportation mobility, and address social equity and fair share housing needs.

### ***Southern California Association of Governments RTP/SCS***

On September 3, 2020, SCAG adopted the 2020-2045 RTP/SCS or Connect SoCal, which places a greater emphasis than ever on sustainability and integrated planning. The Connect SoCal, incorporated by reference, encompasses a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The Connect SoCal includes a strong commitment to reduce emissions from transportation sources to comply with Senate Bill 375, improve public health, and meet the National Ambient Air Quality Standards. This long-range plan, required by the state and the federal government, is updated by SCAG every four years as demographic, economic, and policy circumstances change. On April 4, 2024, SCAG certified the Final 2024 Program EIR (State Clearinghouse No. 2022100337) for the Connect SoCal 2024 (with the latest Addendum #1 to the Connect SoCal 2024 Program EIR being adopted by the SCAG Regional Council on September 5, 2024).

## **Local**

### ***City of Pico Rivera General Plan Update 2014***

#### ***Land Use Element***

The Pico Rivera General Plan Land Use Element focuses on the organization of the community's physical environment into logical, functional, and visually pleasing patterns, consistent with local values and priorities.<sup>2</sup> Additionally, the Land Use Element provides appropriate land for each of the variety of activities associated with a successful community, and guidelines the manner in which this land will be developed and used.

The following goals, objectives, and policies in the Pico Rivera General Plan Land Use Element are applicable to the Project:

**Goal 3.7**      **Protect and enhance existing residential neighborhoods, assuring that they are safe, attractive, provide quality housing choices and are designed and maintained to enhance livability.**

#### **Policies**

- **Policy 3.7-1 Design.** Regulate the design and site planning of new development in and adjacent to residential neighborhoods to ensure compatibility between the new development and the existing residential areas.
- **Policy 3.7-2 Neighborhood Revitalization.** Promote revitalization of neighborhoods in need by maintaining public improvements, encouraging infill development compatible with the scale and character of existing development,

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<sup>2</sup> City of Pico Rivera. 2014. *Pico Rivera General Plan, Chapter 3 Land Use Element*. Available at: <https://www.pico-rivera.org/general-plan/>. (accessed October 2024).



and supporting public and private efforts to upgrade and maintain neighborhood appearance and the existing housing stock.

**Goal 3.9**      **A wide range of quality industries that provides job opportunities for Pico Rivera's residents while ensuring compatibility with nearby residential neighborhoods.**

**Policies**

- **Policy 3.9-1 New Industrial Development.** Promote high quality industrial development and redevelopment that is compatible with surrounding uses and enhances the adjacent streetscape.

*Housing Element*

The Pico Rivera General Plan Housing Element seeks to facilitate and encourage housing that fulfills the diverse needs of the community.<sup>3</sup> To achieve this goal, the Housing Element identifies long-term housing goals and shorter-term policies to address the identified housing needs. Additionally, the goals, policies, and programs within the Housing Plan build upon the identified housing needs in the community, constraints confronting the City, and resources available to address the housing needs. On September 27, 2022, the City of Pico Rivera City Council adopted the 6<sup>th</sup> Cycle 2021-2029 Housing Element Update which demonstrates the City's RHNA Allocation divided into various income levels as shown in **Table 4.12-3** above.

The following goals and policies in the Pico Rivera General Plan Housing Element are applicable to the Project:

**Goal 2:**      **Encourage access to opportunities for affordable housing**

- **Policy 2.1:** Support and promote the creation of new opportunities for affordable housing.
- **Policy 2.2:** Cooperate with private and public sector entities in identifying strategies that will be effective in the development of new affordable housing.
- **Policy 2.3:** Promote and support those programs that will assist lower-income households in the purchase of their homes.

**Goal 4:**      **Provide adequate sites to meet the existing and future housing needs of the City Policies**

- **Policy 4.1:** Support the development of higher density housing along selected arterial corridors as a means to accommodate the City's projected housing need.
- **Policy 4.2:** Establish a mixed-use overlay zone and increase minimum density in identified areas to meet the City's housing need.

*Economic Prosperity Element*

The Pico Rivera General Plan Economic Prosperity Element is a prime indicator of the success and vitality of a community. The structure and strength of the local economy influences a community's physical development and its ability to fund essential services. The Economic Prosperity Element seeks to enhance

<sup>3</sup> City of Pico Rivera. 2013. *Pico Rivera General Plan, Chapter 4 Housing Element*. Available at: <https://www.pico-rivera.org/general-plan/>. (accessed December 2023).

the City's economic well-being and sustainability by providing a strategic approach to economic development that reflects the community's unique opportunities and challenges.

The following goals and policies in the Pico Rivera Economic Prosperity Element are applicable to the Project:

**Goal 7.3      New businesses and jobs that will continue to grow and diversify Pico Rivera's economy and reduce the need for residents to travel outside the City for services and employment.**

- **Policy 7.3-1 High-Wage Jobs.** Target the attraction of a diversity of new businesses and employers with an emphasis on high-growth industries that create permanent, higher wage jobs to help raise the City's median income level.
- **Policy 7.3-3 Commercial Uses.** Identify and proactively recruit new high-quality commercial uses, specialty stores, and sit-down restaurants that expand the diversity of retail and service offerings, increase the generation of sales tax, and enhance visitor amenities.
- **Policy 7.3-7 Industrial Land Use.** Retain adequate manufacturing and industrial land use base, in particular near key transportation corridors such as I-605 and I-5, to support emerging industrial sectors.

**Goal 7.5      A community that looks successful and is attractive to existing and potential businesses and employees.**

- **Policy 7.5-5 Reduce Conflicts.** Maintain appropriate performance standards for industrial uses in close proximity to residential uses to reduce conflicts between residential and industrial uses.

**Goal 7.6      Adequate infrastructure to support existing businesses and industries and desired expansion of the community's business sector.**

- **Policy 7.6.1 Infrastructure Investment.** Improve public infrastructure in commercial and employment-generating areas.

#### **4.12.4      Impact Thresholds and Significance Criteria**

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning population and housing. The questions presented in the Environmental Checklist Form have been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on population and housing if it would:

- Include 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); and/or
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

## Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning population and housing. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts.

The Project's demographics were examined in the context of existing and projected population for the City and County and consistency with relevant planning documents is considered. Information on population, housing, and employment for the Project area is available from several sources including the Connect SoCal and population and housing data from the DOF with U.S. Census 2020 benchmark data.

## Approach to Analysis

This analysis examines the Project's potential impacts on population and housing based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "significant" adverse effects on population and housing considers the established population and housing plans for the County and reviews any deviation from these plans in the analysis of the Project.

## WBTODSP Impacts

The proposed WBTODSP does not include any site-specific designs or proposals, nor does it grant any entitlements for development. As a policy and regulatory document, the WBTODSP would have no physical effect on the environment. Future development projects will be required to assess their individual impacts regarding Population and Housing on a project-by-project basis.

### 4.12.5 Project Impacts and Mitigation

**Impact 4.12-1** *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)?*

**Level of Significance: Less than Significant**

## Construction and Operations

The Project site includes a mix of existing zoning districts, which include the following: General Industrial (I-G), Specific Plan (SP), General Commercial (C-G), Community Commercial (C-C), Multiple-Family Residential (R-M), and Public Facilities (P-F). The existing development in the Project site consists of

approximately 238,247 square feet (SF) of residential uses, approximately 1,541,731 SF of commercial space, approximately 344,763 SF of Institutional and Recreational space, approximately 4,179,578 SF of Industrial, and approximately 7,849 SF of public facilities development. This includes development within approximately 35 acres of the City's Rancho de Bartolo Specific Plan (SP-400) and 12.84 acres of the City's Specific Plan 301 (SP-301). SP-400 and SP-301 within the Project site are anticipated to be rescinded with the adoption of the proposed WBTODSP. Additional information on the Project could be found within **Section 3.0: Project Description**.

### **Population and Housing Growth**

As previously identified, the City's and County's housing stock as of January 1, 2024, was 17,557 DUs and 3,696,408 DUs, respectively. The Project does not propose any development but would facilitate the future development of 2,336 residential dwelling units and 5,889,747.60 square feet (SF) of non-residential (commercial, retail, office, public facilities, etc.) uses.

As shown in Table 4.12-6: City and County Population and Housing (With Project Conditions), the Project's anticipated maximum housing buildout of 2,336 would increase the City's and County's population to 69,042 persons resulting in a 13.5 percent increase, and 9,832,313 persons resulting in a 0.08 percent increase, respectively. Additionally, future development of the Project's residential units would increase the City's and County's housing stock to 19,893 DU, or approximately 13.3 percent and to 3,698,744 DU, or approximately 0.06 percent increase, respectively over the existing housing stock.

**Table 4.12-6: City and County Population and Housing (With Project Conditions)**

Description	City of Pico Rivera	County of Los Angeles
<b>Population</b>		
Existing Population	60,820	9,824,091
Average Persons Per Household	3.52	-
Total Proposed Population <sup>4</sup>	8,222	8,222
<b>Total Existing + Project (Persons)</b>	69,042	9,832,313
<b>Project % Change Over Existing</b>	+13.5%	+0.08%
<b>Housing</b>		
Existing Housing Units	17,557	3,696,408
Proposed Housing Units	2,336	2,336
<b>Total Existing + Project (Dwelling Units)</b>	19,893	3,698,744
<b>Project % Change Over Existing</b>	+13.3%	+0.06%
Source:		
California Economic Development Department. (2024). Unemployment Rates and Labor Force. <i>Current Month Labor Force Data for Cities and Census Designated Places (Excel)</i> Available at: <a href="https://labormarketinfo.edd.ca.gov/geography/losangeles-county.html">https://labormarketinfo.edd.ca.gov/geography/losangeles-county.html</a> (accessed October 2024)		
SCAG. (2024). <i>Connect SoCal 2024: Demographics &amp; Growth Forecast Technical Report</i> . Available at: <a href="https://scag.ca.gov/sites/main/files/file-attachments/23-2987-tr-demographics-growth-forecast-final-040424.pdf?1712261839">https://scag.ca.gov/sites/main/files/file-attachments/23-2987-tr-demographics-growth-forecast-final-040424.pdf?1712261839</a> (accessed October 2024).		

As noted in **Table 4.12-1**, SCAG anticipates population within the City and County to grow to approximately 66,818 and 10,793,000 persons, respectively. **Table 4.12-2** shows that City and County housing stock is anticipated to grow to approximately 18,200 and 4,155,000 dwelling units, respectively. As such, at Project buildout, the City would add approximately 2,224 people and 1,693 DU over the anticipated SCAG growth forecast for the City by 2050. However, this Project would not directly induce

<sup>4</sup> Maximum proposed DUs by the Project (2,336) multiplied by the average persons per household of the City (3.52)

population growth but would merely facilitate future development of residential and non-residential uses within the Project site. The 2,336 DUs are a cap on the total number of residential units that could be developed within the WBTODSP area. The actual number of DUs constructed may be lower, would be built over multiple stages, and dependent on the market conditions, tenant needs, and other factors. Additionally, approval of the Project would help the City surpass its RHNA goal by 1,024 DUs and would help the County meet its RHNA goal of 812,060 DUs. Furthermore, as shown in **Table 4.12-5**, the City and County currently have a jobs to housing ratio of 1.6 and 1.3, respectively which indicate that both the City and County are “jobs-rich” and require additional housing to achieve healthier balanced jobs-housing ratios which approval of the Project would provide. Therefore, the Project’s population growth due to housing would not be substantial, and impacts would be less than significant.

### ***Employment Growth***

The Project would facilitate the potential development for up to 5,889,747.60 square feet SF of commercial, retail, office, and public facilities uses which could generate employment growth in the City and County. As shown in **Table 4.12-4** above, the City’s existing employment of 28,300 already surpasses SCAG’s forecasted employment of 25,500 by 2050. Although the Project would further generate employment, passing SCAG’s forecasted employment for the City, the forecasted increase would be well within the County’s forecasted employment of 5,461,000 by 2050. Furthermore, permanent employment opportunities are expected to be filled by the local area and surrounding region due to the City’s and County’s significant unemployment rate of 6.4 percent and 6.0 percent, respectively.

The specific number of project-generated employees would be determined on a project-per-project basis. Each specific development in the Project area would be subject to project-level discretionary review and approval to determine impacts concerning population growth-inducing impacts. Additionally, buildout of the Project would be subject to compliance with all state, regional, and local requirements for minimizing growth-related impacts. Therefore, the Project’s population growth due to employment opportunities would be less than significant.

### ***Mitigation Measures***

No mitigation is necessary.

***Impact 4.12-2      Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?***

***Level of Significance: Less than Significant***

## **Construction and Operations**

With the exception for Assessor’s Parcel Number 6370-013-014, located at 6605 Rosemead Boulevard, which is the only vacant parcel within the Project site, the balance of the Project site parcels are fully developed with a mix of industrial, light-industrial, commercial, and residential uses. No portion of the Project site remains in its native state. The Project does not propose any development that would remove any existing housing. Rather, future development projects would include multi-family residential DUs within the MUR Low, MUR High, and MUC land uses, which would increase the number of residential DUs

with the City. As such, the Project would not require for the replacement or reconstruction of existing housing elsewhere. Therefore, impacts would be less than significant.

### **Mitigation Measures**

No mitigation is necessary.

## **4.12.6 Cumulative Impacts**

As discussed in **Section 4.12.5: Impacts and Mitigation Measures**, Project impacts concerning population and housing are anticipated to be less than significant with compliance with all applicable federal, state, and local statutes and regulations, including the PRMC and applicable WBTODSP design guidelines and development standards.

This EIR has incorporated, by reference, the Pico Rivera GP EIR, which addresses cumulative effects resulting from build out of the Pico Rivera GP. Additionally, the SCAG 2024-2050 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera GP. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera GP EIR (refer to refer to Section 3.0, Table 3.0-6: Allowed Maxim Density and Project Density Comparison which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera GP EIR.

Furthermore, the Project site is fully developed and is absent of natural open space. The Project site has been previously graded and developed consistent with the current Pico Rivera GP and zoning designations. The Project is being evaluated at a programmatic level and there are no specific development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the PRMC as well as the design guidelines and development standards within the WBTODSP area. Additionally, the City is subject to the 6<sup>th</sup> Cycle RHNA which the Project would help achieve through future specific development projects. These regulations, in combination with applicable mitigation measures, would further reduce Project and cumulative impacts. Therefore, the Project's contribution to cumulative impacts is not considered to be "cumulatively considerable."

## **4.12.7 Significant Unavoidable Impacts**

No significant unavoidable impacts have been identified.



## 4.12.8 References

- California DOF. 2023. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023, with 2020 Benchmark*. Sacramento, CA: Department of Finance.  
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<https://data.census.gov/table?t=Employment&g=160XX00US0656924>, accessed December 18, 2023.

## 4.13 PUBLIC SERVICES

### 4.13.1 Introduction

The section identifies existing conditions in the Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBTODSP”) area and evaluates the Project’s potential to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts. Mitigation to avoid/reduce impacts is identified, as needed. Public services are those entities that serve the City of Pico Rivera’s (City) residents, businesses, and community members. Public services information was acquired through review of various readily available data in public records, including local planning documents. Refer also to **Section 7.0: Effects Found Not to be Significant**, for potential impacts concerning parks and recreation. For purposes of this analysis, the term “public services” includes fire protection, police protection, emergency medical services, public schools, parks, and libraries. Information used to prepare this section includes resources from:

- City of Pico Rivera General Plan Update, 2014.
- Pico Rivera General Plan Update. 2014. Draft Environmental Impact Report.

### 4.13.2 Environmental Setting

The City provides relevant public services which includes fire protection, police, and emergency medical services. Any increased demand on public serves associated with implementation of the WBTODSP would be financed through development impact fees and the payment of annual property taxes associated with new development within the Project area.<sup>1</sup>

#### Fire Protection

The Project would receive fire protection services from the Los Angeles County Fire Department (LACFD). These services include emergency, prevention, and administrative services that are provided through a contract with the LACFD. The LACFD provides a wide range of services including but not limited to emergency and business operations bureaus, including firefighters, dispatchers, lifeguards, nurses, and administrative support. The LACFD service boundary includes all the 140 unincorporated areas within the County, the County’s 60 incorporated cities, 59 of which are in Los Angeles County, and one located in the City of La Habra in Orange County. The Fire Department’s service area includes suburban neighborhoods, city centers, commercial districts, sandy beaches, mountain ranges, and more.<sup>2</sup> There are three fire stations located in the City. Each station operates three shifts, providing 24-hour coverage. The location, staffing level, and firefighters per shift for each fire station are listed below.

- Fire Station #25: Located at 9209 E. Slauson Boulevard, serves the portion of the City south of Slauson Boulevard. The station is staffed with a four-person engine company and a total of four firefighters per shift.

<sup>1</sup> Kimley-Horn and Associates, Inc. (2023). *Pico Rivera Transit-Oriented Development Specific Plan*. Page 4-10.

<sup>2</sup> Los Angeles County Fire Department. (2021). *Annual Report*. Retrieved from: [https://fire.lacounty.gov/wp-content/uploads/2022/07/LACoFD-2020-Annual-Report\\_072222\\_Final.pdf](https://fire.lacounty.gov/wp-content/uploads/2022/07/LACoFD-2020-Annual-Report_072222_Final.pdf). (Accessed August 2023).

- Fire Station #40: Located at 4864 Durfee Avenue, provides fire protection services for the area of the City north of Mines Avenue, along with paramedic services for the entire City. The station is staffed with a three-person engine company and a two-person paramedic squad. This station maintains a total of five firefighters per shift.
- Fire Station #103: Located at 7300 Paramount Boulevard, serves the central portion of the City from Mines Avenue to Slauson Boulevard. The station is staffed with a seven-person Urban Search and Rescue (USAR) Task Force, which is equipped with a three-person engine company and a four-person USAR squad; a total of seven firefighters per shift.<sup>3</sup>

The Fire Department had an average response time of 4:50 minutes for the first-arriving unit in the City in 2009.<sup>4</sup> The Fire Department uses national guidelines of a 5-minute response time goal for the first-arriving unit for fire and emergency medical support responses in urban areas.<sup>5</sup> The closest LACFD station to the Project site, is County Fire Station 103, located at 7300 Paramount Boulevard, which serves the central portion of the City from Mine Avenue to Slauson Boulevard, as previously discussed.<sup>6</sup> Fire Station 103 is located within the western portion of the Project site at 7300 Paramount Boulevard.

## Police Protection

The Los Angeles County Sheriff's Department (LASD) provides police services for the Project site. Law enforcement for the City is provided on a contractual basis by the LASD. By contracting for law enforcement, the City of Pico Rivera receives comprehensive services, including patrol and traffic law enforcement, detective, and support services. The Pico Rivera Sheriff's station is located adjacent to City Hall at 6631 Passons Boulevard, Pico Rivera, CA 90660, approximately 0.44 miles northwest of the Project site.<sup>7</sup> The Sheriff's Station also serves the areas of El Rancho, Los Nietos, Pico Rivera, Unincorporated West Whittier, and West Whittier.<sup>8</sup>

## Schools

The Project site lies within the El Rancho Unified School District (ERUSD).<sup>9</sup> ERUSD serves schools within the City of Pico Rivera and the City of Montebello. The nearest schools to the Project site are the Magee Academy of Arts and Sciences located at 8200 Serapis Avenue, Pico Rivera, CA 90660, approximately 0.7 miles to the south; Rivera Middle School located at 7200 Citronell Avenue, Pico Rivera, CA 90660, approximately 0.4 miles to the southeast; and El Rancho High School, located at 6501 Passons Blvd, Pico Rivera, CA 90660, approximately 0.4 miles southwest of the Project site.<sup>10</sup>

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<sup>3</sup> ESA. (2014). *Pico Rivera General Plan Update Draft Environmental Impact Report – Section 3.8 Public Services* (accessed August 2023).

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> City of Pico Rivera. (2014). *Pico Rivera General Plan Update 2014 - Community Facilities Element*. Retrieved from: <https://www.pico-rivera.org/index.php/general-plan/> (accessed August 2023).

<sup>7</sup> Ibid.

<sup>8</sup> Los Angeles County Sheriff's Department. (2023). *Pico Rivera Station*. Retrieved from: <https://lasd.org/pico-rivera/> (accessed August 2023).

<sup>9</sup> El Rancho Unified School District. (2023). *El Rancho Unified School District*. Retrieved from: <https://www.erusd.org/> (accessed August 2023).

<sup>10</sup> ZipDataMaps. (2023). *El Rancho Unified School District Data and Boundary Map*. Retrieved from: <https://www.zipdatamaps.com/school-district/california/el-rancho-unified-school-district> (accessed August 2023).

## Parks

Parks and recreation areas within the City are managed by City of Pico Rivera Parks and Recreation Department. The City of Pico Rivera acknowledges open space and recreational facilities for the enjoyment and needs of all citizens as essential for the well-being of its people. Open space areas define the boundaries of and provide relief from urbanization and the built environment. Parks not only serve the physical and social needs of individuals, but they also serve as gathering places and create opportunities for families and neighbors to meet and interact with one another, as well as break up the monotony of surrounding urban environments. When the City was incorporated in 1958, it inherited an existing park system from the County of Los Angeles. In the first eight years following incorporation, the City allocated all capital funds available to improvement of existing facilities rather than acquisition of additional sites.<sup>11</sup> The result is a well-developed parks system throughout the City.

The City is a highly urbanized community bounded by three major open space areas: the Rio Hondo and San Gabriel rivers which form the community's western and eastern boundaries, and the Whittier Narrows Recreation Area (WNRA), located north of the City straddling the area between the San Gabriel River above the Whittier Narrows Dam and the Rio Hondo River. In addition to these regional open space areas, the City contains an extensive system of local park land.

The City currently maintains a comprehensive system of parks and recreational facilities. Residents, workers and visitors enjoy the City's recreation facilities including athletic fields, gymnasiums and community centers, a nine-hole executive golf course and aquatic facilities.<sup>12</sup> The nearest parks to the Project site are Rio Hondo Park located at 8421 San Louis Potosi Place, Pico Rivera, CA 90660, approximately 0.5 mile north of the Project site; Rio Vista Park located at 8751 Coffman and Pico Road, Pico Rivera, CA 90660, approximately 0.5 mile northeast of the Project site; and Smith Park located at 6016 Rosemead Boulevard, Pico Rivera, CA 90660, approximately 0.6 mile northeast of the Project site.

## Other Public Facilities

Other Public Facilities generally refers to libraries and government buildings that serve the population within the jurisdiction. The City contracts with the Los Angeles County Public Library system to operate two libraries within the community: the Pico Rivera Library and the Rivera Library. The Pico Rivera Library is in the center of the City across Mines Avenue from Smith Park. In 2013, the Pico Rivera Library underwent an expansion, funded by the City and Los Angeles County. The Pico Rivera Library is located at 9001 Mines Avenue, Pico Rivera, CA 90660, located approximately 0.6 miles northeast of the Project site. The second facility is the Rivera Library located at 7828 S. Serapis Avenue, Pico Rivera, CA 90660, located approximately 0.4-mile northwest of the Project site. Additionally, the Friends of the Pico Rivera Libraries Book Store is located at 9449 Slauson Avenue, located approximately 0.6 miles northwest of the Project site, and helps to raise money and collect books for the Pico Rivera and Rivera Libraries.

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<sup>11</sup> City of Pico Rivera. (2014). *Pico Rivera General Plan Update 2014 – Healthy Communities Element*. Retrieved from: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-10.pdf> (accessed September 2023).

<sup>12</sup> City of Pico Rivera. (2014). *Pico Rivera General Plan Update 2014 - Environmental Resource Element*. Retrieved from: <https://www.pico-rivera.org/index.php/general-plan/> (accessed August 2023).

### 4.13.3 Regulatory Setting

#### Federal

##### *Federal Emergency Management Act*

In March 2003, the Federal Emergency Management Act (FEMA) became part of the U.S. Department of Homeland Security. FEMA's continuing mission is to lead the effort to prepare the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

##### *Fire Prevention and Control Act of 1974*

The Federal Fire Prevention and Control Act of 1974 was created to reduce the nation's losses caused by fire through better fire prevention and control, supplement existing programs of research, training, and education, and to encourage new and improved programs and activities by State and local governments. In addition, the act established the U.S. Fire Administration and the Fire Research Center within the Department of Commerce. The Fire Prevention and Control Act established an intensified program of research into the treatment of burn and smoke injuries and the rehabilitation of victims of fires within the National Institutes of Health.

##### *Occupational Safety and Health Administration*

The Occupational Safety and Health Administration's (OSHA) mission is to "assure safe and healthy working conditions for working men and women by setting and enforcing standards and by providing training, outreach, education and assistance." The agency is also charged with enforcing a variety of whistleblower statutes and regulations.

##### *Emergency Action Plan*

All businesses are required under OSHA standards to prepare an emergency action plan (EAP) kept in the workplace that provides procedures to be followed by all employees for reporting a fire or other emergency and emergency evacuation, including type of evacuation and exit route assignments. Employers are required to have and maintain an employee alarm system, provide training, and review the EAP with each employee covered by the plan.

##### *Fire Prevention Plan*

Businesses are required under OSHA standards to prepare a fire prevention plan that, at a minimum, must include procedures to control accumulations of flammable and combustible waste materials, and for regular maintenance of safeguards installed on heat-producing equipment to prevent the accidental ignition of combustible materials. Furthermore, the fire prevention plan must contain the names and/or job titles of employees responsible for maintaining equipment to prevent or control sources of ignition or fires, and for the control of fuel source hazards.

### ***Disaster Mitigation Act of 2000***

This Act (42 United States Code [USC] Section 5121) was signed into law to amend the Robert T. Stafford Disaster Relief Act of 1988 (42 USC Section 5121-5207). Among other things, this legislation reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and is aimed primarily at the control and streamlining of the administration of federal disaster relief and programs to promote mitigation activities.

Some of the major provisions of this Act include:

- i. Funding pre-disaster mitigation activities;
- ii. Developing experimental multi-hazard maps to better understand risk;
- iii. Establishing state and local government infrastructure mitigation planning requirements;
- iv. Defining how states can assume more responsibility in managing the hazard mitigation grant program; and
- v. Adjusting ways in which management costs for projects are funded.

The mitigation planning provisions outlined in Section 322 of this Act establish performance-based standards for mitigation plans and require states to have a public assistance program (Advance Infrastructure Mitigation [AIM]) to be included in county government plans. Counties that fail to develop an infrastructure mitigation plan may have their federal share of damage assistance reduced from 75 percent to 25 percent if the facility has been damaged on more than one occasion in the preceding 10-year period by the same type of event.

### ***Americans with Disabilities Act***

The Americans with Disabilities Act (ADA) of 1990 (42 USC Section 12181) prohibits discrimination on the basis of disability in public accommodation and state and local government services. Under the ADA, the Architectural and Transportation Barriers Compliance Board issues guidelines to ensure that facilities, public sidewalks, and street crossings are accessible to individuals with disabilities. Public play areas, meeting rooms, park restrooms, and other buildings and park structures must comply with ADA requirements.

### ***International Fire Code***

The International Fire Code (IFC) regulates minimum fire safety requirements for new and existing buildings, facilities, storage, and processes. The IFC includes general and specialized technical fire and life safety regulations addressing fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, use and storage of hazardous materials, protection of emergency responders, industrial processes, and many other topics. The IFC is issued by the International Code Council, an international organization of building officials.



## State

### *California Penal Code*

All law enforcement agencies within the State of California are organized and operated in accordance with the applicable provisions of the California Penal Code. This code sets forth the authority, rules of conduct, and training for peace officers. Under state law, all sworn municipal and county officers are state peace officers.

### *California Code of Regulations Title 24 (California Building Standards Code)*

California Code of Regulations (CCR) Title 24, also known as the California Building Standards Code (CBSC), includes regulations for how buildings are designed and constructed, and are intended to ensure the maximum structural integrity and safety of private and public buildings. The CBSC, which applies to all applications for building permits, consists of 12 parts that contain CBSC administrative regulations for all State agencies that implement or enforce building standards. Local agencies must ensure the development complies with the CBSC standards. Cities and counties can adopt additional standards beyond the CBSC including CBSC Part 2, named the California Building Code (CBC).

### *California Code of Regulations Title 24 Part 2 - California Building Code*

The CBC contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. CBC provisions provide minimum standards 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 and certain equipment.

CBC Chapter 7A, (CBC, Title 24, Part 2) primarily focuses on preventing ember penetration into homes, a leading cause of structure loss from wildfires. Fire hazard designations are based on topography, vegetation, and weather, amongst other factors with more hazardous sites including steep terrain, unmaintained fuels/vegetation, and urbanized areas adjacent to wilderness. Developments situated in Very High Fire Hazard Severity Zones (VHFHSZ) require fire hazard analysis and application of fire protection measures that have been developed to specifically result in defensible communities.

### *California Code of Regulations Title 24 Part 9 – California Fire Code*

The California Fire Code (CFC) contains regulations consistent with nationally recognized accepted practices for safeguarding, to a reasonable degree, life, and property from various hazards, including fire and explosion, among others. The CFC also contains provisions to assist emergency response personnel. The CFC is pre-assembled with the International Fire Code with necessary California amendments. The CFC contains fire safety-related building standards that are referenced in other parts of CCR Title 24. The CFC is updated once every three years; the 2022 CFC took effect on January 1, 2023. The CFC sets forth regulations regarding building standards, fire protection and notification systems, fire protection devices such as fire extinguishers and smoke alarms, high-rise building standards, and fire suppression training. The CFC provides minimum standards to increase the ability of a building or structure to resist the intrusion of flame or burning embers being projected by a vegetation fire and contributes to a systematic reduction in fire losses through the use of performance and prescriptive requirements.

### ***Title 8, California Code of Regulations Sections 1270 and 6773***

In accordance with CCR, Title 8 Section 1270 “Fire Prevention” and Section 6773 “Fire Protection and Fire Equipment,” the California Occupational Safety and Health Administration (Cal-OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

### ***Mitigation Fee Act***

The California Mitigation Fee Act (California Government Code [CGC] Section 66000 et seq.) mandates procedures for administration of impact fee programs, including collection and accounting, reporting, and refunds. A development impact fee is a monetary exaction other than a tax or special assessment that is charged by a local governmental agency to an applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project.

### ***California Health and Safety Code***

State fire regulations are set forth in California Health and Safety Code Section 13000 et seq., and include provisions concerning building standards, fire protection and notification systems, fire protection devices, and fire suppression training, as also set forth in the 2022 CBSC and related updated codes.

### ***Assembly Bill 2926, California Government Code Section 65995, California Education Code Section 17620, and SB 50***

California has traditionally been responsible for the funding of local public schools. To assist in providing facilities to serve students generated by new development projects, the State passed Assembly Bill (AB) 2926 in 1986. This bill allowed school districts to collect impact fees from developers of new residential and commercial/industrial building space. Development impact fees were also referenced in the 1987 Leroy Greene Lease-Purchase Act and the Leroy F. Greene School Facilities Act of 1998, which required school districts to contribute a matching share of project costs for construction, modernization, or reconstruction and create a new state program requiring the board to provide funding per pupil.

Government Code Section 65995 authorizes school districts to collect impact fees from developers of new residential and commercial/industrial building space. Senate Bill (SB) 50 amended CGC Section 65995 in 1998. Under the provisions of SB 50, schools can collect fees to offset costs associated with increasing school capacity resulting from development.

California Education Code Section 17620, et seq., allows school district governing boards to collect impact fees from developers of new industrial, commercial, and residential construction.

The provisions of SB 50 prohibit local agencies from denying either legislative or adjudicative land use approvals on the basis that school facilities are inadequate and reinstate the school facility fee cap for legislative actions (e.g., general plan amendments, specific plan adoption, zoning plan amendments). Accordingly, these provisions limit the scope of impact review in an EIR, the mitigation that can be

imposed, and the findings a Lead Agency must make in justifying its approval of a Project (CGC Sections 65995-65996). According to CGC Section 65996, the provisions of Chapter 4.9, including development fees authorized by SB 50, are deemed to be “full and complete school facilities mitigation....” These provisions remain in place as long as subsequent state bonds are approved and available.

### ***California State Assembly Bill 97 (AB 97)***

Approved in July 2013, AB 97 revises existing regulations related to financing for public schools, by requiring State funding for county superintendents and charter schools that previously received a general-purpose entitlement. The bill authorizes local educational agencies to spend, for any local educational purpose, the funds previously required to be spent for specified categorical education programs, including, among others, programs for teacher training and class size reduction.

### ***Mutual Aid Agreements***

The Emergency Management Mutual Aid (EMMA) system is a collaborative effort between city and county emergency managers in the Office of Emergency Services (OES) in the coastal, southern, and inland regions of the state. EMMA provides service in the emergency response and recovery efforts at the Southern Regional Emergency Operations Center, local Emergency Operations Centers, the Disaster Field Office, and community service centers. The purpose of EMMA is to support disaster operations in affected jurisdictions by providing professional emergency management personnel. In accordance with the Mutual Aid Agreements, local and state emergency managers have responded in support of each other under a variety of plans and procedures.

### ***California Governor’s Office of Emergency Management Agency***

In 2009, the State of California passed legislation creating the California Governor’s Office of Emergency Management Agency (Cal-EMA) and authorizing it to prepare a Standardized Emergency Management System (SEMS) program (Title 19 CCR Section 2400 et seq.), which sets forth measures by which a jurisdiction should handle emergency disasters. Non-compliance with SEMS could result in the state withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster.

Cal-EMA serves as the lead state agency for emergency management in the state. Cal-EMA coordinates the state response to major emergencies in support of local government. The primary responsibility for emergency management resides with local government. Local jurisdictions first use their own resources and, as these are exhausted, obtain more from neighboring cities and special districts, the county in which they are located, and other counties throughout the state through the statewide mutual aid system. In California, the SEMS provides the mechanism by which local government requests assistance. Cal-EMA serves as the lead agency for mobilizing the state’s resources and obtaining federal resources; it also maintains oversight of the state’s mutual aid system.

### ***Quimby Act***

The Quimby Act (California Government Code, Section 66477) was established by the California legislature in 1965 to develop new or rehabilitate existing neighborhood or community park or recreation facilities. This legislation was enacted in response to the need to provide parks and recreation facilities for California’s growing communities. The Quimby Act gives the legislative body of a city or county the

authority, by ordinance, to require the dedication of land or payment of in-lieu fees, or a combination of both, for park and recreational purposes as a condition of approval of a tract map or parcel map. The Quimby Act is implemented through City Ordinance and is discussed further below.

## Local

### *City of Pico Rivera General Plan Update 2014*

#### *Community Facilities Element*

The Community Facilities Element of the City of Pico Rivera General Plan Update (Pico Rivera General Plan) focuses on three important aspects of municipal service provision: public safety, public facilities, and the many services provided by the Community Services department. The City's residents are generally very satisfied with the public services and facilities provided. Continuing this high level of service provision while making improvements is the theme of this element of the plan.<sup>13</sup>

**Goal 6.2**      **A safe community with low risk of crime, and with protection of life and property.**

**Policy 6.2-3**      **New Development.** Require new development to contribute fees to fund its fair share of improvements that are needed to maintain law enforcement service standards, facilities, and equipment.

**Policy 6.2-4**      **Defensible Space.** Incorporate defensible space security and design features in new and retrofitted development to minimize opportunities for criminal activity.

#### *Fire Protection Facilities*

Buildout of the Pico Rivera General Plan would increase the overall demand on fire protection and emergency services in the city. Future growth in accordance with the Pico Rivera General Plan is expected to create the typical range of fire and emergency service calls, and increase the need for new fire facilities, apparatus, and personnel to maintain adequate response times. In addition, the demand for additional personnel, facilities, and operational costs would be funded and offset through the increased tax revenue generated from the additional development allowed under the Pico Rivera General Plan and development impact fees pursuant to Pico Rivera General Plan Policy 6.3-5. Individual development projects within the City would be reviewed by the City and LACFD and would be required to comply with the requirements in effect at the time building permits are issued.<sup>14</sup>

**Goal 6.3**      **Adequate fire protection and emergency medical services.**

**Policy 6.3-3**      **Adequate Fire Flows and Water Storage.** Maintain adequate fire flow pressure as established by the Los Angeles County Fire Department and sufficient water storage for emergency situations.

**Policy 6.3-4**      **Enforcement of Codes.** Continue to enforce all relevant codes and ordinances for existing buildings and new construction to reduce the risk of fire hazards.

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<sup>13</sup> City of Pico Rivera (2014). *City of Pico Rivera General Plan – Community Facilities Element*. Retrieved at: <https://www.pico-rivera.org/index.php/general-plan/> (accessed August 2023).

<sup>14</sup> ESA. (2014). *Pico Rivera General Plan Update Draft Environmental Impact Report – Section 3.8 Public Services* (accessed August 2023).

- Policy 6.3-5 New Development.** Consider fees for new development to help maintain fire protection service levels without adversely affecting service levels for existing development.
- Policy 6.3-6 Review of Development Proposals.** Continue to include the Fire Department in the review of development proposals to ensure that projects adequately address safe design and on-site fire protection.

### *Healthy Communities Element<sup>15</sup>*

This Element<sup>16</sup> of the Pico Rivera General Plan highlights the connections between health and the local physical, natural, social, and economic environments to set forth a strategy for achieving and maintaining a healthy community. A healthy community provides opportunities for people of all ages and abilities to engage in routine and safe physical activity, to access basic needs, and to promote self-improvement and intellectual development for personal and economic growth. The City is committed to a future that promotes the social, physical, and mental well-being of its residents, workers, and visitors. The goals and policies of this Element of the plan serves as a guide to provide policy direction that supports laws and regulations related to healthy communities as well as policies that support the guiding principles established for the Pico Rivera GP.

- Goal 10.6 An improved and integrated system of family, community, and civic networks in Pico Rivera.**
- Policy 10.6-1 Development patterns.** Promote development patterns that reduce commute times, provide public space for people to congregate and interact socially, that encourage civic participation and foster safe and attractive environments.
- Goal 10.7 A complete system of parks and recreational facilities and programs that provide diverse opportunities for active recreation, passive recreation, and social interaction, meeting the needs of the community.**
- Policy 10.7-3 New Development.** Require new residential development to dedicate land or contribute in-lieu fees at a standard of three (3) acres per 1,000 population, and contribute park development fees, to finance acquisition, development, improvement, and maintenance of park and recreational facilities.
- Policy 10.7-11 On-site Open Spaces.** Provide development incentives for private commercial, office, industrial, and other non-residential developments to provide on-site usable open space that is accessible to the public such as green rooftops, public plazas, and walking paths.
- Goal 10.9 Access to affordable and high-quality health care in Pico Rivera.**
- Policy 10.9-2 Healthcare Facility Sites.** Identify potential sites for healthcare facilities that are well-served by transit, and specifically include these types of facilities as a permitted use within appropriate commercial and industrial areas.

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<sup>15</sup> City of Pico Rivera (2023). *City of Pico Rivera General Plan – Healthy Communities Element*. Retrieved from: <https://www.pico-rivera.org/index.php/general-plan/> (accessed August 2023).

<sup>16</sup> Ibid.

## City of Pico Rivera Municipal Code

### *City of Pico Rivera Municipal Code Chapter 15, Section 44.010<sup>17</sup>*

The Los Angeles County Fire Code (Title 32 of the Los Angeles County Code) amends the 2022 California Fire Code and is comprised of the 2021 International Fire Code published by the International Code Council and is known as the Fire Code of the City of Pico Rivera. The Fire Code will also regulate a safeguarding of life, property, and public welfare from fire hazards, explosions arising from the storage, use and handling of dangerous and hazardous materials, substances, and devices; the operation, installation, construction, location, safeguarding and maintenance of attendant equipment within the jurisdiction of the Los Angeles County Fire Department, and providing for the issuance of permits and collection fees. Additionally, at least two copies of the Los Angeles County Fire Code shall be kept on file in the office of the building official and will be maintained by the building official for use and examination by the public. In the event of any conflict or ambiguity between any provision contained in the Fire Code and any other provisions of the Pico Rivera Municipal Code (PRMC), the provisions of the PRMC shall control. (Ord. 1163 Section 16, 2022).

### *City of Pico Rivera Multi-Jurisdiction Hazard Mitigation Plan Update<sup>18</sup>*

The Multi-Jurisdiction Hazard Mitigation Plan Update (MHMP) is a comprehensive update of the 2004 Multi-Jurisdiction Hazard Mitigation Plan. The MHMP provides a framework for the identification, incorporation, and coordination of hazard mitigation strategies developed with other plans: Pico Rivera General Plan, Standardized Emergency Management System/ National Incident Management System Emergency Operation Plan, Water Master Plan, Los Angeles County Operational Area Emergency Response Plan, Los Angeles County Operational Area Strategic Plan for Emergency Management, and Los Angeles County All-Hazard Mitigation Plan. The MHMP presents updated information regarding hazards being faced by the City of Pico Rivera. Hazard mitigation is distinguished from other disaster management functions by measures that make the City development and the natural environment safer and more disaster resilient. Mitigation generally involves alteration of physical environments, significantly reducing risks and vulnerability to hazards by altering the built environment so that life and property losses can be avoided or reduced. Mitigation also makes it easier and less expensive to respond to and recover from disasters.

### *Los Angeles County Fire Code*

Future development on the Project site is required to comply with the provision of the County of Los Angeles Fire Code (Title 32 of the Los Angeles County Code), which establishes requirements to protect lives and property from fire hazards.<sup>19</sup>

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<sup>17</sup> City of Pico Rivera. (2023). *Chapter 15.44 Fire Code – 15.44.010 Document adopted by reference*. Retrieved at: [https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code/item/title\\_15-chapter\\_15\\_44](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code/item/title_15-chapter_15_44). (Accessed August 2023.)

<sup>18</sup> City of Pico Rivera. (2011). *Multi-Jurisdiction Hazard Mitigation Plan Update*.

<sup>19</sup> Los Angeles County. (2023). *Title 32-Fire Code*. Retrieved at: [https://library.municode.com/ca/los\\_angeles\\_county/codes/code\\_of\\_ordinances?nodeId=TIT32FICO](https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TIT32FICO). (Accessed August 2023).



#### 4.13.4 Impact Thresholds and Significance Criteria

CEQA Guidelines Appendix G, Environmental Checklist Form, includes questions pertaining to public services. The issues presented in the Environmental Checklist Form have been utilized as thresholds of significance in this section. Accordingly, the Project would have a significant adverse environmental impact if it:

- Would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
  - Fire protection
  - Police protection
  - Schools
  - Parks
  - Other public facilities

#### Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds as the basis for determining whether the Project would cause potentially significant impacts concerning public services. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) where compliance would avoid or reduce a potentially significant environmental impact. As applicable, feasible mitigation measures are recommended to avoid or reduce the Project's potentially significant environmental impacts associated with public services.

#### Approach to Analysis

This analysis of impacts on public services examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "substantial" adverse effects on public services considers the applicable policies and regulations established by local and regional agencies and the degree of deviation from these policies.

#### WBODSP Impacts

The improvements envisioned in the proposed WBODSP are recommended conceptual designs intended to be used as guidance for the City in implementing future improvements. The proposed WBODSP does

not include any site-specific designs or proposals, nor does it grant any entitlements for development. As a policy and regulatory document, the WBTODSP would have no physical effect on the environment. Future development projects will be required to assess their individual impacts on public services on a project-by-project basis.

#### 4.13.5 Impacts and Mitigation Measures

**Impact 4.13-1** *Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:*

**l) Fire protection?**

**Level of Significance: Less than Significant**

#### Construction and Operations

Fire protection services to the Project site would be provided by the LACFD. The Project site would be served by the County Fire Station 103 located at 7300 Paramount Boulevard, Pico Rivera, CA, 90660, (located within the Project site). The LACFD strives to have a response time of less than five minutes once a call is received. Based on the Project site's proximity to the existing fire station, the Project would be adequately served by fire protection services, and no new or expanded unplanned facilities would be required. Potential impacts related to fire protection services are reviewed by the LACFD on a project-by-project basis. Future development projects within the Project area would be reviewed by the City and LACFD and would be required to comply with requirements in effect at the time building permits are issued.<sup>20</sup> In addition, future development projects would be required to comply with Pico Rivera General Plan Policy 6.3-5 that requires payment of development impact fees for new developments in the City.<sup>21</sup>

Overall, given the Project location and the County Fire District Standards, CFC and CBC, and Pico Rivera General Plan Policies, the Project would receive adequate fire protection services and future development proposed by the Project would not result in adverse physical impacts associated with the provision of or need for new or physically altered fire protection facilities, and would not adversely affect service ratios, response times, or other performance objectives. Compliance with applicable local, state, and federal regulations will ensure that the Project implementation would result in a less than significant impact to fire protection services.

<sup>20</sup> ESA. 2014. *Pico Rivera General Plan Update Draft Environmental Impact Report – Section 3.8 Public Services*. Pg. 3.8-9 (accessed September 2023).

<sup>21</sup> City of Pico River. Pico Rivera General Plan – Community Facilities Element. Pg. 6-14. Retrieved from: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-6.pdf> (accessed September 2023).

## **II) Police protection?**

***Level of Significance: Less than Significant***

### **Construction and Operations**

The City aims to maintain a police staffing standard of 1 officer per 1,000 residents, the City is currently short of meeting this standard. The LASD would need to provide an additional four officers to meet the current standard of 0.82 officers per 1,000 residents by the year 2035 and would need to add 16 officers to meet their performance standard of 1 officer per 1,000 residents by the year 2035.

The Project does not propose any specific development that would directly induce population growth within the City that would affect the LASD goal ratio of 1 officer per 1,000 residents. However, the WBODSP Project would allow for future multi-family development projects that would consequently increase population within the City (refer to **Section 4.12, Population and Housing**). Any future development projects would be market driven and, as such, these are not anticipated to occur all at once.

The closest police stations are the Pico Rivera Sheriff's Station located at 6631 Passons Boulevard, Pico Rivera, CA 90660, approximately 0.44-mile northwest of the Project site, and the Whittier Police Department located at 13200 East Penn Street, Whittier, CA 90602, approximately 4.5 miles east of the Project site. Based on the Project site's proximity to these existing police stations, the Project would be adequately served by police protection services, and no new or expanded unplanned facilities would be required. Future development on the Project site could create an increased demand for police protection services. However, prior to commencement of construction activities, the future development projects would be reviewed by applicable local agencies to ensure compliance with the PRMC, as well as applicable regulations to ensure adequate site signage, lighting, and other crime safety preventative measures to ensure safety standards. In addition, future development projects would be required to pay all required impact fees and fair share costs, per Pico Rivera General Plan Policy 6.2-3. Compliance with applicable local regulations would ensure that the Project implementation would result in a less than significant impact to police protection services.

## **III) Schools?**

***Level of Significance: Less than Significant***

### **Construction and Operations**

The Project site is located in a developed area currently served by the ERUSD. School funding comes predominantly from federal, state, and local resources such as businesses and personal income taxes, sales tax, and property taxes. These fees will be collected by ERUSD at the time future building permits are issued. Payment of these fees would offset potential impacts from increased demand for school services associated with future development in the Project site. Future development related to the Project would be required to pay developer fees based on the type of construction. Additionally, future project site development would be required to comply with Pico Rivera General Plan Policy 10.10-3 which requires that school districts are provided the opportunity to review and comment on residential development

proposals to ensure projects adequately address school capacity issues.<sup>22</sup> Additionally, under SB 50, payment of required school impact fees is deemed complete and full mitigation for impacts to school facilities. Payment of required fees and compliance with Pico Rivera General Plan policies would ensure impacts to schools are less than significant.

#### **IV) Parks?**

***Level of Significance: Less than Significant***

### **Construction and Operations**

Multiple parks are located near the Project site, the closest being Rio Hondo Park approximately 0.5 mile north of the Project site. The Project is not anticipated to create an adverse physical impact to any parks in the area and it would not require the construction of any new park facilities or alteration of any new park facility or alteration of any existing park facility. Lastly, all future development on the Project site would undergo individual CEQA evaluation, which is anticipated to account for any future development and potential impacts. Therefore, implementation of the Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park, thus, impacts would be less than significant.

#### **V) Other public facilities?**

***Level of Significance: Less than Significant***

### **Construction and Operations**

Other public facilities generally refer to the libraries and government buildings that serve the population within the jurisdiction. The Project would not require the physical modification of any of the City or County's public facilities or the construction of new public facilities. The closest public library to the Project site is the Rivera Library located, approximately 0.4-mile northwest of the Project site. The Project would not result in a substantial increase in demand for library services such that a significant deterioration of the existing facilities would occur, or such that new facilities would be required. Even though the Project is not anticipated to increase the level of use to existing libraries or other public facilities, future projects on the Project site would be required to pay its fair share of development impact fees to help offset incremental impacts to libraries by helping fund capital improvement and expenditures. The Project would not substantially increase the population. The Project would not cause or contribute to a need to construct new or physically alter other public facilities. Overall, Project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically alter other public facilities, need for new or physically altered other public facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios or other performance objectives. However, future development on the Project site would undergo individual CEQA evaluation, which is anticipated to account for any future impacts. The Project site does not contain any public facilities, so future development on the Project site would not conflict with existing public structures or require

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<sup>22</sup> City of Pico Rivera. 2014. Pico Rivera General Plan Update 2014 – Healthy Communities Element. Pg. 10-24. Retrieved from: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-10.pdf> (accessed September 2023).

modification of public facilities. Therefore, Project implementation would result in a less than significant impact to other public facilities.

### **Mitigation Measures**

No mitigation is necessary.

## **4.13.6 Cumulative Impacts**

As discussed in **Section 4.13.5: Impacts and Mitigation Measures**, Project impacts concerning public services are anticipated to be less than significant with compliance with all applicable federal, state, and local statutes and regulations, including the PRMC and applicable WBTODSP design guidelines and development standards.

This EIR has incorporated, by reference, the Pico Rivera GP EIR, which addresses cumulative effects resulting from build out of the Pico Rivera GP. Additionally, the SCAG 2024-2050 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera GP. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera GP EIR (refer to **Section 3.0, Table 3.0-6: Allowed Maxim Density and Project Density Comparison** which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera GP EIR.

Furthermore, the Project site is fully developed and is absent of natural open space. The Project site has been previously graded and developed consistent with the current Pico Rivera GP and zoning designations. The Project is being evaluated at a programmatic level and there are no specific development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the PRMC as well as the design guidelines and development standards within the WBTODSP area. These regulations, in combination with applicable mitigation measures, would further reduce Project and cumulative impacts. Therefore, the Project's contribution to cumulative impacts is not considered to be "cumulatively considerable."

## **4.13.7 Significant Unavoidable Impacts**

No significant unavoidable impacts have been identified.

## **4.13.8 References**

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## 4.14 TRANSPORTATION AND TRAFFIC

### 4.14.1 Introduction

This section of the Draft Program Environmental Impact Report (DPEIR) will identify impacts related to the construction and operation of Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WB TODSP”) within the City of Pico Rivera (City). This section will include analysis of the existing transportation system, significance criteria for transportation impacts, and the potential impacts resulting from Project implementation. Information presented in this section was obtained from the following technical reports:

- Kimley-Horn and Associates, Inc. November 2024. Mobility Assessment. (**Appendix C**)

Additional sources include the following:

- Pico Rivera General Plan. 2014.
- Pico Rivera General Plan Update. 2014. Final Program Environmental Impact Report.

### 4.14.2 Environmental Setting

#### Existing Transportation Conditions

##### *Existing Street System*

The Project site is generally bound to the south by Rex Road, to the east by Rosemead Boulevard, and to the west by Crider Avenue. Regional vehicular access to the Project site is currently provided by Interstate 605 (I-605) to the east and Santa Ana Freeway (I-5) to the south. Both Washington Boulevard and Rosemead Boulevard are classified as Major Arterials and are designated truck routes within the City. The following is a list of major roadways within and in the vicinity of the Project site:

- Washington Boulevard is a 6-lane, east-west arterial that connects to Paramount Boulevard on the west end and to State Route 19 (SR-19) / Rosemead Boulevard on the east end. This roadway within the Project area is three lanes in each direction with a raised center median. The land use along the corridor consists of mainly commercial. Within the Project area, the speed limit on Washington Boulevard is 40 miles per hour.
- Paramount Boulevard is a north-south arterial. It connects to Washington Boulevard to the north and Rex Road to the south. The roadway within the Project area is two lanes in each direction and has a center raised median. It serves mainly industrial and commercial uses along the corridor. Within the Project area, the speed limit on Paramount Boulevard is 45 miles per hour.
- Mercury Lane is a two-lane east-west collector between Paramount Boulevard and Rosemead Boulevard with a center two-way left-turn lane (TWLTL). The roadway continues as ‘Stealth Parkway’ past the stop-controlled intersection at Danbridge Street and connects to Rex Road. The adjacent land use is mainly industrial. Within the Project area, the speed limit on Mercury Lane is 35 miles per hour.
- Rex Road is a two-lane east-west collector between Paramount Boulevard and Rosemead Boulevard with a center two-way left-turn lane (TWLTL) that is not striped on the pavement. The

land use along the corridor consists of mainly industrial. Within the Project area, the speed limit on Rex Road is 35 miles per hour.

- Rosemead Boulevard, also referred to as SR-19, is a four- to six-lane arterial with a raised center median within the project area. The land use along the corridor consists of commercial, industrial, and non-fronting residential. Within the Project area, the speed limit on Rosemead Boulevard is 40 miles per hour.
- Passons Boulevard is a four-lane, north-south arterial that runs parallel to Rosemead Boulevard. It connects to Washington Boulevard to the north and Slauson Avenue to the south. The roadway within the Project area is two lanes in each direction and the adjacent land use along the corridor consists of commercial, industrial, residential, and a middle school. Within the Project area, the speed limit on Passons Boulevard is 25 miles per hour.
- Slauson Avenue is a six-lane arterial that runs parallel to Washington Blvd and crosses Paramount Boulevard and Rosemead Boulevard. The roadway within the Project area is three lanes in each direction and the adjacent land use along the corridor consists of mainly commercial. Within the Project area, the speed limit on Slauson Avenue is 40 miles per hour.

### ***Existing Transit Service***

LA Metro and Montebello are two bus agencies that provide transit service to the Project area. Only routes that service the nearby area of the Project are described in this section. **Figure 4.14-1, Existing Transit Facilities**, shows the transit facilities in the project area.

**LA Metro - Line 265** is a bus route that operates between the Pico Rivera Plaza and the Lakewood Center Mall. In the vicinity of the project site, Line 265 operates on Paramount Boulevard. On weekdays, Line 265 operates between 5:04 AM and 8:59 PM in the northbound direction and between 5:35 AM and 9:33 PM in the southbound direction with 60-minute headways in both directions. On weekends and holidays, Line 265 operates between 7:25 AM and 8:21 PM in the northbound direction and between 7:52 AM and 8:52 PM in the southbound direction with 60-minute headways in both directions. The closest bus stop is on the intersection of Paramount Boulevard and Washington Boulevard.

**LA Metro - Line 266** is a bus route that operates between Lakewood Center Mall and Sierra Madre Villa Station. In the vicinity of the project site, Line 265 operates on Rosemead Boulevard. On weekdays, Line 266 operates between 4:18 AM and 11:01 PM in the southbound direction and operates between 5:09 AM and 11:34 PM in the southbound direction with 20-minute headways in both directions. On weekends and holidays, Line 266 operates between 5:23 AM and 11:01 PM in the southbound direction and between 5:33 AM and 11:49 PM in the northbound direction with 30-minute headways in both directions. The closest bus stop to the project area is on Rosemead Boulevard and Whittier Boulevard.

**Montebello – Line 50** is a bus route that operate between Downtown Los Angeles and the Whittier and La Mirada Theatre Center in La Mirada, California. Line 50 operates on Washington Boulevard and runs in the eastbound and westbound directions. Line 50's services on Washington Boulevard pertaining only to the project area, operates between 6:44 AM and 9:42 PM in the westbound direction and between 4:51 AM and 7:47 PM in the eastbound direction with approximately 45-minute headways in both directions. On the weekends, Line 50 operated between 6:13 AM and 9:12 PM in the westbound direction

and between 4:26 AM and 6:45 PM in the eastbound direction with 60-minute headways in both directions. The closest bus stop area is at the intersections along Washington Boulevard at Rosemead Boulevard.

**Montebello – Line 60** is a bus route that operate between the intersection of Telegraph Road and Arrington Avenue and San Gabriel Parkway. Line 60 operates on Passons Boulevard and runs in the northbound and southbound directions. Line 60's services on Passons Boulevard pertaining only to the project area, operates between 6:55 AM and 4:05 PM in the southbound direction and between 7:20 AM and 3:35 PM in the northbound direction with approximately 40-minute headways in both directions. Line 60 does not operate on weekends. The closest bus stop area is at the intersection of Rosemead Boulevard and Whittier Boulevard.

### *Existing Pedestrian and Bicycle Facilities*

Existing pedestrian facilities in the vicinity of the Project site include sidewalks on both sides along Washington Boulevard, Paramount Boulevard, Rosemead Boulevard, and Rex Road. Sidewalks also exist on south side of Rex Road. No sidewalks currently exist along the Project frontage near the train tracks.

Bicycle facilities are divided into four classes. Class I bike paths are physically separated from motor vehicle lanes and are further divided into Class IA Multi-use Paths and Class IB Sidepaths. Class II bike lanes on roadways are marked by signage and pavement striping. Painted buffers may separate the vehicle travel lanes from the bike lane and green bike lane pavement coloring are used to highlight potential conflict zones between vehicles and cyclists. Class III bike routes share the travel lane with motor vehicles and have signs and sharrow striping to guide bicyclists on paved routes. Class IV bike facilities are protected cycle tracks that provide a physical barrier between motor vehicles and cyclists. **Figure 4.14-2, Existing Bicycle Facilities**, shows the bicycle facilities in the vicinity of the Project site.

Direct access to bicycle facilities is proposed to the Project site including Class II bike lanes along Rosemead Boulevard and Class III bike routes along Washington Boulevard, Paramount Boulevard, Passons Boulevard, and Slauson Avenue.

### *Traffic Generation*

Existing uses within the Project area generate approximately 29,904 daily trips (after taking into account internal capture, transit, and pass-by reductions), with 1,849 AM peak hour trips and 3,010 PM peak hour trips. With the implementation of the WBTODSP, the Project area could generate approximately 71,294 daily trips (after taking into account internal capture, transit, and pass-by reductions), with 4,105 AM peak hour trips with approximately 6,330 PM peak hour trips. As a result, traffic is anticipated to increase. However, while it is anticipated that the Project would generate an increase in daily traffic compared to existing conditions, the Project would generate a net reduction in traffic trips compared to the current General Plan and that is without taking into account the allowance for internal trip capture, pass-by trips, and transit-oriented development (TOD).

### 4.14.3 Regulatory Setting

#### Federal

##### *Surface Transportation Assistance Act Routes*

The Surface Transportation Assistance Act (STAA) of 1982 allows large trucks, referred to as STAA trucks that comply with maximum length and wide requirements, to operate on routes that are part of the National Network. The National Network includes the Interstate System and other designated highways that were a part of the Federal-Aid Primary System on June 1, 1991; states are encouraged, however, to allow access for STAA trucks on all highways.

##### *Americans With Disabilities Act*

The Americans with Disabilities Act (ADA) of 1990 prohibits discrimination toward people with disabilities and guarantees that they have equal opportunities as the rest of society to become employed, purchase goods and services, and participate in government programs and services. The ADA includes requirements pertaining to transportation infrastructure. The Department of Justice's revised regulations for Titles II and III of the ADA, known as the 2010 ADA Standards for Accessible Designs, set minimum requirements for newly designed and constructed or altered state and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. These standards apply to accessible walking routes, curb ramps, and other facilities.

#### State

##### *California Department of Transportation*

The California Department of Transportation (Caltrans) owns and operates the State highway system, which includes the freeways and State routes within California. The Caltrans Guide for the Preparation of Traffic Impact Studies (December 2002) provides guidance on the evaluation of traffic impacts to State highway facilities. The document outlines when a traffic impact study is needed and what should be included in the scope of the study. The Guide states the following: "Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities, however, Caltrans acknowledges that this may not be always feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS."

##### *State Transportation Improvement Program*

The State Transportation Improvement Program (STIP) is a multi-year capital improvement program for transportation projects on and off the State Highway System, funded with revenues from the Transportation Investment Fund and other funding sources. STIP programming generally occurs every two years. The programming cycle begins with the release of a proposed fund estimate in July of odd numbered years, followed by California Transportation Commission (CTC) adoption of the fund estimate in August (odd years). The fund estimate serves to identify the amount of new funds available for the programming of transportation projects. Once the fund estimate is adopted, Caltrans and the regional planning agencies prepare transportation improvement plans for submittal to the CTC by December 15th (odd years). Caltrans prepares the Interregional Transportation Improvement Program and regional

agencies prepare the Regional Transportation Improvement Plans. Public hearings are held in January (even years) in both northern and southern California. The STIP is adopted by the CTC by April (even years).

### ***Technical Advisory on Evaluating Transportation Impacts in CEQA***

The Governor’s Office of Planning and Research (OPR) released the Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory) in December 2018. The Technical Advisory aids in the transition from LOS to VMT methodology for transportation impact analysis under CEQA. The advisory contains technical recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures.

### ***Sustainable Communities Strategies: Senate Bill 375 – Land Use Planning***

Senate Bill (SB) 375 provides for a new planning process to coordinate land use planning and regional transportation plans (RTP) and funding priorities in order to help California meet the greenhouse gas (GHG) reduction goals established in Assembly Bill (AB) 32. SB 375 requires that RTPs developed by metropolitan planning organizations (MPO) relevant to the Project site (e.g., Southern California Association of Governments [SCAG]) incorporate a “sustainable communities strategy” in their RTPs that will achieve GHG emission reduction targets set by the California Air Resources Board (CARB). SB 375 also includes provisions for streamlined CEQA review for some infill projects, such as Transit-Oriented Developments (TODs).

As an MPO, SCAG is responsible for preparing and utilizing a public participation plan that is developed in consultation with all interested parties and provides reasonable opportunities for interested parties to comment on the content of SCAG’s proposed RTP and the Regional Transportation Improvement Program (TIP). SB 375 requires SCAG to adopt a public participation plan for development of the sustainable communities strategy (SCS) and an alternative planning strategy (APS). Further, as required by SB 375, SCAG will conduct at least two informational meetings in each county within the region for members of the board of supervisors and city councils on the SCS and APS, if any. The purpose of the meetings shall be to present a draft of the SCS to members of the board of supervisors and city council members in that county and to solicit and consider their input and recommendations.

### ***Complete Streets Act***

Assembly Bill (AB) 1358, the California Complete Streets Act, became effective January 1, 2011. AB 1358 places the planning, designing, and building of complete streets into the larger planning framework of the General Plan by requiring jurisdictions to amend their circulation elements to plan for multimodal transportation networks.

## **Regional**

### ***Regional Transportation Plan/Sustainable Communities Strategy***

As the metropolitan planning organization for the region’s six counties and 191 cities, the Regional Council of SCAG is mandated by law to develop a long-term regional transportation and sustainability plan every four years. On November 2023, SCAG’s Regional Council approved and fully adopted Connect SoCal (2025–2050 RTP/SCS). Connect SoCal is a long-range visioning plan that builds upon and expands land use

and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. Connect SoCal identifies six goals that fall into four categories: economy, mobility, environment and healthy/complete communities.<sup>1</sup> The RTP/SCS is discussed further in **Section 4.11: Land Use and Planning**, of this DPEIR.

## Local

### *Los Angeles County Metropolitan Transportation Authority (Metro) Active Transportation Strategic Plan*

The Metro Active Transportation Strategic Plan (ATSP)<sup>2</sup> demonstrates Metro's ongoing commitment to improving mobility in the region for people who walk, bike, and take transit and to creating safer streets that benefit all roadway users. The ATSP addresses the County's overarching vision of the active transportation planning process at Metro. The ATSP addresses the City's goal of becoming a community that is healthy, engaged, economically vibrant, family-oriented, and safe. Goals from the ATSP relevant to the Project are as follows:

- Goal:** Improve access to transit.
- Goal:** Promote multiple clean transportation options to reduce criteria pollutants and greenhouse gas emissions, and improve air quality.
- Goal:** Establish active transportation modes as integral elements of the countywide transportation system.
- Goal:** Enhance safety, remove barriers to access, or correct unsafe conditions in areas of heavy traffic, high transit use, and dense bicycle, and pedestrian activity.
- Goal:** Foster healthy, equitable, and economically vibrant communities where all residents have greater transportation choices and access to key destinations, such as jobs, medical facilities, schools, and recreation.

### *City of Pico Rivera General Plan Update 2014*

The Circulation Element of the Pico Rivera General Plan discusses provisions for a multimodal transportation system, including existing and future roadways and intersections, pedestrian and bicycle paths, public transit, and parking facilities.<sup>3</sup> This element represents the City's overall transportation plan to accommodate the movement of people and goods.

#### *Circulation Element*

- Goal 5.1** Promote active living, improve local air quality, and enhance the livability of the community through an integrated multimodal network that serves all users within the City and offers convenient mobility options, including vehicular travel, transit services, bicycle routes, and pedestrian paths.

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<sup>1</sup> SCAG. 2020. *Adopted Final Connect SoCal*. <https://scag.ca.gov/read-plan-adopted-final-connect-socal-2020>. (Accessed August 2023).

<sup>2</sup> Los Angeles County Metropolitan Transportation Authority (Metro). 2016. *Active Transportation Strategic Plan*. Pg.12. <https://www.metro.net/about/active-transportation/>. (Accessed August 2023).

<sup>3</sup> City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Circulation Element*. <https://www.pico-rivera.org/index.php/general-plan/>. (Accessed August 2022).



- Policy 5.1-1 Multimodal Options.** Make transportation mode shifts possible by designing, operating, and maintaining streets to enable safe and convenient access and travel for all users—pedestrians, bicyclists, transit riders, and people of all ages and abilities, as well as freight and motor vehicle drivers—and to foster a sense of place in the public realm.
- Policy 5.1-2 Serve All Users.** Provide a safe, efficient, and accessible transportation network that meets the needs of all users in the community, including seniors, youth, and the disabled, and contributes to the community’s quality of life by:
- Balancing the needs of all users of the public rights-of-way by providing safe and convenient travel and access for bicyclists, transit riders, freight and motor vehicle drivers, and people of all ages and abilities.
  - Designing streets to accommodate larger vehicles such as buses, fire service vehicles, and freight delivery trucks without compromising pedestrian and bicycle safety.
  - Providing safe and comfortable access for persons with disabilities.
  - Providing public open space that integrates amenities including street trees and landscaping, street and sidewalk lighting, transit facilities, street furniture, water features, and public artwork.
- Policy 5.1-3 Complete Streets.** Accommodate other modes of travel such as bicycling and walking when implementing roadway improvements, where feasible.
- Policy 5.1-4 Smart Growth Development.** Integrate transportation and land use decisions to enhance opportunities for development that is compact, walkable, and transit oriented.
- Policy 5.1-5 Access to Key Locations.** Strive to provide multimodal access throughout the City, but especially to key locations such as employment centers, schools, parks medical facilities, libraries, and grocery stores.
- Policy 5.1-6 System Expansion.** Require new development to contribute funds to area-wide transit improvements to expand the system and increase efficiency.
- Goal 5.4 A balanced transportation system where bicycling and walking are alternative methods to the automobile.**
- Policy 5.4-1 Continuous Network.** Provide a safe and continuous bicycle and pedestrian network that links neighborhoods, parks, schools, libraries, commercial development, major employers, and other frequently visited destinations as a means of improving health in the city.
- Policy 5.4-2 Roadway Improvement Projects.** Incorporate bicycle and pedestrian features within roadway improvement projects when feasible.
- Policy 5.4-3 Bicycle Support Facilities.** Require bicycle parking and support facilities at new industrial, commercial, institutional developments, and transit facilities, as appropriate.

#### 4.14.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the development of the site would have a significant environmental impact if one or more of the following occurs:

- Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;
- Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b);
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or
- Result in inadequate emergency access.

#### Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria, as the basis for determining the level of impacts related to transportation. In addition, this analysis considers existing regulations, laws, and standards that serve to avoid or reduce potential environmental impacts. Where potentially significant impacts remain, feasible mitigation measures are recommended to avoid or lessen the Project's potentially significant adverse impacts.

CEQA Guidelines Section 15064.2(b), Determining the Significance of Transportation Impacts, provides the following guidance on how Vehicle Miles Traveled (VMT) from various types of projects can be evaluated:

##### b) Criteria for Analyzing Transportation Impacts.

1. **Land Use Projects.** VMT exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease VMT in the project are compared to existing conditions should be considered to have a less than significant transportation impact.
2. **Transportation Projects.** Transportation projects that reduce, or have no impact on, VMT should be presumed to cause less than a significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, a lead agency may tier from that analysis as provided in Section 15152.
3. **Qualitative Analysis.** If existing models or methods are not available to estimate the VMT for the particular project being considered, a lead agency may analyze a Project's VMT qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.

4. **Methodology.** A lead agency has discretion to choose the most appropriate methodology to evaluate a project's VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's VMT and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate VMT and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

The analysis for VMT for the Project was completed in November 2024 by Kimley-Horn and Associates and is included as Appendix C of this DPEIR. The analysis below utilizes the VMT significance criteria to determine the Project's potential impacts related to VMT and if mitigation is needed to reduce impacts to less than significant levels.

## WBTODSP Impacts

The proposed WBTODSP does not include any site-specific designs or proposals, nor does it grant any entitlements for development. Future development proposals would be subject to further environmental review, pursuant to CEQA. In addition, future development facilitated by the WBTODSP would be subject to discretionary permits and requires compliance with all applicable City policies and requirements in the Pico Rivera General Plan and Municipal Code.

### 4.14.5 Impacts and Mitigation Measures

**Impact 4.14-1:** *Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?*

**Level of Significance: Less than Significant**

The Project would be consistent with the goals and policies of the City's General Plan, SCAG's 2024-2050 RTP/SCS (Connect SoCal), Metro's 2020 Long Range Transportation Plan (LRTP), Metro's 2010 Congestion Management Program (CMP), and Metro's 2016 Active Transportation Strategic Plan. The Project's consistency analysis with SCAG's 2024-2050 RTP/SCS goals is further discussed in **Table 4.10-3: Consistency with SCAG's 2024-2050 RTP/SCS Connect SoCal Goals in Section 4.10: Land Use and Planning** of this PDEIR. The Project would also be consistent with Metro's 2016 Active Transportation Plan goals through establishing a combination of multi-use pathways, separated bike lanes, and sidewalk and crosswalk enhancements.

A Mobility Assessment was conducted for the Project by Kimley-Horn and Associates, Inc. (Kimley-Horn) in accordance with the City's Transportation Study Guidelines. The City's General Plan identifies LOS D or better as the desired objective for intersections within the City. According to the Mobility Assessment, all study intersections function within acceptable LOS standards except for the following intersections, where LOS project deficiencies were identified:

- Washington Boulevard/Paramount Boulevard
- Washington Boulevard/Rosemead Boulevard

The above intersections are considered deficient because the intersections currently operate at an unacceptable LOS E. With the addition of Project trips, intersection volumes would exceed deficiency thresholds identified by the City Transportation Study Guidelines.<sup>4</sup> The Project proposes a land use plan that would decrease retail and industrial uses on the Project site, compared to existing conditions, and would introduce new, mixed-use residential and non-residential uses; refer to **Section 3.0: Project Description**. However, the Project would result in a net decrease in anticipated daily traffic levels when factoring in the proposed land uses in comparison with existing General Plan land uses. In addition, the Project's TOD-focused Specific Plan would foster enhanced mobility, further reducing traffic-related impacts.<sup>5</sup>

In order to further to reduce impacts to LOS, the WBTODSP incorporates the recommendations of the Mobility Assessment to design future right of way (ROW) acquisitions in coordination with the Metro's ROWs and acquisitions. Additionally, the WBTODSP includes regulations to encourage improvements that update and improve facilities for pedestrians, bicyclists, transit riders, and drivers. Future development projects within the WBTODSP would comply with the policies, development standards, and design guidelines as set forth in the WBTODSP. Therefore, the Project would comply with the City General Plan concerning transportation.

At this time, the WBTODSP is a preliminary plan and therefore many of the project components, such as specific circulation facilities, are undefined. Additionally, the WBTODSP is being evaluated at the programmatic level and there are no specific development proposals at this time. Future approval of specific development applications, once proposed, would be required to comply with City Municipal Code and subject to the design guidelines and development regulations of the WBTODSP.

## Transit Facilities

The Project should provide transit connectivity between the WBTODSP area and the adjacent transit network. This Project will be planned around the future Rosemead Transit Station. The Project would provide pedestrian and bicycle connectivity to this future transit station. In addition, the Project would not conflict with City and other local plans, ordinances, or policies as it relates to transit facilities that would result in a significant impact.

## Bicycle Facilities

The Project would provide bicycle connectivity within the WBTODSP area and along its border to ensure there are no gaps in the bicycle network. New bicycle facilities would connect and conform to existing bicycle facilities adjacent the site to allow residents, employees, and patrons access to nearby transit facilities, as well as residential and commercial uses surrounding the Project site. In addition, the Project

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<sup>4</sup> Kimley-Horn and Associates, Inc. 2024. *Mobility Assessment for the Washington Boulevard Transit Oriented Development Specific Plan Project in the City of Pico Rivera*. Pg 6.

<sup>5</sup> Using current ITE trip rates, the proposed Project would result in a reduction of anticipated future traffic of approximately 1,351 daily trips, when comparing the proposed Specific Plan to the existing General Plan land uses. In addition, this trip reduction does not account for internal trip capture and pass-by trip reduction which would be typical of TOD projects.

would not conflict with City and other local plans, ordinances, or policies as it relates to bicycle facilities that would result in a significant impact.

## **Pedestrian Facilities**

Future development will construct sidewalks within the Specific Plan and along its border to ensure there are no gaps in the pedestrian network. New sidewalks should connect and conform to existing sidewalks and crosswalks adjacent the site to allow residents, employees, and patrons access to nearby transit facilities, as well as residential and commercial uses surrounding the project site. In addition, the Project should not conflict with City and other local plans, ordinances, or policies as it relates to pedestrian facilities that would result in a significant impact.

The Project would also comply with the Complete Streets Act of 2008 by being consistent with the Pico Rivera General Plan. The Complete Streets Act of 2008 requires General Plans to accommodate a balanced, multimodal transportation network that meets the needs of all users of streets, roads, highways in manners that are suitable to applicable rural, suburban, or urban contexts. More specifically the Project's circulation system would be designed and constructed in conformance with relevant goals and policies in the Pico Rivera General Plan Circulation Element that pertain to the Project's circulation system. For example, the Project would be consistent with the Pico Rivera General Plan Goal 5.1, which encourages an integrated multi-modal network that offers vehicular travel, transit services, bicycle routes, and pedestrian paths. In addition, the Project would be consistent with Pico Rivera General Plan Policy 5.1-4, which encourages the integration of transportation and land use decisions to enhance opportunities for development that is compact, walkable, and transit oriented. The Project is consistent with this policy because it will encourage both residential and commercial development while also incorporating multi-modal transportation options in and around the site. For further details related to General Plan consistency, see **Table 4.10-4: Consistency with the Pico Rivera General Plan** in **Section 4.10: Land Use and Planning** of this DPEIR.

Additionally, improvements and additions of transit, bicycle, and pedestrian facilities would be constructed in accordance with all applicable City development code circulation and transportation regulations and in support of the City transportation-related policies to minimize impacts to traffic and circulation and improve multi-modal transportation. Therefore, impacts associated with improvements to circulation facilities would not conflict with an applicable program plan, ordinance, or policy addressing the circulation system and the Project would have a less than significant impact.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.14-2:** *Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?*

***Level of Significance: Less than Significant***

Senate Bill 743 (SB 743) was approved by California legislature in September 2013 which initiated a process change to transportation impact analysis completed in support of CEQA documentation. SB 743

eliminates Level of Service (LOS) as a metric for measuring significant transportation impacts under CEQA and establishes Vehicle Miles Traveled (VMT) as the replacement performance metric. As a result, analysis of a project's impact to drivers will shift to the analysis of the impact of driving (VMT) as it relates to achieving State goals of reducing GHG emissions, encouraging infill development, and improving public health through active transportation.

A VMT analysis was conducted for this Project following the City's Transportation Study Guidelines for VMT. According to the City's Transportation Study Guidelines and CEQA Guidelines Section 15064.3(b), screening thresholds can be used to identify when a proposed project is anticipated to result in less-than-a-significant impact without conducting a more detailed level analysis. Screening thresholds follow the four-step process:

1. Transit Priority Area (TPA) Screening
2. Low VMT Area Screening
3. Low Project Type Screening
4. Project Net Daily Trips Less Than 500 Average Daily Traffic (ADT)

Land development projects that meet one or more of the above screening thresholds may be presumed to create less-than-a-significant impact on transportation and circulation. The VMT screening for the Project is detailed below.

## Project VMT<sup>6</sup>

### *Transit Priority Area (TPA) Screening*

Of the screening categories described in the City's Transportation Study Guidelines, the Project would meet the transit proximity criteria:

For existing baseline projects that are located within a half mile of where two or more 15-minute (during commute hours) bus routes intersect or within a half mile of a corridor served by 15-minute (during commute hours) bus service may be eligible. Future baseline conditions would also include the area located within a half mile of the Eastside Transit Corridor Phase 2 Project. In addition, the project should meet the following criteria:

- A Floor Area Ratio (FAR) of 0.75 or greater;
- Is consistent with the applicable SCAG Sustainable Community Strategy (SCS) (as determined by the City);
- Does not provide more parking than required by the City; and
- Does not replace affordable housing units.

The Project is to be located within a half mile of the future Eastside Transit Corridor Phase 2 Project. Since the Project is planned to be a transit-oriented development that is centered around the future Rosemead

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<sup>6</sup> Kimley-Horn and Associates, Inc. 2024. *Mobility Assessment for the Washington Boulevard Transit Oriented Development Specific Plan Project in the City of Pico Rivera*.



Transit Station along the Eastside Transit Corridor, this Project satisfies the TPA screening criteria. In addition, the Project will have a FAR of 0.75 or greater, will be consistent with the SCS, provide less than or equal to the required City parking, and does not replace affordable housing. Therefore, the proposed Project will meet the VMT screening criteria and have a less than significant impact.

Since the Project meets at least one of the screening thresholds, implementation of the proposed Project would create less than significant impact and no further analysis is required.

#### **Mitigation Measures**

No mitigation is necessary.

***Impact 4.14-3: 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)?***

***Level of Significance: Less than Significant***

The Project proposes upgrades to existing, and construction of new, roadways, pedestrian pathways, and bike lanes and routes. Consistent with the mobility guidelines above, these improvements would be designed to provide a variety of travel options (vehicle, pedestrian, bike, and transit) and provide safe pedestrian access to the future Rosemead Transit Station. Planned pedestrian bicycle facilities shall be implemented consistent with the existing policies of the City's General Plan Circulation Element and the Metro's 2016 Active Transportation Strategic Plan, which identifies strategies to improve and grow the active transportation network, to expand the reach of transit, and to develop a regional active transportation network to increase personal travel options. Planned improvements are conceptual in nature and exact location of facilities can change when considering future development, design, and placements of improvements within the Project site.

Future circulation improvements would be compatible with and enhance the circulation system with the surrounding existing and future land uses. Although the Project does not propose any existing development of the WBTODSP area, any future development projects would be required to comply with City's requirements and obtain necessary permits that would maintain traffic flow and access. The Project's proposed circulation improvements would not include any sharp curves, create dangerous intersections, or design hazards. Furthermore, the Project does not propose incompatible land uses that would result in a potential significant traffic safety hazard. Therefore, potential impacts concerning design hazards would be less than significant.

#### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.17-4: Would the Project result in inadequate emergency access?**

***Level of Significance: No impact***

In lieu of specific development proposals, the Project does not propose any development or physical adaptations to the WBTODSP. Because the Project is programmatic in nature, the Project does not propose circulation improvements, including pedestrian and bicycle improvements, which could result in temporary disruption or slowing of traffic flows. Future land use development projects, which would include circulation improvements, would have to adhere to safety guidelines that does not obstruct emergency access to the site during construction and operations. Prior to any development approval, all plans would be reviews by the City fire department and City engineer to ensure all site access standards and internal emergency access circulation requirements are included in future plans. Access within the Project site would be provided by Washington Boulevard, Rosemead Boulevard, and Paramount Boulevard and all existing site access from surrounding roadways would not be altered. As such, there would be no impact to existing emergency access to the site and no mitigation measures are required.

**Mitigation Measures**

No mitigations is necessary.

#### **4.14.6 Cumulative Impacts**

As discussed in **Section 4.14.5: Impacts and Mitigation Measures**, Project impacts concerning transportation and traffic are anticipated to be less than significant with compliance with all applicable federal, state, and local statutes and regulations, including the Pico Rivera Municipal Code and applicable WBTODSP design guidelines and development standards.

This EIR has incorporated, by reference, the Pico Rivera GP EIR, which addresses cumulative effects resulting from build out of the Pico Rivera GP. Additionally, the SCAG 2025-2050 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera GP. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera GP EIR refer to **Section 3.0, Table 3.0-6: Allowed Maxim Density and Project Density Comparison** which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera GP EIR.

Furthermore, the Project site is fully developed and is absent of natural open space. The Project site has been previously graded and developed consistent with the current Pico Rivera GP and zoning designations. The Project is being evaluated at a programmatic level and there are no specific development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the Pico Rivera Municipal Code as well as the design guidelines and development standards within the WBTODSP area. These regulations, in combination with applicable mitigation measures, would further reduce Project and cumulative

impacts. Therefore, the Project's contribution to cumulative impacts is not considered to be "cumulatively considerable."

#### **4.14.7 Significant Unavoidable Impacts**

No significant unavoidable impacts have been identified.

#### **4.14.8 References**

Kimley-Horn and Associates, Inc. 2024. *Mobility Assessment*.

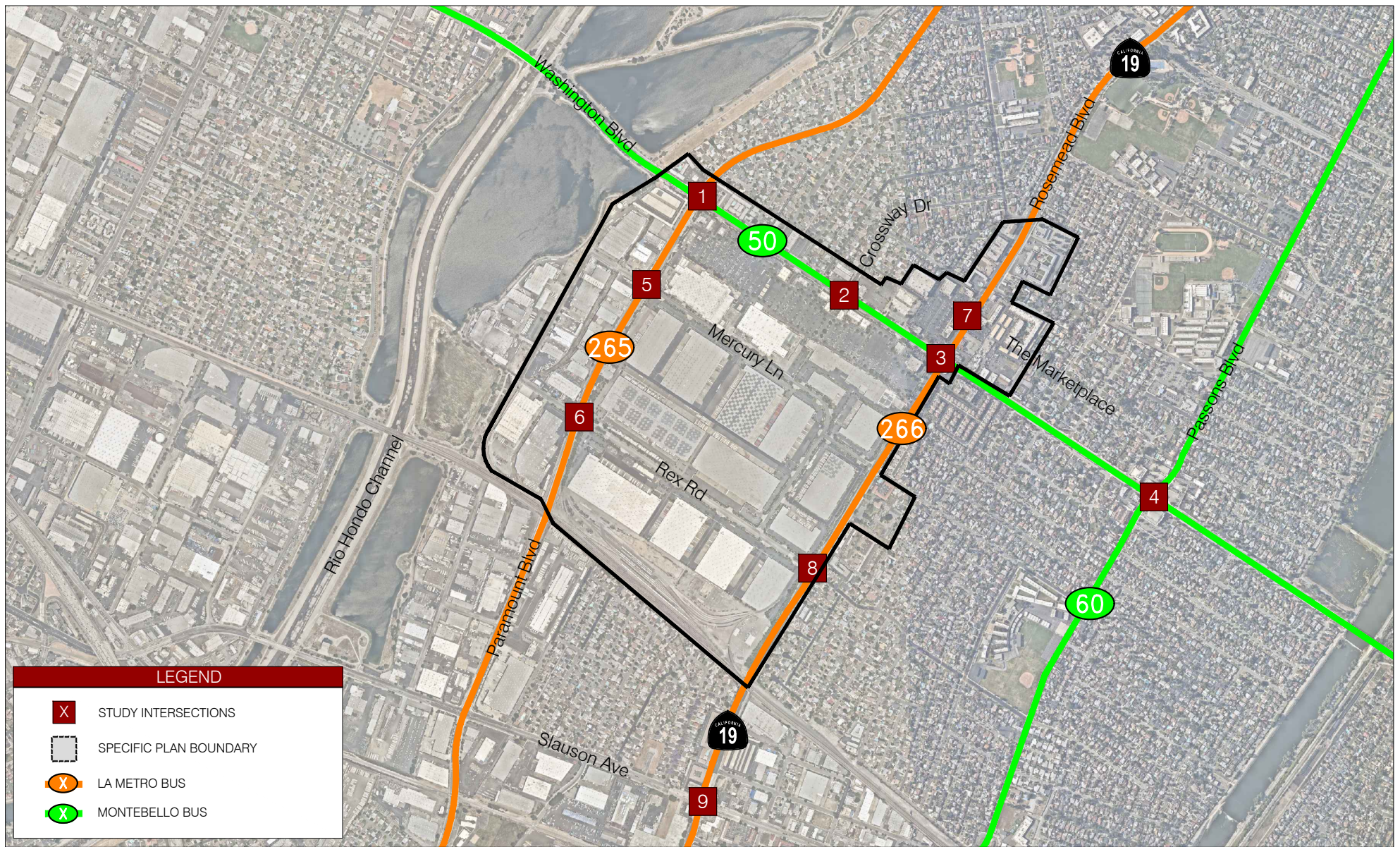
Los Angeles County Metropolitan Transportation Authority. 2010. *2010 Congestion Management Program for Los Angeles County*.

<https://planning.lacity.gov/eir/conventioncntr/DEIR/files/references/2010%20Congestion%20Management%20Plan.pdf>.

Southern California Council of Governments. 2020. *Adopted Final Connect SoCal*.

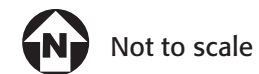
<https://scag.ca.gov/read-plan-adopted-final-connect-socal-2020>.



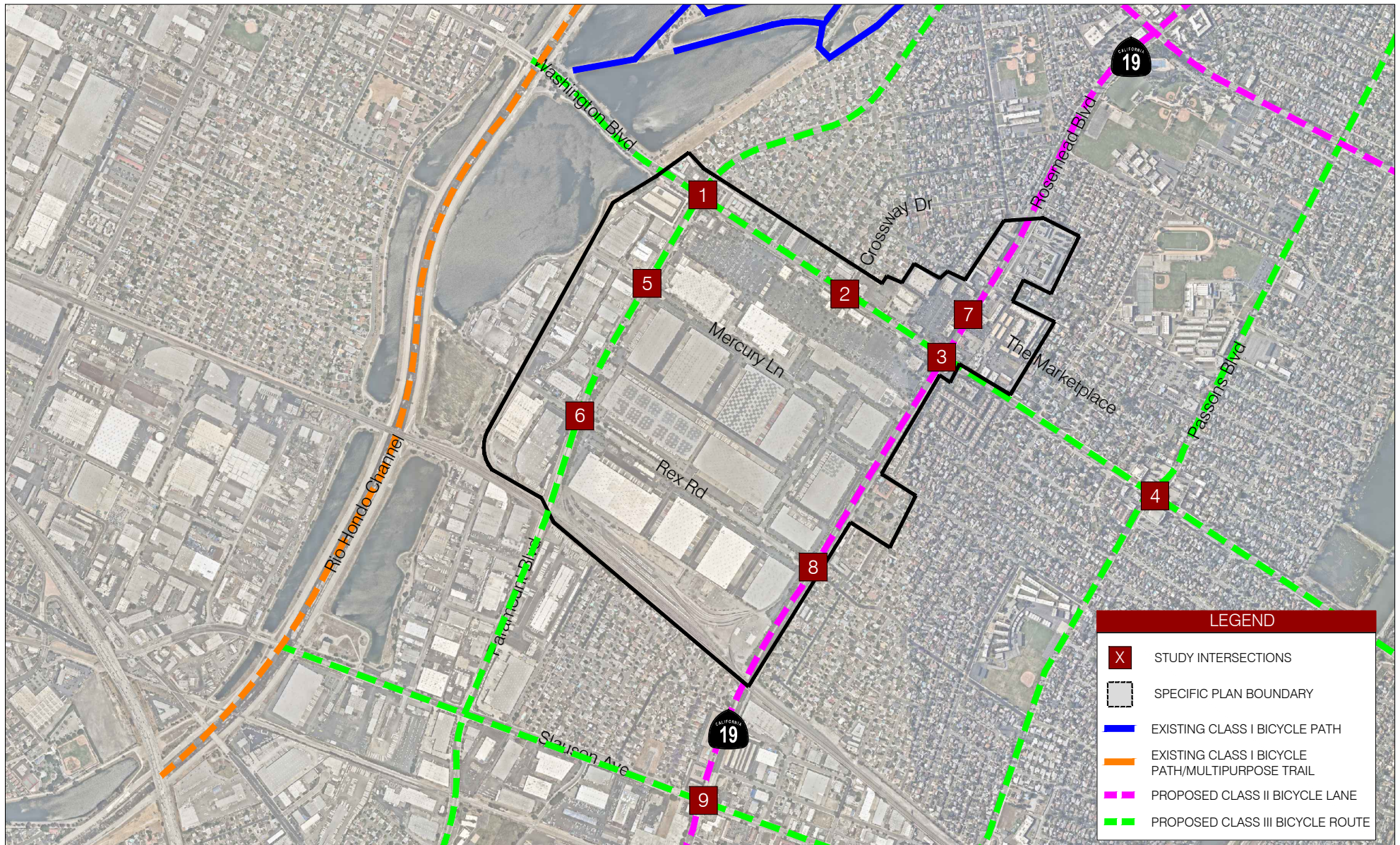


Source: Kimley-Horn and Associates, Inc., 6/3/2024.

**FIGURE 4.14-1: Existing Transit Facilities**  
 Washington/Rosemead Transit Oriented Development Specific Plan, City of Pico Rivera

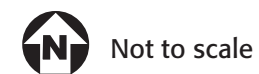






Source: Kimley-Horn and Associates, Inc., 6/3/2024.

**FIGURE 4.14-2: Existing Bicycle Facilities**  
 Washington/Rosemead Transit Oriented Development Specific Plan, City of Pico Rivera





## 4.15 TRIBAL CULTURAL RESOURCES

### 4.15.1 Introduction

This section of the Draft Program Environmental Impact Report (EIR) identifies and analyzes the Tribal Cultural Resources impacts associated with the Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBODSP”). Historically, the term “cultural resources” encompassed archaeological, historical, paleontological, and tribal cultural resources, including both physical and intangible remains, or traces left by historic or prehistoric peoples. Tribal resources refer to either a site, feature, place, or cultural landscape, which 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. Historic and archaeological resources are discussed in Draft Program EIR **Section 4.4: Cultural Resources** and paleontological resources are discussed in Draft Program EIR **Section 4.6: Geology and Soils**.

The analysis is based primarily on:

- Kimley-Horn and Associates, Inc. Cultural Resources Inventory Report for the Washington Boulevard Transit-Oriented Development Specific Plan in the City of Pico Rivera, Los Angeles County, California (**Appendix B**).
- Assembly Bill (AB) 52 and Senate Bill (SB) 18 Tribal Consultation

Potential impacts on other cultural resources (i.e., archaeological resources) are evaluated in **Section 4.4: Cultural Resources**.

Tribal cultural resources, as defined in Public Resources Code (PRC) 21074, include sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historical Resources (CRHR) or included in a local register of historical resources or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant. A cultural landscape that meets these criteria is a tribal cultural resource to the extent that the landscape is geographically defined in terms of size and scope of the landscape. Historical resources, unique archaeological resources, or non-unique archaeological resources may also be tribal cultural resources if they meet these criteria.

The cultural evaluations were conducted in compliance with California Public Resources Code (PRC) Section 5024.1 to identify prehistoric archaeological and historic resources in the Project area and evaluate potential impacts that could result from implementation of the Project.

### 4.15.2 Environmental Setting

#### Ethnography

The City of Pico Rivera (City) has been the setting for a long history of human occupation, including Native American villages, Spanish and Mexican ranchos, and post-World War II settlements. Because of this cultural and historical background, the City contains numerous historic and archaeological resources.

The proposed WBODSP site is located within the ancestral lands of the Gabrieleño/Tongva. Gabrieleño is a Spanish word associated with the San Gabriel Mission, which was located approximately 9 miles to



the north. Kroeber (1925) recorded cultural territory information about southern California tribes, including the Gabrieleño/Tongva. However, exact traditional territories remain unclear, especially in the coastal regions, for several reasons. First, traditional territories were dynamic and changing. Second, early European settlement in this region displaced Native Americans living here prior to significant ethnographic documentation of their occupation in this region. Many Gabrieleño/Tongva were forcibly recruited into the Spanish Mission system. Although exact boundaries are undefined, a range of archaeological, ethnographic, and historic evidence still exists to support prehistoric occupation by Gabrieleño/Tongva peoples in this part of the Los Angeles Basin (Gabrieleño [Tongva] Band of Mission Indians 2023). Kroeber reported that the Gabrieleño/Tongva were engaging in trade with other regional communities and exporting marine resources. In addition to exploiting sea resources, Gabrieleño/Tongva hunted mammals, such as deer and antelope, and gathered and processed a variety of native plants. A range of lithic resources were utilized, most notably steatite. Gabrieleño/Tongva established settlements throughout their traditional lands, while fostering long-distance trade that included the prominent shell bead network.

After vast decimation of Gabrieleño/Tongva communities in the region, the Specific Plan site was included in the Rancho Paso de Bartolo Mexican land grant awarded by Governor Jose Figueroa to Juan Crispin Perez in 1835. California achieved statehood in the U.S. in 1850. Afterward, this area was largely settled as farmland due to the rich, fertile soil. The arrival of the Union Pacific rail line and Atchison, Topeka and Santa Fe rail line in the 1880s brought new industry and increased development to the region. The City was founded in 1958 by merging two historic communities: Pico and Rivera. The City transformed from agricultural land into an industrial and residential community following WWII.

## Existing Conditions

The Project site lies in the City and would encompass a Project area of approximately 305.1 acres. The Project area is mostly fully developed, but there is one vacant parcel located on the northeast portion of the Project site. The Project site is generally bound to the north by commercial uses and existing residential neighborhoods, to the south by industrial facilities and railroad yard, to the east by existing residential neighborhoods and Rosemead Boulevard, and to the west by industrial facilities and Crider Avenue. The Project area is traversed by two major thoroughfares - Washington Boulevard and Paramount Boulevard.

### *Cultural Resources Records Search<sup>1</sup>*

As discussed in **Section 4.4: Cultural Resources**, a cultural resources records search was conducted at the South-Central Coastal Information Center (SCCIC) on November 13, 2023, by Kimley-Horn and Associates (KHA) staff for the Project area and a 0.5-mile buffer. The results indicated that six cultural studies were previously conducted, and eight cultural resources previously recorded within the Project area, consisting entirely of historic built environment resources. These resources are generally concentrated in the northern and northeastern portion of the Project site. Seven buildings were previously evaluated and recommended ineligible for listing in the National Register of Historic Places (NRHP) and California

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<sup>1</sup> Kimley-Horn and Associates, Inc. (2023). *Cultural Resources Inventory Report for the Washington and Rosemead Boulevards Transit-Oriented Development Specific Plan*. Page 3.

Register of Historical Resources (CRHR). However, one resource, P-19-191099, was recommended eligible for the NRHP. This resource, known as the Dal Rae Restaurant, appeared eligible for listing in the NRHP under Criterion at the local level of significance for its association with the broad pattern of postwar suburbanization, dining and entertainment in Southern California after World War II. It was additionally, noted that despite modifications to the building, it continued to exhibit a high level of integrity of overall design, location, setting feeling, and association. However, based on the resource record, the Dale Rae Restaurant remains unevaluated for the CRHR. An additional 105 cultural resources were previously recorded within 0.5 miles of the Project site as a result of 12 previous cultural studies.

A review of available historical and topographic maps, aerial imagery, historic resource repository data, City General Plans, and literature was conducted to ascertain the level of existing disturbance, potential for archaeological resources, and presence of built historic resources within the Project area. A review of resource databases and repositories indicated the general area's sensitivity for historic built environment resources. For example, within the City limits, 371 historic resources are listed on the Built Environment Resources Directory.

The City also acknowledges and tracks the information regarding its historic build environment. The City of Pico Rivera General Plan Update (Pico Rivera General Plan) describes how the City's history has played a role in defining the City's current land use pattern. Certain pieces of history, such as 13 buildings and sites identified by the City as having potential for historical significance, have also endured and become important assets to the community. The Pico Rivera General Plan outlines seven policies with the goal of preserving important cultural and paleontological resources that contribute to the unique identity and character of the City.

Historic topographic maps of the Project area date to 1896. The earliest maps portray the Atchison, Topeka, and Santa Fe rail line immediately south of the Project site and the Rio Hondo River to the west. The presence of the railroad in the immediate vicinity contributes to the historical background of the Project site and indicates long-term use of this area as an important travel corridor. Historic maps from the early 1990s also portray a tributary of the river running southeast across the Project area. Historic aerial images of the Project area from 1953 indicate that the Property consisted almost entirely of vacant agricultural land at the time. Throughout the 1960's, the Project site was also residentially or commercially developed. However, in 2002, the central part of the Project site was redeveloped with new warehouse buildings.

### ***Native American Consultation***

In compliance with PRC Section 21080.3.1(b), formal notification has been provided to California Native American tribal representatives which may have interest in projects within the geographic area traditionally and culturally affiliated with the tribe. Native American groups may have knowledge about cultural resources in the area and may have concerns about adverse effects from development on tribal cultural resources as defined in PRC Section 21074.

The City sent consultation letters to the tribes listed below. The letters informed the respective tribes of the proposed Project and provided the opportunity for the tribe to consult with the City pursuant to AB

52 and SB 18 requirements. The City contacted the following tribes via written correspondence on September 21, 2023, in compliance with AB52 and SB 18:

- Gabrieleño Band of Mission Indians – Kizh Nation
- Gabrieleño/Tongva San Gabriel Band of Mission Indians
- Gabrielino/Tongva Nation, Gabrielino/Tongva Nation
- Gabrielino Tongva Indians of California Tribal Council
- Gabrielino-Tongva Tribe
- Santa Rosa Band Cahuilla Indians
- Soboba Band of Luiseno Indians

To date, correspondence was received from the designated contact/tribal representative from the Gabrieleño Band of Mission Indians – Kizh Nation on November 23, 2023. Andrew Salas, Chairman of the Gabrieleño Band of Mission Indians – Kizh Nation responded that they agreed with the Project but requested consultation for all future development Projects within the Specific Plan boundaries.

### 4.15.3 Regulatory Setting

#### Federal

##### *Archaeological Resources Protection Act*

The Archaeological Resources Protection Act of 1979 regulates the protection of archaeological resources and sites that are on federal and Indian lands.

##### *National American Graves Protection and Repatriation Act of 1990*

The Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) 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. This statute aims to provide greater protection for Native American burial sites and more careful control over the removal of Native American 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. State

#### State

##### *California Environmental Quality Act*

California public agencies must consider the effects of their actions on both “historical resources” and “unique archaeological resources.” Pursuant to PRC Section 21084.1, a “project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a

significant effect on the environment.” PRC Section 21083.2 additionally requires agencies to determine whether proposed projects would have effects on “unique archaeological resources.”

“Historical resource” is a term with a defined statutory meaning. Under California Code of Regulations (CCR), Title 14, Chapter 3 (State CEQA Guidelines, Section 15064.5(a)) “historical resource” includes the following:

- A resource listed in or determined to be eligible by the State Historical Resources Commission (SHRC), for listing in the CRHR, (PRC Section 5024.1 and 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 PRC or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the PRC, 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 a 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 CRHR (PRC Section 5024.1 and Title 14 CCR Section 4852) including the following:
  - Criterion 1 - Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
  - Criterion 2 - Is associated with the lives of persons important in our past;
  - Criterion 3 - 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
  - Criterion 4 - 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 CRHR, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the PRC) or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the PRC) does not preclude a lead agency from determining that the resource may be an historical resource as defined in PRC Sections 5020.1(j) or 5024.1.

CEQA addresses significant impacts to historical resources. “A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. Substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.” (State CEQA Guidelines Section 15064.5(b)(1)).

CEQA also requires agencies to consider whether projects will affect “unique archaeological resources.” PRC Section 21083.2, subdivision (g), states that “‘unique archaeological resources’ means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized, important prehistoric or historic event or person.

### ***Senate Bill 18***

SB 18 requires a local government to notify and consult with California Native American tribes when the local government is considering the adoption or amendment of a general plan or a specific plan. SB 18 provides California Native American tribes an opportunity to participate in local land use decisions at an early stage of planning, for the purpose of protecting or mitigating impacts on cultural places. Prior to the adoption or amendment of a general plan or a specific plan, a local government must refer the proposed action to those tribes that are on the NAHC contact list and have traditional lands located within the city or county’s jurisdiction. The referral must allow a 45-day comment period pursuant to Government Code Section 65352(b).

SB 18 (Chapter 905 of the 2004 statutes) says, in pertinent parts:

Section 1(b): In recognition of California Native American tribal sovereignty and the unique relationship between California local governments and California tribal governments, it is the intent of the Legislature, in enacting this act, to accomplish all of the following:

- Recognize that California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places are essential elements in tribal cultural traditions, heritages, and identities.
- Establish meaningful consultations between California Native American tribal governments and California local governments at the earliest possible point in the local government land use planning process so that these places can be identified and considered.
- Establish government-to-government consultations regarding potential means to preserve those places, determine the level of necessary confidentiality of their specific location, and develop proper treatment and management plans.
- Ensure that local and tribal governments have information available early in the land use planning process to avoid potential conflicts over the preservation of California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places.
- Enable California Native American tribes to manage and act as caretakers of California Native prehistoric, archaeological, cultural, spiritual, and ceremonial places.

- Encourage local governments to consider the preservation of California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places in their land use planning processes by placing them in open spaces.
- Encourage local governments to consider the cultural aspects of California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places early in land use planning processes.

And:

Government Code Section 65352.3 is as follows:

- a) (1) Prior to the adoption or any amendment of a city or county's general plan, proposed on or after March 1, 2005, the city or county shall conduct consultations with California Native American tribes that are on the contact list maintained by the NAHC for the purpose of preserving or mitigating impacts to places, features, and objects described in PRC Sections 5097.9 and 5097.995 that are located within the city or county's jurisdiction.  
  
(2) From the date on which a California Native American tribe is contacted by a city or county pursuant to this subdivision, the tribe has 90 days in which to request a consultation, unless a shorter timeframe has been agreed to by that tribe.
- b) Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Section 65040.2, the city or county shall protect the confidentiality of information concerning the specific identity, location, character, and use of those places, features, and objects."

### ***Assembly Bill 52***

Signed into law in September 2014, AB 52 created a new class of resources – tribal cultural resources – for consideration under CEQA. Tribal cultural resources may include sites, features, places, cultural landscapes, sacred places, or objects with cultural value to a California Native American tribe that are listed or determined to be eligible for listing in the CRHR, included in a local register of historical resources, or a resource determined by the lead CEQA agency, in its discretion and supported by substantial evidence, to be significant and eligible for listing on the CRHR. AB 52 requires that the lead CEQA agency consult with California Native American tribes that have requested consultation for projects that may affect tribal cultural resources. The lead CEQA agency shall begin consultation with participating Native American tribes prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report. Under AB 52, a project that has potential to cause a substantial adverse change to a tribal cultural resource constitutes a significant effect on the environment unless mitigation reduces such effects to a less than significant level.

### ***California Health and Safety Code***

California Health and Safety Code Section 7050.5, states that every person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without the authority of law is guilty of a misdemeanor, except as provided in PRC Section 5097.99. In the event of discovery or recognition of any human remains in any location other than



a dedicated cemetery, there shall be no further site excavation or disturbance or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Government Code Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3, that the remains are not subject to the provisions of Government Code Section 27491 or any other related provisions of law concerning the investigation of the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in PRC Section 5097.98. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority 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, he or she shall contact, by telephone within 24 hours, the NAHC.

## Local

### *City of Pico Rivera General Plan Update 2014*

#### *Environmental Resources Element*

The Pico Rivera General Plan Environmental Resources Element is focused on the long-term management of the City's environmental resources including air quality, greenhouse gas emissions, water resources, biological resources, mineral resources, and cultural resources.<sup>2</sup>

**Goal 8.7**      **Preservation of important cultural and paleontological resources that contribute to the unique identity and character of Pico Rivera**

**Policy 8.7-1**      **Resource Preservation.** Protect and preserve significant historic, archaeological, and paleontological resources, including those recognized at the national, state, and local levels.

**Policy 8.7-3**      **Consultation.** As part of the development review process, ensure that potential impacts to historic, archaeological, and paleontological resources are minimized.

**Policy 8.7-4**      **Resource Assessment.** Require new development necessitating discretionary approval that could potentially impact historic, archaeological, and/or paleontological resources to conduct a resources survey to ensure that potential sites are identified for avoidance or special treatment.

## 4.15.4 Impact Thresholds and Significance Criteria

State CEQA Guidelines Appendix G, Environmental Checklist Form, includes questions concerning tribal cultural resources. Criteria under State CEQA Guidelines states that if a project causes a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of

<sup>2</sup> City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Environmental Resources Element*. Retrieved at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-8.pdf> (accessed August 2023).

the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- 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)
- 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 resource's significance to a California Native American tribe.

According to PRC Section 21084.2, 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. While what constitutes a "substantial adverse change" to a tribal cultural resource is not defined in the section, guidance on what constitutes a substantial adverse change under CEQA can be drawn from State CEQA Guidelines Section 15064.5(b). Although applicable specifically to historical resources (as defined in Section 15064.5(a)), an analogy can be drawn when assessing if there has been a substantial adverse change to a tribal cultural resource. State CEQA Guidelines Section 15064.5(b)(1) defines a substantial adverse change as the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings, resulting in material impairment of the historical resource. According to State CEQA Guidelines Section 15064.5(b)(2), the significance of a historical resource is materially impaired when a project:

- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
- Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to PRC Section 5020.1(k) or its identification in a historical resources survey meeting the requirements of PRC Section 5024.1(g), unless the public agency reviewing the Project effects establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

In drawing an analogy, a substantial adverse change to a tribal cultural resource could be considered to be the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings, resulting in material impairment of the tribal cultural resource.

Similarly, material impairment could include:

- Demolition or material alteration in an adverse manner those characteristics of a tribal cultural resource that justify its eligibility for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k); or

- Demolition of material alteration in an adverse manner of those characteristics of a tribal cultural resource that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

PRC Section 21084.3 provides guidance on addressing impacts on tribal cultural resources and states that:

- Public agencies shall when feasible, avoid damaging effects to any tribal cultural resource.
- If the lead agency determines that a project may cause a substantial adverse change to a tribal cultural resource, and measures are not otherwise identified in the consultation process provided in Section 21080.3.2, the following are examples of mitigation measures that, if feasible, may be considered to avoid or minimize the significant adverse impacts:
  - Avoidance and preservation of the resources in place, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning green space, parks, or other open spaces, to incorporate the resources with culturally appropriate protection and management criteria.
    - Treating the resource with culturally appropriate dignity taking into account the tribal cultural values and resource meaning, including, but not limited to, the following: (a) protecting the resource's cultural character and integrity; (b) protecting the resource's traditional use; (c) protecting the resource's confidentiality.
  - Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - Protecting the resource.

State CEQA Guidelines Section 15370 provides additional guidance on the types of mitigation that may be considered and includes avoiding impacts altogether; minimizing impacts; rectifying impacts through repair, rehabilitation, or restoration; reducing impacts through preservation; compensating for impacts by providing substitute resources.

PRC Section 21082.3(b) indicates that if a project may have a significant impact on a tribal cultural resource, the agency's environmental document shall discuss whether the proposed project has a significant impact on an identified tribal cultural resource and whether feasible alternatives or mitigation measures avoid or substantially lessen the impact on the identified tribal cultural resource.

PRC Section 21080.3.2 indicates that as part of the consultation pursuant to PRC Section 21080.3.1, California Native American tribes may propose mitigation measures, including, but not limited to, those recommended in PRC Section 21084.3, capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource. Also, the lead agency may incorporate changes or additions to a project even if not legally required to do so.

## Methodology and Assumptions

The Project is evaluated against the significance criteria/thresholds as the basis for determining the impact's level of significance concerning tribal cultural resources. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impacts. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts.

### *South Central Coastal Information Center*

On May 19, 2022, a records search was conducted at the South-Central Coastal Information Center (SCCIC) at California State University, Fullerton. This archival research reviewed the status of all recorded historic and prehistoric cultural resources, and survey and excavation reports completed within a 0.5-mile radius of the Project site. Additional resources reviewed included the National Register, the California Register, and documents and inventories published by the California Office of Historic Preservation. These include the California Historical Landmarks List, the California Points of Historical Interest List, the Listing of National Register Properties, and the Inventory of Historic Structures. Data from the SCCIC revealed that five previous cultural resources studies have taken place, and one cultural resource has been recorded within 0.5-mile of the Project site. None of the previous studies has assessed the Project site, and no cultural resources have been previously recorded within its boundaries.

### *Native American Heritage Commission*

The NAHC performs searches of its Sacred Lands Inventory to alert agencies of the existence, but not the location, of Native American sacred sites in a project's Area of Potential Effects. A request for a SLF search was sent to the NAHC on April 21, 2022. The NAHC responded on May 23, 2022, and indicated that there are no sacred lands or resources known within the same USGS Quadrangle Township, Range, and Section as the Project.

## WBTODSP Impacts

The future development envisioned in the proposed WBTODSP are recommended conceptual designs intended to be used as guidance for the City in implementing future site-specific projects. The proposed WBTODSP does not include any site-specific designs or proposals, nor does it grant any entitlements for development. As a policy and regulatory document, the WBTODSP would have no physical effect on the environment. Future development projects will be required to assess their individual impacts on Tribal Cultural Resources on a project-by-project basis.

### 4.15.5 Impacts and Mitigation Measures

**Impact 4.15-1** *Would the project 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 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

***Level of Significance: Less than Significant with Mitigation Incorporated***

The Project does not directly propose physical development within the WBTODSP. Instead, the Project would facilitate the future development of mixed use non-residential, commercial, retail, office, public facilities and industrial within the Specific Plan area. Additionally, the Project would rescind the existing SP-400 and SP-301 for the WBTODSP.

No portion of the Project site is listed in the CRHR; however, the cultural resources records search concluded that one resource, P-19-191099, was recommended eligible for the NRHP. This resource, known as the Dal Rae Restaurant, located at 9023 Washington Blvd, Pico Rivera, CA 90660, appeared eligible for listing in the NRHP under Criterion at the local level of significance for its association with the broad pattern of postwar suburbanization, dining and entertainment in Southern California after World War II. Additionally, it was noted that despite modifications to the building, it continued to exhibit a high level of integrity of overall design, location, setting feeling, and association. Based on the resource record, the Dale Rae Restaurant remains officially unevaluated for the NRHP or CRHR.

Further, the NAHC SLF Search produced negative results for tribal cultural resources in the Project vicinity. However, future development facilitated by the Project could still affect previously unidentified Native American tribal cultural resources. Future development in the WBTODSP would be subject to discretionary approvals and site-specific CEQA evaluation on a project-by-project basis. As noted above, the Gabrieleño Band of Mission Indians – Kizh Nation is the only tribe that responded and requested consultation on any future development projects within the WBTODSP. As such, future development projects would be subject to Mitigation Measures (MM)s **TCR-1 and TCR-2**, which would require development project to consult with the Gabrieleño Band of Mission Indians – Kizh Nation.

Along with adequate tribal consultation, future development facilitated by the Project would be subject to discretionary permits and compliance with all Federal, State, and local requirements for protecting tribal cultural resources, including the following mitigation measures. With the Project's compliance with existing regulations and implementation of mitigation measures, impacts are anticipated to be less than significant.

**Mitigation Measures**

**MM TCR-1**      The Gabrieleño Band of Mission Indians – Kizh Nation shall be contacted, as detailed in of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be

deemed significant, as defined by CEQA (as amended, 2015), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with the Gabrieleño Band of Mission Indians – Kizh Nation, and all subsequent finds shall be subject to the Monitoring and Treatment Plan. The Monitoring and Treatment Plan shall allow for a monitor to be present that represents the Gabrieleño Band of Mission Indians – Kizh Nation for the remainder of the project, should the Gabrieleño Band of Mission Indians – Kizh Nation elect to place a monitor on-site.

**MM TCR-2**

Any and all archaeological/cultural documents created as a part of the Project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to the Gabrieleño Band of Mission Indians – Kizh Nation. The Lead Agency and/or applicant shall, in good faith, consult with the Gabrieleño Band of Mission Indians – Kizh Nation throughout the life of the project.

#### 4.15.6 Cumulative Impacts

As discussed in **Section 4.15.5: Impacts and Mitigation Measures**, Project impacts concerning tribal cultural resources are anticipated to be less than significant with incorporation of **MM TCR-1** and **MM TCR-2** and compliance with all applicable federal, state, and local statutes and regulations, including the PRMC and applicable WBTODSP design guidelines and development standards.

This EIR has incorporated, by reference, the Pico Rivera GP EIR, which addresses cumulative effects resulting from build out of the Pico Rivera GP. Additionally, the SCAG 2024-2050 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera GP. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera GP EIR (refer to **Section 3.0, Table 3.0-6: Allowed Maxim Density and Project Density Comparison** which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera GP EIR.

Furthermore, the Project site is fully developed and is absent of natural open space. The Project site has been previously graded and developed consistent with the current Pico Rivera GP and zoning designations. The Project is being evaluated at a programmatic level and there are no specific development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the PRMC as well as the design guidelines and development standards within the WBTODSP area. These regulations, in combination with applicable mitigation measures, would further reduce Project and cumulative impacts. Therefore, the Project's contribution to cumulative impacts is not considered to be "cumulatively considerable."

#### 4.15.7 Significant Unavoidable Impacts

No significant unavoidable impacts have been identified.



#### 4.15.8 References

City of Pico Rivera. (2014). *City of Pico Rivera General Plan – Environmental Resources Element*.

Retrieved at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-8.pdf>  
(accessed August 2023).

ESA (2014). *Pico Rivera General Plan Update, Section 5 CEQA Mandated Sections*.

Kimley-Horn and Associates, Inc. (2023). *Cultural Resources Inventory Report for the Washington and Rosemead Boulevards Transit-Oriented Development Specific Plan*.

## 4.16 UTILITIES AND SERVICE SYSTEMS

### 4.16.1 Introduction

This section of the Draft Program Environmental Impact Report (EIR) for the Washington Boulevard Transit-Oriented Development Specific Plan Project (“Project” or “WBTODSP”) will identify and analyze potential impacts on utilities and service systems within the City of Pico Rivera (City), by identifying anticipated demand and evaluating its relationship to existing and planned utilities and service facilities and availability. For abbreviation purposes, the general term “utilities and service systems” in this Draft EIR includes the following: water, sewer, stormwater, electricity and natural gas, and solid waste. This section identifies potential impacts that could result from the Project.

This section evaluates the existing utilities and service systems that would be used by the Project and analyzes associated environmental impacts from implementation. Information herein is derived from the following:

- City of Pico Rivera General Plan Update, 2014
- City of Pico Rivera. 2014. Pico Rivera General Plan Update Draft EIR.
- City of Pico Rivera, Water Division
- Pico Water District
- San Gabriel Valley Water Company

### 4.16.2 Environmental Setting

#### Water

##### *City of Pico Rivera*

The City is served by two water purveyors: the City of Pico Rivera Water Authority (PRWA) and the Pico Water District (“PWD” or “District”). Each purveyor maintains its own distribution system and operates several water supply wells to extract local groundwater from the Central Basin aquifer. Both PRWA and PWD supply water to their respective residential, commercial, industrial, and fire protection customers within Pico Rivera. General Plan policies related to water facilities will be implemented by both the PRWA and PWD, as applicable.<sup>1</sup> The City provides water service to more than 9,400 residents and businesses within the City.

Water for the majority of the Project area would be provided by the PRWA. The PRWA serves approximately 70 percent of the City’s incorporated area. Development north of Washington Boulevard, in the Project area, is served by PWD.<sup>2</sup> In 2020, the PRWA served approximately 40,605 people and the

<sup>1</sup> City of Pico Rivera. 2014. *Community Facilities Element*, page 6-6. <https://www.pico-rivera.org/index.php/general-plan/> (accessed August 2023).

<sup>2</sup> Pico Water District. 2021. Service Area Map. <https://www.picowaterdistrict.net/wp-content/uploads/2021/06/PWDServiceAreaMap.pdf> (accessed January 2024).

service area is projected to increase to approximately 48,017 by 2045.<sup>3</sup> Projected future water demands have been estimated based on the anticipated growth, as defined by population projections for PRWA service area. PRWA currently meets all potable water demands with groundwater pumped from the Central Groundwater Basin.<sup>4</sup>

As part of the 2020 Urban Water Management Plan (UWMP), PRWA has determined the actual water supplies as of 2020 and the projected water supply for the consecutive five-year periods between 2025 and 2045 as shown in **Table 4.16-1: PRWA Actual Water Supplies 2016-2020 (AF)** and **Table 4.16-2: PRWA Projected Water Supply (AF)**.

**Table 4.16-1: PRWA Actual Water Supplies 2016-2020 (AF)**

Groundwater Basin	Is Pumping Metered?	Total Volume Pumped Each Year (AF)				
		2016	2017	2018	2019	2020
Central Basin	Yes	3,669	3,970	4,109	3,812	4,310
<b>Percent of Total Water Supply</b>		100%	100%	100%	100%	100%

Source: IMEG. 2021. *2020 Urban Water Management Plan Update Pico Rivera Water Authority*. Page 45. <https://www.pico-rivera.org/utilities-division/> (accessed January 2024).

**Table 4.16-2: PRWA Projected Water Supply (AF)**

Groundwater Basin	Total Volume Pumped Each Year (AF)				
	2020	2025	2030	2035	2040
Central Basin	4,310	4,318	4,329	4,341	4,352
<b>Percent of Total Water Supply</b>		100%	100%	100%	100%

Source: IMEG. 2021. *2020 Urban Water Management Plan Update Pico Rivera Water Authority*. Page 45. <https://www.pico-rivera.org/utilities-division/> (accessed January 2024).

The UWMP also analyzes projected water demand for consecutive five-year periods between 2025 and 2040 as shown in **Table 4.16-3: PRWA Normal Year Supply and Demand Comparison (AF)** and **Table 4.16-4: PRWA Single Dry Year Supply and Demand Comparison (AF)**. PRWA anticipates having adequate potable water supplies for a single dry year and groundwater withdrawals from the Central Basin are expected to increase to meet demand.

**Table 4.16-3: PRWA Normal Year Supply and Demand Comparison (AF)**

Water Supply Sources	2025	2030	2035	2040
<b>Groundwater</b>	5,579	5,579	5,579	5,579
<b>Recycled Water</b>	80	85	90	95
<b>Supply Total (Groundwater + Recycled Water)</b>	5,659	5,664	5,669	5,674
<b>Demand Total (Potable + Recycled Water)</b>	4,308	4,324	4,340	4,356
<b>Difference</b>	1,351	1,340	1,329	1,318

Note: Customer growth projections were used to determine demand over a 25-year planning horizon.  
Source: IMEG. 2021. *2020 Urban Water Management Plan Update Pico Rivera Water Authority*. Page 52. <https://www.pico-rivera.org/utilities-division/> (accessed January 2024).

<sup>3</sup> PRWA. 2021. *2020 Urban Water Management Plan*. Page 15.  
<https://acrobat.adobe.com/link/track?uri=urn%3Aaaid%3AAscds%3AUS%3A4469c070-cd24-3562-bdbb-ef196174295f&viewer%21megaVerb=group-discover> (accessed January 2024).

<sup>4</sup> Ibid, Page 16.

**Table 4.16-4: PRWA Single Dry Year Supply and Demand Comparison (AF)**

Water Supply Sources	2025	2030	2035	2040
Groundwater	5,579	5,579	5,579	5,579
Recycled Water	80	85	90	95
<b>Supply Total (Groundwater + Recycled Water)</b>	5,659	5,664	5,669	5,674
<b>Demand Total (Potable + Recycled Water)</b>	4,308	4,324	4,340	4,356
<b>Difference</b>	1,351	1,340	1,329	1,318
Note: Customer growth projections were used to determine demand over a 25-year planning horizon. Source: IMEG. 2021. <i>2020 Urban Water Management Plan Update Pico Rivera Water Authority</i> . Page 52. <a href="https://www.pico-rivera.org/utilities-division/">https://www.pico-rivera.org/utilities-division/</a> (accessed January 2024).				

As described in **Section 4.16.2: Environmental Setting**, PRWA provides potable water to its service area via groundwater. Although, PRWA currently has a surplus of water supply, it has projected to increase pumping from the Central Basin through the year 2040. PRWA's available water supply will be sufficient enough to meet all water demands for their service area which includes the Project area through 2045, including during single and multiple dry years.<sup>5</sup>

### **Stormwater Drainage<sup>6</sup>**

Storm drains are the primary flood control facilities in the City, which serve to convey local water runoff. Regional flood control structures include the Whittier Narrows Dam and the Rio Hondo and San Gabriel spreading grounds, located adjacent to the Rio Hondo and San Gabriel rivers. The Whittier Narrows Dam captures local stormwater flows for groundwater replenishment.

### **Groundwater Recharge**

PRWA receives all of its groundwater from the Central Basin. The Central Basin is a large alluvial groundwater basin that lies beneath the southeastern portion of the Los Angeles Coastal Plain.<sup>7</sup> The Central Basin groundwater is comprised of multiple sources: natural recharge from precipitation and runoff from regional/local watersheds, artificial recharge supplied through purchased imported water, and treated effluent from regional wastewater treatment facilities.<sup>8</sup> Central Basin groundwater users can extract up to 20 percent above their allowed pumping allocation (APA), given that the over-extraction can be replenished in the following year.<sup>9</sup> Historic groundwater pumping volumes have decreased, due to customers responding to the increasing cost of water by reducing their demand.<sup>10</sup> Lastly, the Central Basin is an adjudicated basin with pumping rights of 217,637 acre-feet per year (AFY); PRWA has an APA of 5,579 AFY.<sup>11</sup>

<sup>5</sup> IMEG. 2021. *2020 Urban Water Management Plan Update Pico Rivera Water Authority*. Page 52. <https://www.pico-rivera.org/utilities-division/> (accessed January 2024).

<sup>6</sup> City of Pico Rivera. 2014. *Community Facilities Element*, page 6-6. <https://www.pico-rivera.org/index.php/general-plan/> (accessed August 2023).

<sup>7</sup> IMEG. 2021. *2020 Urban Water Management Plan Update Pico Rivera Water Authority*. Page 33. <https://www.pico-rivera.org/utilities-division/> (accessed January 2024).

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> ESA. 2014. *Pico Rivera General Plan Update Draft Environmental Impact Report, Section 3.10 Utilities and Service Systems*. Page 3.10-2.

<sup>11</sup> Ibid.

### ***Wastewater and Recycled Water<sup>12</sup>***

Wastewater services for the Project site are provided by LACSD, and LACSD provides wastewater treatment services at the Los Coyotes Water Reclamation Plant and the San Jose Creek Water Reclamation Plant. The Los Coyotes Water Reclamation Plant can treat a total of 37.5 million gallons of wastewater per day (MGD), and the San Jose Creek Water Reclamation Plant has a capacity to treat 100 MGD.<sup>13</sup>

The City's Sewer Division is responsible for the collection of wastewater within the City limits and delivery to the trunk sewer mains of LACSD. After sewage is collected locally and delivered to the regional trunk lines, wastewater flows south toward the Los Coyotes Water Reclamation Plant of LACSD in the City of Cerritos. LACSD is responsible for all regional trunk sewer lines and sewage treatment, while the City is responsible for the operation and maintenance of sewer mains and lift stations within the City limits.

The City also receives tertiary treated recycled water from LACSD's San Jose Creek Water Reclamation Plant and Los Coyotes Water Reclamation Plant through the purveyor, the Central Basin Municipal Water District. Currently, Pico Rivera Municipal Golf Course, Rio Hondo Park, Smith Park, County Library, and some street medians in the City are irrigated with recycled water. The City is also extending recycled water service to Rio Vista Park. According to the PWD (or District" Urban Water Management Plan (UWMP), it is anticipated that the District will have sufficient water supplies available to meet water need projections through 2045.<sup>14</sup>

### ***Solid Waste and Recycling<sup>15</sup>***

Solid waste generated within the City is collected by NASA Services.<sup>16</sup> The residential, commercial, and industrial services include curbside collection of waste, recyclables, and green waste.<sup>17</sup> Additionally, the City has a number of waste diversion programs in place to minimize the need for landfill disposal of solid wastes, including a Demolition and Recycling ordinance in compliance with Assembly Bill (AB) 939. There are recycling/drop-off centers for oil/filter recycling, household hazardous waste, and beverage container recycling throughout the City. Whittier Fertilizer, which is located on Kruse Road, provides important recycling services to Pico Rivera to achieve applicable waste diversion requirements. The City continues to strive to improve its solid waste management efforts through educational outreach and obtaining grants to further fund and improve their waste management programs. The City recently received funding for the collection, removal, transportation, recycling, and disposal of waste tires from illegal tire piles and a grant for public education regarding the benefit of properly recycling bottles and cans.

Per the California Department of Resources Recycling and Recovery (CalRecycle), the City generated approximately 57,307 tons of solid waste in 2022.<sup>18</sup> The solid waste was disposed of at various permitted

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<sup>12</sup> City of Pico Rivera. 2014. *Community Facilities Element*, page 6-6. <https://www.pico-rivera.org/index.php/general-plan/> (accessed August 2023).

<sup>13</sup> Los Angeles County Sanitation District. 2023. *Facilities*. <https://www.app.lacsd.org/facilities/?tab=2&number=5> (accessed January 2024).

<sup>14</sup> Pico Water District (PWD). 2021. *2020 Urban Water Management Plan*, page 6-31.

<sup>15</sup> City of Pico Rivera. 2014. *Community Facilities Element*, page 6-11. <https://www.pico-rivera.org/index.php/general-plan/> (accessed August 2023).

<sup>16</sup> ESA. 2014. *Pico Rivera General Plan Update Draft Environmental Impact Report – Section 3.10 Utilities*. Pg. 3.10-5

<sup>17</sup> Ibid.

<sup>18</sup> CalRecycle. 2023. *Jurisdiction Review Reports*. <https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/ReviewReports> (accessed January 2024).

landfills serving the City: Olinda Alpha Landfill, El Sobrante Landfill, Frank R. Boweman Sanitary Landfill, Simi Valley Landfill & Recycling Center, and the Azusa Land Reclamation.

### **Gas and Electricity<sup>19</sup>**

The Pico Rivera Innovative Municipal Energy (PRIME) serves as the electricity provider for the City. PRIME is governed by the City Council, which purchases energy from Southern California Edison (SCE) and utilizes SCE infrastructure to deliver electricity to consumers in the City. PRIME offers three options for consumers who opt into the program; PRIME Power which provides consumers a standard energy product of 50 percent renewable energy from various renewable sources; PRIME Future, which offers 100 percent renewable energy; or PRIME Partner which offers consumers the option to install an on-site solar, wind, or other self-generation system to provide electricity needs. Additionally, the City is a community choice aggregator (CCA), meaning that consumers have the ability to opt out of PRIME, and elect SCE as their sole electricity service provider. However, about 94 percent of consumers within the City have chosen to utilize PRIME as their sole electricity provider.<sup>20</sup>

The Southern California Gas Company (SoCal Gas) is responsible for the provision of natural gas service and facilities within the City. The Project would continue to be served by SoCalGas through the existing gas lines serving the site<sup>21</sup> and SCE. As shown in the SCE Power Site Search Tool, the Project site is currently served electricity.<sup>22</sup>

Los Angeles County consumed approximately 68,484 gigawatt hours (GWh) of energy in 2022.<sup>23</sup> Non-residential electric uses accounted for about 66 percent of the total energy consumption, or 45,229 GWh, while residential demand was approximately 34 percent, or 23,255 GWh.<sup>24</sup> The total gas consumption in 2022 for the County was approximately 2,820 million therms.<sup>25</sup> Non-residential gas demand was approximately 60 percent of the total, or 1,698 million therms.<sup>26</sup> Residential uses accounted for 40 percent, or approximately 1,122 million therms.<sup>27</sup>

### **Telecommunications<sup>28</sup>**

A variety of telecommunication facilities—including telephone, cable television, and high-speed internet services—exists in the City of Pico Rivera, provided by private service providers. Additionally, the City of Pico Rivera Public Information Division manages CTV3, the City's cable television channel that provides regular programming featuring local news, educational presentations, special videos and public service

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<sup>19</sup> City of Pico Rivera. 2014. *Community Facilities Element*, page 6-6. <https://www.pico-rivera.org/index.php/general-plan/> (accessed August 2023).

<sup>20</sup> Ferrer, Victor. June 25, 2024. Personal communication via email.

<sup>21</sup> SoCalGas. ND. *Gas Transmission Pipeline Interactive Map – Los Angeles County*. <https://socalgas.maps.arcgis.com/apps/webappviewer/index.html?id=c85ced1227af4c8aae9b19d677969335> (accessed September 2023).

<sup>22</sup> Southern California Edison. 2022. *Southern California Edison Power Site Search Tool*.

<https://www.arcgis.com/apps/webappviewer/index.html?id=05a84ec9d19f43ac93b451939c330888> (accessed September 2023).

<sup>23</sup> California Energy Commission. 2023. *Electricity Consumption by County*. Available at <https://ecdms.energy.ca.gov/elecbycounty.aspx> (accessed January 2024).

<sup>24</sup> California Energy Commission. 2023. *Electricity Consumption by County*. Available at <https://ecdms.energy.ca.gov/elecbycounty.aspx> (accessed July 2023).

<sup>25</sup> California Energy Commission. 2023. *Gas Consumption by County*. Available at <https://ecdms.energy.ca.gov/gasbycounty.aspx> (accessed January 2024).

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> City of Pico Rivera. 2014. *General Plan*. <https://www.pico-rivera.org/index.php/general-plan/> (accessed August 2023).



announcements on the latest City events, services, and meetings. El Rancho Unified School District also operates a public access television program.

### **4.16.3 Regulatory Setting**

#### **Federal**

##### ***Safe Drinking Water Act***

The U.S. Environmental Protection Agency (EPA) administers the Safe Drinking Water Act (SDWA), the primary federal law that regulates the quality of drinking water and establishes standards to protect public health and safety. The Department of Health Services (DHS) implements the SDWA and oversees public water system quality statewide. DHS establishes legal drinking water standards for contaminants that could threaten public health.

##### ***Clean Water Act***

In 1972, the Federal Water Pollution Control Act Amendments were enacted to address water pollution problems. After an additional amendment in 1977, this law was re-named the Clean Water Act (CWA). Thereafter, it established the regulation of discharges of pollutants into waters of the United States by the EPA. Under the CWA, the EPA can implement pollution control programs and set water quality standards. Additionally, the CWA makes it unlawful for any person to discharge any pollutant from a point source into navigable waters unless a permit is obtained pursuant to its provisions.

#### **State**

##### ***California Porter-Cologne Water Quality Control Act***

Under the Porter-Cologne Water Quality Control Act, which was passed in California in 1969 and amended in 2013, the State Water Resources Control Board (SWRCB) has authority over State water rights and water quality policy. This Act divided the state into nine regional basins, each under the jurisdiction of a Regional Water Quality Control Board (RWQCB) to oversee water quality on a day-to-day basis at the local and regional level. RWQCBs engage in a number of water quality functions in their respective regions. RWQCBs regulate all pollutant or nuisance discharges that may affect either surface water or groundwater. Pico Rivera is overseen by the Los Angeles RWQCB.

##### ***State Water Resources Control Board***

The SWRCB is the California (State) agency focused on providing and ensuring clean sustainable water for all state residents. This State agency works alongside other federal programs like the CWA to regulate water sources and uses. The SWRCB regulates water consumption for irrigation and drinking, as well as water discharges from construction, municipal uses, storm water, and other sources.

##### ***Urban Water Management Planning Act***

In 1983, the California legislature enacted the Urban Water Management Planning Act (California Water Code, Sections 10610–10656), which requires specified urban water suppliers within the state to prepare an Urban Water Management Plan (UWMP) and update it every five years. Specifically, Section 10610.04 et

seq. as amended, of the California Urban Water Management Planning Act specifies that “Urban Water Suppliers shall be required to develop water management plans to actively pursue the efficient use of available supplies. As such, UWMPs serve as an important element in documenting water supply availability and reliability for purposes of compliance with Senate Bills (SB) 610 and 221, which link water supply sufficiency to large land- use development Project approvals. Urban water suppliers also must prepare UWMPs, pursuant to the Urban Water Management Planning Act, in order to be eligible for state funding and drought assistance.

In 2021, the PRWA adopted its 2020 UWMP Update. This plan details PRWA's demand projections and provides information regarding PRWA's supply. The majority of PRWA's existing and future planned demand is met through reliance on groundwater. The PRWA receives all its groundwater from the Central Basin.

### ***Sustainable Groundwater Management Act (2014)***

The Sustainable Groundwater Management Act of 2014 (SGMA) consists of three legislative bills, SB 1168 (Pavley), AB 1739 (Dickinson), and SB 1319 (Pavley). The legislation provides a framework for long-term sustainable groundwater management across California. Under the roadmap laid out by the legislation, local and regional authorities in medium and high priority groundwater basins will form Groundwater Sustainability Agencies that oversee the preparation and implementation of a local Groundwater Sustainability Plan. Local stakeholders have until 2017 to organize themselves in Groundwater Sustainability Agencies. Groundwater Sustainability Plans will have to be in place and implementation will begin between 2020 and 2022. Groundwater Sustainability Agencies will have until 2040 to achieve groundwater sustainability.

### ***California Senate Bills 610 and 221***

SB 610 and SB 221 amended State law to (1) ensure better coordination between local water supply and land use decisions and (2) confirm that there is an adequate water supply for new development. Both statutes require City and County decision-makers to receive detailed information regarding water availability prior to approval of large development projects. SB 610 requires the preparation of a Water Supply Assessment (WSA) for certain types of projects subject to the California Environmental Quality Act (CEQA). Projects that would be required to prepare a WSA include, but are not limited to, residential developments of more than 500 dwelling units and shopping centers or business establishments employing more than 1,000 persons or having more than 500,000 square feet of floor area.

### ***Water Conservation in Landscaping Act of 2006 (AB 1881)***

The Water Conservation in Landscaping Act of 2006 (AB 1881) required the State Department of Water Resources (DWR) to update the State Model Water Efficient Landscape Ordinance (WELO) by 2009. The State's model ordinance was issued on October 8, 2009. Under AB 1881, Cities and Counties are required to adopt a State updated model landscape water conservation ordinance by January 31, 2010, or to adopt a different ordinance that is at least as effective in conserving water as the updated Model Ordinance (MO).

### ***2015 Update of the State Model Water Efficient Landscape Ordinance (MWELO; per Governor's Executive Order B-29-15)***

To improve water savings in the landscaping sector, the California DWR, updated the Model Ordinance in 2015 (in accordance with Executive Order B-29-15). The Model Ordinance promotes efficient landscapes in new developments and retrofitted landscapes. The Executive Order calls for revising the Model Ordinance to increase water efficiency standards for new and retrofitted landscapes through more efficient irrigation systems, greywater usage, and on-site stormwater capture, and by limiting the portion of landscapes that can be covered in turf. New development projects that include landscape areas of 500 square feet or more are subject to the Ordinance. This applies to residential, commercial, industrial, and institutional projects that require a permit, plan check, or design review. Local agencies had until December 1, 2015, to adopt the Ordinance or adopt their own ordinance, which must meet or exceed effectiveness. Chapter 13.90 of the City's Municipal Code (MC) addresses water efficient landscaping. Specifically, Section 13.09.080F states "If, after the adoption of the ordinance codified in this section, the California Department of Water Resources, or its successor agency, amends 23 CCR, Division 2, Chapter 2.7, Sections 492.6(a)(3)(B), (C), (D), and (G) of the MWELO September 15, 2015 requirements in a manner that requires the city to incorporate the requirements of an updated MWELO in a local ordinance, and the amended requirements include provisions more stringent than those required in this section, the revised requirements of 23 CCR, Division 2, Chapter 2.7 shall be enforced. (Ord. 1150 Section 3, 2021; Ord. 1061 Section 1, 2010)"<sup>29</sup>

### ***Assembly Bill 1668 and Senate Bill 606 – May 31, 2018***

AB 1668 and SB 606 build on Governor Brown's ongoing efforts to make water conservation a way of life in California and create a new foundation for long-term improvements in water conservation and drought planning. SB 606 and AB 1668 establish guidelines for efficient water use and a framework for the implementation and oversight of the new standards, which must be in place by 2022.

The two bills strengthen the state's water resiliency in the face of future droughts with provisions that include:

- Establishing water use objectives and long-term standards for efficient water use that apply to urban retail water suppliers; comprised of indoor residential water use, outdoor residential water use, commercial, industrial and institutional (CII) irrigation with dedicated meters, water loss, and other unique local uses.
- Providing incentives for water suppliers to recycle water.
- Identifying small water suppliers and rural communities that may be at risk of drought and water shortage vulnerability and provide recommendations for drought planning.
- Requiring both urban and agricultural water suppliers to set annual water budgets and prepare for drought.

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<sup>29</sup> Quality Cod Publishing. 2023. Pico Rivera MC. [https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code/item/title\\_13-division\\_iv-chapter\\_13\\_90-13\\_90\\_080](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code/item/title_13-division_iv-chapter_13_90-13_90_080) (accessed January 2024).

## ***Solid Waste***

### ***Integrated Waste Management Act – AB 939***

The Integrated Waste Management Act (AB 939) mandates that communities reduce their solid waste. AB 939 required local jurisdictions to divert 25 percent of their solid waste by 1995 and 50 percent by 2000, compared to a baseline of 1990. AB 939 also established an integrated framework for program implementation, solid waste planning, and solid waste facility and landfill compliance.

### ***Mandatory Commercial Recycling – AB 341***

In 2011, AB 341 was passed that sets a State policy goal of not less than 75 percent of solid waste that is generated to be source reduced, recycled, or composted by the year 2020. CalRecycle was required to submit a report to the legislature by January 1, 2014, outlining the strategy that will be used to achieve this policy goal.

### ***California Solid Waste Reuse and Recycling Access Act of 1991***

The California Solid Waste Reuse and Recycling Access Act require areas in development projects to be set aside for collecting and loading recyclable materials. The Act required CalRecycle (formerly the California Integrated Waste Management Board) to develop a model ordinance for adoption by any local agency relating to adequate areas for collection and loading of recyclable materials as part of development projects. Local agencies are required to adopt the model, or an ordinance of their own, providing for adequate areas in development projects for the collection and loading of recyclable materials.

### ***Mandatory Commercial Organics Recycling – AB 1826***

In October of 2014 Governor Brown signed AB 1826 requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consist of five or more units. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. Greenhouse gas (GHG) emissions result from the decomposition of organic wastes in landfills. Mandatory recycling of organic waste is aimed at helping achieve California's aggressive recycling and GHG emission goals. The implementation schedule began in January 2016 and as of January 1, 2019, businesses that generate four cubic yards or more of commercial solid waste per week shall arrange for organic waste recycling services. In September of 2020, CalRecycle reduced the threshold to 2 cubic yards of solid waste.

## ***Senate Bill 1383***

SB 1383 (2016) aims to reduce greenhouse gas emissions by establishing statewide methane reduction targets. The law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025. Food waste alone accounts for approximately 17 percent to 18 percent of total landfill disposal. Increasing food waste prevention, encouraging edible

food rescue, and expanding the composting and in-vessel digestion of organic waste throughout the state will help reduce methane emissions from organic waste disposed in California's landfills. Additionally, compost has numerous benefits including water conservation, improved soil health, and carbon sequestration. SB 1383 set a statewide requirement of a 50 percent reduction in disposal of organic waste from the 2014 level by 2020, and a 75 percent reduction by 2025. As of January 1, 2022, jurisdictions must comply with SB 1383 implementation requirements and begin enforcing SB 1383-compliant programs on or before January 2024.

## Local

### *City of Pico Rivera General Plan Update 2014*

#### *Community Facilities Element*

The Community Facilities Element<sup>30</sup> of the Pico Rivera GP includes the goals and policies that will be responsible for water, wastewater, flood control, storm drainage, electricity, and natural gas systems in the City.

#### *Water Facilities*

**Goal 6.4**      **A sustainable supply of water delivered through an efficient infrastructure system to meet existing and future needs.**

**Policy 6.4-3**      **New Development.** Require new development to demonstrate the availability of adequate water supply and fire flow, and to provide infrastructure and/or finance the costs of improvements necessary to serve the demands created by the development, as appropriate.

#### *Wastewater Facilities*

**Goal 6.5**      **Adequate and well-maintained wastewater infrastructure to meet existing and future needs and to ensure the health and safety of the Pico Rivera community.**

**Policy 6.5-4**      **Adequate Facilities for New Development.** Require new development to demonstrate the availability of adequate wastewater facilities in accordance with city plans and standards.

**Policy 6.5-5**      **New Development Contribution.** Ensure that new development constructs, dedicates, and/or pays its fair share contribution to the wastewater treatment and collection system that is necessary to serve the demands created by the development.

#### *Energy Facilities*

**Goal 6.6**      **A community adequately served by energy facilities with minimal exposure to electromagnetic fields.**

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<sup>30</sup> City of Pico Rivera. 2014. *Chapter 6, Community Facilities Element*. Available at: <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-6.pdf> (accessed January 2024).

**Policy 6.6-2 New Development.** Ensure that approvals of proposed development are contingent upon the ability of SCE and the Gas Company to provide sufficient energy supply and infrastructure.

#### *Solid Waste Facilities and Recycling*

**Goal 6.7 Reduced solid waste generation and disposal, and increased recycling opportunities.**

**Policy 6.7-6 New Construction.** Encourage the use of recycled materials in new construction, including building construction and expansions, as well as for infrastructure improvements.

#### *Telecommunication Facilities*

**Goal 6.8 Quality communication systems that enhance community economic development and governmental efficiency and provide equitable access for all.**

**Policy 6.8-2 New Development.** Establish requirements for the installation of feasible state-of-the-art telecommunications technologies in new and retrofitted development.

### ***City of Pico Rivera Municipal Code Chapter 13.70***

#### *Water Shortage Contingency Plan*

The City has implemented water control measures and restrictions pursuant to Chapter 13.70 of the City MC, Water Conservation and Water Supply Shortage Program. The purpose of Chapter 13.70 is to establish a water conservation and supply shortage program that will reduce water consumption and maximize efficient water use within the City.<sup>31</sup> The chapter establishes permanent water conservation standards intended to alter behavior related to water use efficiency for non-shortage conditions and further establishes three levels of water supply shortage response actions to be implemented during times of declared water shortage or declared water shortage emergency, with increasing restrictions on water use in response to worsening drought or emergency conditions and decreasing supplies.<sup>32</sup>

### **4.16.4 Impact Thresholds and Significance Criteria**

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the development of the site would have a significant environmental impact if one or more of the following occurs:

- 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;
- Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;

<sup>31</sup> City of Pico Rivera. 2023. *Chapter 13.70 Water Conservation and Water Supply Shortage Program*. Available at: [https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code/item/title\\_13-division\\_iv-chapter\\_13\\_70?view=all](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code/item/title_13-division_iv-chapter_13_70?view=all) (accessed December 2024).

<sup>32</sup> Ibid.



- 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;
- 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; or
- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

## WBODSP Impacts

The future development envisioned in the proposed WBODSP are recommended conceptual designs intended to be used as guidance for the City in implementing future site-specific projects. The proposed WBODSP does not include any site-specific designs or proposals, nor does it grant any entitlements for development. As a policy and regulatory document, the WBODSP would have no physical effect on the environment. Future development projects will be required to assess their individual impacts regarding utilities and service systems on a project-by-project basis.

### 4.16.5 Impacts and Mitigation Measures

**Impact 4.16-1** *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?*

**Level of Significance: Less than Significant**

Future residential, mixed-use commercial, industrial mixed-use, and a Flex District (very light industrial to commercial) uses would be subject to compliance with all federal, state, and local requirements for minimizing construction and operational impacts to utilities, including water and wastewater system capacities, solid waste reduction goals, and supplies of electric power, natural gas, and telecommunications. Because the Project does not directly involve any physical development and instead modifies existing policies and regulations, it would not directly result in the relocation or construction of new or expanded utility facilities.

## Water Facilities

Future development facilitated by the Project assumes a maximum buildout of 2,336 residential dwelling units (DUs) and approximately 5,889,747 SF of new non-residential (mixed-use commercial, industrial mixed-use, and a Flex District [very light industrial to commercial]) uses. Future developments within the Project area would be expected to connect to the City's domestic water supply system in adjacent areas and would provide infrastructure/pipelines that are adequately sized to accommodate its demands. Applicants for future development projects would be required to submit proper building and safety documents, as required by the City of Pico Rivera. Impacts would be less than significant.

## Wastewater

The Project does not directly propose any new development, but it would allow for future development projects in the WBTODSP. The Los Coyotes and the Los Coyotes and the San Jose Creek Water Reclamation Plant would have capacity to treat wastewater generated by future development facilitated by the Project because future development under the WBTODSP would be less intensive than maximum development under the existing general plan land use designation. Refer to **Section 3.0, Table 3.0-6, Allowed Maximum Density and Project Density Comparison**.

Additionally, the Project site is currently developed and contains an existing network of sewer lines, which provide services to existing developments within the Project area. Future developments within the Project site would connect to the City's domestic wastewater system and would make use of existing infrastructure/pipelines that are adequately sized to accommodate demands assuming maximum development of the Project site under the existing general plan land use, which is higher than that assumed under the Project. Therefore, impacts are anticipated to be less than significant.

### *Stormwater Infrastructure*

All stormwater infrastructure required for future development facilitated by the Project would connect to the City's existing stormwater infrastructure. Regional flood control structures include the Whittier Narrows Dam and the Rio Hondo and San Gabriel spreading grounds, located adjacent to the Rio Hondo and San Gabriel rivers. The Whittier Narrows Dam captures local stormwater flows for groundwater replenishment. Thus, future development within the Project area facilitated by the Project could require construction of new stormwater treatment and conveyance facilities, including on-site storm drains and water quality biofiltration basins. These improvements would be typical of development projects, and would comply with applicable local, state and federal regulations regarding design standards and regulatory compliance. Compared to maximum allowed density under the existing general plan land use, the Project would allow for less development; refer to **Section 3.0, Table 3.0-6, Allowed Maximum Density and Project Density Comparison**. Therefore, there are no significant impacts anticipated.

### *Electricity, Natural Gas, and Telecommunications*

As discussed above, SCE and SoCal Gas currently provide electric and natural gas services within the City. There are existing natural gas and electric power lines throughout the City. Future development facilitated by the Project would be required to connect to the existing SCE and SoCal Gas lines which would enable additional services to the Project site. Similar to electric and gas utilities, telecommunication services would be extended to serve the Project site. This may involve the extension of services for existing providers and the petition for additional services from other providers not currently servicing the area within the Project site. However, the construction of substantial new telecommunication infrastructures would not be required.

The Project site is completely developed except for one parcel: Assessor's Parcel Number (APN) 6370-013-014, located at 6605 Rosemead Boulevard. Because the Project would allow for less intensity within the Project site compared to the maximum allowed density under the General Plan, it is anticipated that there is adequate capacity to accommodate future development. Each site-specific development project will

require formal review by the City and other applicable agencies and utility providers to ensure adequate service and payment of applicable connection and service fees. Although future development projects may require the construction or expansion of electric power, natural gas, and telecommunication facilities, these will be typical of urban infill development projects, particularly given highly developed nature of the Project site and availability of utilities. Impacts are anticipated to be less than significant.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.16-2** *Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?*

**Level of Significance: Less than Significant**

### **Construction and Operations**

The UWMP for PRWA analyzes projected water demand through 2040. **Table 4.16-3: PRWA Normal Year Supply and Demand Comparison (AF)**, above, depicts an increased demand through 2040. However, PRWA anticipates having sufficient supplies to meet demand through 2040.<sup>33</sup> Additionally, based on the UWMP, PRWA would have adequate water supplies to serve its service area under single-dry year supply and demand scenarios, and multiple dry-year supply and demand scenario through 2040; refer to **Table 4.16-4: PRWA Single Dry Year Supply and Demand Comparison (AF)**. The projections in the UWMP are based upon the buildout and growth planned for in the City's General Plan.

Project implementation would not facilitate development in a manner that would exceed the water supply capacity for PRWA in single or multiple dry years because, as noted in **Section 3.0, Table 3.0-6, Allowed Maximum Density and Project Density Comparison**, future development under the WBTODSP would not exceed existing maximum allowed development capacity under the General Plan. The WBTODSP would be used as a policy and regulatory guide for subsequent development projects within the WBTODSP. Further, future development facilitated by the Project would be required to adhere to all federal, state, and local requirements during construction and operation for ensuring that sufficient water supplies are available. Therefore, impacts would be less than significant, and no mitigation is required.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.16-3** *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?*

**Level of Significance: Less than Significant**

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<sup>33</sup> Pico Water District (PWD). 2021. *2020 Urban Water Management Plan*, page 7-8.

## Construction and Operations

The Project would allow for future maximum development of 2,336 multi-family residential dwelling units (DUs) and 5,889,747SF of new non-residential (mixed-use commercial, industrial mixed-use, and a Flex District [very light industrial to commercial]) uses. Future development facilitated by the Project could result in an increase in wastewater generated when compared to existing conditions. However, it is anticipated that the Los Coyotes Water Reclamation Plant and the San Jose Creek Water Reclamation Plant would have capacity to serve future development facilitated by the Project, because the site is currently developed (except for one small parcel) and the General Plan allows for the Project site to be developed with a higher density than that proposed anticipated under the Project. Future site-specific development projects would be required to demonstrate adequate wastewater conveyance and treatment service as part of the City's discretionary review process. In addition, future site-specific developments would be required to pay applicable connection and service fees to fund its share of site-specific wastewater system improvements, if any.

Future development facilitated by the Project would be subject to discretionary permits and required to adhere to all federal, state, and local requirements related to wastewater treatment during construction and operations, including the City's stormwater and urban runoff policies within the Development Code. Considering the above, adequate wastewater treatment capacity is anticipated for the Project. Therefore, impacts to wastewater treatment would be less than significant and no mitigation is required.

### **Mitigation Measures**

No mitigation is necessary.

***Impact 4.16-4      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?***

***Level of Significance: Less than Significant***

## Construction and Operations

Solid waste disposal services for the City are provided by NASA Services.<sup>34</sup> The increase in solid waste generation from future development could impact available landfill capacity. The Project represents a reduction in non-residential density as compared to the existing General Plan (along with an increase in residential density, although this will be higher density TOD uses). The incremental difference in Project solid waste generation in comparison to existing General Plan would be similar or less, due to the overall reduction in density.

All future site-specific development facilitated by the Project would be required to comply with applicable federal, state, and local regulations related to solid waste, including General Plan policies and Specific Plan policies. Implementation of source reduction measures, such as recycling and converting waste to energy, which would be implemented on a project-by-project basis would serve to divert solid waste away from landfills and comply with AB 939. Through compliance with existing state, federal, and local regulations

<sup>34</sup> City of Pico Rivera. 2023. *Trash Services*. Available at: <https://www.pico-rivera.org/trash-services/> (accessed January 2024).

along with additional site-specific development review, Project impacts are anticipated to be less than significant.

### **Mitigation Measures**

No mitigation is necessary.

#### ***Impact 4.16-5      Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

##### ***Level of Significance: Less than Significant***

Future development facilitated by the Project would comply with all local, state, and federal regulations regarding solid waste including goals and policies established in the City GP. Additionally, all future solid waste generated during future project construction and operations would be deposited at the Mesquite Regional Landfill which is anticipated to have capacity for 100 years.<sup>35</sup>

Additionally, AB 341 requires all businesses in California that generate four cubic yards or more of waste per week to implement one of the following actions in order to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:

- Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
- Subscribe to a recycling service with their waste hauler in the service area.
- Provide recycling service to their tenants (if commercial or multifamily complex).
- Demonstrate compliance with the requirements of California Code of Regulations Title 14.

Lastly, the Project would comply with relevant goals and policies from the City GP. A construction waste management plan would be submitted and implemented in compliance with Section 5.408 of the 2022 CALGreen Code for any future development facilitated by the Project. Therefore, a less than significant impact would occur as the Project would not 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.

### **Mitigation Measures**

No mitigation is necessary.

## **4.16.6 Cumulative Impacts**

As discussed in **Section 4.16.5: Impacts and Mitigation Measures**, Project impacts concerning utilities and service systems are anticipated to be less than significant with compliance with all applicable federal, state, and local statutes and regulations, including the Pico Rivera Municipal Code and applicable WBODSP design guidelines and development standards.

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<sup>35</sup> ESA. 2014. *Pico Rivera General Plan Update, Section 3.10 Utilities*. Page 3.10-26.

This EIR has incorporated, by reference, the Pico Rivera GP EIR, which addresses cumulative effects resulting from build out of the Pico Rivera GP. Additionally, the SCAG 2024-2050 Connect SoCal Programmatic EIR evaluated cumulative impacts of the region based on the adopted general plans available at the time, including the Pico Rivera GP. Furthermore, the Project, as proposed, represents a less intense land use plan than previously assumed in the Pico Rivera GP EIR (refer to **Section 3.0, Table 3.0-6: Allowed Maxim Density and Project Density Comparison** which compares currently allowable vs proposed densities). Because of this reduced intensity, the Project's potential cumulative environmental effects would be similar or less than the impacts identified in the Pico Rivera GP EIR.

The Project is being evaluated at a programmatic level and there are no specific development proposals currently. Future development projects would be subject to independent, Project-level CEQA review as part of the City's development review process and would comply with all applicable federal, state, and local statutes and regulations. Specifically, future development projects within the Project site would be required to comply with the regulations set forth in the Pico Rivera Municipal Code as well as the design guidelines and development standards within the WBODSP area. These regulations, in combination with applicable mitigation measures, would further reduce Project and cumulative impacts. Therefore, the Project's contribution to cumulative impacts is not considered to be "cumulatively considerable."

#### 4.16.7 Significant Unavoidable Impacts

No significant unavoidable impacts have been identified.

#### 4.16.8 References

California Energy Commission. 2023. *Electricity Consumption by County*. Available at <https://ecdms.energy.ca.gov/elecbycounty.aspx> (accessed January 2024).

CalRecycle. 2023. *Jurisdiction Review Reports*. <https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/ReviewReports> (accessed January 2024).

City of Pico Rivera. 2023. *Chapter 13.70 Water Conservation and Water Supply Shortage Program*. Available at: [https://library.qcode.us/lib/pico\\_rivera\\_ca/pub/municipal\\_code/item/title\\_13-division\\_iv-chapter\\_13\\_70?view=all](https://library.qcode.us/lib/pico_rivera_ca/pub/municipal_code/item/title_13-division_iv-chapter_13_70?view=all) (accessed December 2024).

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Southern California Edison. 2022. *Southern California Edison Power Site Search Tool.*

<https://www.arcgis.com/apps/webappviewer/index.html?id=05a84ec9d19f43ac93b451939c330888> (accessed September 2023).

## 5.0 OTHER CEQA CONSIDERATIONS

This section of the Draft Program Environmental Impact Report (EIR) provides a discussion of additional CEQA impact considerations, including Significant Irreversible Environmental Changes and Growth-inducing Impacts.

### 5.1 CEQA Requirements

State CEQA Guidelines Section 15126.2(c) and (d), and Section 15128 discusses requirements for additional analysis of potentially significant environmental impacts due to the implementation of a project. The requirements of CEQA Guidelines Section 15126.2(a) and (b) are met in this EIR. The requirements pursuant to Section 15126.2(a) and (b) include a discussion of any identified significant effects resulting from a project including which resources would be affected, and the level of significance they would be affected. Growth inducing impacts are also analyzed to assess the ways that a project could potentially induce growth both in the economy and the population. CEQA Guidelines Appendix G provides impact thresholds for the analysis of mandatory findings of significance for a project. These State CEQA Guidelines would be applied to the Project to consider the potential impacts of future development facilitated by the Project in order to create an extensive analysis of potential effects within the City and surrounding environment.

### 5.2 Significant and Unavoidable Impacts

CEQA Guidelines Section 15162(b) requires an EIR to discuss the significant environmental effects of a proposed project that cannot be avoided if the proposed project is implemented, including those which can be mitigated, but not reduced to a less-than-significant level. These impacts are referred to as “significant and unavoidable impacts” of the project. More information on these impacts and applicable mitigation measures is found in **Section 4.2: Air Quality** and **Section 4.7: Greenhouse Gas Emissions** of this Draft EIR.

### 5.3 Significant and Irreversible Environmental Changes

CEQA Guidelines Section 15126.2(d) requires a discussion of any significant irreversible environmental changes that would be caused by a proposed project. Generally, the section states that a project would result in significant irreversible environmental changes, if the following occurs:

- The project would involve a large commitment of nonrenewable resources in a way that would make their nonuse or removal unlikely;
- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; and
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

Following is a more in-depth discussion of how the Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBTODSP”) relates to each factor in the required analysis of irreversible environmental damages.

**Would the project involve a large commitment of nonrenewable resources in a way that would make their nonuse or removal unlikely?**

The EIR evaluates future development of residential and non-residential development facilitated by the Project within the WBTODSP area.

Any future development facilitated by the Project would be subject to all applicable regulatory framework including the City’s discretionary environmental review and approval process as required by State CEQA Guidelines to identify any potential environmental impacts and determine mitigation measures that would best reduce or remove those potential environmental impacts. Future development facilitated by the Project would not be concurrent (based on market conditions) and would consume limited, slowly renewable and non-renewable resources. This consumption is anticipated to occur during each individual development’s construction phase and would continue throughout its operational lifetime. Generally, any future development would include (1) building materials; (2) fuel and operational materials/resources; and (3) the transportation of goods and persons to/from individual development sites. Construction would require the temporary commitment of construction supplies that include lumber and other forest products; aggregate materials used in concrete and asphalt; metals; and water. Fossil fuels and petroleum-based fuels such as gasoline, diesel, and oil would also be consumed to power construction vehicles and equipment. These construction supplies are considered to be non-renewable, or which may renew so slowly as to be considered non-renewable.

The resources that would be committed during future Project development operations are anticipated to be consumed within the City. These energy resources such as electricity, natural gas, petroleum-based fuels, and water. Fossil fuels and petroleum-based fuels would represent the primary energy source associated with both the short-term construction and long-term operations of each individual future development. Thus, existing supplies of these natural resources would be incrementally reduced.

As further discussed in **Section 4.5, Energy**, operations of the Project could potentially use approximately 2.1 GWh of electricity; 14,213 therms of natural gas; 499,561 gallons of gasoline; and 199,539 gallons of diesel annually. Accordingly, usage of these resources during future Project development operations would occur in accordance with applicable federal, state, regional, and local regulatory framework concerning energy. This includes, but is not limited to adherence with latest California Code of Regulations (CCR) Title 24 (approved at the time of construction), which sets forth conservation practices that would limit energy consumption and. This includes but is not limited to the latest California Green Building Standards Code (CCR Title 24, Part 11 code) commonly referred to as the CALGreen Code which require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. California’s Energy Efficiency Standards for Residential and Non-Residential Buildings which contain uniform building codes to reduce California’s energy use and provide energy efficiency standards for residential and non-residential buildings. Furthermore, Pico Rivera

Innovative Municipal Energy (PRIME), the electricity provider for the City, offers three options for consumers who opt into the program which provides consumers a standard energy product of 50 percent renewable energy from various renewable sources; PRIME Future, which offers 100 percent renewable energy; or PRIME Partner which offers consumers the option to install an on-site solar, wind, or other self-generation system to provide electricity needs. Although consumers have the ability to opt out of PRIME and elect SCE as their sole electricity service provider, about 94 percent of consumers within the City have chosen to utilize PRIME as their sole electricity provider. Nonetheless, energy requirements would represent a long-term commitment of essentially non-renewable resources, but the use of those non-renewable resources would be efficient. Refer to **Section 4.5, Energy** for further information.

Future development facilitated by the Project could include the temporary and/or long-term use or storage of limited amounts of potentially hazardous materials consistent with construction activity and land uses. These materials during construction would be temporary and would be used, handled, stored, and disposed of in accordance with the manufacturer's instructions and applicable Federal, State, and local regulatory framework. Similarly, these materials used during operations of future development would be used in small quantities and would be used, handled, stored, and disposed of in accordance with the manufacturer's instructions and all applicable regulatory framework. Compliance with all applicable regulations and standards would ensure the protection of significant and irreversible environmental changes from the release of hazardous materials.

Overall, future development facilitated by the Project would result in the irretrievable commitment of non-renewable resources, which would limit the availability of these resources in the foreseeable future for future generations and other uses during the lifespan of individual developments within the City. However, development of future residential, commercial, and industrial uses facilitated by the Project would not occur concurrently (based on market conditions) and non-renewable resources would be used on a relatively small scale in a regional context. Although future development facilitated by the Project would result in irreversible environmental changes to the commitment of non-renewable resources, the anticipated changes would not be considered significant.

#### **Would the primary and secondary impacts generally commit future generations to similar uses?**

The Project includes the creation of the new Washington Boulevard Transit-Oriented Development Specific Plan to allow for greater development potential. The Project would guide approval decisions related to future development consistent with the updated WBTODSP. The Project does not directly commit future generations to similar uses since the purpose of the Project is to provide the Washington Boulevard Transit-Oriented Development Specific Plan which would provide future generations with alternative land uses. Since development needs can change over the course of the planning period, future generations would be able to reassess development needs in the City and make changes accordingly in years to come. Thus, the primary and secondary impacts of this Project would not commit future generations to similar uses.

**Would the Project involve uses in which irreversible damage could result from any potential environmental accidents associated with the project?**

The Project would help facilitate future residential, industrial, and commercial development within the Washington Boulevard Transit-Oriented Development Specific Plan area.

Accidental exposure of hazardous materials to the public or environment can occur through transportation accidents; unregulated or unsound disposal methods; improper handling of hazardous material or wastes; emergencies such as explosions; and natural caused occurrences such as flooding or wildfires. The severity of these impacts varies by concentration, types of hazards and hazardous materials, proximity to other sensitive receptors, and activity type. Therefore, all future development facilitated by the Project is required to comply with Federal, State, and local health and safety requirements designed to minimize potentially significant impacts from the accidental release of hazardous materials or waste. These regulations would apply for development construction and operations phases. Furthermore, the potential hazardous materials associated with residential and commercial uses (e.g., cleaners, paints, solvents, and fertilizers, and herbicides) would not be stored or used in a way that would create a reasonably foreseeable upset or accident.

**Would the proposed consumption of resources be justified (e.g., the project involves the wasteful use of energy)?**

In accordance with Public Resources Code (PRC) Section 21100(b)(3) and State CEQA Guidelines Section 15126.4, EIRs are required to analyze, where relevant, the consumption of resources and whether the Project would result in the wasteful, inefficient, and unnecessary consumption of energy. Thus, **Section 4.5: Energy**, of this Draft EIR evaluated the future potential energy use associated with the development of future residential, commercial, and industrial uses. The analysis concludes that future development facilitated by the Project would not result in a wasteful or inefficient use of energy resources during construction due to construction practice requirements, which would increase fuel-energy conservation above typical standards.

## 5.4 Growth Inducing Impacts

CEQA Guidelines Section 15126.2(e) requires that EIRs include a discussion of ways in which a proposed project could induce growth. The CEQA Guidelines identify a project as “growth-inducing” if it fosters economic or population growth or if it encourages the construction of additional housing either directly or indirectly in the surrounding environment. New employees from commercial or industrial development and new population from residential development represent direct forms of growth. These direct forms of growth have secondary effect of expanding the size of local markets and inducing additional economic activity in the area. The Project would therefore have a growth-inducing impact if it would:

- Directly or indirectly foster economic or population growth, or the construction of additional housing;
- Remove obstacles to population growth;
- Require the construction of new or expanded facilities that could cause significant environmental effects; or

- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

According to State CEQA Guidelines, an EIR is required to “discuss the ways” that a project could be growth-inducing and to “discuss the characteristics of some projects that may encourage... activities that could significantly affect the environment.” Should the Project meet any one of the above-listed criteria, it may be considered growth-inducing. The potential growth-inducing impacts of the Project are evaluated against these four criteria in this section. Section 15126.2(e) states that: “It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.”

The following analyzes the Project’s potential growth-inducing impacts for the criteria outlined above, in accordance with State CEQA Guidelines Section 15126.2(d). Potential growth-inducing effects are examined through analysis of the following questions:

**Would the Project directly or indirectly foster economic or population growth, or the construction of additional housing? YES**

***Population and Housing Growth***

Population and housing growth in the City has been anticipated as part of the City of Pico Rivera General Plan (Pico Rivera General Plan) and SCAG’s Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), commonly referred to as the Connect SoCal. This Project would be completed as a result of the City’s adopted Housing Element Update, which contained goals intended to grow housing stock within the City in order to meet the City’s RHNA allocation.

The Project would indirectly foster population growth due to the maximum development of up to 2,336 DUs within the City. Utilizing the City’s and County of Los Angeles’ (County) 3.52 person per average household size, respectively, this would equate to 8,222 additional residents. As such, at Project buildout, the City would induce 2,224 people and 1,693 DU over the anticipated Southern California Association of Government (SCAG) growth forecast for the City by 2050. The Project would facilitate future development of residential and non-residential uses within the Project site. The 2,336 DUs are a cap on the total number of residential units that could be developed within the WBTODSP area. The actual number of DUs constructed may be lower, would be built over multiple stages, and dependent on the market conditions, tenant needs, and other factors. Additionally, approval of the Project would help surpass the City’s RHNA goal by 1,312 and help with the County’s RHNA goal of 812,060 DUs. Furthermore, as shown in **Table 4.12-5**, the City and County have a jobs to housing ratio of 1.61 and 1.3, respectively which indicate that both the City and County are “jobs-rich” and require additional housing to achieve healthier balanced jobs-housing ratios which approval of the Project would provide. Lastly, the Project’s population and housing growth is well within the SCAG’s population and housing growth forecast estimates for the County. Therefore, the Project would foster population growth due to housing, but not in manner that is considered significant, given the positive effects of a TOD-focused Specific Plan.

***Employment Growth***

The Project would facilitate the potential development for up to 5,889,747.60 square feet SF of commercial, retail, office, and public facilities uses which could generate employment growth in the City and County. The City’s existing employment of 28,300 already surpasses SCAG’s forecasted employment



of 25,500 by 2050. Although the Project would further generate employment, passing SCAG's forecasted employment for the City, the forecasted increase would be well within the County's forecasted employment of 5,461,000 by 2050. Furthermore, permanent employment opportunities are expected to be filled by the local area and surrounding region due to the City's and County's significant unemployment rate of 6.4 percent and six percent, respectively.

The specific number of project-generated employees would be determined on a project-per-project basis. Each specific development in the Project area would be subject to project-level discretionary review and approval to determine impacts concerning population growth-inducing impacts. Additionally, buildout of the Project would be subject to compliance with all state, regional, and local requirements for minimizing growth-related impacts. Therefore, the Project would foster population growth due to employment, but not in manner that is considered significant, given the positive benefits of a TOD-focused Specific Plan.

**Would the Project remove obstacles to population growth? NO**

The existing Project site contains multi-family residential, general commercial, and office and light industrial development; and circulation and utility infrastructure. As discussed above, the Project would facilitate the future maximum development of up to 2,336 DUs and up to 5,889,747.60 square feet SF of commercial, retail, office, and public facilities uses which would indirectly foster economic and population growth.

Project would be subject to all applicable City and State policies and requirements and would need to conduct adequate environmental review as well as comply with adopted programs and policies.

**Would the Project require the construction of new or expanded facilities that could cause significant environmental effects? NO**

None of the future development facilitated by the Project would require additional or expanded public services or utilities/service systems that would have significant environmental effects (refer to **Section 4.13: Public Services**, and **Section 4.16: Utilities and Service Systems**). The City is currently served by essential public services, i.e., fire and police protection, parks and recreational facilities, schools, and solid waste disposal), an extensive network of utility/service systems (i.e., water, wastewater, electricity, and natural gas), and other infrastructure necessary to accommodate/allow the existing conditions and planned growth. According to **Section 4.13: Public Services**, implementation of the Project may slightly increase the demand for public service facilities, but the increase would not be considered significant. According to **Section 4.16: Utilities and Service Systems**, future development would utilize the existing utility service systems/infrastructure present throughout the City and would not require expansion or additional construction of water or wastewater treatment facilities, stormwater infrastructure, or dry utilities, other than that which is typical of urban infill development. Although the future development facilitated by the Project may increase demand for public services and utility service systems, the increased demand is planned and would not significantly impair any existing or future levels of services. Therefore, Project implementation would not require the construction of new or expanded facilities that could cause significant environmental effects.

## **Would the Project encourage or facilitate other activities that could significantly affect the environment, either individually or cumulatively?**

Refer to **Section 4.1** through **Section 4.16** of this EIR.

## **5.5 Mandatory Findings of Significance**

CEQA requires preparation of an EIR when certain specified impacts may result from construction or implementation of a project. Accordingly, this Draft Program EIR was prepared for the Project which fully addresses all of the Mandatory Findings of Significance, as described below.

### **Degradation of the Environment**

Section 15065(a)(1)-(4) of the CEQA Guidelines requires a finding of significance if a project “has the potential to substantially degrade the quality of the environment.” In practice, this is the same standard as a significant effect on the environment, which is defined in Section 15382 of the CEQA Guidelines as “a substantial or potentially adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.”

This Draft Program EIR addresses and discloses all known potential environmental effects associated with the future development of residential and nonresidential uses facilitated by the Project both on- and off-site including direct, indirect, and cumulative impacts in the following resource areas:

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

A summary of all potential environmental impacts, level of significance and mitigation measures is provided in **Section 1.0, Executive Summary**.

### **Impacts on Habitat or Species**

Section 15065(a)(1) of the CEQA Guidelines states that “A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur: (1) substantially degrade the quality of the environment; (2) substantially reduce the habitat of a fish or wildlife species; (3) cause a fish or wildlife population to drop below self-sustaining levels; (4) threaten to eliminate a plant or animal community; (4) substantially reduce the number or restrict the range of an

endangered, rare or threatened species; (5) or eliminate important examples of the major periods of California history or prehistory.” The Project would have significant impacts to biological resources.

**Section 4.3, Biological Resources**, of this Draft Program EIR fully addresses any impacts concerning the reduction of fish or wildlife habitat or populations and the reduction of special status species as a result of Project implementation. With implementation of **MM BIO-1**, the future development facilitated by the Project would reduce impacts to potentially occurring nesting birds would be reduced to less than significant levels. Additionally, future development projects would be subject to independent, Project-level CEQA review as part of the City’s development review process and would comply with all applicable federal, state, and local statutes and regulations and, if applicable, implement additional mitigation to reduce impacts to habitats or special status species.

### Short-term vs. Long Term Goals

Section 15065(a)(2) of the CEQA Guidelines states that “A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur: the project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.” **Section 5.3, Significant and Irreversible Environmental Changes**, above addresses the short-term and irretrievable commitment of natural resources to ensure that the consumption is justified on a long-term basis. In addition, **Section 5.4, Growth-Inducing Impacts** above, identifies any long-term environmental impacts associated with economic and population growth that are associated with the Project. Lastly, **Section 4.2, Air Quality** and **Section 4.7, Greenhouse Gas Emissions**, identifies all significant and unavoidable impacts that could occur that would result in a long-term impact on the environment.

### Cumulatively Considerable Impacts

Section 15065(a)(3) of the CEQA Guidelines states that “A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur: the project has potential environmental effects that are individually limited but cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” This Draft Program EIR provides a cumulative impact analysis for those thresholds that result in a less than significant impact, a potentially significant impact unless mitigated, or a significant and unavoidable impact. Cumulative impacts are addressed for each of the environmental topics listed above and are provided in **Sections 4.1 through 4.16** of this Draft Program EIR.

### Substantial Adverse Effects on Human Beings

As required by Section 15065(a)(4) of the CEQA Guidelines, “A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may

occur: the environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.” Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This standard relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could directly or indirectly affect human beings would be possible in all of the CEQA issue areas previously listed, those that could directly affect human beings include aesthetics, air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, land use and planning, public services and utilities, transportation/traffic, water resources, wildfire hazards, and climate change, all of which are addressed in the appropriate sections of this EIR; refer to **Table of Contents** for specific section numbers.

Future development facilitated by the Project has the potential to create impacts that could cause adverse effects on human beings. The majority of these effects are created during the construction phase of the Project and would be temporary in nature and would mostly occur over the relatively short-term construction phase of the future development projects. Direct impacts to humans during the construction phase as well as effects associated with operation of the Project site would be less than significant or would be mitigated to less than significant levels with the exception of air quality and greenhouse gas emissions. Mitigation measures created for the potential impacts of the Project are detailed in **Sections 4.1 through 4.16** of this Draft Program EIR. Most operational impacts foreseen for the Project would be mitigated to a level of less than significant, with the exception of air quality and greenhouse gases despite the implementation of mitigation measures, and compliance with relevant federal, state, regional and local regulations. Refer to **Section 5.1** above and **Sections 4.2, Air Quality** and **Section 4.7, Greenhouse Gas Emissions** of this Draft Program EIR for further discussion.

## 6.0 ALTERNATIVES

The following section evaluates the alternatives to the Washington Boulevard Transit-Oriented Development Specific Plan (“WBTODSP” or “Project”).

### 6.1 Introduction

The California Environmental Quality Act (CEQA) requires an Environmental Impact Report (EIR) to “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” (CEQA Guidelines Section 15126.6[a]). The CEQA Guidelines require that the EIR include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative must be discussed, but these effects may be discussed in less detail than the significant effects of the project as proposed (CEQA Guidelines Section 15126.6[d]). The EIR is not required to consider every conceivable alternative to a project but is guided by a rule of reason. An EIR is also not required to consider alternatives which are infeasible. CEQA Guidelines Section 15126.6(d) states that the EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. Key provisions of the State CEQA Guidelines on alternatives (CEQA Guidelines Section 15126.6[a] through [f]) are summarized below to explain the foundation and legal requirements for the alternative’s analysis in this Draft EIR.

- “The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly” (Section 15126.6[b]).
- “The specific alternative of ‘no project’ shall also be evaluated along with its impact” (Section 15126.6[e]). “The no project analysis shall discuss the existing conditions at the time the Notice of Preparation (NOP) is published or if no NOP is published, at the time the environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives” (Section 15126.6[e][2]).
- “The range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project” (Section 15126.6(f)).
- “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 (or the site is already owned by the proponent)” (Section 15126.6(f)(1)).

- For alternative locations, “only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR” (Section 15126.6(f)(2)(A)).
- “An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative” (Section 15126.6(f)(3)).

## 6.2 Range of Alternatives

The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting these alternatives. This section describes three alternatives to the Project. These alternatives include the No Project/No Build Alternative, No Project/Existing Land Use Designation Alternative, and the Reduced Intensity Alternative. The alternatives are discussed in more detail below.

### **Alternative No. 1:**      *No Project/No Build Alternative*

The No Project/No Build Alternative allows decision-makers the ability to compare the impacts of approving the Project with impacts of not approving the Project by leaving the Project site in its existing condition with the existing development. Under this alternative the Project site would remain as is.

### **Alternative No. 2:**      *No Project/Existing Land Use Designation Development Alternative*

The No Project/Existing Land Use Designation Alternative allows decision-makers the ability to compare impacts of approving the Project with impacts of not approving the Project by allowing future development to continue under the existing land use designations. Under this alternative, the existing Project site would continue to be developed with associated land use designations.

### **Alternative No. 3:**      *Reduced Intensity Alternative*

This alternative assumes a general 15 percent reduction in overall square footage of buildings.

Alternatives were developed based on the following: information provided by the Lead Agency and input received from comments on the NOP. Among the factors that may be taken into account when addressing the feasibility of alternatives, as described in Section 15126.6(f)(1) of the CEQA Guidelines, are environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, regulatory limitations, jurisdictional boundaries, and whether the Project proponent could reasonably acquire, control, or otherwise have access to an alternative site.

As discussed above, one of the main purposes of the range of alternatives is to discuss different projects that are capable of avoiding or substantially lessening significant effects, especially effects that are found to be significant and unavoidable. In the case of the Project, significant and unavoidable impacts were



identified with respect to air quality and greenhouse gas (GHG) emissions. With regard to air quality, the Project would result in a significant and unavoidable impact related to implementation of an air quality plan and net increase of criteria pollutants associated with construction and operation of future developments. GHG emissions thresholds have the potential to be exceeded.

Lastly, an EIR need not consider an alternative whose effects could not be reasonably identified, whose implementation is remote or speculative, and that would not achieve the basic Project objectives. The alternatives that were selected for additional consideration were chosen in accordance with the above listed CEQA Guidelines, represent a reasonable range of alternatives, are feasible, and will encourage discussion in a manner to foster meaningful public participation and informed decision making.

### 6.3 Project Objectives

As discussed above, one of the evaluation criteria for the alternative discussion is the ability of a specific alternative to attain most of the basic Project objectives. The basic Project objectives are listed in **Section 3.0: Project Description** and are as follows:

- Objective 1: Transit Supportive Development
- Objective 2: Vibrant, Mixed-Use, Multimodal Environment
- Objective 3: Enhanced Connectivity
- Objective 4: Preserve Community/Character/Culture/Heritage
- Objective 5: Creative Funding/Financing Options
- Objective 6: Increased Economic Development Opportunity
- Objective 7: Sustainable Design and Development

### 6.4 Criteria for Selecting Alternatives

Per Section 15126.6 (b) of the State CEQA Guidelines, the discussion of alternatives shall focus on alternatives to a project, or its location that are capable of avoiding or substantially lessening significant impacts of a project, even if the alternatives would impede to some degree the attainment of the project objectives or would be more costly. This alternative's analysis therefore focuses on Project alternatives that could avoid or substantially lessen environmental impacts of the Project related to the environmental categories listed in Appendix G of the State CEQA Guidelines while meeting the Project's objectives; refer to **Table 6-1: Project Objective Consistency Analysis**.

**Table 6-1: Project Objective Consistency Analysis**

Project Objectives	Alternative No. 1 No Project/No Build	Alternative No. 2 No Project/Existing Land Use Designation Development	Alternative No. 3 Reduced Intensity
	Consistent?	Consistent?	Consistent?
1. Transit Supportive Development	No	Yes	Yes
2. Vibrant, Mixed-Use, Multimodal Environment.	No	Yes	Yes
3. Enhanced Connectivity.	No	Yes	Yes
4. Preserve Community/Character/Culture/Heritage.	No	Yes	Yes
5. Creative Funding/Financing Options.	No	No	Yes
6. Increased Economic Development Opportunity.	No	No	Yes
7. Sustainable Design and Development.	No	No	Yes

## 6.5 Alternatives Removed from Further Consideration

CEQA Guidelines Section 15126.6(c) states that an EIR should identify any alternatives that were considered by the lead agency but rejected because the alternative would be infeasible, fail to meet most of the basic project objectives, or unable to avoid significant environmental impacts. Further, an EIR may consider an alternative location for the proposed project but is only required to do so if the significant project effects would be avoided or substantially lessened by moving the project to another site and if the project proponent can reasonably acquire, control, or otherwise have access to the alternative site.

In developing the Project and alternatives, consideration was given to the density of development that could meet Project objectives and reduce significant impacts. The anticipated significant impacts would result from the intensity of the development proposed. In developing a reasonable range of alternatives, an alternative site alternative was considered but removed from consideration for a variety of reasons. These alternatives and the reasons are discussed briefly below:

### Alternative Site Alternative

The analysis of alternatives to the proposed Project must also address “whether any of the significant effects of the Project would be avoided or substantially lessened by putting the Project in another location” (CEQA Guidelines, Section 15126.6[f][2][A]). Only those locations that would avoid or substantially lessen any of the significant effects of the Project need be considered. If no feasible alternative locations exist, the agency must disclose the reasons for this conclusion (CEQA Section 15126.6[f][2][B]). In this case, while it is feasible that an alternative site could be selected for the Project, an alternative site would entail either the same or new significant environmental effects as the Project site. For example, development of the proposed Project on any suitable alternative site in or around the City may not avoid or substantially lessen the proposed Project’s impacts. This generally applies to impacts such as air quality impacts, greenhouse gas emissions, or transportation impacts that occur over a wider area than generally site-specific impacts such as those like aesthetic or biological resources. Additionally, impacts like these could be greater if the alternative site is located further away from a major transportation corridor or in areas with existing unacceptable traffic levels. Moreover, an alternative site

could result in increased impacts on aesthetics and utilities due to increased service capacity and incongruous development, than a site, such as the Project site that is surrounded by existing development.

Furthermore, viable alternative locations for the Project are limited to those that would feasibly attain most of the Project objectives. There are no other lots appropriately located and sufficient sized and owned by the Project applicant in the City and near a major transportation corridor that would satisfy the Project objectives and eliminate or reduce impacts from the Project. The Project is proposed to be located near a major transportation route near Interstate 5 (I-5) and Interstate 605 (I-605) near the Project site.

## 6.6 Alternatives to the Proposed Project

The three analyzed alternatives present a reasonable range of alternatives to the Project. The analysis in this section focuses on significant and unavoidable impacts attributable to each Alternative and the ability of each Alternative to meet basic Project objectives.

### **Alternative No. 1: No Project/No Build Alternative**

The No Project/No Build Alternative allows decision-makers the ability to compare the impacts of approving the Project with impacts of not approving the Project by leaving the Project site in its existing condition with the existing development. Under this alternative the Project site would remain as is.

### **Alternative No. 2: No Project/Existing Land Use Designation Alternative**

The No Project/Existing Land Use Designation Alternative allows decision-makers the ability to compare impacts of approving the Project with impacts of not approving the Project by allowing future development to continue under the existing land use designations. Under this alternative, the existing Project site would continue to be developed with associated land use designations.

### **Alternative No. 3: Reduced Intensity Alternative**

This alternative assumes a general 15 percent reduction in overall square feet of buildings.

## 6.7 Comparison of Project Alternatives

Pursuant to CEQA Guidelines Section 15126.6(d), additional significant effects of the alternatives are discussed in less detail than the significant effects of the Project as proposed. The analyses below describe each alternative, analyzes the impacts of the alternative as compared to the Project, identifies significant impacts of the Project that would be avoided or lessened by the alternative, assesses the alternative's ability to meet most of the Project objectives, and evaluates the comparative merits of the alternative and the Project.

The following sections provide a comparison of the environmental impacts associated with each of the Project alternatives, as well as an evaluation of each Project alternative's ability to meet the Project objectives.

## **Alternative No. 1: No Project/No Build Alternative**

State CEQA Guidelines Section 15126.6, requires an evaluation of the “No Project” alternative for decision-makers to compare the impacts of approving a project with the impacts of not approving it. Alternative No. 1: No Project Alternative (Alternative No. 1) assumes that the Project site would not be redeveloped, which means there would be no future multi-family residential, mixed-use, commercial, light industrial, and landscape improvements, or surface lot improvements developed on the Project site or off-site.

Although this alternative assumes “No Development” (as required by CEQA), this is considered a speculative assumption as each Project site parcel are assumed to remain in private ownership and eventual development could occur.

### **Alternative No. 1 Impact Comparison to the Project**

Alternative No. 1 would avoid all potential significant impacts that could occur from Project construction and operation as, by definition, it assumes that no development would occur and therefore no grading, construction or operational traffic and related impacts such as air quality and GHG emissions would occur. The lack of significant impacts associated with Alternative No. 1 would also remove the significant and unavoidable impacts associated with proposed Project implementation. Significant and unavoidable impacts associated with development of the proposed Project were identified in the air quality and GHG emissions environmental analyses.

### ***Aesthetics***

Under Alternative No. 1, the Project site would remain in its current fully developed condition without any further development. As such, Alternative No. 1 would continue to not affect scenic vistas, state scenic highways, or other scenic resources. Additionally, Alternative No. 1 would not modify the existing visual character or quality of the site and no new sources of substantial light or glare would be introduced or created that do not currently exist. Therefore, Alternative No. 1 would be environmentally superior to the Project regarding aesthetic impacts.

### ***Air Quality***

Alternative No. 1 would result in no construction or operational emissions from the Project as it would not be developed and would presumably continue the existing uses in the Project site. The continued use of the Project site in its current state would lead to no change in anticipated emissions and would therefore remain at the current level of emissions generated. Overall air quality impacts would be reduced, and the significant and unavoidable construction and operational related emissions that could result from development of the Project would be avoided.

Alternative No. 1 would be environmentally superior to the Project regarding air quality impacts, as no increase in construction and traffic would occur and as such no impacts in air quality would occur from Alternative No. 1.

### ***Biological Resources***

Under Alternative No. 1, no ground disturbance activities would occur and thus, potential impacts to sensitive wildlife species, migratory species and nesting birds, and wetlands and riparian areas that are

present on the Project site would not occur. Therefore, Alternative No. 1 would avoid all on and off-site disturbances and impacts to biological resources. Accordingly, Alternative No. 1 would be environmentally superior compared to the Project.

### ***Cultural Resources***

Under Alternative No. 1, the Project site would see no development, as such, Alternative No. 1 would be environmentally superior to the Project regarding cultural resource impacts, as no site disturbance would occur and as such no impacts to cultural resources could occur.

### ***Energy***

Under Alternative No. 1, the proposed Project would not be implemented, and future development projects would not be developed. The Project site is currently developed with residential, commercial, industrial uses. The redevelopment of the Project site would not occur under Alternative No. 1, and as such, would not require or consume any additional energy in comparison to the proposed Project. Therefore, when compared to the proposed Project, no additional or increased energy impacts associated with Alternative No. 1 would occur.

Alternative No. 1 would be environmentally superior to the Project regarding energy impacts, as no increase in energy consumption would occur compared to existing conditions.

### ***Geology and Soils***

Alternative No. 1 assumes no changes to the existing conditions of the Project site would occur. Therefore, no new construction activities, including but not limited to demolition, grading and ground disturbing activities, would occur under Alternative No. 1. As such, structures that currently exist onsite would not be modified and no soils disruptions would occur. Additionally, this alternative would not result in impacts to paleontological resources.

Therefore, Alternative No. 1 would be environmentally superior to the Project.

### ***Greenhouse Gases***

Under Alternative No. 1, no construction or operational GHG emissions would occur since no changes in land use would occur within the WBTODSP area. More specifically, no significant and unavoidable impacts associated with the Project would occur.

Alternative No. 1 would be environmentally superior to the Project regarding GHG emissions since an increase in GHG emissions would not occur.

### ***Hazards and Hazardous Materials***

Under Alternative No. 1, the site would continue to remain in its current, fully developed state, without any further development. As such, Alternative No. 1 would not result in a significant and unavoidable impacts from hazards or hazardous materials. Alternative No. 1 would be environmentally superior to the Project alternative regarding hazards and hazardous materials since no demolition, construction, or otherwise development associated with the proposed Project would occur which could exacerbate hazards and hazardous materials.

### ***Hydrology and Water Quality***

Under Alternative No. 1, the Project site would remain in its current, fully developed, condition without any further development. As such, Alternative No. 1 would not generate any changes to the WBTODSP and thus, no changes would occur to the existing hydrological features, water quality standards, groundwater supplies, or release the risk of pollutants in flood hazard, tsunami, seiche zones, under Alternative No. 1. Therefore, Alternative No. 1 would be environmentally superior to the Project regarding hydrology and water quality.

### ***Land Use and Planning***

Under Alternative No. 1 the City's zoning designations for the Project site would remain unchanged. The City's Zoning Code Map shows that the existing zoning designation for the Project site is General Industrial (I-G), Specific Plan (SP-400 and SP-301), General Commercial (C-G), Community Commercial (C-C), Multiple-Family Residential (R-M), and Public Facilities (P-F). Although different land uses, neither Alternative No. 1 or the Project would physically divide an established neighborhood associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access. Additionally, the Project would not result in an increase of building density currently allowed in the Project area.

Therefore, the Alternative No. 1 would result in an environmentally equivalent impact compared to the Project.

### ***Noise***

Under Alternative No. 1, on-site noise levels would continue consistent with existing conditions considering that no further developments would occur within the Project site. No additional noise or vibration sources would be introduced related to the Project Alternative No. 1 would be environmentally superior to the Project regarding noise and vibration.

### ***Population and Housing***

Under Alternative 1, the Project site is assumed to remain in its existing condition without any additional development occurring onsite. A such, no changes in population and housing are anticipated under Alternative No. 1. The Project would indirectly induce population and economic growth in support of a healthier jobs-housing balance, and help the City reach it's RHNA Allocation goal. This would not be experienced under Alternative No. 1.

Therefore, Alternative 1 is anticipated to be the environmentally inferior to the Project.

### ***Public Services***

Alternative No. 1 would not increase the demand for public facilities, compared to the Project. However, no development impact fees would be collected under the Alternative No. 1. Thus, Alternative No. 1 would not stimulate the growth of public services within the City. Therefore, the Alternative No. 1 would be environmentally equivalent to the Project.



### ***Transportation***

The Project would have a less than significant impact on transportation, specifically as it relates to a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Additionally, the Project would not have an impact or conflict with CEQA Guidelines Section 15064.3. Because of the anticipated change in land uses of the WBTODSP, future development projects consistent with the SBTODSP would reduce traffic, rather than increase it because the existing land use mix is a higher traffic generator than the proposed land use mix.

Alternative No. 1 would not increase traffic or VMT compared to existing conditions because no development is anticipated to occur compared to existing conditions. As such, Alternative No. 1 would be environmentally superior to the Project regarding transportation impacts.

### ***Tribal Cultural Resources***

Alternative No. 1 would avoid disturbances on the Project site and eliminate impacts to unearched tribal cultural resources. Thus, there would be no potential for impacting tribal cultural resources since no ground disturbing activities would occur. Therefore, impacts under this alternative would be reduced compared to the Project.

Therefore, Alternative 1 is anticipated to be the superior alternative compared to the Project.

### ***Utilities and Service Systems***

Development of the Project site under the WBTODSP Project was determined to have no significant or unavoidable impact to utilities and service systems. Future development of the Project site would not 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 such that such relocation or construction activities would cause significant environmental effects. Additionally, future development Projects would have sufficient water supplies available to serve project-specific needs and any reasonably foreseeable future development during normal, dry, and multiple dry years because the general plan assumes development to occur that is consistent with the WBTODSP. Future solid waste generated is not anticipated to exceed state or local standards or in excess of the capacity of local infrastructure, and the future development would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Under Alternative No. 1, the site would remain in its current, fully developed state without any further development. As such, Alternative No. 1 would not generate any changes compared to the existing conditions. Therefore, Alternative No. 1 is anticipated to be environmentally superior to the Project.

### ***Alternative No. 1 Summary***

Alternative No. 1 would not meet any of the Project objectives, as identified above as the Project site would remain in its existing condition. Under Alternative No. 1, the Project site would not provide the following: transit supportive improvements, vibrant mixed-use, multimodal environment, enhanced connectivity, increased economic development opportunities, or provide sustainable design and development opportunities.

## **Alternative No. 2: No Project/Existing Land Use Alternative**

The No Project/Existing Land Use Alternative (Alternative No. 2) assumes that the existing land uses and condition of the Project site at the time the NOP was published (September 21, 2023) would continue to exist without the Project, and future development of the Project site would continue to occur consistent with the existing land use designations and zoning districts. The setting of the Project site at the time the NOP was published is described as part of the existing conditions throughout Section 4 of this EIR with respect to individual environmental issues and forms the baseline of the impact assessment of the Project. Alternative No. 2 assumes the Project would not be implemented, and that maximum allowed development from the existing land use and zoning would be realized which could increase onsite densities, if existing parcels were to be maximized per existing land use and zoning. Additionally, changes to zoning standards or municipals codes that would change the intensity of the land use as proposed by the Project would not occur.

### **Alternative No. 2 Impact Comparison to the Project**

An evaluation of the potential environmental impacts of the No Project/Existing Land Use Alternative compared to the Project is provided below.

#### ***Aesthetics***

Under Alternative No. 2, the Project site could continue to be redeveloped under more intense building densities that is allowed under the existing land use designations and zoning districts. Future development would adhere to guidelines outlined in the current City of Pico Rivera General Plan (Pico Rivera General Plan) and City of Pico Rivera Municipal Code (PRMC) such that development would not adversely impact aesthetic resources. Although the overall project area would be built out in a similar manner as the Project, Alternative No. 2 could potentially have a bigger development footprint.

Therefore, Alternative No. 2 would be environmental inferior to the Project.

#### ***Air Quality***

As concluded in **Section 4.2, Air Quality**, future development facilitated by the Project would result in a significant and unavoidable impacts related to the implementation of an air quality plan and net increase of criteria pollutants associated with construction and operation of future development projects associate with the WBTODSP. Pursuant to Mitigation Measure (MM) AQ-1, future development projects would require further CEQA review of project-specific impacts prior to implementation, including analysis for consistency with the Air Quality Management Plan (AQMP). MM AQ-2 and MM AQ-3 would also be implemented to which requires applicable development projects to prepare a health risk assessment and prohibits residential and mixed-use developments from being constructed within 1,000 feet of the BNSF Pico Rivera Rail Yard, State Route 19 (SR-19)/Rosemead Boulevard, or existing industrial/warehouse properties unless a project specific health risk assessment is prepared and can show that health risks would be less than significant.

Under Alternative No. 2, the Project site would continue to operate in its current, developed state with the continued development of existing land uses under the existing zoning districts. However, Alternative No. 2 the site could be developed with increased onsite densities which could result in greater

construction and operational emissions. Since Alternative No. 2 could potentially result in greater air quality emissions due to increased density of residential and nonresidential uses, Alternative No. 2 is environmentally inferior to the Project.

### ***Biological Resources***

Future development projects under the proposed Project could generate impacts related to the disturbance of nesting birds through construction-related activities, therefore, future development project would be subject to the implementation of MM BIO-1 to conduct a nesting birds survey prior to construction activities. With implementation of MM BIO-1, a less than significant impact would occur. Additionally, due to the fully developed nature of the Project site, no other habitat exists onsite.

Alternative No. 2 would be an environmentally equivalent alternative compared to the Project regarding biological resources, as the same habitat, and wildlife species would be impacted by construction activities under Alternative No. 2.

### ***Cultural Resources***

The Project would result in less than significant impact to a historical resource with implementation of MMs CUL-1 through CUL-3 which would require that future development projects be subject to a cultural evaluation and formal recordation on Department of Parks and Recreation (DPR) 523 forms and evaluation for the CRHR eligibility to determine if any are significant under CEQA. Additionally, the Project would be subject to MM CUL-4 which would require that work is halted should inadvertent archaeological discoveries occur during grading/construction activities. Finally, development projects occurring under the Project would be subject MM CUL-5 which also requires that work is halted should inadvertent human remains be discovered during grading/construction activities.

Under Alternative 2, development of the Project site would be limited to development consistent with the existing land use and zoning which is anticipated to allow for potentially more intensive use of the Project site consistent with the existing land use and zoning but would be limited to new uses. Since the Project site is fully developed, the potential to impacts to unearthed archaeological resources is low. Similarly, impacts to historic resources is presumed unlikely to occur under Alternative No. 2.

Therefore, Alternative No. 2 would be environmentally equivalent to the Project regarding cultural resource impacts, as limited site disturbance would occur that could impact cultural resources.

### ***Energy***

Alternative No. 2 and the Project would require energy during both the construction and operational phases of the Project. However, Alternative No. 2 could require more energy resources during construction and operation activities due to the potential increase of density, compared to the Project. Alternative No. 2 future development would not contribute to potentially wasteful, inefficient, or unnecessary consumption of energy resources. Both Alternative No 2 and the Project would not conflict with existing state or local plans for renewable energy or energy efficiency because development would occur under the existing permitted land use and zoning.

Therefore, Alternative No. 2 would be environmental equivalent to the Project.

## ***Geology and Soils***

Alternative No. 2 and the Project would result in similar geology and soils impacts. Alternative No. 2 and the Project would be subject to regional seismicity and would be required to adhere to all applicable state and local design standards to withstand seismicity impacts. Both Alternative No. 2 and the Project would involve construction activities including, but not limited to, demolition and grading activities that would potentially result in soil erosion and the loss of topsoil. Similar to the Project, Alternative No. 2 would be required to implement MM GEO-1 to reduce the potential to impacts to paleontological resources to a less than significance level. Additionally, Alternative No. 2 would comply with the 2022 or latest California Building Code (CBC), City's ordinances, and the policies of the Pico Rivera GP, to ensure impacts related to geology and soils would be less than significant. As such, Alternative No. 2 would not contribute to any adverse seismic impacts, induce erosion, or use soil that would not adequately support the use of septic tanks or wastewater disposal systems. Additionally, development under Alternative No. 2 would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature.

Alternative No. 2 would be environmentally equivalent to the Project regarding geological, soils, and paleontological resources. The exposure of people to seismic, geologic, and soil hazards under this Alternative would be equivalent to the Project.

## ***Greenhouse Gas Emissions***

The Project's significant and unavoidable GHG impacts were associated with the exceedance of emissions thresholds in the operational phase of the Project regarding the generation of GHG emissions, would conflict with an applicable plan, policy or regulations, and would generate cumulative GHG emissions. Although MM GHG-1 is proposed to minimize the potential emissions impacts associated with Project implementation, impacts remain significant and unavoidable.

Under Alternative No. 2, the Project site could be developed with more intense densities. However, since emissions are unquantifiable, it is likely that development under both Project and Alternative No. 2 emissions could exceed maximum thresholds. Therefore, Alternative No. 2 would be environmentally equivalent to the Project.

## ***Hazards and Hazardous Materials***

Future development projects were determined to have the potential for public exposure to hazardous materials. Similar to the Project, Alternative would implement MMs HAZ-1 through HAZ-3 to ensure that construction activities adequately address any potential hazards associated with hazardous materials found at each site. Additionally, all development projects within the Project site would be required to submit a waste management plan, implement BMPs pursuant to NDPES permitting, and prohibit the storage of certain hazardous materials that may accidentally seep into the environment. The anticipated impacts from hazards and hazardous materials, resulting from implementation of the Project would be less than significant.

Accordingly, Alternative No. 2 would be environmentally equivalent to the Project.

### ***Hydrology and Water Quality***

No significant and unavoidable impacts were anticipated to occur for future development projects. However, future development projects on sites larger than 1 acre will be subject to the preparation of an NPDES from the SWRCB and prepare a SWPPP which would include BMPs to reduce water quality impacts, including various measures to control on-site erosion, reduce sediment flows into stormwater and wind erosion; reduce tracking of soil and debris into adjacent roadways and off-site areas; and manage wastes, materials, wastewater, liquids, hazardous materials, stockpiles, equipment, and other site conditions to prevent pollutants from entering the storm drain system. Additionally, future development of the Project site is not anticipated to conflict with implementation of a water quality control plan or sustainable groundwater management plan.

Under Alternative No. 2, the Project site would remain in its developed state but could increase to its maximum density, consistent with existing land use designations and zoning districts. For sites larger than 1 acre, these would be subject to standard requirements as previously noted, but not mitigation measures would be necessary. Alternative No. 2 would not conflict with implementation of a water quality control plan or sustainable groundwater management plan. Similar to the Project, Alternative No. 2 would be subject to the preparation of an NPDES from the SWRCB and prepare a SWPPP and WQMP which would include BMPs to reduce water quality impacts during construction and post-construction.

Therefore, Alternative No. 2 would be environmentally equivalent to the Project.

### ***Land Use and Planning***

The Project includes a General Plan Amendment (GPA), Zone Change (ZC), Specific Plan (SP) Adoption, and Municipal Code Amendment (MCA). Future development projects that are consistent with the approved land use and zoning are anticipated to not cause any impacts or incompatibility with the WBTODSP. Additionally, future development projects are not expected to replace residential dwellings. Rather, the WBTODSP would allow for additional residential dwellings development.

Under Alternative 2, existing land uses and zoning would not change, removing the need for a GPA and SP Adoption because any development is assumed to occur consistent with the existing General Plan land use designation and zoning district.

Therefore, Alternative 2 would be environmentally superior to the Project regarding land use and planning, since no land uses would be changed, and no land use entitlements would be required.

### ***Noise***

The proposed Project would require the implementation of **MM NOI-1** to reduce excess noise levels from construction machinery, demolition, site preparation, grading, and building construction, as well as operational noise, and vibration which would reduce impacts to a level of less than significant.

Alternative No. 2 would be environmentally equivalent to the Project regarding noise and vibration, because while the short-term construction-related and long-term operational vehicular noise level and vibration increases associated with Alternative No. 2, while potentially increased, would remain similar to the Project.

### ***Population and Housing***

Although the Project does not propose any specific development, the WBTODSP would allow for the development of up to 2,336 residential dwelling units and up to 5,889,747.60 SF of new non-residential (commercial, retail, office, public facilities, etc.) uses. Future development of the Project site would indirectly induce population, housing, and employment growth in the within City and County. Additionally, development under the Project would not displace existing housing or people.

Similarly, under Alternative 2, the Project site is anticipated to continue to develop consistent with the existing General Plan land use designation and zoning district, and thus, would not induce substantial unplanned population and would not displace a substantial number of existing people or housing. However, Alternative No. 2 would not induce population and economic growth in support of a healthier jobs-housing balance, or help the City reach its RHNA Allocation goal.

Although Alternative No. 2 and the Project would cause less than significant impacts, the Project is environmentally inferior to the Project because it better aligns with a preferred jobs-to-housing ratio.

### ***Public Services***

Development of the Project site under the WBTODSP Project was determined to have no significant or unavoidable impact to public services, and no mitigation measures were identified. The Project site is fully developed with residential, commercial, industrial, warehousing, and railyard land uses, and future development of the Project site under the WBTODSP Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities. Additionally, future development of the Project site under the WBTODSP Project would not induce the need for the construction of a new or physically altered governmental facility, such that associated construction activities would cause environmental impacts. A such, future development of the Project site would not negatively impact the maintenance of acceptable service ratios, response times, or other performance objectives associated with any public services such as fire protection, police protection, schools, parks, or other public facilities.

Under Alternative No. 2, the Project site would remain in its current developed state, with a possible increase of density consistent with the existing General Plan land use and zoning district. The existing buildout for the Project site as outlined in the GP has evaluated potential impacts to public services and has ensured that future development projects would not adversely impact existing infrastructure or accessibility of public services, such as fire protection, police protection, schools, parks, and other public facilities. As such, Alternative No. 2 would not adversely impact public services such that there would be a need for new or physically altered governmental facilities in which associated construction activities would cause environmental impacts, nor would there be any adverse physical impacts associated with the provision of new or physically altered governmental facilities. Additionally, Alternative No. 2 would not negatively impact the maintenance of acceptable service ratios, response times, or other performance objectives associated with any public services, such as fire protection, police protection, school, parks, or other public facilities.



Since Alternative No. 2 assumes consistency with the existing land use and zoning, the environmentally superior alternative is anticipated to be Alternative No. 2 compared to the Project.

### ***Transportation***

The Project was anticipated to have a less than significant impact on transportation, specifically as it relates to a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Additionally, the Project would not have an impact or conflict with CEQA Guidelines Section 15064.3. Because of the anticipated change in land uses of the WBTODSP, future development projects consistent with the SBTODSP would reduce traffic, rather than increase it because the existing land use mix is a higher traffic generator than the proposed land use mix.

Alternative No. 2 is assumed to continue to develop consistent with existing land use designation and zoning district, and as such, traffic and VMT are anticipated to increase compared to existing conditions and compared to the Project. As such, the Project would be superior to Alternative No. 2 regarding transportation impacts.

### ***Tribal Cultural Resources***

The Project would cause a less than significant impact to tribal cultural resources with implementation of MMs TCR-1 and TCR-2. Under Alternative No. 2, has the same potential to impact unknown tribal cultural resources and would be required to implement feasible mitigation. In addition, Alternative No. 2 would be subject to the same applicable federal, state, and local regulations pertaining to tribal cultural resources as the Project. Since this Alternative does not propose a significant reduction in building footprint, it would result in similar impacts to tribal cultural resources as the Project.

Accordingly, Alternative No. 2 would be environmentally equivalent to the Project regarding tribal cultural resources.

### ***Utilities and Service Systems***

Development of the Project site under the WBTODSP Project was determined to have no significant or unavoidable impact to utilities and service systems. The Project site is fully developed with residential, commercial, industrial, warehousing, and railyard land uses. As such, future development of the site under the proposed WBTODSP Project would not require the 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 such that such relocation or construction activities would cause significant environmental effects. Additionally, future development under the WBTODSP Project would have sufficient water supplies available to serve project-specific needs and any reasonably foreseeable future development during normal, dry, and multiple dry years. Solid waste generated by future development of the Project site would not exceed state or local standards or in excess of the capacity of local infrastructure, and the future development would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Under Alternative No. 2, the site would remain developed state with the continued development of the Project area consistent with existing land use designations and zoning districts. As such, the impacts to

utilities and services under Alternative No. 2 would not continue to require additional utilities and services resources. Therefore, Alternative No. 2 is environmentally equivalent to the Project.

### **Alternative No. 2 Summary**

Alternative No. 2 would reduce some Project environmental impacts, but the majority of impacts would remain similar. Some impacts concerning air quality and greenhouse gas emissions could be potentially greater than the Project. Additionally, this Alternative would not fulfill all of the Project objectives. Nonetheless, this Alternative is not presently under consideration.

### **Alternative No. 3: Reduced Intensity Alternative**

The Reduced Intensity Alternative assumes development of the Project site at a 15 percent reduction in intensity of the proposed WBODSP Project assumed maximum buildout. Under the Reduced Intensity Alternative, it is assumed that the Project site would allow a maximum of 1,986 dwelling units and approximately 5,006,285 square feet (SF) of a mix of non-residential uses like commercial, retail, office, public facilities use. **Table 6-2: Reduce Intensity Alternative Compared to WBODSP Project** presents development under the Reduced Intensity Alternative and compares it to the development of the maximum assumed buildout of the proposed WBODSP Project. For analysis purposes, the Reduced Intensity Alternative assumes the same size area of the Project site with the same land uses as the proposed WBODSP Project.

**Table 6-2: Reduced Intensity Alternative Compared to Proposed WBODSP Project**

Land Use	Assumed Buildout				
	WBODSP Project			Alternative No. 3 (15% Reduced Intensity)	
	Acres (AC)	Dwelling Units	Square Footage	Dwelling Units	Square Footage
Mixed Use Residential Low Multi-family	16.8 ac	420 DU	219,542.40 SF	357 DU	186,610.19 SF
Mixed Use Residential High Multi-family	19.6 ac	784 DU	256,132.80 SF	666 DU	217,712.8 SF
Mixed Use Commercial	28.3 ac	1,132 DU	369,824.40 SF	962 DU	314,350.7 SF
Commercial	75.9 ac	--	1,653,102.00 SF	--	1,405,136.7 SF
Industrial Mixed Use	39.5 ac	--	860,310.00 SF	--	731,263.5 SF
Flex District	116.2 ac	--	2,530,836.00 SF	--	2,151,210.6 SF
Washington Boulevard	8.8 ac	--	--	--	--
<b>Totals</b>	<b>305.1 AC</b>	<b>2,336 DU</b>	<b>5,889,747.60 SF</b>	<b>1,985 DU</b>	<b>5,006,285.46 SF</b>

### Alternative No. 3 Impact Comparison to the Project

An evaluation of the potential environmental impacts of the Reduced Intensity Alternative compared to the Project is provided below.

#### ***Aesthetics***

Under Alternative No. 3, the Project site is anticipated to be developed at a 15 percent reduction in intensity of the assumed buildout of the maximum allowed quantity of residential dwelling units and maximum allowed square footage of non-residential uses the Project. Future development under Alternative No. 3 would also be required to adhere to guidelines outlined in the current Pico Rivera General Plan and PRMC such that development would not adversely impact aesthetic resources. As such, Alternative No. 3 would not affect scenic vistas, state scenic highways, or other scenic resources. Additionally, Alternative No. 3 would have no impact on changing the existing visual character or quality of the site and no new sources of substantial light or glare would be created.

Therefore, Alternative No. 3 would have a similar impact on aesthetic resources as the proposed WBODSP Project and Alternative No. 3 would be environmentally equivalent to the Project regarding aesthetic impacts.

#### ***Air Quality***

As concluded in **Section 4.2, Air Quality**, future development facilitated by the Project would result in a significant and unavoidable impacts related to the implementation of an air quality plan and net increase of criteria pollutants associated with construction and operation of future development projects associated with the WBODSP. Pursuant to **MM AQ-1**, future development projects would require further CEQA review of project-specific impacts prior to implementation, including analysis for consistency with the AQMP. **MM AQ-2 and MM AQ-3** would also be implemented to which requires applicable development projects to prepare a health risk assessment and prohibits residential and mixed-use developments from being constructed within 1,000 feet of the BNSF Pico Rivera Rail Yard, State Route 19 (SR-19)/Rosemead Boulevard, or existing industrial/warehouse properties unless a project specific health risk assessment is prepared and can show that health risks would be less than significant.

Under Alternative No. 3, the proposed WBODSP would be developed assuming a 15 percent reduction in intensity compared to the allowed development under the WBODSP. Additionally, consistent with the proposed WBODSP Project, future development of the Project site under Alternative No. 3 would also not expose sensitive receptors to substantial pollutant concentrations or result in other emission adversely affecting a substantial number of people with implementation of MMs AQ-1 through AQ-3. Alternative No. 3 Although a slight reduction in air quality impacts would occur with Alternative No. 3, impacts are anticipated to remain significant and unavoidable.

However, because Alternative No. 3 would result in a potentially reduction of construction and operational emissions, Alternative No. 3 is environmentally superior to the Project.

#### ***Biological Resources***

Similar to the Project, Alternative No. 3 would result in similar impacts to biological resources since the potentially affected special-status species, sensitive vegetation communities, nesting birds, jurisdictional

waters, and riparian areas would not be avoided. As with the Project, MM BIO-1 would be required to reduce biological resource impacts to a level of less than significant.

Accordingly, Alternative No. 3 would be an environmentally equivalent alternative compared to the Project regarding biological resources, as the same habitat, wildlife species, jurisdictional waters, and riparian areas would be impacted by construction activities under Alternative No. 3.

### ***Cultural Resources***

Alternative No. 3 and the Project would result in similar impacts to cultural resources, including human remains. Despite the reduction in dwelling units and non-residential square footage, Alternative No. 3 has a similar potential to discover unknown human remains during ground disturbance activities. As with the proposed Project, implementation of **MMs CUL-1** through **CUL-5** would be required to reduce cultural resources impacts to a level of less than significant. As such, similar impacts would occur with implementation of Alternative No. 3.

Accordingly, Alternative No. 3 would be an environmentally equivalent alternative compared to the Project regarding cultural resources, as a similar footprint would be modified or impacted.

### ***Energy***

Alternative No. 3 and the Project would require energy during both the construction and operational phases of the Project. However, Alternative No. 3 would require less energy resources during construction and operation activities due to the 15 percent reduction in residential and nonresidential building footprint, compared to the Project. However, under Alternative No. 3, the overall project area would be built out in a similar manner as the Project. Given Alternative No. 3's smaller development footprint, Alternative No. 3 would consume less energy compared to the Project.

Nevertheless, Alternative No. 3 would be environmentally superior to the Project regarding energy impacts, as a decrease in energy consumption would occur compared to the Project.

### ***Geology and Soils***

The Project site is located in a region prone to strong seismicity, and is susceptible to seismic, geologic, and soils hazards. Implementation of future development projects would naturally introduce potential hazards from new construction activities that could result in the damage or loss of paleontological resources. As such, it was determined that future development projects would be required to implement MM GEO-1 to reduce the potential to impacts to paleontological resources to a less than significance level.

Alternative No. 3 proposes a 15 percent reduction in development of the WBTODSP. However, grading and construction activities associated with development have the potential to unearth paleontological resources. For this reason, **MM GEO-1** is also applicable to Alternative No. 3. Because Alternative No. 3 is anticipated to have approximately the same level of impacts, it is determined that Alternative No. 3 and the Project are equivalent in this regard.

### ***Greenhouse Gas Emissions***

Potential greenhouse gas emissions associated with the construction and operation of future development projects have the potential to result in significant and unavoidable impacts from new uses

introduced to the Project site. To minimize GHG impacts, future development projects that are not exempt from CEQA, would be required to implement **MM GHG-1**, which would require that a GHG emissions assessment be prepared using the latest available air emissions model, or other analytical method determined in conjunction with the SCAQMD to identify potential GHG impacts.

Under Alternative No. 3, the Project site would be developed assuming a 15 percent reduction in intensity (residential dwelling units and maximum allowed square footage of non-residential uses). Consequently, it is assumed that project related traffic would be further reduced by 15 percent compared to that generated by the Project. Although a 15 percent reduction is anticipated under Alternative No. 3, the additional greenhouse gas emissions would still be generated and as such, Alternative No. 3 would likely remain in excess of the City's GHG emissions thresholds. Associated impacts would be expected to remain significant and unavoidable.

Although impacts under Alternative No. 3 would still be significant and unavoidable, Alternative No. 3 would be environmentally superior due to a decrease in GHG emissions and due to its potential to reduce energy and transportation impacts compared to the Project.

### ***Hazards and Hazardous Materials***

Under Alternative No. 3, the overall project area would be built out in the same manner as the Project; however, the retail development would be reduced by 15 percent, resulting in a corresponding reduction in workforce, customers, and total trips. Given Alternative No. 3's smaller development footprint, Alternative No. 3's impacts related to hazards and hazardous materials would be reduced compared to the Project. Furthermore, Alternative No. 23 would be subject to the same applicable federal and state regulations and provisions pertaining to hazardous materials and implement MMs HAZ-1 through HAZ-3. Additionally, all development projects within the Project site would be required to submit a waste management plan, implement BMPs pursuant to NDPES permitting, and prohibit the storage of certain hazardous materials that may accidentally seep into the environment. The anticipated impacts from hazards and hazardous materials, resulting from implementation of the Project would be less than significant.

As such, with reduced development footprint, Alternative No. 3 would also result in less than significant impacts to hazards and hazardous materials, similar to the Project, but would also be the environmentally superior.

### ***Hydrology and Water Quality***

Alternative No. 3 and the Project would both have a less than significant impact on hydrology and water quality due to implementation and compliance of Best Management Practices, preventative low impact design, and drainage improvements that minimize runoff, erosion, and storm water pollution. The proposed beneficial water quality improvements would still occur under Alternative No. 3. Although the Project would result in less than significant impacts related to hydrology and water quality, Alternative No. 3 proposes a reduced residential and nonresidential building footprint and would therefore reduce impervious surfaces. This would result in reduced impacts to hydrology and water quality compared to the Project.

Alternative No. 3 would be slightly environmentally superior to the Project regarding hydrology and water quality, since impervious surfaces would decrease when compared to the Project.

### ***Land Use and Planning***

Alternative No. 3 and the Project both require a GPA, ZC, SP Adoption, and MCA. As such, Alternative No. 3 would be environmentally equivalent to the Project regarding land use and planning, since land uses would be added, and land use entitlements would be required. Accordingly, Alternative No. 3 is environmentally equivalent to the Project.

### ***Noise***

Both Alternative No. 3 and the Project would generate noise and vibration during both the construction and operations phases of the Project. Due to the reduced footprint, Alternative No. 3 would decrease the amount of noise generated from traffic compared to the Project and potentially result in reduced long-term operational traffic related noise.

Alternative No. 3 would be slightly environmentally equivalent to the Project regarding noise and vibration, because while the short-term construction-related and long-term operational vehicular noise level and vibration increases associated with Alternative No. 3, while reduced, would remain similar to the Project.

### ***Population and Housing***

Although the Project does not propose any specific development, the WBTODSP would allow for the development of up to 2,336 residential dwelling units and up to 5,889,747.60 square feet of non-residential space (commercial, light industrial, mixed use, and public facilities). Under Alternative No. 3, the proposed Project site would be developed at a 15 percent reduction in intensity and intensity allowed under the WBTODSP. Under Alternative No. 3, the Project site would be developed with up to 1,986 residential dwelling units and up to 5,006,285 square feet of non-residential space. The 15 percent reduction of DUs and nonresidential space would result in reduction of proposed population, housing, and employment growth. However, Alternative No. 3 would not hinder the City from achieving a healthier jobs-housing ratio or RHNA goal.

Accordingly, Alternative No. 3 is environmentally equivalent to the Project.

### ***Public Services***

The need for public services is anticipated to be greater under the proposed Project than under Alternative No. 3, because Alternative No. 3 reduces residential and nonresidential development by 15 percent compared to the Project. Alternative No. 3 and the Project would require additional public service needs compared to the existing conditions on the site. However, there would be a considerable reduction in development fees as well.

Therefore, Alternative No. 3 would be environmentally equivalent when compared to the Project.

### ***Transportation***

The Project was anticipated to have a less than significant impact on transportation, because the Project is to be located within a half mile of the future Eastside Transit Corridor Phase 2 Project. Since the Project is planned to be a transit-oriented development that is centered around the future Rosemead Transit Station along the Eastside Transit Corridor, this Project satisfies the transit priority area (TPA) screening



criteria. Therefore, although traffic is anticipated to increase under the Project, the Project will meet the VMT screening criteria and have a less than significant impact for transportation.

Alternative No. 3 is assumed to continue to develop consistent with WBODSP which would continue to assume the increase in traffic at a 15 percent reduction, compared to the Project. This would not be a sufficient reduction to make an impact on anticipated traffic. Additionally, Alternative No. 3 would continue to have a less than significant on VMT. As such, the Project would be inferior to Alternative No. 3 regarding transportation impacts.

### ***Tribal Cultural Resources***

The Project would cause a less than significant impact to tribal cultural resources with implementation of MMs TCR-1 and TCR-2. Under Alternative No. 3, has the same potential to impact unknown tribal cultural resources and would be required to implement feasible mitigation. In addition, Alternative No. 3 would be subject to the same applicable federal, state, and local regulations pertaining to tribal cultural resources as the Project. Since this Alternative does not propose a significant reduction in building footprint, it would result in similar impacts to tribal cultural resources as the Project.

Accordingly, Alternative No. 3 would be environmentally equivalent to the Project regarding tribal cultural resources.

### ***Utilities and Service Systems***

Under Alternative No. 3, the proposed WBODSP Project would be implemented at a 15 percent reduction in intensity of the assumed buildout of the maximum allowed quantity of residential dwelling units and maximum allowed square footage of non-residential uses. Although the proposed WBODSP Project would allow a greater intensity of dwelling units and square footage of non-residential uses, the analysis of the proposed WBODSP Project impacts to utilities and system services determined that even with the greater maximum allowed intensities for dwelling units and square footage of non-residential uses there would be no significant or unavoidable impact to such services. Therefore, Alternative No. 3 would have the same impacts to utilities and system services as the proposed WBODSP Project.

Alternative No. 3 would be environmentally equivalent to the Project.

### ***Alternative No. 3 Summary***

This Alternative would reduce a majority of the Project's environmental impacts, although other impacts would be similar, as illustrated in **Table 6-3**. Alternative No. 3 would likely lead to reduced impacts in air quality, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, population and housing, transportation and traffic, tribal cultural resources, and utilities and service systems. This Alternative also meets all the Project objectives, although the reduction in density would reduce the effectiveness of the Project's TOD goals.

## **6.8 Environmentally Superior Alternative**

An EIR is required to identify the environmentally superior Alternative from among the range of reasonable alternatives that are evaluated. CEQA Guidelines Section 15126.6(e)(2) requires that an Environmentally Superior Alternative be designated and states that if the Environmentally Superior

Alternative is the No Project/No Build alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

The context of an environmentally superior alternative is based on the consideration of several factors including the reduction of environmental impacts to a less than significant level, the Project objectives, and an alternative's ability to fulfill the objectives with minimal impacts to the existing site and surrounding environment. Based on the summary of information presented in **Table 6-3: Comparison of Project Alternatives Environmental Impacts with the Project**, the environmentally superior alternative would be Alternative No. 3: Reduced Intensity since Alternative No. 3 would result in the reduction of environmental impacts, meet all Project objectives, and help the City achieve economic, population, and housing growth.

**Table 6-3: Comparison of Project Alternatives Environmental Impacts with the Project**

EIR Resource Section	Alternatives			
	Project - Level of Impact After Mitigation	Alternative No. 1: No Project/No Build	Alternative No. 2: No Project/Existing Land Use Designation Development	Alternative No. 3: Reduced Intensity
Aesthetics	Less than Significant	-	+	=
Air Quality	Significant and Unavoidable	-	+	-
Biological Resources	Less than Significant	-	=	=
Cultural Resources	Less than Significant	-	=	=
Energy	Less than Significant	-	=	-
Geology and Soils	Less than Significant	-	=	=
Greenhouse Gas Emissions	Significant and Unavoidable	-	=	-
Hazards and Hazardous Materials	Less than Significant	-	=	-
Hydrology and Water Quality	Less than Significant	-	=	-
Land Use and Planning	Less than Significant	=	-	=
Noise	Less than Significant	-	=	=
Population and Housing	Less than Significant	+	+	=
Public Services	Less than Significant	=	-	=
Transportation	Less than Significant	-	+	-
Tribal Cultural Resources	Less than Significant	-	=	=
Utilities and Service Systems	Less than Significant	-	=	=
Compliance with Project Objectives?	Meets all of the Project Objectives	Does not meet Project Objectives	Meets Some of the Project Objectives	Meets all of the Project Objectives
Notes: A minus (-) sign means the Project Alternative is environmentally superior when compared to the Project. A plus (+) sign means the Project Alternative is environmentally inferior when compared to the Project. An equal sign (=) means the Project Alternative is environmental equivalent when compared to the Project.				

## 7.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

### 7.1 Introduction

Section 15128 of the California Environmental Quality Act (CEQA) Guidelines states that “an EIR shall 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.” This section briefly describes effects found to have no impact or a less than significant impact based on the analysis conducted during the Draft Program Environmental Impact Report (EIR) preparation process.

### 7.2 Agriculture and Forestry Resources

**Impact 7.2-1:** *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?*

**Level of Significance: No Impact**

Based on review of the California Department of Conservation (DOC) Important Farmland maps, neither the Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBTODSP”) site nor any adjacent land is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Project site and adjacent land are designated as Urban and Built-Up Land.<sup>1</sup> The Project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to a non-agricultural use, and therefore there is no impact.

#### **Mitigation Measures**

No mitigation is necessary.

**Impact 7.2-2** *Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

**Level of Significance: No Impact**

The California Land Conservation Act, also known as the ‘Williamson Act’ of 1965, is a voluntary program that allows local governments to contract with private landowners to maintain agricultural or open space uses in return for financial assistance in the form of lower tax assessments.<sup>2</sup> According to the California DOC and the City’s General Plan Land Use Plan, no portion of the Project site is zoned or designated for agricultural use. The Project site is zoned for General Industrial (I), Specific Plan (SP-400 and SP-301), Commercial (C), High Density Residential (HDR), and Mixed Use (MU).<sup>3</sup> Additionally, the City does not

<sup>1</sup> California Dept. of Conservation. 2016. *California Important Farmland Finder*. Available at <https://maps.conservation.ca.gov/dlrp/ciff/> (accessed August 2023).

<sup>2</sup> California Dept. of Conservation. 2019. *Williamson Act Program*. Available at <https://www.conservation.ca.gov/dlrp/wa> (accessed August 2023).

<sup>3</sup> City of Pico Rivera. 2014. *Pico Rivera General Plan Update – Land Use Element*. Pg. 3.-7 Available at <https://www.pico-rivera.org/index.php/general-plan/> (accessed August 2023).

have any land zoned for agricultural uses or subject to a Williamson Act.<sup>4</sup> Therefore, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract resulting in no impact.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 7.2-3**      *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 Resource Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*

#### ***Level of Significance: No Impact***

The Project site does not include areas zoned as forestland, timberland, or timberland designated as Timberland Production as those classifications are defined in the cited code sections. As discussed above according to the City of Pico Rivera Zoning Map, the Project site is zoned as General Industrial (I), Specific Plan (SP-400 and SP-301), Commercial (C), High Density Residential (HDR), and Mixed Use (MU).<sup>5</sup> Therefore, the Project would have no impact to forest land, timberland, or timberland zoned for timberland production.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 7.2-4**      *Would the Project result in the loss of forest land or conversion of forest land to non-forest use?*

#### ***Level of Significance: No Impact***

Refer to **Impact 7.2-3** above. The Project would not result in the loss of forestland or the conversion of forestland to non-forest use. No parcels within or adjacent to the Project site are designated as forest land, and no impact would occur.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 7.2-5**      *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 to non-forest use?*

#### ***Level of Significance: No Impact***

As discussed above, the Project site does not include areas zoned for agricultural use or designated as forest land or timberland. The City does not have land use designates specific to these resources. Additionally, none of the Project site is designated as Farmland, as mapped on the Important Farmland

<sup>4</sup> ESA. 2014. *Pico Rivera General Plan Update Draft EIR – Section 5*. Pg. 5-1 (accessed August 2023).

<sup>5</sup> City of Pico Rivera. 2014. *Pico Rivera General Plan Update – Land Use Element*. Pg. 3.-7 Available at <https://www.pico-rivera.org/index.php/general-plan/> (accessed August 2023).

Finder maintained by the California DOC. Therefore, no impacts related to the conversion of farmland or forest land would occur.

#### **Mitigation Measures**

No mitigation is necessary.

### **7.3 Mineral Resources**

**Impact 7.3-1:** *Would the Project 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?*

**Level of Significance: No Impact**

Although the San Gabriel Valley is an important source of aggregate material, substantial mineral resources are not identified in the City.<sup>6</sup> The Project site does not currently contain mineral extraction facilities, consist of previously disturbed land, and has not been designated as containing confirmed mineral resources of significance. Therefore, the Project would not result in the loss of availability of known mineral resources which are of value to the region and the residents of the state. There would be no impacts due to Project implementation.

#### **Mitigation Measures**

No mitigation is necessary.

**Impact 7.3-2** *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?*

**Level of Significance: No Impact**

No part of the Project site is within a boundary that is owned or controlled by an aggregate producer or is no longer used for mineral extraction. Additionally, the City states that there are no substantial mineral resources of importance identified in Pico Rivera.<sup>7</sup> Therefore, the Project would not result in the loss of availability of any locally important mineral resource recovery site and there would be no impacts due to Project implementation.

#### **Mitigation Measures**

No mitigation is necessary.

### **7.4 Recreation**

**Impact 7.4-1:** *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?*

**Level of Significance: Less than Significant**

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<sup>6</sup> ESA. 2014. *Pico Rivera General Plan Update Draft EIR – Section 5 CEQA Mandated Sections*. Pg. 5-14 (accessed August 2023).

<sup>7</sup> Ibid.

The Project proposes a WBODSP for the approximately 305.1-acre Project site. The WBODSP would set a framework that strategically assesses and executes an implementable plan, providing a compact multi-modal, mixed-use, and sustainable environment that will become a focal point for community activity. Development facilitated through implementation of the Project would result in additional residential and non-residential uses in the Project area, which would increase demand for parks and recreational facilities. The City currently has approximately 102 acres of developed park and recreation facilities.<sup>8</sup> The new uses introduced to the City by the Project would generate residents that are expected to use park and recreational facilities, and the additional use may result in greater demands on parks and recreational facilities in the City. This additional demand on existing parks and recreational facilities could increase the need for maintenance and improvements on the existing facilities. Although the exact increase cannot be determined at this time since the potential improvements are not currently known as they are anticipated to be market driven. As noted in the WBODSP, Table 5-1 – Allowable Land Uses, parks and playgrounds would be allowed under the MUR Low, MUR High, and MUC proposed land use sub-districts. Any future development facilitated by the Project would be required to comply with regulations, policies, and standards included in the Pico Rivera General Plan and City of Pico Rivera Municipal Code (PRMC) and would be subject to project specific CEQA review as appropriate. Therefore, impacts to parks and recreational facilities associated with implementation of the Project would be less than significant.

#### **Mitigation Measures**

No mitigation is necessary.

**Impact 7.4-2:** *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?*

**Level of Significance: Less than Significant**

Refer to **Impact 7.4-1**, above. A less than significant impact would occur.

#### **Mitigation Measures**

No mitigation is necessary.

## **7.5 Wildfire**

**Impact 7.5-1:** *Would the Project Substantially impair an adopted emergency response plan or emergency evacuation plan?*

**Level of Significance: No Impact**

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped fire threat potential throughout California; the City fire hazards have been ranked within the range of little to no threat.<sup>9</sup> The Project site would receive fire protection services from the Los Angeles County Fire Department (LACFD). Additionally, the Project does not propose any physical construction or development. However, the City

<sup>8</sup> City of Pico Rivera. 2014. City of Pico Rivera General Plan – Healthy Community Element. Retrieved at <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-6.pdf>. (accessed August 2023).

<sup>9</sup> CAL FIRE. 2023. Fire Hazard Severity Zone Viewer. Available at <https://egis.fire.ca.gov/FHSZ/> (accessed August 2023).



and LACFD review of future permits for development on the Project site would include a review of access for emergency vehicles during construction and operation, in accordance with the California Fire Code. The Project site is within an existing developed area of the City and is surrounded by existing developed roadways. As previously discussed, the Project site is located in an urbanized area of the City and not adjacent to a wildland area, thus future construction and operation on the Project site is not expected to create risks of wildfire. Due to multiple points of ingress/egress, and compliance with state, regional, and local codes; and designation of the Project site in a range of little to no fire hazard threat; the Project would not interfere with emergency response and evacuation plans of the County, and no impact would occur.

#### **Mitigation Measures**

No mitigation is necessary.

***Impact 7.5-2: Would the Project due to slope, prevailing winds, and other factors, exacerbated wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?***

***Level of Significance: No Impact***

Refer to **Impact 7.5-1**, above. The City and Project area are located in a region with little to no threat of fire hazards. The Project does not propose construction or development and would not exacerbate wildfire risks or expose Project occupants to pollutant concentrations or the uncontrolled spread of wildfire. Future development on the Project site would require that landscape plans, design standards, and development guidelines be reviewed by the LACFD. Due to the presence of surrounding development, presence of area roadways, and lack of steep slopes, it is not likely that future development on the Project site would be affected by wildfire during future construction or operations. In addition, all future Project development would be consistent with the California Building Code requiring new buildings to use ignition-resistant construction methods and materials as well as fire suppression systems. Accordingly, there would be no impact.

#### **Mitigation Measures**

No mitigation is necessary.

***Impact 7.5-3: 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?***

***Level of Significance: No Impact***

As discussed above the Project site is located in a region with little to no threat of fire hazards. The Project site is not located near the wildland interface. The Project site is surrounded by commercial, residential, and industrial development. Future development on the Project site would adhere to the California Fire Code and the Hazard Mitigation Plan (HMP), and any applicable building codes. The Project does not include installation of utilities or roads within the Project area or require emergency water sources. Future development on the Project site would require additional analysis on a case-by-case basis to determine if

there would be impacts related to installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. No elements of the Project would exacerbate the risk of wildfire or generate environmental impacts.

### **Mitigation Measures**

No mitigation is necessary.

**Impact 7.5-4:** *Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

**Level of Significance: No Impact**

Refer to **Impact 7.5-1**, above. The Project site is located in a region with little to no threat of fire hazards. The Project would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. Potential impacts regarding flooding, landslides, and drainage are further discussed in **Section 4.6: Geology and Soils** and **Section 4.9: Hydrology and Water Quality**.

### **Mitigation Measures**

No mitigation is necessary.

## **7.6 References**

California Dept. of Conservation. 2016. *California Important Farmland Finder*. Available at <https://maps.conservation.ca.gov/dlrp/ciff/> (accessed August 2023).

California Dept. of Conservation. 2019. *Williamson Act Program*. Available at <https://www.conservation.ca.gov/dlrp/wa> (accessed August 2023).

CAL FIRE. 2023. *Fire Hazard Severity Zone Viewer*. Available at <https://egis.fire.ca.gov/FHSZ/> (accessed August 2023).

City of Pico Rivera. 2014. City of Pico Rivera General Plan – Healthy Community Element. Retrieved at <https://www.pico-rivera.org/wp-content/uploads/2022/09/GP-Chapter-6.pdf> (accessed August 2023).

City of Pico Rivera. 2014. *Pico Rivera General Plan Update – Land Use Element*. Available at <https://www.pico-rivera.org/index.php/general-plan/> (accessed August 2023).

City of Pico Rivera. 2014. *Pico Rivera General Plan Update – Land Use Element*. Available at <https://www.pico-rivera.org/index.php/general-plan/> (accessed August 2023).

ESA. 2014. *Pico Rivera General Plan Update Draft EIR – Section 5 CEQA Mandated Sections* (accessed August 2023).

## 8.0 EIR CONSULTATION AND PREPARATION

This section is consistent with the requirements set forth in Section 21153 of the PRC and Section 15129 of the CEQA Guidelines, which states: “The EIR shall identify all federal, state, or local agencies, other organizations, and private individuals consulted in preparing the draft EIR, and the persons, firm, or agency preparing the draft EIR, by contract or other authorization.” Refer to **Section 2.3: Notice of Preparation/Early Consultation** for a summary of public notification and consultation.

The Notice of Preparation (NOP) and NOP comment letters are provided in **Appendix D: NOP and Scoping Meeting Materials**. The City provided multiple opportunities for public input, both as part of the CEQA process and as part of Washington Boulevard Transit-Oriented Development Specific Plan (“Project” or “WBODSP”) scoping. In addition to required public notifications under CEQA, the City has engaged in extensive consultation with the Native American tribes, pursuant to AB 52 and SB 18, as discussed further in **Section 4.15: Tribal Cultural Resources**.

### 8.1 EIR Consultation

#### Lead Agency

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Jazmin Faccuseh, Senior Analyst, Community & Economic Development Department*

#### Interested Parties

As noted above, the City engaged in public and agency consultation through the NOP and public scoping process. The following entities provided comments on the NOP, which have been considered as part of this EIR preparation process. Refer to **Appendix D: NOP and Scoping Meeting Materials** for all comment letters received during the 30-day scoping period.

- Native American Heritage Commission
- Department of Toxic Substances Control
- California Department of Transportation

### 8.2 List of Preparers

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***Specific Plan***

*Xiaofan Li, AICP, Specific Plan Project Manager*

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