NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT 5TH & STERLING PROJECT

Date: May 1, 2024

To: State Clearinghouse, Agencies, Organizations, and Interested Parties

In accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, the City of San Bernardino (City) has prepared this Notice of Preparation (NOP) to notify agencies, organizations, and interested parties that the City, as Lead Agency, will prepare an Environmental Impact Report (EIR) pursuant to CEQA for the 5th & Sterling Project (Project). The Project involves the proposed development of an approximately 25.12-gross-acre property (Project Site) with a ±557,000 square foot (s.f.) industrial warehouse building and associated site improvements. The Project conforms with the Project Site's General Plan designation of "Industrial (I)" and Zoning designation of "Industrial Light (IL)."

Project Title: **5th & Sterling; Development Permit Type-D (DP-D 23-13)**
Project Applicant: **Fifth & Sterling, LLC**

The City is requesting input from reviewing agencies and the public regarding the scope and content of the EIR.

SCOPE OF THE EIR

In accordance with CEQA, the City prepared a CEQA Initial Study that determined that the proposed Project has the potential to result in significant environmental impacts under the following topic areas. A detailed analysis of the following topics will be included in the forthcoming EIR:

- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Noise
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

The EIR will assess the effects of the proposed project on the environment, identify potentially significant impacts, identify feasible mitigation measures to reduce or eliminate potentially significant environmental impacts, and discuss potentially feasible alternatives to the Project that may accomplish basic objectives while lessening or eliminating any potentially significant Project-related impacts.

This NOP is subject to a minimum 30-day public review period per Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082. During the public review period, public agencies, interested organizations, and individuals may comment on the proposed Project and identify environmental issues that have the potential to be affected by the Project and should be addressed further by the City in the EIR.

The public review comment period for this NOP begins on May 1, 2024, and will close at 5:30 pm on May 30, 2024.

PROJECT LOCATION

APN 1192-211-01. The Project Site is located within the Valley subregion of San Bernardino County, north of Interstate-10, east of Interstate-215, and south and west of Interstate-210. More specifically, the Project Site is located north of 5th Street, south of 6th Street, east of Sterling Avenue, and approximately 650 feet west of Lankershim Avenue. Refer to the attached *Vicinity Map*. The topography is flat and gently sloping. Refer to the attached *USGS Topographic Map*. The Project site is vacant. Refer to the attached *Aerial Photograph*.

The Project Site is not located on known listed toxic hazardous waste sites pursuant to Government Code Section 65962.5.

SUMMARY OF PROPOSED PROJECT

Development Permit Type-D (DP-D 23-13). As depicted on the attached *Proposed Development Plan*, the Project involves the proposed development of the Project Site with an industrial warehouse facility. The proposed building is designed to have up to 557,000 s.f. of interior floor space, which includes up to 552,000 s.f. of warehouse space, and 5,000 s.f. of mezzanine space. An office would be located at the southwest corner of the building, with 5,000 s.f. on both the lower level and mezzanine level, for a total office space of 10,000 s.f. Eighty (80) dock doors are proposed on the south side of the building. The Project also includes the installation of associated site improvements, including drive aisles, parking areas, landscaping, on-site and off-site utility infrastructure, exterior lighting, walls/fencing, and signage. Access to the Project Site is designed to be provided by five driveways: two driveways connecting with Sterling Avenue for passenger vehicles only; two driveways connecting to 5th Street, the western driveway for trucks only and the eastern driveway for both passenger cars and trucks; and one driveway connecting to 6th Street for both passenger cars and trucks.

PUBLIC COMMENT PERIOD

In accordance with CEQA, the City requests that agencies review the description of the Project provided in this NOP and provide comments or guidance on the scope of environmental issues related to the statutory responsibilities of the Lead Agency. The EIR will be used by the City when considering the Project for approval and by other Responsible and Trustee Agencies to support their discretionary actions related to the Project, as applicable. The City is also seeking comments from residents, property owners, and other interested parties regarding issues they believe should be addressed in the EIR.

Comments may be sent to the City during the 30-day public scoping period, which begins on May 1, 2024 and closes at 5:30 pm on May 30, 2024. Please focus your comments on issues related to the scope and content of the environmental analysis that will be included in the EIR. Due to the time limits mandated by State law, all scoping comments must be received by the City or be **postmarked by May 30, 2024**. Trustee Agencies and Responsible agencies are asked to identify their statutory authorities pertaining to the Project. If applicable, please include the name and contact information of a contact person for your agency.

Direct all comments to:

- Elizabeth Mora-Rodriguez, Senior Planner
  Planning Division
  201 North E Street, 3rd Floor
  San Bernardino, CA 92401
  Office: 909.384.7272 x3075
  Comments may also be emailed to Mora-Rodriguez_El@sbcity.org

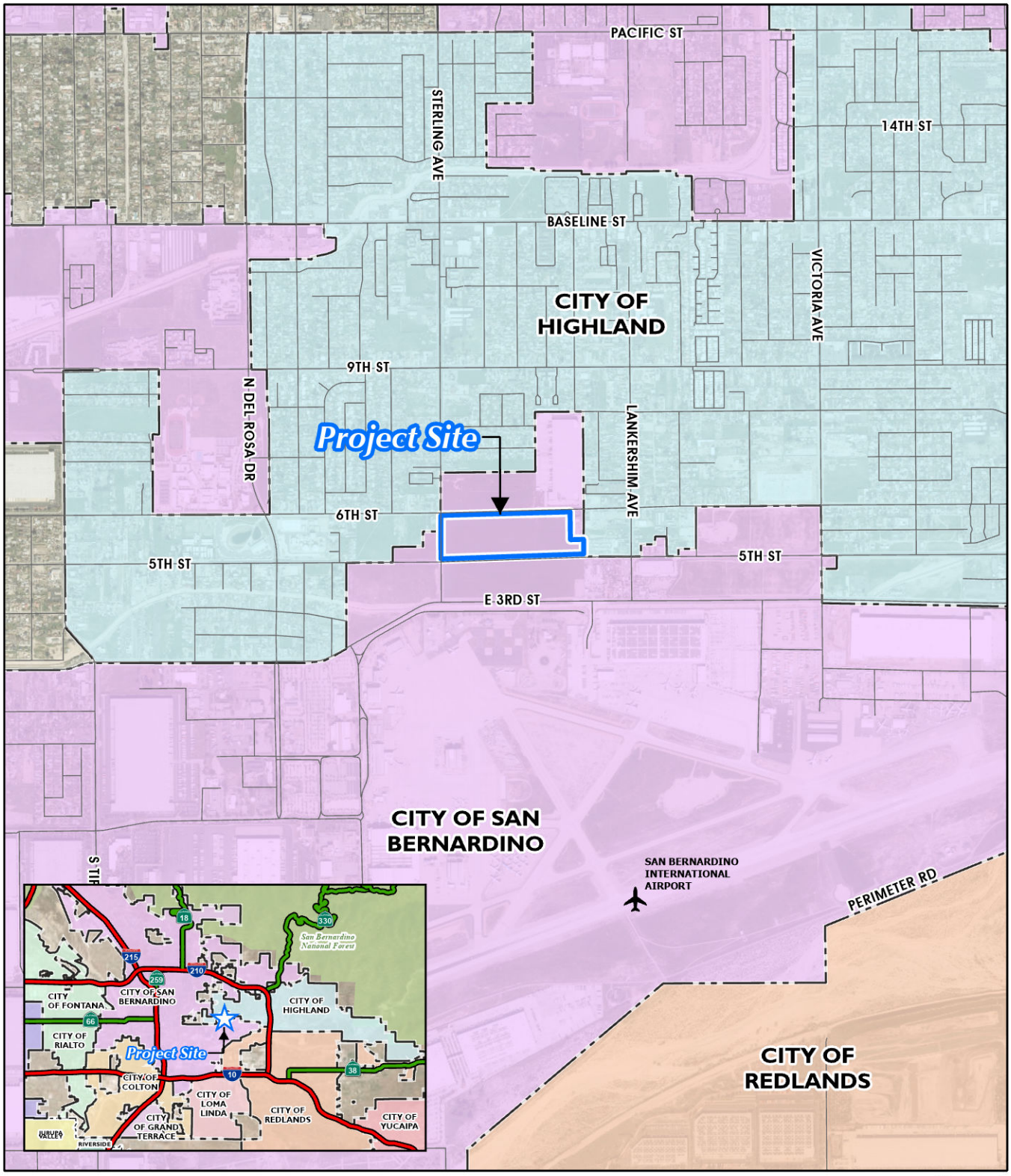
DOCUMENT AVAILABILITY

This NOP and the CEQA Initial Study are available for public review at the following locations:

- **City of San Bernardino Website:**
  Environmental Documents - City of San Bernardino (sbcity.org) or
  https://www.sbcity.org/city_hall/community_development_and_housing/planning/environmental_documents

- **City of San Bernardino Planning Division**
  201 North E Street, 3rd Floor
  San Bernardino, CA 92401
  (909) 384-5357

Attachments:
Figure 1: Vicinity Map
Figure 2: USGS Topographic Map
Figure 3: Aerial Photograph
Figure 4: Proposed Development Plan

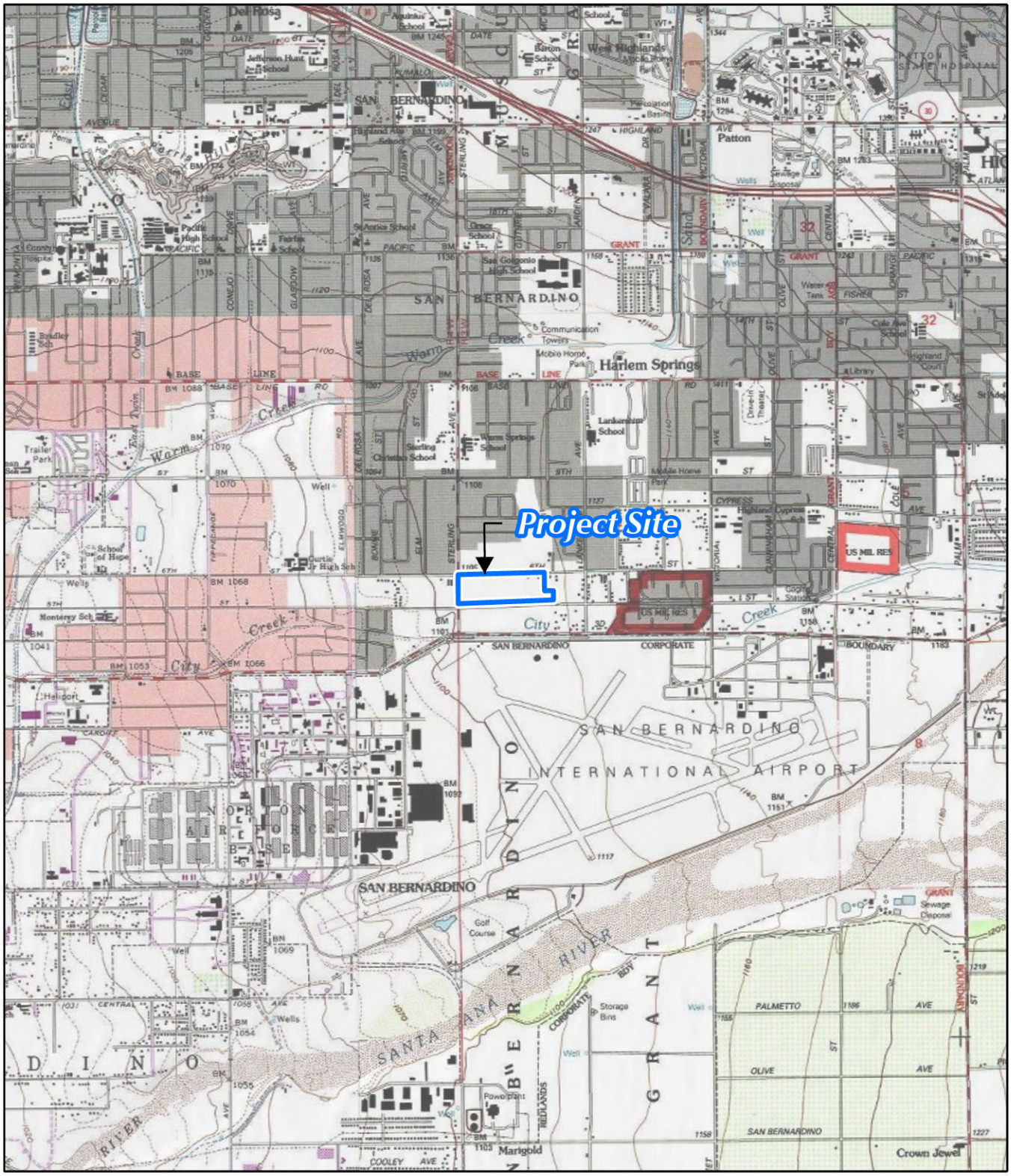


Source(s): ESRI, NearMap Imagery (May 2023), SB County (2023)

Figure 1

0 500 1,000 2,000 Feet

Vicinity Map



Source(s): ESRI, USGS (2013)

Figure 2

0 750 1,500 3,000 Feet

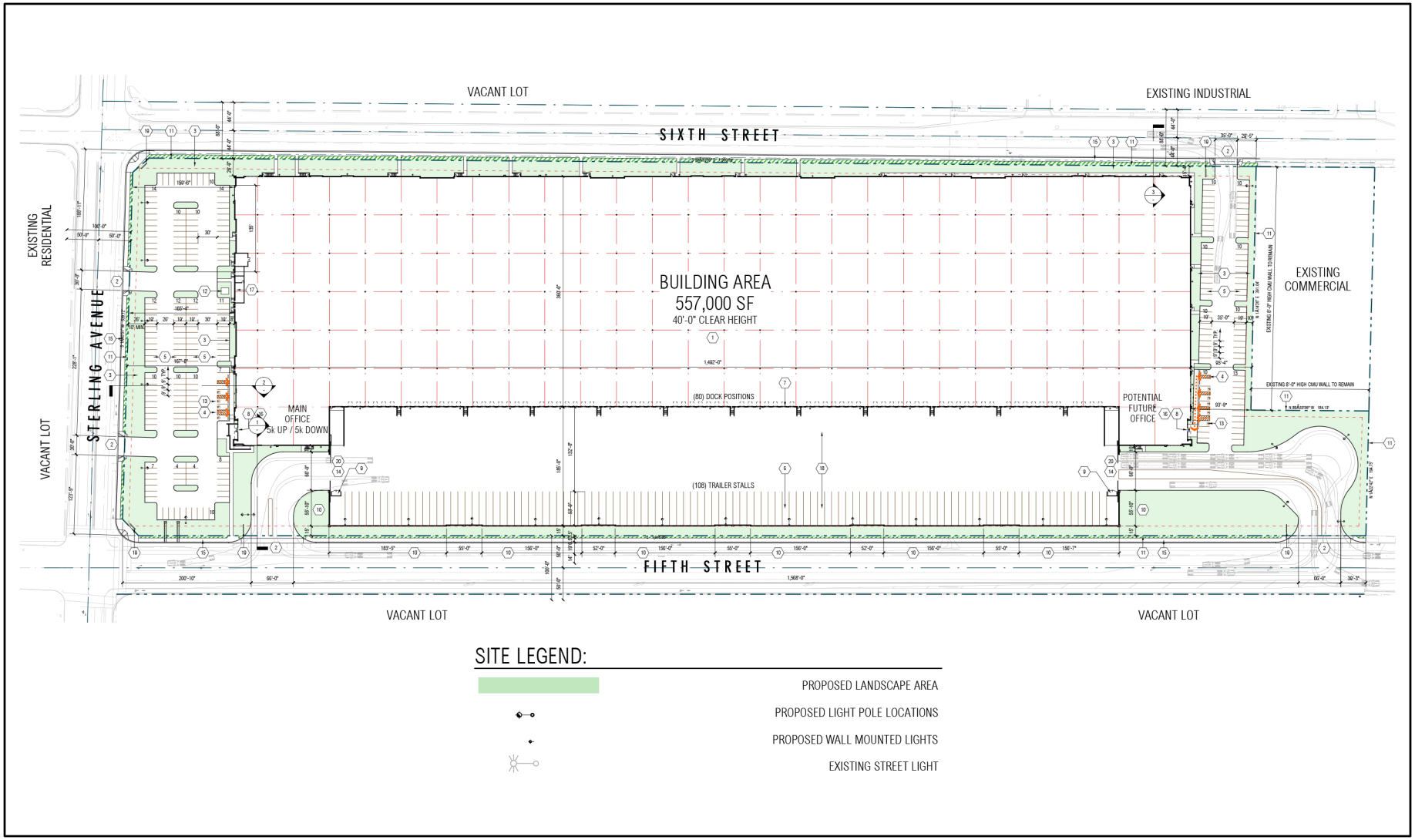
USGS Topographic Map

Source(s): ESRI, NearMap Imagery (May 2023)

Figure 3

0 125 250 500 Feet

Aerial Photograph



Source(s): RGA (02-12-2024)

Figure 4

Not to Scale

Proposed Development Plan

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
Reginald Pagaling
Chumash

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki, Nomlaki

SECRETARY
Sara Dutschke
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EXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok, Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov

May 7, 2024

Elizabeth Mora-Rodriguez
City of San Bernardino
201 North E Street
3rd Floor
San Bernardino CA 92401

Re: 2024050111, 5th and Sterling Project, San Bernardino County

Dear Ms. Mora-Rodriguez:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. 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.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Murphy.Donahue@NAHC.ca.gov.

Sincerely,

Murphy Donahue

Murphy Donahue
Cultural Resources Analyst

cc: State Clearinghouse

ROB BONTA
Attorney General

State of California
DEPARTMENT OF JUSTICE

1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

E-Mail: EJ@doj.ca.gov

May 9, 2024

Elizabeth Mora-Rodriquez, Senior Planner
City of San Bernardino
201 North E Street, 3rd Floor
San Bernardino, CA 92401

RE: 5th & Sterling, SCH #2024050111

Dear Ms. Mora-Rodriquez:

Thank you for the opportunity to provide comments on the Notice of Preparation for the 5th & Sterling project. While the logistics industry is an important component of our modern economy, warehouses can bring various environmental impacts to the communities where they are located. For example, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.[1] Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.[2] The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate can contribute to traffic jams, deterioration of road surfaces, traffic accidents, and unsafe conditions for pedestrians and bicyclists. Depending on the circumstances of an individual project, warehouses may also have other environmental impacts.

To help lead agencies avoid, analyze, and mitigate warehouses' environmental impacts, the Attorney General Office's Bureau of Environmental Justice has published a document containing best practices and mitigation measures for warehouse projects. We have attached a

[1] California Air Resources Board, Nitrogen Dioxide & Health, https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health (NOx); California Air Resources Board, Summary: Diesel Particular Matter Health Impacts, https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts; Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf (DPM).

[2] Noise Sources and Their Effects, https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

copy of this document to this letter, and it is also available online.[3] We encourage you to consider the information in this document as you prepare the draft environmental impact report for this project.

Priority should be placed on avoiding land use conflicts between warehouses and sensitive receptors and on mitigating the impacts of any unavoidable land use conflicts. However, even projects located far from sensitive receptors may contribute to harmful regional air pollution, so you should consider measures to reduce emissions associated with the project to help the State meet its air quality goals. A distant warehouse may also impact sensitive receptors if trucks must pass near sensitive receptors to visit the warehouse.

The Bureau will continue to monitor proposed warehouse projects for compliance with the California Environmental Quality Act and other laws. We are available to discuss as you prepare the draft environmental impact report and consider how to guide warehouse development in your jurisdiction. Please do not hesitate to contact the Environmental Justice Bureau at ej@doj.ca.gov if you have any questions.

Sincerely,

CHRISTIE VOSBURG
Supervising Deputy Attorney General

For ROB BONTA
Attorney General

[3] https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf.

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ROB BONTA
Attorney General

State of California
DEPARTMENT OF JUSTICE

Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act

Table of Contents

In carrying out its duty to enforce laws across California, the California Attorney General's Bureau of Environmental Justice (Bureau)[1] regularly reviews proposed warehouse projects for compliance with the California Environmental Quality Act (CEQA) and other laws. When necessary, the Bureau submits comment letters to lead agencies regarding warehouse projects, and in rare cases the Bureau has filed litigation to enforce CEQA.[2] This document builds upon the Bureau's work on warehouse projects, collecting information gained from the Bureau's review of hundreds of warehouse projects across the state.[3] It is meant to help lead agencies pursue CEQA compliance and promote environmentally-just development as they confront warehouse project proposals.[4] While CEQA analysis is necessarily project-specific, this document provides information on feasible best practices and mitigation measures, nearly all of which have been adapted from actual warehouse projects in California.

I. Background

In recent years, the proliferation of e-commerce and rising consumer expectations of rapid shipping have contributed to a boom in warehouse development.[5] California, with its ports, population centers, and transportation network, has found itself at the center of this trend. In 2020, the Ports of Los Angeles, Long Beach, and Oakland collectively accounted for over 34% of all United States international container trade.[6] The Ports of Los Angeles and Long Beach alone generate about 35,000 container truck trips every day.[7] Accordingly, the South Coast Air Basin now contains approximately 3,000 warehouses of over 100,000 square feet each, with a total warehouse capacity of approximately 700 million square feet, an increase of 20 percent over the last five years.[8] This trend has only accelerated, with e-commerce growing to

[1] https://oag.ca.gov/environment/justice.
[2] https://oag.ca.gov/environment/ceqa; *People of the State of California v. City of Fontana* (Super. Ct. San Bernardino County, No. CIVSB2121829); *South Central Neighbors United et al. v. City of Fresno et al.* (Super. Ct. Fresno County, No. 18CECG00690).
[3] This September 2022 version revises and replaces the prior March 2021 version of this document.
[4] Anyone reviewing this document to determine CEQA compliance responsibilities should consult their own attorney for legal advice.
[5] As used in this document, "warehouse" or "logistics facility" is defined as a facility consisting of one or more buildings that stores cargo, goods, or products on a short- or long-term basis for later distribution to businesses and/or retail customers.
[6] Data from the Bureau of Transportation Statistics, Container TEUs (Twenty-foot Equivalent Units) (2020), https://data.bts.gov/stories/s/Container-TEU/x3fb-aeda/ (Ports of Los Angeles, Long Beach, and Oakland combined for 14.157 million TEUs, 34% of 41.24 million TEUs total nationwide) (last accessed September 18, 2022).
[7] U.S. Dept. of Transportation, Federal Highway Administration, *FHWA Operations Support – Port Peak Pricing Program Evaluation* (2020), available at https://ops.fhwa.dot.gov/publications/fhwahop09014/sect2.htm (last accessed September 18, 2022).
[8] South Coast Air Qual. Mgmt. Dist., *Final Socioeconomic Assessment for Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program and Proposed Rule 316 – Fees for Rule 2305*, at 7-8, 41 (May 2021).

13% of all retail sales and 2021 being a second consecutive record year for new warehouse space leased.[9] The latest data and forecasts predict that the next wave of warehouse development will be in the Central Valley.[10]

When done properly, these activities can contribute to the economy and consumer welfare. However, imprudent warehouse development can harm local communities and the environment. Among other pollutants, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.[11] Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.[12] The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate contribute to traffic jams, deterioration of road surfaces, and traffic accidents.

These environmental impacts also tend to be concentrated in neighborhoods already suffering from disproportionate health impacts and systemic vulnerability. For example, a comprehensive study by the South Coast Air Quality Management District found that communities located near large warehouses scored far higher on California's environmental justice screening tool, which measures overall pollution and demographic vulnerability.[13] That

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[9] U.S. Census Bureau News, Quarterly Retail E-Commerce Sales 4th Quarter 2021 (February 22, 2022), https://www.census.gov/retail/mrts/www/data/pdf/ec_current.pdf (last accessed September 18, 2022); CBRE Research, *2022 North America Industrial Big Box Report: Review and Outlook*, at 2-3 (March 2022), *available at* https://www.cbre.com/insights/reports/2022-north-america-industrial-big-box#download-report (last accessed September 18, 2022).

[10] CBRE Research, *supra note* 9, at 4, 36; New York Times, *Warehouses Are Headed to the Central Valley, Too* (Jul. 22, 2020), *available* at https://www.nytimes.com/2020/07/22/us/coronavirus-ca-warehouse-workers.html.

[11] California Air Resources Board, Nitrogen Dioxide & Health, https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health (last accessed September 18, 2022) (NOx); California Air Resources Board, Summary: Diesel Particular Matter Health Impacts, https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts (last accessed September 18, 2022); Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf (last accessed September 18, 2022) (DPM).

[12] Noise Sources and Their Effects, https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm (last accessed September 18, 2022) (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

[13] South Coast Air Quality Management District, "Final Socioeconomic Assessment for Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program and Proposed Rule 316 – Fees for Rule 2305" (May 2021), at 4-5.

study concluded that, compared to the South Coast Air Basin averages, communities in the South Coast Air Basin near large warehouses had a substantially higher proportion of people of color; were exposed to more diesel particulate matter; had higher rates of asthma, cardiovascular disease, and low birth weights; and had higher poverty and unemployment rates.[14] Each area has its own unique history, but many of these impacts and vulnerabilities reflect historic redlining practices in these communities, which devalued land and concentrated poverty, racial outgroups, and pollution into designated areas.[15]

II. Proactive Planning: General Plans, Local Ordinances, and Good Neighbor Policies

To systematically guide warehouse development, we encourage local governing bodies to proactively plan for logistics projects in their jurisdictions. Proactive planning allows jurisdictions to prevent land use conflicts before they materialize and direct sustainable development. Benefits also include providing a predictable business environment, protecting residents from environmental harm, and setting consistent expectations jurisdiction-wide.

Proactive planning can take many forms. Land use designation and zoning decisions should channel development into appropriate areas. For example, establishing industrial districts near major highway and rail corridors but away from sensitive receptors[16] can help attract investment while avoiding conflicts between warehouse facilities and residential communities. Transition zones with lighter industrial and commercial land uses may also help minimize conflicts between residential and industrial uses.

In addition, general plan policies, local ordinances, and good neighbor policies should set minimum standards for logistics projects. General plan policies can be incorporated into existing economic development, land use, circulation, or other related general plan elements. Many jurisdictions alternatively choose to consolidate policies in a separate environmental justice element. Adopting general plan policies to guide warehouse development may also help

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[14] *Id*. at 5-7.

[15] Beginning in the 1930s, federal housing policy directed investment away from Black, immigrant, and working-class communities by color-coding neighborhoods according to the purported "riskiness" of loaning to their residents. In California cities where such "redlining" maps were drawn, nearly all of the communities where warehouses are now concentrated were formerly coded "red," signifying the least desirable areas where investment was to be avoided. *See* University of Richmond Digital Scholarship Lab, Mapping Inequality, https://dsl.richmond.edu/panorama/redlining/#loc=12/33.748/-118.272&city=los-angeles-ca (Los Angeles), https://dsl.richmond.edu/panorama/redlining/#loc=13/32.685/-117.132&city=san-diego-ca (San Diego), https://dsl.richmond.edu/panorama/redlining/#loc=11/37.81/-122.38&city=oakland-ca (Oakland), https://dsl.richmond.edu/panorama/redlining/#loc=13/37.956/-121.326&city=stockton-ca (Stockton), https://dsl.richmond.edu/panorama/redlining/#loc=12/36.751/-119.86&city=fresno-ca (Fresno) (all last accessed September 18, 2022).

[16] In this document, "sensitive receptors" refers to residences, schools, public recreation facilities, health care facilities, places of worship, daycare facilities, community centers, or incarceration facilities.

jurisdictions comply with their obligations under SB 1000, which requires local government general plans to identify objectives and policies to reduce health risks in disadvantaged communities, promote civil engagement in the public decision making process, and prioritize improvements and programs that address the needs of disadvantaged communities.[17]

Local ordinances and good neighbor policies that set development standards for all warehouses in the jurisdiction are a critical and increasingly common tool that serve several goals. When well-designed, these ordinances direct investment to local improvements, provide predictability for developers, conserve government resources by streamlining project review processes, and reduce the environmental impacts of industrial development. While many jurisdictions have adopted warehouse-specific development standards, an ordinance in the City of Fontana provides an example to review and build upon.[18] Good neighbor policies in Riverside County and by the Western Riverside Council of Government include additional measures worth consideration.[19]

The Bureau encourages jurisdictions to adopt their own local ordinances that combine the strongest policies from those models with measures discussed in the remainder of this document.

III. Community Engagement

Early and consistent community engagement is central to establishing good relationships between communities, lead agencies, and warehouse developers and tenants. Robust community engagement can give lead agencies access to community residents' on-the-ground knowledge and information about their concerns, build community support for projects, and develop creative solutions to ensure new logistics facilities are mutually beneficial. Examples of best practices for community engagement include:

- Holding a series of community meetings at times and locations convenient to members of the affected community and incorporating suggestions into the project design.
- Posting information in hard copy in public gathering spaces and on a website about the project. The information should include a complete, accurate project description, maps and drawings of the project design, and information about how the public can provide input and be involved in the project approval process. The

[17] For more information about SB 1000, *see* https://oag.ca.gov/environment/sb1000.
[18] https://oag.ca.gov/system/files/attachments/press-docs/Final%20Signed%20Fontana%20Ordinance.pdf (last accessed September 18, 2022).
[19] For example, the Riverside County policy requires community benefits agreements and supplemental funding contributions toward additional pollution offsets, and the Western Riverside Council of Governments policy sets a minimum buffer zone of 300 meters between warehouses and sensitive receptors. https://www.rivcocob.org/wp-content/uploads/2020/01/Good-Neighbor-Policy-F-3-Final-Adopted.pdf (last accessed September 18, 2022) (Riverside County); http://www.wrcog.cog.ca.us/DocumentCenter/View/318/Good-Neighbor-Guidelines-for-Siting-Warehouse-Distribution-Facilities-PDF?bidId= (last accessed September 18, 2022) (Western Riverside Council of Governments).

information should be in a format that is easy to navigate and understand for members of the affected community.

- Providing notice by mail to residents and schools within a certain radius of the project and along transportation corridors to be used by vehicles visiting the project, and by posting a prominent sign on the project site. The notice should include a brief project description and directions for accessing complete information about the project and for providing input on the project.
- Providing translation or interpretation in residents' native language, where appropriate.
- For public meetings broadcast online or otherwise held remotely, providing for access and public comment by telephone and supplying instructions for access and public comment with ample lead time prior to the meeting.
- Partnering with local community-based organizations to solicit feedback, leverage local networks, co-host meetings, and build support.
- Considering adoption of a community benefits agreement, negotiated with input from affected residents and businesses, by which the developer provides benefits to the affected community.
- Creating a community advisory board made up of local residents to review and provide feedback on project proposals in early planning stages.
- Identifying a person to act as a community liaison concerning on-site construction activity and operations, and providing contact information for the community liaison to the surrounding community.
- Requiring signage in public view at warehouse facilities with contact information for a local designated representative for the facility operator who can receive community complaints, and requiring any complaints to be answered by the facility operator within 48 hours of receipt.

IV. Warehouse Siting and Design Considerations

The most important consideration when planning a logistics facility is its location. Warehouses located in residential neighborhoods or near sensitive receptors expose community residents and those using or visiting sensitive receptor sites to the air pollution, noise, traffic, and other environmental impacts they generate. Therefore, placing facilities away from sensitive receptors significantly reduces their environmental and quality of life harms on local communities. The suggested best practices for siting and design of warehouse facilities does not relieve lead agencies' responsibility under CEQA to conduct a project-specific analysis of the project's impacts and evaluation of feasible mitigation measures and alternatives; lead agencies' incorporation of the best practices must be part of the impact, mitigation and alternatives analyses to meet the requirements of CEQA. Examples of best practices when siting and designing warehouse facilities include:

- Per California Air Resources Board (CARB) guidance, siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors.[20]
- Providing adequate amounts of on-site parking to prevent trucks and other vehicles from parking or idling on public streets and to reduce demand for off-site truck yards.
- Establishing setbacks from the property line of the nearest sensitive receptor to warehouse dock doors, loading areas, and truck drive aisles, and locating warehouse dock doors, loading areas, and truck drive aisles on the opposite side of the building from the nearest sensitive receptors—e.g., placing dock doors on the north side of the facility if sensitive receptors are near the south side of the facility.
- Placing facility entry and exit points from the public street away from sensitive receptors—e.g., placing these points on the north side of the facility if sensitive receptors are adjacent to the south side of the facility.
- Ensuring heavy duty trucks abide by the on-site circulation plans by constructing physical barriers to block those trucks from using areas of the project site restricted to light duty vehicles or emergency vehicles only.
- Preventing truck queuing spillover onto surrounding streets by positioning entry gates after a minimum of 140 feet of space for queuing, and increasing the distance by 70 feet for every 20 loading docks beyond 50 docks.
- Locating facility entry and exit points on streets of higher commercial classification that are designed to accommodate heavy duty truck usage.
- Screening the warehouse site perimeter and onsite areas with significant truck traffic (e.g., dock doors and drive aisles) by creating physical, structural, and/or vegetative buffers that prevent or substantially reduce pollutant and noise dispersion from the facility to sensitive receptors.
- Planting exclusively 36-inch box evergreen trees to ensure faster maturity and four-season foliage.
- Requiring all property owners and successors in interest to maintain onsite trees and vegetation for the duration of ownership, including replacing any dead or unhealthy trees and vegetation.
- Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.
- Including signs and drive aisle pavement markings that clearly identify onsite circulation patterns to minimize unnecessary onsite vehicle travel.
- Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.

[20] CARB, Air Quality and Land Use Handbook: A Community Health Perspective (April 2005), at ES-1. CARB staff has released draft updates to this siting and design guidance which suggests a greater distance may be warranted in some scenarios. CARB, Concept Paper for the Freight Handbook (December 2019), *available at* https://ww2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf (last accessed September 18, 2022).

V. Air Quality and Greenhouse Gas Emissions Analysis and Mitigation

Emissions of air pollutants and greenhouse gases are often among the most substantial environmental impacts from new warehouse facilities. CEQA compliance demands a proper accounting of the full air quality and greenhouse gas impacts of logistics facilities and adoption of all feasible mitigation of significant impacts. Although efforts by CARB and other authorities to regulate the heavy-duty truck and off-road diesel fleets have made excellent progress in reducing the air quality impacts of logistics facilities, the opportunity remains for local jurisdictions to further mitigate these impacts at the project level. Lead agencies and developers should also consider designing projects with their long-term viability in mind. Constructing the necessary infrastructure to prepare for the zero-emission future of goods movement not only reduces a facility's emissions and local impact now, but it can also save money as demand for zero-emission infrastructure grows. In planning new logistics facilities, the Bureau strongly encourages developers to consider the local, statewide, and global impacts of their projects' emissions.

Examples of best practices when studying air quality and greenhouse gas impacts include:

- Fully analyzing all reasonably foreseeable project impacts, including cumulative impacts. In general, new warehouse developments are not ministerial under CEQA because they involve public officials' personal judgment as to the wisdom or manner of carrying out the project, even when warehouses are permitted by a site's applicable zoning and/or general plan land use designation.[21]
- When analyzing cumulative impacts, thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, even if the project's individual impacts alone do not exceed the applicable significance thresholds.
- Preparing a quantitative air quality study in accordance with local air district guidelines.
- Preparing a quantitative health risk assessment in accordance with California Office of Environmental Health Hazard Assessment and local air district guidelines.
- Refraining from labeling compliance with CARB or air district regulations as a mitigation measure—compliance with applicable regulations is required regardless of CEQA.
- Disclosing air pollution from the entire expected length of truck trips. CEQA requires full public disclosure of a project's anticipated truck trips, which entails calculating truck trip length based on likely truck trip destinations, rather than the distance from the facility to the edge of the air basin, local jurisdiction, or other truncated endpoint. All air pollution associated with the project must be considered, regardless of where those impacts occur.

[21] CEQA Guidelines § 15369.

- Accounting for all reasonably foreseeable greenhouse gas emissions from the project, without discounting projected emissions based on participation in California's Cap-and-Trade Program.

Examples of measures to mitigate air quality and greenhouse gas impacts from construction are below. To ensure mitigation measures are enforceable and effective, they should be imposed as permit conditions on the project where applicable.

- Requiring off-road construction equipment to be hybrid electric-diesel or zero-emission, where available, and all diesel-fueled off-road construction equipment to be equipped with CARB Tier IV-compliant engines or better, and including this requirement in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.
- Prohibiting off-road diesel-powered equipment from being in the "on" position for more than 10 hours per day.
- Using electric-powered hand tools, forklifts, and pressure washers, and providing electrical hook ups to the power grid rather than use of diesel-fueled generators to supply their power.
- Designating an area in the construction site where electric-powered construction vehicles and equipment can charge.
- Limiting the amount of daily grading disturbance area.
- Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- Forbidding idling of heavy equipment for more than three minutes.
- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.
- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- Using paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L.
- Providing information on transit and ridesharing programs and services to construction employees.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations for construction employees.

Examples of measures to mitigate air quality and greenhouse gas impacts from operation include:

- Requiring all heavy-duty vehicles engaged in drayage[22] to or from the project site to be zero-emission beginning in 2030.

[22] "Drayage" refers generally to transport of cargo to or from a seaport or intermodal railyard.

- Requiring all on-site motorized operational equipment, such as forklifts and yard trucks, to be zero-emission with the necessary charging or fueling stations provided.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Forbidding trucks from idling for more than three minutes and requiring operators to turn off engines when not in use.
- Posting both interior- and exterior-facing signs, including signs directed at all dock and delivery areas, identifying idling restrictions and contact information to report violations to CARB, the local air district, and the building manager.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity that is equal to or greater than the building's projected energy needs, including all electrical chargers.
- Designing all project building roofs to accommodate the maximum future coverage of solar panels and installing the maximum solar power generation capacity feasible.
- Constructing zero-emission truck charging/fueling stations proportional to the number of dock doors at the project.
- Running conduit to designated locations for future electric truck charging stations.
- Unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks.
- Oversizing electrical rooms by 25 percent or providing a secondary electrical room to accommodate future expansion of electric vehicle charging capability.
- Constructing and maintaining electric light-duty vehicle charging stations proportional to the number of employee parking spaces (for example, requiring at least 10% of all employee parking spaces to be equipped with electric vehicle charging stations of at least Level 2 charging performance)
- Running conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of facility for the life of the project.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of

trucks.

- Requiring operators to establish and promote a rideshare program that discourages single-occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking.
- Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
- Designing to LEED green building certification standards.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations.
- Posting signs at every truck exit driveway providing directional information to the truck route.
- Improving and maintaining vegetation and tree canopy for residents in and around the project area.
- Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants who own, operate, or hire trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers.
- Providing tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.

VI. Noise Impacts Analysis and Mitigation

The noise associated with logistics facilities can be among their most intrusive impacts to nearby sensitive receptors. Various sources, such as unloading activity, diesel truck movement, and rooftop air conditioning units, can contribute substantial noise pollution. These impacts are exacerbated by logistics facilities' typical 24-hour, seven-days-per-week operation. Construction noise is often even greater than operational noise, so if a project site is near sensitive receptors, developers and lead agencies should adopt measures to reduce the noise generated by both construction and operation activities.

Examples of best practices when studying noise impacts include:

- Preparing a noise impact analysis that considers all reasonably foreseeable project noise impacts, including to nearby sensitive receptors. All reasonably foreseeable project noise impacts encompasses noise from both construction and operations, including stationary, on-site, and off-site noise sources.
- Adopting a lower significance threshold for incremental noise increases when baseline noise already exceeds total noise significance thresholds, to account for the cumulative impact of additional noise and the fact that, as noise moves up the decibel scale, each decibel increase is a progressively greater increase in sound

pressure than the last. For example, 70 dBA is ten times more sound pressure than 60 dBA.

- Disclosing and considering the significance of short-term noise levels associated with all aspects of project operation (i.e. both on-site noise generation and off-site truck noise). Considering only average noise levels may mask noise impacts sensitive receptors would consider significant—for example, the repeated but short-lived passing of individual trucks or loading activities at night.

Examples of measures to mitigate noise impacts include:

- Constructing physical, structural, or vegetative noise barriers on and/or off the project site.
- Planning and enforcing truck routes that avoid passing sensitive receptors.
- Locating or parking all stationary construction equipment as far from sensitive receptors as possible, and directing emitted noise away from sensitive receptors.
- Verifying that construction equipment has properly operating and maintained mufflers.
- Requiring all combustion-powered construction equipment to be surrounded by a noise protection barrier
- Limiting operation hours to daytime hours on weekdays.
- Paving roads where truck traffic is anticipated with low noise asphalt.
- Orienting any public address systems onsite away from sensitive receptors and setting system volume at a level not readily audible past the property line.

VII. Traffic Impacts Analysis and Mitigation

Warehouse facilities inevitably bring truck and passenger car traffic. Truck traffic can present substantial safety issues. Collisions with heavy-duty trucks are especially dangerous for passenger cars, motorcycles, bicycles, and pedestrians. These concerns can be even greater if truck traffic passes through residential areas, school zones, or other places where pedestrians are common and extra caution is warranted.

Examples of measures to mitigate traffic impacts include:

- Designing, clearly marking, and enforcing truck routes that keep trucks out of residential neighborhoods and away from other sensitive receptors.
- Installing signs in residential areas noting that truck and employee parking is prohibited.
- Requiring preparation and approval of a truck routing plan describing the facility's hours of operation, types of items to be stored, and truck routing to and from the facility to designated truck routes that avoids passing sensitive receptors. The plan should include measures for preventing truck queuing, circling, stopping, and parking on public streets, such as signage, pavement markings, and queuing analysis and enforcement. The plan should hold facility operators responsible for violations of the truck routing plan, and a revised plan should be required from any new tenant that occupies the property before a business license

is issued. The approving agency should retain discretion to determine if changes to the plan are necessary, including any additional measures to alleviate truck routing and parking issues that may arise during the life of the facility.
- Constructing new or improved transit stops, sidewalks, bicycle lanes, and crosswalks, with special attention to ensuring safe routes to schools.
- Consulting with the local public transit agency and securing increased public transit service to the project area.
- Designating areas for employee pickup and drop-off.
- Implementing traffic control and safety measures, such as speed bumps, speed limits, or new traffic signs or signals.
- Placing facility entry and exit points on major streets that do not have adjacent sensitive receptors.
- Restricting the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors.
- Constructing roadway improvements to improve traffic flow.
- Preparing a construction traffic control plan prior to grading, detailing the locations of equipment staging areas, material stockpiles, proposed road closures, and hours of construction operations, and designing the plan to minimize impacts to roads frequented by passenger cars, pedestrians, bicyclists, and other non-truck traffic.

VIII. Other Significant Environmental Impacts Analysis and Mitigation

Warehouse projects may result in significant environmental impacts to other resources, such as to aesthetics, cultural resources, energy, geology, or hazardous materials. All significant adverse environmental impacts must be evaluated, disclosed and mitigated to the extent feasible under CEQA. Examples of best practices and mitigation measures to reduce environmental impacts that do not fall under any of the above categories include:

- Appointing a compliance officer who is responsible for implementing all mitigation measures, and providing contact information for the compliance officer to the lead agency, to be updated annually.
- Creating a fund to mitigate impacts on affected residents, schools, places of worship, and other community institutions by retrofitting their property. For example, retaining a contractor to retrofit/install HVAC and/or air filtration systems, doors, dual-paned windows, and sound- and vibration-deadening insulation and curtains.
- Sweeping surrounding streets on a daily basis during construction to remove any construction-related debris and dirt.
- Directing all lighting at the facility into the interior of the site.
- Using full cut-off light shields and/or anti-glare lighting.
- Requiring submission of a property maintenance program for agency review and approval providing for the regular maintenance of all building structures, landscaping, and paved surfaces.
- Using cool pavement to reduce heat island effects.

- Planting trees in parking areas to provide at least 35% shade cover of parking areas within fifteen years to reduce heat island impacts.
- Using light colored roofing materials with a solar reflective index of 78 or greater.
- Including on-site amenities, such as a truck operator lounge with restrooms, vending machines, and air conditioning, to reduce the need for truck operators to idle or travel offsite.
- Designing skylights to provide natural light to interior worker areas.
- Installing climate control and air filtration in the warehouse facility to promote worker well-being.

IX. Conclusion

California's world-class economy, ports, and transportation network position it at the center of the e-commerce and logistics industry boom. At the same time, California is a global leader in environmental protection and environmentally just development. The guidance in this document furthers these dual strengths, ensuring that all can access the benefits of economic development. The Bureau will continue to monitor proposed projects for compliance with CEQA and other laws. Lead agencies, developers, community advocates, and other interested parties should feel free to reach out to us as they consider how to guide warehouse development in their area.

Please do not hesitate to contact the Environmental Justice Bureau at ej@doj.ca.gov if you have any questions.

05/29/2024

VIA EMAIL ONLY

Elizabeth Mora-Rodriguez, Senior Planner
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RE: NOP Comments for the 5th & Sterling Project

Dear Ms. Mora-Rodriguez,

The comments are submitted on behalf of Californians Allied for a Responsible Economy ("CARE CA") regarding the Notice of Preparation ("NOP") of a Draft Environmental Impact Report ("DEIR") for 5th & Sterling Project ("the Project"). CARE CA understands that the proposed Project consists of a 557,000 square foot (sf) industrial warehouse facility, which includes up to 552,000 sf of warehouse space, and 5,000 sf of mezzanine space.

The goal of an EIR is to provide decisionmakers and the public with detailed information about the effects of a proposed project on the environment, how significant impacts will be minimized and alternatives to the project (Pub. Res. Code § 21002.2). Ideally, the discussion should include sufficient detail to allow those who do not participate in the DEIR's preparation to understand and meaningfully deliberate the issues raised by the Project. We, therefore, respectfully request a complete analysis of all identified impacts, imposition of all feasible mitigation and study of a reasonable range of alternatives.

Since the informational sufficiency of an EIR should be at the heart of its preparation, we ask the City to consider the following requests:

Since the tenant(s) for the Project are not yet identified, the City, as lead agency, must make certain assumptions regarding the type and mix of light industrial uses that would likely occupy the proposed buildings. The DEIR should reflect a good faith effort at full disclosure by including as much information on the nature of operations as can be reasonably obtained. If such information is unavailable, the City should study a reasonable worst-case scenario (i.e., most impactful) so that a broad and diverse range of environmental impacts are included in the analysis.

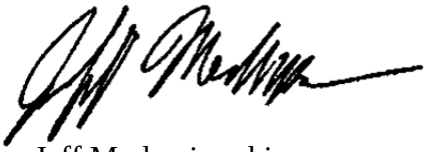
The DEIR should also make all efforts to minimize air quality effects and likely health consequences to the greatest extent possible. In addition, we urge the City to adopt quantitative

thresholds that embody climate change's existential threat to humankind to determine the significance of the Project's GHG emissions.

Finally, we encourage the City to incorporate modern technology in the mitigation measures and ensure that the measures are effective and enforceable. A Statement of Overriding Considerations should be considered only after ALL feasible mitigation measures are included in the MMRP.

Thank you for the opportunity to submit NOP comments. Again, CARE CA respectfully requests full analysis of the environmental impacts, feasible mitigation, and reasonable alternatives to the Project.

Sincerely,



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May 8, 2024

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Re: CEQA and Land Use Notice Request for the 5th and Sterling Project (SCH 2024050111)

Dear Ms. Mora-Rodriguez, Mr. Elliott, and Ms. Rocha,

I am writing on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the project known as the 5th and Sterling Project (SCH 2024050111), including all actions referring or related to the proposed development of a 557,000 square-foot industrial warehouse located north of 5th Street and east of Sterling Avenue on Assessor Parcel Numbers 1192-211-01 in San Bernardino. ("Project").

We hereby request that the City of San Bernardino ("City") send by electronic mail, if possible, or U.S. Mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:
    - Notices of any public hearing held pursuant to CEQA.
    - Notices of determination that an Environmental Impact Report ("EIR") is required for the Project, prepared pursuant to Public Resources Code Section 21080.4.

- Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
- Notices of preparation of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21092.
- Notices of availability of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
- Notices of approval and/or determination to carry out the Project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of any addenda prepared to a previously certified or approved EIR.
- Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of determination that the Project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
- Notice of any Final EIR prepared pursuant to CEQA.
- Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152.

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. **This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092**, which requires agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

Please send notice by electronic mail, if possible, or U.S. Mail to:

Rebecca Davis
Chase Preciado
Madeline Dawson
Layne Fajeau
Lozeau Drury LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612
rebecca@lozeaudrury.com
chase@lozeaudrury.com
madeline@lozeaudrury.com
layne@lozeaudrury.com

Please call if you have any questions. Thank you for your attention to this matter.

Sincerely,

Chase R. Preciado

Chase Preciado
Lozeau | Drury LLP

CEQA Initial Study

5th & Sterling Project

San Bernardino, California

Lead Agency

City of San Bernardino
201 North E Street, 3rd Floor
San Bernardino, CA 92401

Proposed Lead Agency Discretionary Permit

Development Permit Type-D (DP-D 23-13)

CEQA Consultant

T&B Planning, Inc.
3200 El Camino Real, Suite 100
Irvine, CA 92602

Project Applicant

Fifth & Sterling, LLC
26569 Community Center Drive
Highland, CA 92346

Date: April 10, 2024

Table of Contents

Figure **Page**

1.0 INTRODUCTION

1.1 Purpose and Scope of this CEQA Initial Study

The California Environmental Quality Act (CEQA) is a statewide environmental law contained in Public Resources Code Sections (§) 21000-21177. CEQA applies to most public agency decisions to carry out, authorize, or approve actions that have the potential to adversely affect the environment. CEQA requires that public agencies analyze and acknowledge the environmental consequences of their discretionary actions and consider alternatives and mitigation measures that could avoid or reduce significant adverse impacts to the environment when avoidance or reduction is feasible. The CEQA compliance process also gives other public agencies and the general public an opportunity to comment on a proposed project's environmental effects.

This Initial Study evaluates the potential for the proposed project (the Project) to adversely affect the physical environment. As part of the City of San Bernardino's (sometimes referred to herein as City) discretionary permit review process, the Project is required to undergo an initial environmental review pursuant to CEQA Guidelines § 15063. This Initial Study is a preliminary analysis prepared by the City acting in its capacity as the CEQA Lead Agency, to determine the level of environmental review and scope of analysis that will be required for the Project under CEQA. This Initial Study presents and substantiates the City's determination regarding the type of CEQA compliance document that will be prepared for the Project, which the City determined will be an **Environmental Impact Report (EIR).**

1.2 Potential Environmental Effects of the Proposed Project

The analysis presented in this Initial Study indicates that the proposed Project has the potential to result in one or more significant direct, indirect, and/or cumulatively considerable environmental effects under the following environmental subjects:

- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Noise
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

Based on the analysis provided in the Environmental Checklist portion of this Initial Study, the proposed Project has the potential to result in significant effects on the environment for which feasible mitigation measures may or may not be available to reduce all of those effects to below thresholds of significance applied by the City. Accordingly, and pursuant to CEQA Guidelines § 15063(b)(1), an EIR will be prepared for the Project and will focus on potential impacts to the environmental issue areas listed above.

2.0 PROJECT DESCRIPTION AND SETTING

2.1 Project Overview

The Project involves the proposed development of a ±25.12-gross-acre (±24.72-net-acre) property (Project Site) in the City of San Bernardino, California, with a ±557,000 square foot (s.f.) industrial warehouse building and associated site improvements. To implement the Project, the Project Applicant (Fifth & Sterling, LLC) submitted an application to the City for a Development Permit Type-D (DP-D 23-13). The Project conforms with the Project Site's General Plan designation of "Industrial (I)" and Zoning designation of "Industrial Light (IL)."

2.2 Project Location

The Project Site that is the subject of this Initial Study is located within the City of San Bernardino, which is within the Valley subregion of San Bernardino County, north of Interstate-10, east of Interstate-215, and south and west of Interstate-210. More specifically, and as depicted on Figure 2-1, *Regional Map,* and Figure 2-2, *Vicinity Map*, the Project Site is located north of 5th Street, south of 6th Street, east of Sterling Avenue, and approximately 650 feet west of Lankershim Avenue. The Project Site encompasses Assessor's Parcel Number (APN) 1192-211-01.

2.3 Environmental Setting and Surrounding Land Uses

As depicted on Figure 2-3, *USGS Topographic Map,* and Figure 2-4, *Aerial Photograph*, under existing conditions, the Project Site is undeveloped. The Project Site vicinity and surrounding areas contain a mixture of industrial, commercial, residential, and aviation land uses, with some parcels remaining undeveloped.

North: To the north of the Project Site is 6th Street, north of which are an industrial warehouse and vacant, undeveloped land designated for future industrial development. The industrial warehouse located north of 6th Street is occupied by Globe Electric/Weber Logistics. Further to the northeast and northwest are residential land uses including both single family homes and apartments.

East: To the east of the Project Site is Armada Towing, CAL Disposal Company, Inc. (a refuse collection service), and Castaway RV Storage. Land uses east of Lankershim Avenue include but are not limited to single-family residential homes, Highlanders Boxing Club Program (a boxing gym), and Highland Storage facility.

South: To the south of the Project Site is 5th Street, south of which is undeveloped land designated for future commercial development and south of which is 3rd Street. South of 3rd Street is the San Bernadino International Airport and an Amazon Air Freight Fulfillment Center. To the southeast of the Project Site is Wilson Towing, Good Auto & Truck Repair, Pride Auto Sales, VTTR towing service, and single-family residential homes. To the southwest of the Project Site is undeveloped land.

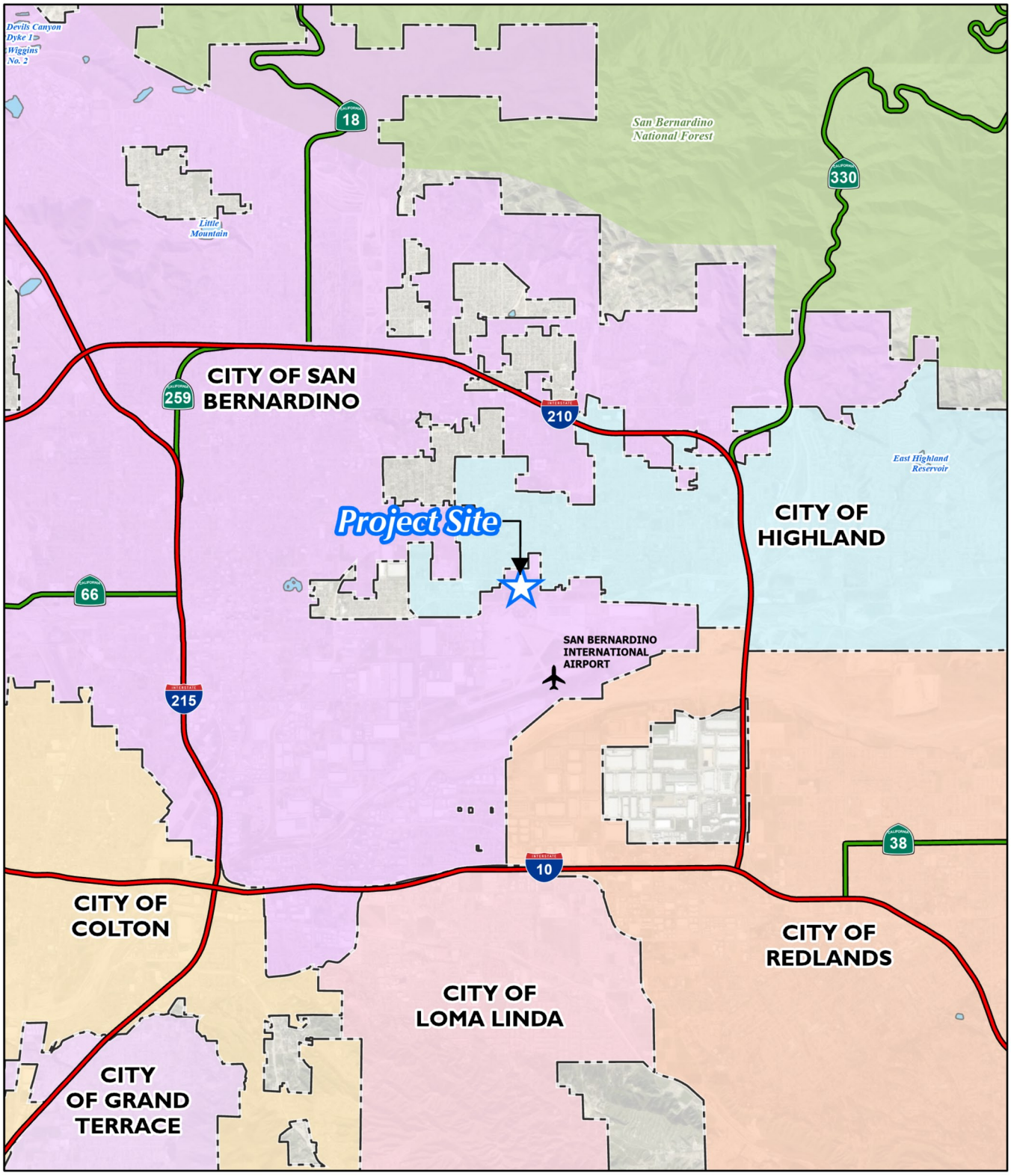
West: To the west of the Project Site is Sterling Avenue. West of Sterling Avenue is undeveloped land, an apartment complex, and two single-family residential homes. Further west are additional residential uses including apartments and single-family residential homes. Properties west of Sterling Avenue are located in the City of Highland.

2.4 Description of the Proposed Project

A. Development Permit Type-D (DP-D 23-13)

As depicted on Figure 2-5, *Proposed Development Plan,* the proposed Project evaluated herein involves the development of the Project Site with an industrial warehouse facility. The applicant is proposing development of the Project Site on a speculative basis, meaning that the building's occupant(s) would be determined at a later time and is not yet known. It is typical for building tenants to be unknown and not commit to a building lease until the building is entitled and a construction schedule is assured.

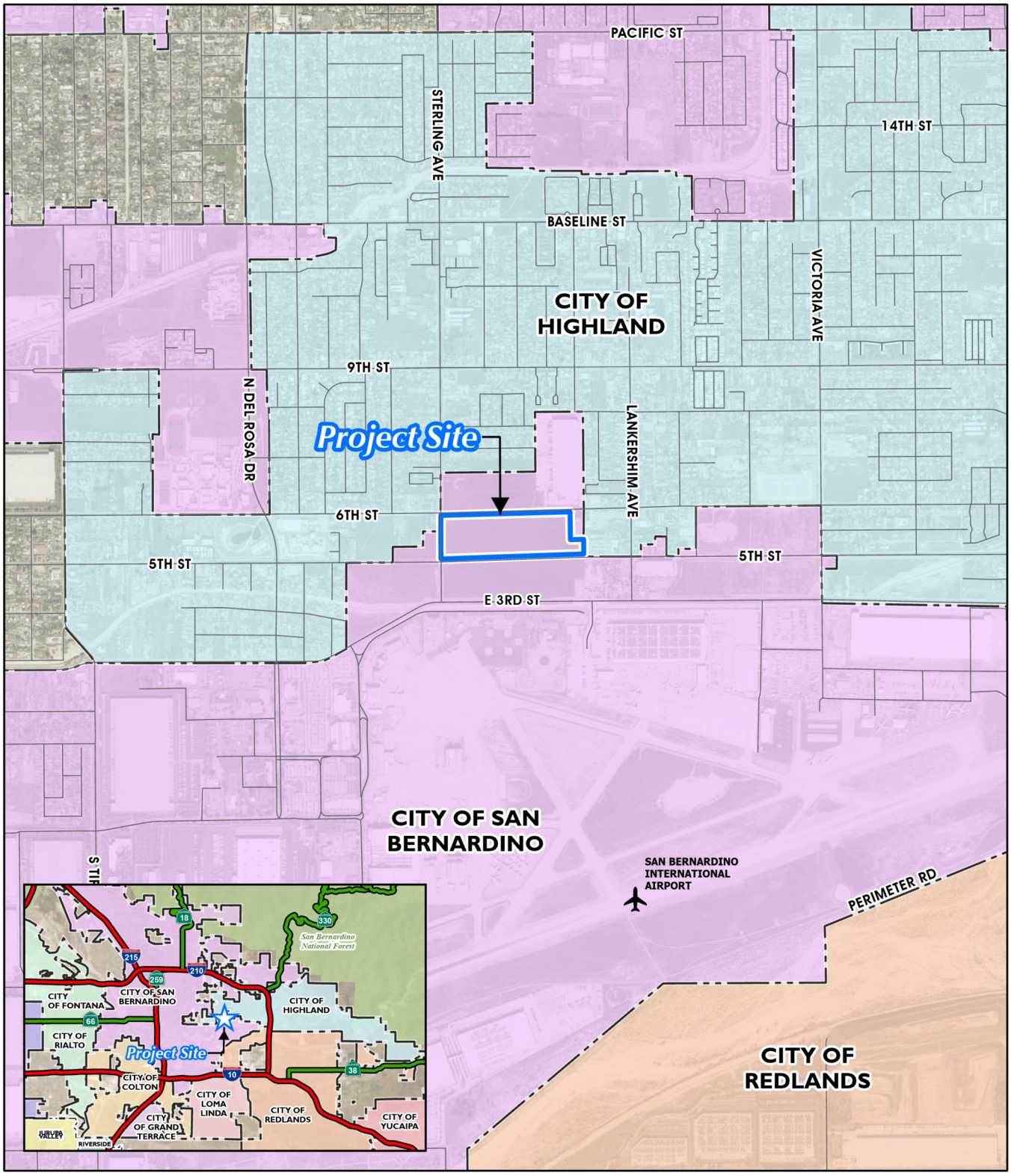
The proposed building is designed to have up to 557,000 s.f. of interior floor space, which includes up to 552,000 s.f. of warehouse space, and 5,000 s.f. of mezzanine space. An office would be located at the southwest corner of the building, with 5,000 s.f. on both the lower level and mezzanine level, for a total office space of 10,000 s.f. Eighty (80) dock doors are proposed on the south side of the building. The proposed site design includes 446 parking stalls, including 158 passenger vehicle stalls, 189 trailer stalls, 9 handicap stalls, 23 Electric Vehicle Charging Station (EVCS) stalls, and 67 future EVCS stalls, which would meet the City of San Bernardino parking requirements. Trailer parking stalls would be located on the south side of the building and passenger vehicle parking stalls would be located on the east and west sides of the building. Bicycle racks would also be provided at the southeast and southwest entrances to the building. The Project also includes the installation of associated site improvements, including drive aisles, parking areas, landscaping, utility infrastructure, exterior lighting, walls/fencing, and signage. Access to the Project Site would be provided via five driveways: two driveways connecting with Sterling Avenue for passenger vehicles only; two driveways connecting to 5th Street, the western driveway for trucks only and the eastern driveway for both passenger cars and trucks; and one driveway connecting to 6th Street for both passenger cars and trucks.



Source(s): ESRI, NearMap Imagery (May 2023), SB County (2023)

Figure 2-1

Regional Map

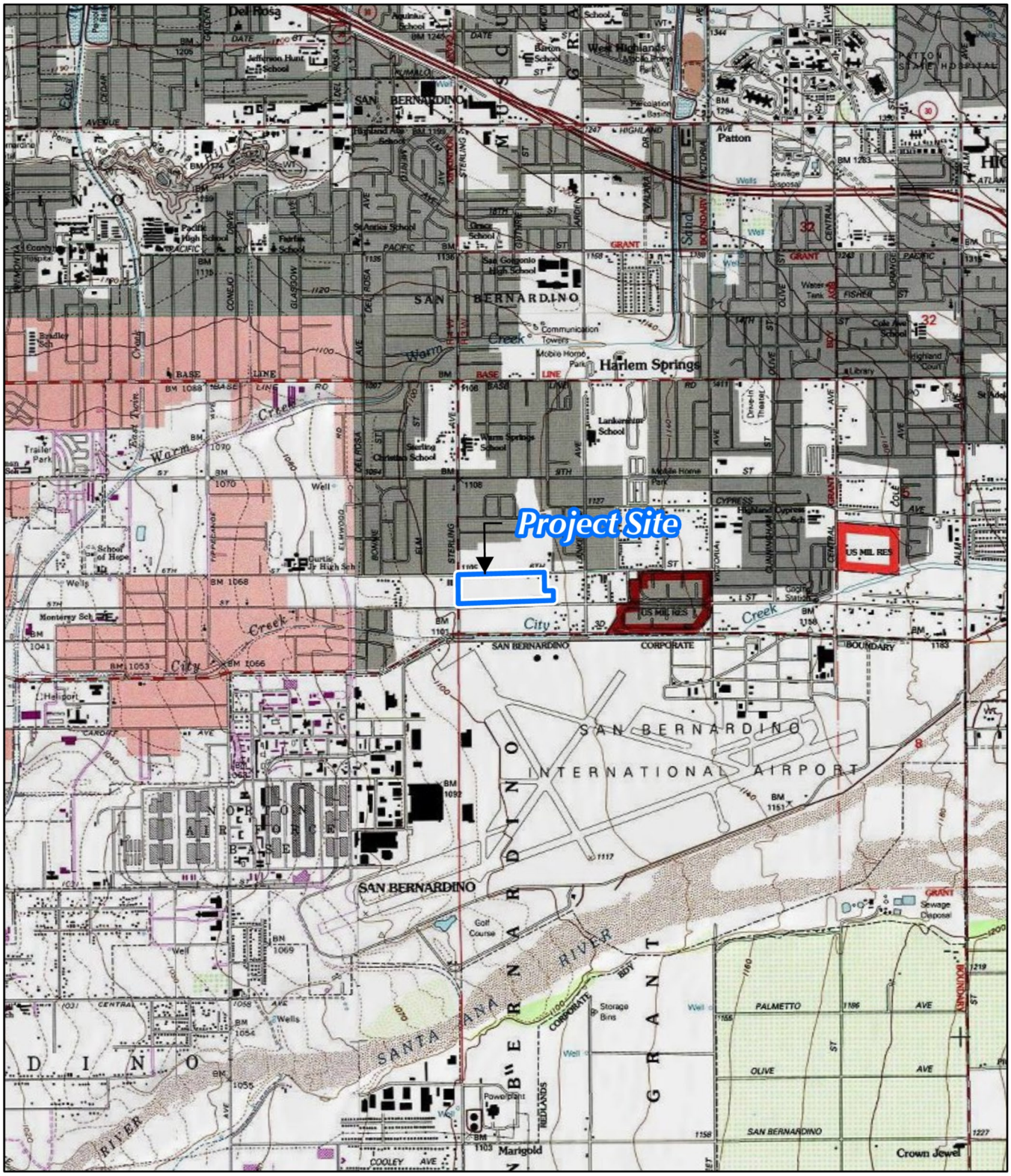


Source(s): ESRI, NearMap Imagery (May 2023), SB County (2023)

Figure 2-2

0 500 1,000 2,000 Feet

Vicinity Map



Source(s): ESRI, USGS (2013)

Figure 2-3

0 750 1,500 3,000 Feet

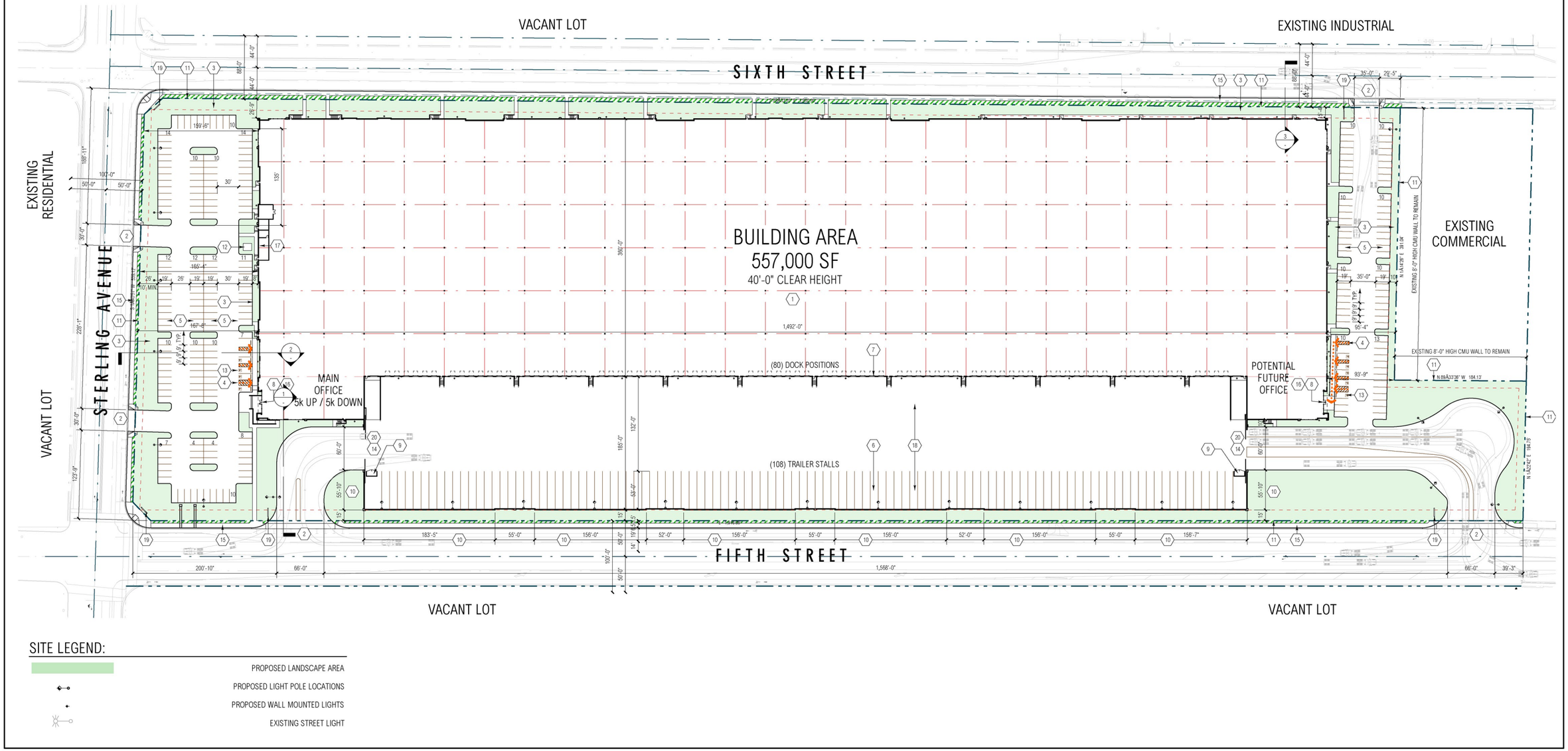
USGS Topographic Map

Source(s): ESRI, NearMap Imagery (May 2023)

Figure 2-4

0 125 250 500 Feet

Aerial Photograph



SITE LEGEND:

- PROPOSED LANDSCAPE AREA
- PROPOSED LIGHT POLE LOCATIONS
- PROPOSED WALL MOUNTED LIGHTS
- EXISTING STREET LIGHT

Source(s): RGA (02-12-2024)

Figure 2-5

Not to Scale

Proposed Development Plan

3.0 ENVIRONMENTAL CHECKLIST AND ANALYSIS

Provided on the following pages is an Environmental Checklist, based on Appendix G of the State CEQA Guidelines. The Checklist evaluates the Project's potential to result in significant adverse effects to the physical environment. As concluded by the Checklist, the proposed Project has the potential to result in significant environmental effects for which feasible mitigation may not be available to reduce those effects below levels of significance. Accordingly, and pursuant to CEQA Guidelines § 15063(b)(1), an EIR will be prepared for the Project.

INITIAL STUDY/ENVIRONMENTAL CHECKLIST FORM
CITY OF SAN BERNARDINO

1. **Project Title:** 5th & Sterling

2. **Lead Agency Name and Address:** City of San Bernardino
   Planning Division
   201 North E Street, 3rd Floor
   San Bernardino, CA 92401

3. **Contact Persons and Phone Number:** Elizabeth Mora-Rodriguez: 909.384.7272 x 3075

4. **Project Location:** South of 6th Street, north of 5th Street, east of Lankershim Avenue, and west of Sterling Avenue in the City of San Bernardino, California.

5. **Project Sponsor's Name and Address:** Fifth & Sterling, LLC, a Delaware limited liability company
   26569 Community Center Drive
   Highland, CA 92346

6. **General Plan Designation:** Industrial (I)

7. **Zoning:** Industrial Light (IL)

8. **Description of the Project:** Proposed development of an approximately 25.12-gross-acre property with an industrial warehouse facility. The proposed building is designed to have up to 557,000 s.f. of interior floor space with 80 south-facing dock doors. Other features include interior drive aisles, parking areas for passenger vehicles and trucks and trailers, landscaping, utility infrastructure, exterior lighting, walls/fencing, and signage. Access to the Project Site would be provided via five driveways: two driveways connecting with Sterling Avenue for passenger vehicles only; two driveways connecting to 5th Street, the western driveway for trucks only and the eastern driveway for both passenger cars and trucks; and one driveway connecting to 6th Street for both passenger cars and trucks.

9. **Surrounding Land Uses and Setting:** The Project Site is located in the City of San Bernardino, north of Interstate-10, east of Interstate-215, and south and west of Interstate-210. The northern boundary of the Project Site is 6th Street, the southern boundary is 5th Street, and the western boundary is Sterling Avenue.

The surrounding area contains a mixture of industrial, commercial, aviation, and residential land uses, with some parcels remaining undeveloped.

10. **Other public agencies whose approval is required:** The Project may require discretionary and/or administrative approvals, which include, but are not necessarily limited to, approvals from the City of Highland; the San Bernardino County Fire Department; Regional Water Quality Control Board, Santa Ana Region (RWQCB); and South Coast Air Quality Management District (SCAQMD). Approvals from other public agencies, if required, will be described in the required EIR.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

☐	Aesthetics	☒	Greenhouse Gas Emissions	☐	Public Services
☐	Agricultural Resources and Forestry Resources	☐	Hazards & Hazardous Materials	☐	Recreation
☒	Air Quality	☐	Hydrology/Water Quality	☒	Transportation
☒	Biological Resources	☐	Land Use/Planning	☒	Tribal Cultural Resources
☒	Cultural Resources	☐	Mineral Resources	☒	Utilities/Service Systems
☒	Energy	☒	Noise	☐	Wildfire
☒	Geology/Soils	☐	Population/Housing	☒	Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	☐
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	☐
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	☒
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	☐
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	☐

Signature

April 24, 2024
Date

Elizabeth Mora-Rodriguez
Printed Name

EVALUATION OF ENVIRONMENTAL IMPACTS

This section contains the Environmental Checklist for the Project and is based on the Initial Study Environmental Checklist (Checklist) included in Appendix G of the CEQA Guidelines, as most recently updated in December 2018. The Checklist is marked with findings as to the environmental effects of the Project. The evaluation of environmental impacts in this section has been undertaken, pursuant to the provisions of CEQA, to provide the City with the factual basis for determining, based on the information available, the form of environmental documentation the Project warrants. The basis for each of the findings is provided in the explanation of responses following the Checklist. References used to support the analyses are identified in the text and listed in Section 4.0 of this Initial Study.

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside

document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify:

(a) the significance criteria or threshold used to evaluate each question; and

(b) the mitigation measure identified, if any, to reduce the impact to less than significance.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
I. AESTHETICS Would the Project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐

(Source: Project Application Materials; Google Earth, 2023; City of San Bernardino General Plan, 2005a)

The Project Site is located in the City. The property is not designated as a scenic vista by the City's General Plan or any other relevant planning document. With respect to visual resources and scenic vistas, the General Plan indicates that the following areas could potentially benefit from sensitive treatment of land: Kendall Hills, San Bernardino Mountains, the hillsides adjacent to Arrowhead Springs, Lytle Creek Wash, East Twin Creeks Wash, the Santa Ana River, Badger Canyon, Bailey Canyon, and Waterman Canyon. *(City of San Bernardino, 2005a, p. 12-22)*. The Project Site is located in the southeastern portion of the City and is not associated with any of these features. The San Bernardino Mountains, located north of the Project Site, is the only one of these features that is visible from the Project Site. Due to the orientation of the San Bernardino Mountains in relation to the Project Site (the mountains are located north of the Project Site and north of 6th Street), implementation of the Project would not alter views of the Mountains from 6th Street because the Project would not result in any improvements/alterations to the north side of 6th Street. The Project could partially obscure views of the San Bernardino Mountains from 5th Street, located south of the Project Site. The proposed Project's building would have a maximum height of 50.0 feet and other vertical features (walls, fences, landscaping, etc.) would be shorter and have substantially less mass than the building. Views of the San Bernardino Mountains would continue to be available above the building. Because public views of the San Bernardino Mountains would still be available from public viewing areas surrounding the Project Site and development on the site would be low in stature compared to the approximate 10,000-foot peak height of the mountain range, the Project would not have a substantial adverse effect on the mountain view and would have a less than significant impact on the San Bernardino Mountains scenic vista. Impacts would be less than significant and no further analysis of this topic is required.

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

(Source: Google Earth, 2023; Caltrans GIS Map of State Designated and Eligible Scenic Highway, 2021)

There are no designated or eligible State scenic highways within the Project Site's immediate vicinity (Caltrans, 2021). The nearest designated State scenic highway is a segment of State Route 243 (SR 243), located approximately 24.1 miles southeast of the Project Site. The nearest eligible (but not yet designated) State scenic highways include a segment of State Route 330 (SR 330), located approximately 3.2 miles northeast of the Project Site, and a segment of State Route (SR) 38 located approximately 4.5 miles northeast of the Project Site. Due to the distance of these highways to the Project Site and the presence of intervening development and topography, the Project Site does not offer views of scenic resources from these road segments. Thus, implementation of the Project would not adversely affect views of scenic resources from any State-designated scenic highway and no further analysis of this topic is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views 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?	☐	☐	☐	☒

(Source: Project Application Materials; Google Earth, 2023; City of San Bernardino Municipal Code, 2023; USCB Urbanized Area Reference Map, 2012)

The United States Census Bureau defines "urbanized area" as a densely settled core of census tracts and/or census blocks that have 50,000 or more residents, and meet minimum population density requirements while also being adjacent to territory containing non-residential urban land uses. The Project Site is located within the boundaries of the Census-defined Riverside-San Bernardino urban area (USCB, 2012); therefore, the Project would be considered to result in a significant adverse impact under this threshold only if the Project design would conflict with applicable zoning and other regulations governing scenic quality.

Specifically, regulations governing scenic quality are established through the City's Municipal Code and General Plan. The Project would be developed in compliance with applicable provisions of the City's Municipal Code, including established development standards as stipulated in Chapter 19.08. The property is designated by the General Plan as Industrial (I) and zoned Industrial Light (IL). The Project is consistent with the land use designation and zoning of the property, which is intended to retain, enhance, and intensify existing development and provide for the new development of lighter industrial uses along major vehicular, rail, and air transportation routes serving the City (City of San Bernardino, 2023, p. 1577). The City has established development standards in the Municipal Code to protect the visual and scenic quality of the City. The Project would not conflict with applicable development standards in the City's Municipal Code established for the Industrial Light zone. Thus, no impact would occur and no further analysis of this topic is required.

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

(Source: Project Application Materials; Google Earth, 2023; City of San Bernardino General Plan, 2005)

The Project would introduce new sources of artificial light to the property, including parking lot lighting and building lighting. All new light sources associated with the Project would be required to comply with the City's Municipal Code standards for exterior lighting, which prevent light spillover, glare, nuisance, inconvenience, or hazardous interference of any kind on adjacent properties and streets. In particular, the City Municipal Code Section G19.08.050 would apply to the Project, which requires that all lighting be shielded to confine light spread within the site boundaries (City of San Bernardino, 2023, p. 1599). Furthermore, areas surrounding the Project Site to the north and east are developed with or planned for the development with urban uses, and Project-related lighting would be complementary to the lighting associated with these existing uses. A photometric plan has been prepared by Gregg Electric as part of the Project's Development Plan application

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
materials to demonstrate compliance with City Municipal Code lighting standards. There are no components of the Project-related lighting that could significantly and adversely affect day or nighttime views in the area. Thus, Project-related lighting impacts would be less than significant. With respect to glare, a majority of the Project's building elements would consist of tilt-up concrete panels with no potential for glare, although the corners of the building would include glass elements. While window glazing has a potential to result in minor glare effects, such effects would not adversely affect daytime views of surrounding properties, including motorists along adjacent roadways, because the glass proposed is low-reflective. Furthermore, the Project would include landscaping and/or screen walls around the perimeter of the Project Site which would provide screening that would limit visibility of the proposed building from surrounding streets. Thus, glare impacts from proposed building elements would be less than significant. Solar photovoltaic panels located on the building roof are required by regulation to be found consistent with aviation activities at the San Bernardino International Airport as part of the building permit approval process; mandatory adherence to regulatory requirements assures that any glare producing features on the building including the roof would have less-than-significant impacts to aviation. Based on the foregoing analysis, the Project would not create a new source of substantial light or glare and would not adversely affect daytime or nighttime views of the area. Impacts would be less than significant, and no further analysis of this topic is required.				
II. AGRICULTURE AND FORESTRY RESOURCES Would the Project:				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?	☐	☐	☐	☒
(Source: CDC CA Important Farmland Finder, 2018) Under existing conditions, the Project Site does not contain agricultural uses. According to the California Department of Conservation's (CDC) Farmland Mapping and Monitoring Program (FMMP), the Project Site does not contain any soils mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (CDC, 2018). As such, the proposed Project has no potential to convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), to non-agricultural use. Accordingly, no impact would occur and no further analysis is required on this subject.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
(Source: CDC CA Important Farmland Finder, 2018)				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Under existing conditions, the Project Site does not contain agricultural zoning. As mapped by the CDC, the Project Site also is not located on land that is subject to a Williamson Act contract (CDC, 2018). Under existing conditions, the Project Site is zoned "Industrial Light" (IL)." As such, the proposed Project has no potential to conflict with existing zoning for agricultural use, or a Williamson Act contract. Based on the foregoing, the Project has no potential to impact lands zoned for agricultural use or conflict with any Williamson Act contracts. No impact would occur and no further analysis is required on this subject.				
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
(Source: USFS Interactive Visitor Map, 2021; Google Earth, 2023) The Project Site is not located on lands designated as forest lands or timberlands by the City's General Plan, and none of the surrounding properties are designated as forest lands or timberlands. The San Bernardino National Forest is the nearest designated forestland and is located approximately 3.0 miles north of the Project Site with substantial intervening development (USFS, 2021). Furthermore, the Project Site is zoned "Industrial Light (IL)," and none of the surrounding properties are zoned for forestry- or timberland-related uses. Accordingly, no forests or any zoning for forest land or timberland are located on or near the Project Site. The proposed Project has no potential to conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g). No impact would occur and no further analysis is required on this subject.				
D) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
(Source: USFS Interactive Visitor Map, 2021; Google Earth, 2023) As noted in the preceding response, the Project Site is not located on or near forest land. Therefore, the proposed Project would not result in the loss of any forest land or convert forest land to non-forest use. No impact would occur and no further analysis is required on this subject.				
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒
(Source: CDC CA Important Farmland Finder, 2018; Google Earth, 2023)				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
As noted in the preceding responses, the Project Site is not located on or near lands designated Farmland or forest land. There is no Farmland, forest land, or timberland near the Project Site. As such, the proposed Project has no potential to involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use, or conversion of forest land to non-forest use. Therefore, no impact would occur and no further analysis is required on this subject.				
III. AIR QUALITY Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐
(Source: SCAQMD AQMP, 2022) The Project Site is located in the South Coast Air Basin (SCAB). Air quality within the SCAB is regulated by the South Coast Air Quality Management District (SCAQMD). Standards for air quality are documented in the SCAQMD's Air Quality Management Plan (AQMP), as most recently updated in December 2022 (SCAQMD, 2022). The proposed Project would result in the emission of air pollutants into the SCAB during short-term construction and long-term operational activities, including from vehicles that travel to and from the Project Site. The Project's construction and operational activities would emit pollutants, thereby potentially conflicting with or obstructing implementation of the SCAQMD's AQMP. As such, an air quality technical report will be prepared and the required EIR will evaluate the proposed Project's potential to conflict with the adopted SCAQMD AQMP.				
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☒	☐	☐	☐
(Source: SCAQMD AQMP, 2022) Air quality within the SCAB is regulated by the SCAQMD and standards for air quality are documented in the SCAQMD AQMP, as most recently updated in December 2022. Implementation of the proposed Project has the potential to exceed daily air pollutant emission significance thresholds established by the SCAQMD's AQMP, particularly related to construction and mobile-source emissions associated with the Project's long-term operation. Accordingly, an air quality technical report will be prepared and Project-related air emissions will be modeled using the SCAQMD's California Emissions Estimator Model (CalEEMod™). The purpose of this model is to calculate estimated construction-source and operational-source air quality emissions for criteria pollutants from direct and indirect sources. The required EIR will quantify the Project's expected pollutant levels and evaluate the potential to exceed local air quality standards and/or contribute substantially to an existing or projected air quality violation.				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☐

(Source: California Air Resources Board Maps of State and Federal Area Designations, 2022)

The Project Site is located in a portion of the SCAB that is in non-attainment status for State air quality standards pertaining to ozone (O_3; 1-hour standard and 8-hour standard) and particulate matter smaller than 10 microns (PM_{10}). The portion of the SCAB in which the Project Site is located also is in non-attainment status for federal standards concerning O_3 and PM_{10} (CARB, 2022). The Project design does not include any features that may be considered point source emitters. However, the Project has the potential to expose sensitive receptors located near the Project Site and along the truck route used by Project-related vehicles to diesel particulate matter (DPM) emissions from mobile sources (i.e., vehicle and truck exhaust). Due to the presence of sensitive receptors in the vicinity and the truck traffic expected to be generated by the Project, the required EIR will evaluate the Project's potential to expose sensitive receptors to substantial pollutant concentrations.

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

(Source: South Coast Air Quality Management District; City of San Bernardino Municipal Code, 2023)

Any temporary odor impacts generated by construction activities on the Project Site, such as asphalt paving and the application of architectural coatings, would be short-term and cease upon completion of the construction phase of the Project. Additionally, such odors would not affect a substantial number of people, based on the proximity and nature of land uses surrounding the Project Site (i.e., primarily undeveloped land, commercial, industrial, and residential land uses). The warehouse use proposed for the Project Site is not expected to involve activities that generate substantial or noticeable amounts of odor during long-term operation. Additionally, the Project would be subject to SCAQMD Rule 402, "Nuisance" that controls odors by prohibiting 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. For the control of odors associated with stored waste, the City's solid waste regulations (Chapter 8.24 of the City's Municipal Code) requires solid waste to be stored within enclosed containers and prohibits the storage of solid waste in a manner that would present a public nuisance. Accordingly, mandatory compliance with regulatory requirements will ensure that any odor effects would be less than significant, and no further analysis of this topic is required.

IV. BIOLOGICAL RESOURCES

Would the project:

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
(Source: Google Earth, 2023; City of San Bernardino General Plan EIR, 2005b; USFWS Critical Habitat Portal, 2023a) Under existing conditions, the Project Site is undeveloped and disturbed and is unlikely to support species identified as 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. Figure 5.3-1 of the City's 2005 General Plan Update EIR indicates that the Project Site is not located within any areas identified as containing potential habitat for sensitive wildlife species, while Figure 5.3-2 shows that the Project Site is not located within any Biological Resource Areas or Riparian Corridors (City of San Bernardino, 2005b). Additionally, the Project Site does not contain USFWS mapped critical habitat (USFWS, 2023a). Nonetheless, a qualified biologist will evaluate the Site's existing biological resources and determine the presence or absence of any sensitive species. The results of the biological resources assessment will be disclosed and evaluated in the required EIR.				
b) Have a substantially 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?	☐	☐	☐	☒
(Source: Google Earth, 2023; USFWS Critical Habitat Portal, 2023a) Based on a review of aerial photography and a field view, a large majority (approximately 99%) of the Project Site consists of previously disturbed land that is currently vacant, undeveloped, and vegetated with non-native plants and anthropogenic activities. To that end, the Project Site does not contain any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Because no such resources exist, the Project has no potential to impact these resources and no further analysis of this topic is required.				
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
(Source: Google Earth, 2023; USFWS National Wetland Inventory, 2023b) The Project Site is an upland, supporting no riparian or riverine habitats, and based on a review of aerial photography and a field view, there are no indicators of well-defined water conveyance bed, bank or channel. The topography suggests that the Project Site lacks waters subject to the Clean Water Act, or Fish and Game Code Section 1600 jurisdiction. Furthermore, the National Wetland Inventory has no records of special aquatic resources within the Project Site (USFWS, 2023b). As such, no further analysis of this topic is required.				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
D) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☒	☐	☐	☐
(Source: Google Earth, 2023) since Under existing conditions, the Project Site is undeveloped and disturbed. The Project site does not contain any natural bodies of water, and there is no potential for the Project to interfere with the movement of fish. Due to the urbanized nature of the Project Site and surroundings, the Project has no potential to result in impacts to terrestrial migratory wildlife corridors. Notwithstanding, development of the Project Site has some potential to impact avian species that are protected by the federal Migratory Bird Treaty Act or nesting birds protected by California law. The Project's potential to impact wildlife movement and migratory and/or nesting birds during construction and long-term operation will be evaluated in the required EIR.				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
(Source: Project Application Materials; Google Earth, 2023) City of San Bernardino Municipal Code Section 19.28.100 requires the issuance of a tree removal permit in the event that more than five trees are to be cut down, uprooted, destroyed, or removed within a 36-month period. The Project Site contains three trees that would be removed as part of the Project; as such, the issuance of a tree removal permit would not be required because fewer than five trees would be removed. There are no additional local policies or ordinances protecting biological resources that are applicable to the Project or Project Site. Therefore, no impact would occur and no further analysis of this topic is required.				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
There is no adopted habitat conservation plan, natural conservation community plan, or other approved local, regional, or state habitat conservation plan applicable to the City or the Project Site. Accordingly, the Project would have no potential to conflict with any such plans, and no impact would occur. No further analysis of this topic is necessary.				
V. CULTURAL RESOURCES Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☒	☐	☐	☐
(Source: Project Application Materials; Google Earth, 2023)				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Although the Project Site does not contain any known historical resources and is not known to be associated with any important people or events in California history, a professional archaeologist will conduct archival research and perform a site survey and document their findings in a cultural resources report. The cultural resources report will indicate whether there is a reasonable potential for discovery of significant historical resources that may be buried beneath the surface of the Project Site such that the Project's construction would cause a substantial adverse change in the significance of such historical resources. The results of the evaluation will be disclosed in the Project's EIR.				
b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?	☒	☐	☐	☐
(Source: Project Application Materials; Google Earth, 2023; City of San Bernardino General Plan EIR, 2005b) The Project Site is not known to contain significant archaeological resources and is unlikely to contain significant discoverable subsurface archaeological resources due to the site being previously disturbed and overlain with artificial fill. Also, the surface sediments on the Project Site and in the Project Site's vicinity are primarily Holocene-age sand and gravel associated with alluvial fans and/or active stream channels (SoCal Geotechnical, 2024). The origins of these sediments are closely related to City Creek, which once flowed roughly 1,000 feet south of the project location prior to channelization, and to the Santa Ana River about one mile further to the south, which was historically prone to widespread flooding events before the construction of Seven Oaks Dam upstream and other flood control projects. Given the Project Site's location in the previous floodplains of these waterways, the Project location would not have been considered a favorable environment for long-term settlement in prehistoric times, nor would the setting be conducive for the preservation of subsurface archaeological deposits. Also, any cultural remains encountered in this area would be of questionable contextual integrity, as their occurrence may have resulted from secondary deposition by fluvial activities on City Creek or the Santa Ana River. Furthermore, the ground surface across a majority of the Project Site has been disturbed in the past by agricultural operations and, later, residential construction activities, which have left little vestige of the native landscape. Consequently, the subsurface sediments on the Project Site have a low sensitivity for potentially significant archaeological deposits of prehistoric origin. Nonetheless, a professional archaeologist will conduct archival research and perform a site survey and document their findings in a cultural resources report. The cultural resources report will indicate whether Project implementation would cause a potential, substantial adverse change in the significance of any archeological resources. The results of the evaluation will be disclosed in the Project's EIR. Tribal cultural resources are addressed in the Tribal Cultural Resources section below.				
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐
(Source: Google Earth, 2023; California Public Resources Code Section 5097)				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
There are no known cemeteries at the Project Site and no known formal cemeteries are located within the immediate site vicinity. While not expected, in the unlikely event that human remains are discovered during ground-disturbing activities required to implement the proposed Project, compliance with the applicable provisions of California Health and Safety Code § 7050.5 as well as Public Resources Code § 5097 *et. Seq*. would be required. Mandatory compliance with these provisions of State law would ensure that impacts to human remains, if unearthed during construction activities, would be appropriately treated. No significant impact would occur with mandatory compliance with the Public Resources Code and no further analysis is required on this topic.				
VI. ENERGY Would the project:				
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?	☒	☐	☐	☐
Project-related construction and operational activities would use local energy resources, including gasoline, diesel fuel, and electricity. An energy resources analysis report will be prepared to evaluate whether implementation of the Project would result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. The findings of this report will be disclosed in the Project's EIR.				
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☒	☐	☐	☐
The Project's potential to conflict with applicable plans, policies, or regulations related to renewable energy or energy efficiency will be analyzed in an energy resources analysis report, the results of which will be disclosed in the Project's EIR.				
VII. GEOLOGY AND SOILS Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
(Source: City of San Bernardino, 2005a; Google Earth, 2023; SoCal Geotechnical, 2024)				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
According to a site-specific geotechnical study prepared for the Project Site by Southern California Geotechnical and dated February 16, 2024, the Project Site is not located on or near a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist (City of San Bernardino, 2005a, Figure S-3). Because there are no known faults located on the Project site, there is no potential for the Project to expose people or structures to adverse effects related to ground rupture. No impact would occur and no further analysis is required on this topic.				
(ii) Strong seismic ground shaking?	☐	☐	☒	☐
(Source: City of San Bernardino Municipal Code, 2023; California Building Standards Code; SoCal Geotechnical, 2024) According to a site-specific geotechnical study prepared for the Project Site by Southern California Geotechnical and dated February 16, 2024, thethe Project Site is located in a seismically active area of Southern California and is expected to experience moderate-to-severe ground shaking during the lifetime of the Project. This risk is not considered substantially different than that of other properties throughout Southern California. As a condition of Project approval, the Project would be required to be constructed in accordance with the California Building Standards Code (CBSC, Title 24, Part 11 of the California Code of Regulations) and the City of San Bernardino Building Code (Chapter 15.04 of the City of San Bernardino Municipal Code), which incorporates the CBSC with minor exceptions and changes to ensure applicability of the requirements within the City of San Bernardino (City of San Bernardino, 2023). The CBSC and City of San Bernardino Building Code have been specifically tailored for California earthquake conditions and provide standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures. In addition, the CBSC (Chapter 18) requires development projects to prepare geologic engineering reports to identify site-specific geologic and seismic conditions and provide site-specific recommendations including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and depths, and selection of appropriate structural systems, to preclude adverse effects resulting from strong seismic ground-shaking. A geotechnical report has been prepared for the Project and adherence to its recommendations will be evaluated in the EIR and presented as mitigation measures in the EIR. ensuring that impacts associated with seismic ground shaking would be less than significant (SoCal Geotechnical, 2023). A less than significant impact would occur with adherence to the CBSC, City of San Bernardino Municipal Code, and the Project's geotechnical report's recommendations and no further analysis is required on this topic.				
(iii) Seismic-related ground failure, including liquefaction?	☒	☐	☐	☐
(Source: City of San Bernardino General Plan, 2005a; County of San Bernardino Geologic Hazard Overlap Map, 2023; SoCal Geotechnical, 2024) According to San Bernardino General Plan Figure S-5, *Liquefaction Zones*, the Project Site is not located in an area with the potential for liquefaction (City of San Bernardino, 2005a, Figure S-5). However, the San Bernardino County Land Use Plan, Geologic Hazard Overlays, San Bernardino South Quadrangle, FH30 C Map indicates that				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
the Project Site is located within a zone of liquefaction susceptibility (San Bernardino County, 2023). The potential for ground failure as a result of liquefaction was thus studied in a site-specific geotechnical study prepared for the Project Site by Southern California Geotechnical and dated February 16, 2024. The results of the site-specific liquefaction analysis identified a potentially liquefiable soil layer at one of the Project site's boring locations (Boring No. B-1). Settlement analyses was conducted for the boring locations and for the potentially liquefiable layer. The total dynamic settlement for each boring location, based on the results of the dynamic settlement analyses (presented in Appendix F of the Project's geotechnical study) ranged from 0.39 inches to zero inches, which would result in differential settlements of up to only one-quarter inch during a liquefaction inducing seismic event. The estimated differential settlement could be assumed to occur across a distance of 50 feet, indicating a maximum angular distortion of less than 0.001 inches per inch. Based on this evaluation of potential settlement, Southern California Geotechnical recommended no design considerations for the Project (SoCal Geotechnical, 2024). As such, impacts associated with liquefaction would be less than significant and no further analysis is required on the topic of liquefaction. Regarding the potential for other types of seismic-related ground failures, artificial fill soils were encountered at all of the boring locations, extending from the ground surface to depths of approximately 2.0 to 5.5 feet. These soils, in their present condition, are not considered suitable for support of the foundation loads of the proposed warehouse structure. Southern California Geotechnical included site preparation, building foundation, building floor slab, and pavement recommendations in the Project's geotechnical study, which will be presented as mitigation measures in the EIR (SoCal Geotechnical, 2024). As such, this topic will be further evaluated in the EIR.				
(iv) Landslides?	☐	☐	☐	☒
(Source: Google Earth, 2023; City of San Bernardino General Plan, 2005a; SoCal Geotechnical, 2024) According to San Bernardino General Plan Figure S-7, *Slope Stability and Major Landslides*, the Project Site is not located in an area which has a known susceptibility to landslides (City of San Bernardino, 2005a, Figure S-7). Furthermore, the Project Site is relatively flat and is approximately 3.0 miles south of the nearest location identified by the San Bernardino General Plan as containing the potential for landslide hazards (City of San Bernardino, 2005a, Figure S-7). Accordingly, the proposed Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, involving landslides, and no further analysis is required on this subject.				
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
(Source: SoCal Geotechnical, 2024) Project construction activities would disturb the Project Site and expose subsurface soils, which would temporarily increase erosion susceptibility. The Project would be required to adhere to standard regulatory requirements, including, but not limited to, requirements imposed by the National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit and a Project-specific Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP) to minimize water pollutants including				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
sedimentation in stormwater runoff. With mandatory compliance to these regulatory requirements, impacts associated with soil erosion and/or the loss of topsoil are assured to be less than significant. No further analysis is required on this topic.				
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☒	☐	☐	☐
(Source: SoCal Geotechnical, 2024) The potential for ground failure was studied in a site-specific geotechnical study prepared for the Project Site by Southern California Geotechnical and dated February 16, 2024. Artificial fill soils were encountered at all of the boring locations, extending from the ground surface to depths of approximately 2.0 to 5.5 feet. These soils, in their present condition, are not considered suitable for support of the foundation loads of the proposed Project's warehouse structure. Southern California Geotechnical included site preparation, building foundation, building floor slab, and pavement recommendations in the Project's geotechnical study, which will be evaluated in the EIR and presented as mitigation measures in the EIR (SoCal Geotechnical, 2024). As such, this topic will be further evaluated in the EIR.				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
(Source: SoCal Geotechnical, 2024) A site-specific geotechnical study was prepared for the Project Site by Southern California Geotechnical and dated February 16, 2024. No expansive soils were identified and the Project Site does not have the potential to contain expansive soils. As such, no impact associated with expansive soils would occur and further analysis is not required on this subject.				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
(Source: Project Application Materials) The Project does not include the installation of any septic tanks or alternative waste water disposal systems, as the warehouse building would connect to the City of San Bernardino Municipal Water Department's sewer system.. Thus, no impact would occur and further analysis is not required on this subject.				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

(Source: SoCal Geotechnical, 2024)

The Project Site contains artificial fill at depths of approximately 2.0 to 5.5 feet and alluvium to depths extending to 50+ feet below ground surface. The near surface Quaternary (Pleistocene to Holocene) younger alluvial fan deposits consists of medium dense to very dense silty sands, sandy silts, and poorly- to well-graded sands with varying amounts of fine to coarse gravel, cobbles, and boulders, extending to depths of 12 to 25± feet below existing site grades. The artificial fill and younger alluvium have a low paleontological sensitivity and no reasonable potential to yield significant paleontological resources. As such, no impact would occur and further analysis is not required on this topic.

VIII. GREENHOUSE GAS EMISSIONS

Would this project:

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

(Source: Project Application Materials)

Construction and operational activities associated with the Project would emit air pollutants, several of which are regarded as greenhouse gasses (GHGs). GHG emissions associated with the proposed Project would primarily be associated with tailpipe emissions from Project-related traffic. In addition, construction activities, energy consumption, water consumption, and solid waste generation also would contribute to the overall generation of GHGs. Specifically, construction and operational activities would result in the emissions of carbon dioxide (CO_2), nitrogen dioxide (NO_2), and methane (CH_4), which are GHGs. A GHG emissions analysis will be prepared to quantify and evaluate the Project's GHG emissions. Because climate change is a global phenomenon and not limited to a specific locale such as the Project Site and its immediate vicinity, emissions have the potential to be significant on a cumulatively considerable basis. The proposed Project's potential to generate GHGs, either directly or indirectly, that could have a significant impact on the environment, will be analyzed in a GHG analysis report which will be discussed in the required EIR.

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

(Source: Project Application Materials)

The City of San Bernardino does not have an adopted Climate Action Plan. The Project's potential impacts due to GHG emissions will be assessed in the required GHG emissions report based on consistency with Assembly Bill 32 (AB 32) and Senate Bill 32 (SB 32), which are the primary policies/regulations adopted in the State of California to reduce GHG emissions. The EIR will document the findings of the Project-specific GHG emissions report and will evaluate the Project for consistency with applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions, including, but not limited to, AB 32 and SB 32.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	☐	☐	☒	☐
(Source: Project Application Materials) During Project construction, limited amounts of hazardous materials typical of construction activities would be transported to, stored, and used on the Project Site (e.g., fuel, lubricants, architectural coatings). Also, although future building user(s) are unknown at this time, limited amounts of hazardous materials may be used and stored on the Project Site as part of routine business operations. Mandatory compliance with regulatory requirements pertaining to the transport, use, and disposal of hazardous materials would ensure that impacts would be less than significant. There are no reasonably foreseeable circumstances associated with the Project's construction or operation that would result in a significant hazard to the public or the environment associated with standard construction and operational practices. A less than significant impact would occur and no further analysis is required on this topic.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
(Source: Project Application Materials) As indicated in the response to Threshold IX(a), above, limited amounts of hazardous materials typical of construction activities would be transported to, stored, and used on the Project Site during Project construction and limited amounts of hazardous materials may be used and stored on the Project Site as part of routine business operations. Mandatory compliance with regulatory requirements pertaining to the transport, use, and disposal of hazardous materials would ensure that impacts would be less than significant. There are no reasonably foreseeable circumstances associated with the Project's construction or operation that would result in a significant hazard to the public or the environment associated with standard construction and operational practices. A less than significant impact would occur and no further analysis is required on this topic.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
(Source: Google Earth, 2023) The Project Site is not located within one-quarter mile of an existing or proposed school (Google Earth, 2023). The nearest existing school facilities to the Project Site are Warm Springs Elementary School (approximately				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
0.4-mile to the north) and Indian Springs High School (approximately 0.5-mile to the northwest). The proposed warehouse operation at the Project Site would be conducted mainly inside of the enclosed building, where a variety of consumer products would likely be stored. The Project does not include any land uses that may be considered point source emitters. Accordingly, the proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, and no impact would occur. Thus, no further analysis is required on this subject.				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
(Source: DTSC EnviroStor Database, n.d.) The California Environmental Protection Agency (CalEPA) maintains several lists of contaminated sites that are identified as meeting the "Cortese List" requirements for hazardous materials sites. A review of the CalEPA's Cortese List Data Resources indicates that the Project Site is not included on any list of hazardous materials sites compiled pursuant to Government Code 65962.5 (DTSC, n.d.). As such, no impact would occur and further analysis of this topic is not required.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
(Source: SBIAA, Airport Layout Plan, 2010; Google Earth, 2023; FAA, 2023) The San Bernardino International Airport (SBIA) property is located 0.2-mile south of the Project Site. The Project entails the development of a warehouse building, which is not a noise-sensitive use. Also, the Project Site is not subject to incompatible aircraft noise, as it is located outside of the SBIA's projected 65 decibel (dBA) CNEL noise contour (SBIAA, 2010, Exhibit 4H).. The Federal Aviation Administration (FAA) has issued a Determination of No Hazard to Air Navigation for the Project (FAA, 2023). Therefore, there is no reasonable potential for the Project to result in significant safety hazards or noise exposure for people working or visiting on and around the Project Site. Accordingly, further analysis on this subject is not required.				
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
(Source: Project Application Materials; Google Earth, 2023) The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction and long-term operation, the City of San Bernardino and the San Bernardino County Fire				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Department will require adequate emergency access for emergency vehicles. As part of the Project's application review process, and during subsequent review and approval processes for building permits, the City of San Bernardino and County of San Bernardino Fire Departments are responsible for reviewing the Project's application materials to ensure that appropriate emergency ingress and egress would be available to-and-from the Project Site and that the Project would not substantially impede emergency response times in the local area. Accordingly, implementation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan, and no impact would occur. Further analysis of this topic is not required.				
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐
(Source: CalFire FHSZ Viewer, 2023; City of San Bernardino General Plan, 2003a; City of San Bernardino Municipal Code, 2023) The Project Site is not located within a State Responsibility Area or a very high fire hazard severity zone. Neither Cal Fire nor the City of San Bernardino identify the Project Site within an area susceptible to wildland fires (CalFire, 2023; City of San Bernardino, 2005a, Figure S-9). As a condition of Project approval, the Project would be required to be constructed in accordance with the California Building Standards Code (CBSC, Title 24, Part 11 of the California Code of Regulations) and the City of San Bernardino Building Code (Chapter 15.04 of the City of San Bernardino Municipal Code), which incorporates the CBSC with minor exceptions and changes to ensure applicability of the requirements within the City of San Bernardino (City of San Bernardino, 2023). The Building Code requires a minimum level of fire protection facilities, such as fire sprinklers and hydrants. Additionally, site improvements, including irrigated landscaping, would reduce the Project's potential to cause or be affected by wildland fire hazards. As such, impacts would be less than significant and further analysis of this topic is not required.				
X. HYDROLOGY AND WATER QUALITY Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
(Source: City of San Bernardino Municipal Code, 2023; RWQCB NPDES Permit, 2010; Kimley-Horn, 2023) <u>Construction-Related Water Quality</u> According to a site-specific preliminary drainage report prepared for the Project Site by Kimley-Horn and dated June 2023,impacts to hydrology and water quality would be less than significant. Construction of the Project would involve site preparation, grading, paving, utility installation, building construction, and landscaping activities, which have the potential to generate water quality pollutants such as silt, debris, organic waste, and chemicals (e.g., paints, solvents). Should these materials come into contact with water that reaches the groundwater table or flows off-site to a public storm drain, the potential exists for the Project's construction activities to adversely affect water quality. As such, short-term water quality impacts have the potential to				

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

occur during construction in the absence of any protective or avoidance measures. However, pursuant to the requirements of the Santa Ana RWQCB and City of San Bernardino (San Bernardino Municipal Code Chapter 8.80), the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit), which would reduce impacts to less than significant.

An NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one acre of total land area. In addition, the Project Applicant would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Program. Compliance with the NPDES permit and the Santa Ana River Basin Water Quality Control Program involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP would specify the Best Management Practices (BMPs) that the Project's construction contractors would be required to implement during construction activities to ensure that potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Mandatory compliance with the SWPPP would ensure that the proposed Project does not violate any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated with construction activities would be less than significant and no further analysis of this topic is required.

Post Development Water Quality

Storm water pollutants that may be produced during Project operation include pathogens (bacterial/virus), phosphorous, nitrogen, sediment, metals, oil/grease, trash/debris, pesticides/herbicides, and other organic compounds. To meet the requirements of the County's NPDES permit and in accordance with Chapter 8.80 (Storm Water Drainage System) of the City of San Bernardino Municipal Code, the Project Applicant would be required to prepare and implement a Water Quality Management Plan (WQMP). A WQMP is a site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters, via Best Management Practices (BMPs). Implementation of the WQMP ensures on-going, long-term protection of the watershed basin. Compliance with the required WQMP would be required as a condition of approval for the Project. Long-term maintenance of on-site water quality features also would be required as a condition of approval to ensure the long-term effectiveness of all on-site water quality features.

Additionally, the NDPES program requires certain land uses, including the industrial land use proposed by the Project, to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program, unless an exemption has been granted. The Project Applicant or any successor in interest would be required to prepare a SWPPP for operational activities and implement a long-term water quality sampling and monitoring program or receive an exemption. Because the permit is dependent upon a detailed accounting of all operational activities and procedures, and the SWPPP (or exemption thereto) would be prepared at the time the Project's building users and their operational characteristics are known. However, based on the performance requirements of the NPDES Industrial General Permit, it is reasonably assured that mandatory compliance with all applicable water quality regulations would further reduce potential water quality impacts during the Project's long-term operation. (RWQCB, 2010)

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Based on the foregoing analysis, implementation of the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during long-term operation. Impacts would be less than significant, and no further analysis of this topic is required.				
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
(Source: Project Application Materials; WSC UWMP, 2017; Kimley-Horn, 2023) The Project would be served with potable water from the City of San Bernardino Municipal Water Department , and the Project Applicant does not propose the use of any wells or other groundwater extraction activities. Therefore, the Project would not directly draw water from the groundwater table. Accordingly, implementation of the proposed Project would not directly deplete or decrease groundwater supplies and the Project's impact to groundwater supplies would be less than significant. According to a Preliminary Drainage Report prepared for the Project Site by Kimley-Horn and dated June 2023, development of the Project would increase impervious surface coverage on the Project Site, which would, in turn, reduce the amount of water percolating down into the underground aquifer that underlies the Project site and surrounding areas (i.e., Bunker Hill Groundwater Basin). The Bunker Hill Groundwater Basin is a part of the San Bernardino Basin Area, and is among the most rigorously managed groundwater basins in the State. Planning and management efforts evaluating needs and supplies have been established for most of the basins within the watershed through the next 20 to 40 years. Groundwater extractions and conditions are monitored and tracked by the Western-San Bernardino Watermaster and the Basin Technical Advisory Committee. Groundwater is managed in accordance with a legal settlement that, in part, identifies a natural safe yield and requires groundwater replenishment if cumulative extractions exceed water rights allocation. (WSC, 2017, pp. 2-7 to 2-8) Due to the extensive management of the groundwater basin, implementation of the Project would not interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin. Additionally, the Project includes design features that would maximize the percolation of on-site storm water runoff into the groundwater basin, such as a detention basin and permeable landscape areas. Furthermore, runoff from the Project Site would be conveyed to existing drainage facilities, which ultimately would convey flows to downstream areas where infiltration would occur (e.g., the Santa Ana River and Prado Dam). Accordingly, buildout of the Project with these design features would not interfere substantially with groundwater recharge of the Bunker Hill Groundwater Basin. Impacts would be less than significant, and further analysis of this subject is not required.				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
(Source: Project Application Materials, Kimley-Horn, 2023) According to a hydrology study prepared by Kimley-Horn, titled Preliminary Drainage Study and dated June 2023, the Project would alter existing ground contours of the Project Site and install impervious surfaces, which				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
would result in changes to the site's existing, internal drainage patterns. Although the Project would alter the subject property's internal drainage patterns, such changes would not result in substantial erosion or siltation on- or off-site – either during construction or during long-term operation – as described under the response to Threshold X(a). Accordingly, implementation of the Project would result in a less than significant impact due to erosion and siltation, and further analysis of this topic is not required.				
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
(Kimley-Horn, 2023) A hydrology study, prepared by Kimley-Horn, titled Preliminary Drainage Study and dated June 2023, demonstrates that the Project would not result in a substantial change in the rate or amount of runoff from the Project Site. Water running off the Project Site is required to be equal to or less than what occurs under the existing condition. The Project is designed such that water runoff from the site would be conveyed via an underground storm drain system, precluding the potential for flooding on-or off-site as a result of the Project and as such, further analysis of this topic is not required.				
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
(Source: Project Application Materials; Kimley-Horn, 2023) As indicated under the analysis of Threshold X(c)(ii), a hydrology study prepared by Kimley-Horn, titled Preliminary Drainage Study and dated June 2023, has been prepared for the Project and demonstrates that the Project would not exceed the capacity of the existing or planned stormwater drainage system. Water running off the Project Site is required to be equal to or less than what occurs under the existing condition and as such, further analysis of this topic is not required.				
(iv) Impede or redirect flood flows?	☐	☐	☐	☒
(Source: FEMA NFHL Viewer, 2016; Kimley-Horn, 2023) According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06071C8701J, the Project Site is located within "Flood Zone X (unshaded)," which includes "Areas determined to be outside the 0.2% annual chance floodplain" (FEMA, 2016). Accordingly, development on the Project Site would have no potential to place housing, or other structures, within a 100-year floodplain or impede or redirect flood flows within a 100-year floodplain. No impact would occur. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.				
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
(Source: Google Earth, 2023) The Project Site is located approximately 1.2-mile north of the Santa Ana River, and 50 miles northeast of the Pacific Ocean (Google Earth, 2023). Accordingly, the Project Site is not susceptible to impacts associated with tsunamis, and there are no large bodies of water in the Project vicinity capable of producing seiches that could affect the Project Site. Accordingly, the Project would not risk release of pollutants due to inundation. No impact would occur. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.				
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐
(Source: RWQCB Santa Ana River Basin Plan, 2019; Kimley-Horn,2023) As indicated under the analysis of Thresholds X(a) and X(b), the Project would not result in impacts associated with sustainable management of the San Bernardino Basin Area and would not contribute substantial amounts of pollutants that could adversely affect groundwater quality; thus, impacts would be less than significant. The applicable water quality control plan for the area is the Santa Ana Region Basin Plan ("Basin Plan"), which was most recently updated by the RWQCB in June 2019 (RWQCB, 2019). As indicated under the analysis of Threshold X(a), the Project would be required to implement a SWPPP for construction-related activities. The SWPPP would specify the BMPs that the Project's construction contractors would be required to implement during construction activities to ensure that potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Additionally, long-term operation of the Project would require compliance with the applicable NPDES permit and City of San Bernardino Municipal Code Chapter 8.80 (Storm Water Drainage System), which include requirements to prepare and implement a WQMP as well as a SWPPP, and to incorporate and maintain long-term BMPs to address potential water quality pollutants. Implementation of these requirements would ensure that the Project does not conflict with or obstruct implementation of the Basin Plan, and would ensure impacts would be less than significant. Accordingly, no further analysis of this topic is required.				
XI. LAND USE AND PLANNING Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
(Source: Google Earth, 2023) Development of the Project would not physically disrupt or divide the arrangement of an established community. 6th Street forms the northern boundary of the Project Site; 5th Street forms the southern boundary of the Project Site; Sterling Avenue forms the western boundary to the Project Site; and property to the east of the Project Site consists of commercial land uses and a few single-family homes (separated from the Project Site by the commercial land uses). Due to the existing barriers that already separate the Project Site from abutting properties, implementation of the Project would not result in the physical disruption or division of an				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
established community. No impact would occur. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.				
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
(Source: City of San Bernardino General Plan, 2005a; City of San Bernardino Zoning Map, 2021) The Project Site is designated for Industrial (I) land use by the City's General Plan and is zoned Industrial Light (IL) (City of San Bernardino, 2005a; City of San Bernardino, 2021). The Project would be consistent with the Project Site's underlying General Plan land use and zoning designations and would comply with applicable policies contained in the General Plan as well as all applicable development regulations/development standards contained in the Zoning and Development Code. Accordingly, the Project would not conflict with the City's General Plan or Zoning and Development Code. The Project would otherwise not conflict with any goals, policies, or objectives of current applicable local or regional plans. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.				
XII. MINERAL RESOURCES Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
(Source: City of San Bernardino General Plan, 2005a) The Project Site is classified as Mineral Resources Zone 2 (MRZ-2), which is defined by the CGS as an area where geologic data indicate that significant mineral deposits (aggregate resources) are present (City of San Bernardino, 2005a, p. 12-12 and Figure NRC-3). However, the Project Site is not planned for mining uses based on the Project Site's existing General Plan land use designations and zoning classifications, none of which allow for mineral resources extraction. Thus, although the Project Site occurs within MRZ-2, mining activities would not be compatible with existing and planned surrounding land uses. Furthermore, mining of the Project Site would result in the establishment of a large pit at a substantially lower elevation than surrounding properties, which is not desirable within the urban context of the Project area or the streetscape desired along 5th Street, 6th Street, or Sterling Avenue by the City of Highland or the City of San Bernardino. Accordingly, mining on the Project Site is not compatible with existing zoning and the surrounding context, and therefore is not feasible. Accordingly, Project impacts due to the loss of known mineral resources would be less than significant and no further analysis of this topic is required.				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒	☐
(Source: City of San Bernardino General Plan, 2005a)				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
The Project Site is not identified as a locally-important mineral resources recovery site by the City of San Bernardino's General Plan or any other land use plan. As such, the Project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan or other land use plan. Impacts would be less than significant and no further analysis of this topic is required.				
XIII.NOISE Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☒	☐	☐	☐
Project-related construction activities, as well as long-term operational activities including warehouse operations and the associated increases in vehicular travel along area roadways resulting from the Project, may expose persons in the vicinity of the Project Site to noise levels in excess of standards established by the General Plans and Municipal Codes of the City of San Bernardino and/or City of Highland. An acoustical analysis will be prepared and the required EIR will analyze the potential for the Project to expose people, on- or off-site, to noise levels in excess of established noise standards during both near-term construction and long-term operation.				
b) Generation of excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	☐
Construction activities on the Project Site may produce groundborne vibration or groundborne noise. The required EIR will analyze the potential of the Project to expose persons to excessive groundborne vibration. Long-term operation of the Project is not anticipated to result in perceptible levels of groundborne vibration or groundborne noise; regardless, the EIR will evaluate the potential for groundborne vibration and noise in the long-term.				
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
(Source: Google Earth, 2023; City of San Bernardino General Plan, 2005a) There are no private airstrips in the City of San Bernardino and there are no private airstrips within two miles of the Project Site (City of San Bernardino, 2005a, p. 6-14). The nearest airport is the San Bernardino International Airport (SBIA) which is located 0.2-mile south of the Project Site. The Federal Aviation				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Administration (FAA) has issued a Determination of No Hazard to Air Navigation (FAA, 2023). The Project Site occurs outside of the 65 dBA CNEL contour for the SBIA (SBIAA, 2010, Exhibit 4-H). According to the City of San Bernardino General Plan, industrial uses such as those proposed as part of the Project are considered "Normally Acceptable" at noise levels up to 75 dBA CNEL, while industrial land uses are considered "Conditionally Acceptable" at noise levels ranging from 70 to 80 dBA CNEL (City of San Bernardino, 2005a, Exhibit N-1). Thus, because the Project would not be subject to noise levels exceeding 65 dBA CNEL, the Project would not expose people residing or working in the area to excessive airport-related noise levels, and impacts would therefore be less than significant. No further analysis of this topic is required.				
XIV. POPULATION AND HOUSING Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
(Source: City of San Bernardino General Plan, 2005a; City of San Bernardino Draft Housing Element, 2024) The proposed Project would have a beneficial effect on the area's employment base by developing a vacant site with a new warehouse building. The new jobs generated would provide additional employment opportunities for residents in the area. The Project Site is designated by the City of San Bernardino's General Plan for Industrial Light (IL) development, and the Project does not propose any uses that would result in unplanned population growth that is not already allowed by the General Plan or planned by the City's Housing Element. Moreover, it is anticipated that any future employees generated by the Project could be accommodated by existing residential communities and/or by future residential uses to be constructed in accordance with the City's General Plan and/or the general plans of other nearby jurisdictions, and that no additional unplanned housing would be required to accommodate Project-related employees. Per Appendix 5 to the City's General Plan, lands designated for "Industrial Light (IL)" uses, as are proposed for the 25.12-gross-acre Project Site, generate approximately one employee per 1,030 s.f. of building area. Based on this factor, the 557,000 s.f. of light industrial uses proposed as part of the Project would generate approximately 540 new, recurring jobs (557,000 s.f. ÷ 1,030 s.f./employee = 540 employees). The City's Draft Housing Element (2021-2029) dated January 2024, shows that the City's population is projected to grow by approximately 8,400 persons between 2020 and 2039 (City of San Bernardino Draft Housing Element, Table 2-1). As such, planned jobs do not exceed planned population growth. Additionally, the Project's utility, drainage, and other improvements are designed to serve only the proposed Project, and would not induce growth indirectly on any other parcels within the Project vicinity. A less than significant impact would occur and no further analysis is required on this subject.				
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
(Source: Google Earth, 2023)				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Under existing conditions, there are no homes on the Project Site and the Project Site does not contain any existing residents. Therefore, there would be no displacement of existing people or housing, and no impact would occur. No further analysis is required on this subject.				
XV. PUBLIC SERVICES Would the project:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government 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?	☐	☐	☐	☒
(Source: San Bernardino County Fire Protection District Fire Stations Map, 2023; Google Earth, 2023) The City of San Bernardino is served by twelve fire stations, which are maintained by the San Bernardino County Fire Protection District (SBCFPD, 2023). The nearest fire station to the Project Site is Station 233, located at 165 South Leland Norton Way, approximately 0.7-mile southwest of the Project Site. Due to the proximity of existing fire stations, the Project has no potential to cause a fire station to be physically altered or for a new fire station to be constructed. No further analysis is warranted.				
ii) Police protection?	☐	☐	☐	☒
(Source: Google Earth, 2023) The Project would introduce a new building and employees to the Project Site, which would result in an incremental increase in demand for police protection services, but is not anticipated to require or result in the construction of new or physically altered police facilities. The nearest first response police station is at 710 North D Street, San Bernardino, CA, approximately 2.8 miles west of the Project Site. Due to the proximity of existing police stations, the Project has no potential to cause a police station to be physically altered or for a new police station to be constructed. No further analysis is warranted.				
iii) Schools?	☐	☐	☐	☒
The proposed Project would not create a direct demand for public school services, as the subject property would contain non-residential uses that would not generate any school-aged children requiring public education. Although the Project would not create a demand for additional public school services, the Project Applicant would be required to contribute development impact fees to the San Bernardino City Unified School District (SBCUSD), in compliance with California Senate Bill 50. Mandatory payment of school fees would be required prior to the issuance of a building permit. Pursuant to Senate Bill 50, payment of school impact fees constitutes complete mitigation for project-related impacts to school services. With mandatory payment of fees in accordance with California Senate Bill 50, there would be no impacts to public schools, and further analysis of this topic is not required.				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
iv) Parks?	☐	☐	☐	☒
The Project does not propose any type of residential use or other land use that may generate a population that would result in a demand for parkland resources, and no recreational facilities are proposed as part of the Project. Thus, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered recreational facilities, or due to the need for new or physically altered recreational facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks and recreational resources. No impact would occur, and further analysis of this topic is not required.				
v) Other public facilities?	☐	☐	☐	☒
The Project would not directly substantially increase the residential population in the City, and therefore is not expected to result in a demand for other public facilities/services, including libraries, community recreation centers, post offices, and animal shelters. As such, implementation of the proposed Project would not adversely affect other public facilities or require the construction of new or modified public facilities and no impact would occur. No further analysis is required on this subject.				
XVI. RECREATION				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
The Project does not involve any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park, and no impact would occur. No further analysis of this subject is required.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒
The Project does not involve the construction of any new on- or off-site recreation facilities. The Project would not expand any existing off-site recreational facilities. Therefore, no impacts related to the construction or expansion of recreational facilities would occur with implementation of the proposed Project. Additional analysis of this issue is not required.				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
XVII. TRANSPORTATION Would the project:				
a) *Conflict with an applicable program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*	☒	☐	☐	☐

(Source: Google Earth, 2023; City of San Bernardino General Plan, 2005a)

The proposed Project would generate an increase in daily and peak hour vehicle trips, including passenger vehicle and truck traffic, as compared to existing conditions. A traffic study will be prepared for the Project to identify roadway facility improvements that would be necessary to comply with applicable programs, plans, policies, and ordinances of affected jurisdictions, including but not limited to the City of San Bernardino and the City of Highland. Sterling Avenue and 5th Street are City designated bicycle routes adjacent to the Project Site (City of San Bernardino, 2005a, Figure PRT-2). The required EIR will disclose the findings of the traffic study and also will evaluate the Project's potential to conflict with applicable plans, ordinances, and policies that establish a minimum level of performance for various modes of travel, including those related to transit, roadway, bicycle, and pedestrian facilities.

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☒	☐	☐	☐

Senate Bill 743 (SB 743), which was codified in Public Resources Code Section 21099, required changes to the CEQA Guidelines regarding the analysis of transportation impacts. Pursuant to Public Resources Code Section 21099, the criteria for determining the significance of transportation impacts must promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. To that end, in developing the criteria, the Governor's Office of Planning and Research proposed, and the California Natural Resources Agency certified and adopted, changes to the CEQA Guidelines that identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. Updates to the State CEQA Guidelines that were approved in December 2018 included the addition of CEQA Guidelines Section 15064.3, of which Subdivision b establishes criteria for evaluating a project's transportation impacts based on project type and using VMTs as the metric. The proposed Project would attract passenger vehicles and trucks to the Project Site, which would lead to a net increase in the amount of VMT within the region. A Project-specific VMT analysis will be prepared. The Project's anticipated VMT will be evaluated against the City of San Bernardino's VMT performance standards in conformance with SB 743 and CEQA Guidelines Section 15064.3(b). The results of the VMT analysis will be evaluated and disclosed in the required EIR.

c) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
All improvements planned as part of the Project would be in conformance with applicable City of San Bernardino and City of Highland standards and would not result in any hazards due to a design feature. Additionally, the Project is surrounded by a mixture of industrial, commercial, aviation, and residential land uses and undeveloped land and as such the Project would not represent an incompatible use that could increase transportation-related hazards in the local area. Therefore, the Project would not substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), and impacts would be less than significant. No further analysis of this topic is required.				
d) Result in inadequate emergency access?	☐	☐	☒	☐
The Project Site and adjacent public roadways are not identified as a designated emergency access route. During the course of the San Bernardino County Fire Protection District's required review of the Project's applications, the Project's design is reviewed to ensure that adequate access to and from the Project Site is provided for emergency vehicles during both construction and long-term operation. Furthermore, no existing streets would be closed on a permanent or temporary basis as a result of the Project. Temporary intermittent single lane closures along the Project Site's street frontages, if needed during Project construction, would be managed by temporary traffic controls (e.g., flaggers, cones, signage) to ensure continued traffic flow and access including for emergency vehicles. With required adherence to the County Fire Protection District requirements for emergency vehicle access, impacts are expected to be less than significant. No further analysis is required on this subject.				
XVIII. TRIBAL CULTURAL RESOURCES Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical resources or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	☒	☐	☐	☐
No known resources that are 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) are located on the Project Site. In accordance with AB 52, the City of San Bernardino is required to send notifications of the proposed Project to Native American tribes with traditional or cultural affiliation to the area and will consult with interested tribes regarding the Project's potential to affect a tribal cultural resource. The results of the Native American consultation will be disclosed in the EIR. The Gabrieleño Band of Mission Indians of Kizh Nation, a California State recognized aboriginal tribe of the Los Angeles Basin, has proposed Tribal Cultural Resource mitigation measures that will be considered during EIR preparation. Additionally, the Project Applicant is a related entity of the Yuhaaviatam of San Manuel Nation, a federally recognized Indian Tribe, also recognized as the San Manuel Band of Mission Indians (the "Tribe"). The Tribe has reviewed the Project and indicated that				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
the Project Site has low sensitivity for tribal cultural resources. The surface sediments on the Project Site and in the Site's vicinity are primarily Holocene-age sand and gravel associated with alluvial fans and/or active stream channels (SoCal Geotechnical, 2024). The origins of these sediments are closely related to City Creek, which once flowed roughly 1,000 feet south of the project location prior to channelization, and to the Santa Ana River about one mile further to the south, which was historically prone to widespread flooding events before the construction of Seven Oaks Dam upstream and other flood control projects. Given the Project Site's location in the previous floodplains of these waterways, the Project location would not have been considered a favorable environment for long-term settlement in prehistoric times, nor would the setting be conducive for the preservation of subsurface archaeological deposits. Furthermore, the ground surface across a majority of the Project Site has been disturbed in the past by agricultural operations and, later, residential construction activities, which have left little vestige of the native landscape. Consequently, the subsurface sediments on the Project Site have a low sensitivity for potentially significant tribal cultural resources. Nonetheless, the Tribe will require the following as part of the Project: 1. In the event that potential tribal cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the Project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment. 2. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site. 3. 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 YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project. Because ground-disturbing construction activities have the potential to uncover subsurface tribal cultural resources and result in a potential and substantial adverse change to tribal cultural resources in the event of such resources being discovered, further analysis of this topic is required in the EIR.				
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code	☒	☐	☐	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency will consider the significance of the resource to a California Native American tribe.				

As explained above under the discussion of Threshold XVIII(a), further analysis of this topic is required in the EIR.

XIX.UTILITIES AND SERVICE SYSTEMS
Would the project

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

(Source: Project Application Materials)

The Project would entail local connections to existing water, wastewater treatment, storm water drainage, electric power, natural gas, and telecommunications facilities, as these facilities are available within the immediately surrounding area. Such local connections are inherent to the Project's construction phase, and impacts associated with the Project's construction phase will be evaluated in the required EIR under the appropriate topical subheadings, as described herein. Because the installation of utilities could contribute to significant environmental effects during the Project's construction phase further analysis of this topic will occur in the EIR.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐

(Source: City of San Bernardino General Plan, 2005a; Upper Santa Ana River Watershed Integrated Regional UWMP, 2020)

The operation of a warehouse building on the Project Site would result in an increase in potable water demand compared to the Project Site's existing, vacant condition. The Project Site is designated by the City of San Bernardino General Plan for development with Industrial (I) land uses (City of San Bernardino, 2005a, Figure LU-2). The Project Site's existing General Plan land use designations were utilized in part to inform growth projections published by SCAG, which in turn were used as inputs in the 2020 Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan (UWMP). The 2020 UWMP demonstrates that the City of San Bernardino Municipal Water Department (SBMWD) service area would be served with adequate water resources during normal, wet, dry, and multiple dry years to meet the demands associated with projected growth in residents and employment through at least 2045. Because the 2020 UWMP demonstrates that there

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
would be adequate water resources to meet the projected demands through 2045, the SBMWD would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years (IRUWMP, 2020). Therefore, no further analysis of this topic is required.				
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
(Source: City of San Bernardino Water Department Water Reclamation Plant Facilities Assessment and Master Plan, 2020) Wastewater generated by the Project would be treated at the City of San Bernardino's Water Reclamation Plant (SBWRP). According to the WRP Facilities Assessment and Master Plan, the SBWRP has a design capacity of 33 million gallons per day (MGD). In 2020, the SBWRP had a total flow of 21.5 MGD and by 2040, the flow was expected to rise to 26.4 MGD. From 1957 to July 2022, the SBWRP treated all wastewater generated by the East Valley Water District (EVWD); however, in July 2022, the EVWD opened the Sterling Natural Resource Center, which lead to a reduction in flow to the SBWRP. Factoring out EVWD contribution to influent flow, the 2040 SBWRP influent flow is expected to be 18.6 MGD, only 56.4 percent of the total daily capacity (City of San Bernardino, 2020, p. 6-4). The Project is consistent with the General Plan land use designation for the Project Site and would therefore have been included in the projections for wastewater treatment. Additionally, the warehouse use proposed as part of the Project will generate substantially less wastewater than other types of light industrial uses, because most of the building space will be occupied by goods storage inside a large warehouse, with wastewater generation sources generally limited to an employee break room and restrooms. Accordingly, implementation of the Project would not create the need for any new or expanded wastewater facilities. It is anticipated that there is adequate capacity at existing treatment facilities to serve Project demands, impacts would be less than significant, and mitigation is not required. No further analysis of this topic is required.				
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
(Source: City of San Bernardino General Plan, 2005a; City of San Bernardino General Plan EIR, 2005b; CalRecycle SWIS Facility/Site Inspection Details, 2023) The City of San Bernardino contracts with Burrtec Waste Industries for solid waste services. The City of San Bernardino has no active landfills but primarily utilizes the San Timoteo and Mid-Valley landfills. According to the EIR prepared for the City of San Bernardino 2005 General Plan Update, businesses (including the warehouse uses proposed as part of the Project) generate approximately 2.37 tons per employee per year. (San Bernardino, 2005b, pp. 5.15-16 and Table 5.15-5) Per Appendix 5 to the City of San Bernardino's General Plan, lands designated for "Industrial Light (IL)" uses, as are proposed for the 25.12-gross-acre Project Site, generate approximately one employee per 1,030 s.f. of building area. Based on this factor, the 557,000 s.f. of light				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
industrial uses proposed as part of the Project would generate approximately 540 new, recurring jobs (557,000 s.f. ÷ 1,030 s.f./employee = 540 employees). (City of San Bernardino, 2005a, Appendix 5) Thus, the Project would generate approximately 1,279.8 tons per year (3.5 tons per day) of solid waste requiring disposal at the San Timoteo and/or Mid-Valley landfills. According to information available from CalRecycle, in the month of March 2023, the San Timoteo landfill experienced a peak tonnage of 1,974.3 tons per day (tpd), while this facility is allowed a maximum tonnage of 3,000 tpd for up to 15 days per calendar year (CalRecycle, 2023a). In the month of April 2023, the Mid-Valley landfill had a peak tonnage of 5,498.17 tpd, while this facility is permitted to receive up to 7,500 tpd (CalRecycle, 2023b). Thus, the 3.5 tpd generated by the Project would represent only 0.34% of the available daily capacity at the San Timoteo landfill and 0.17% of the available daily capacity at the Mid-Valley landfill. Additionally, as of April 2019, the San Timoteo landfill had a remaining capacity of 12.3 million cubic yards, while as of June 2019 the Mid-Valley landfill had a remaining capacity of 61.2 million cubic yards (CalRecycle, 2023a; CalRecycle, 2023b). Accordingly, adequate capacity exists at both the San Timoteo and Mid-Valley landfills to accommodate solid waste generated by the Project. Additionally, the Project would be subject to the City of San Bernardino's solid waste regulations as set forth in Chapter 8.24 of the City of San Bernardino's Municipal Code. Chapter 8.24 includes enforceable requirements for the recycling and diversion of solid waste from the regional landfills. With mandatory compliance with Chapter 8.24 of the City of San Bernardino's Municipal Code, 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. Impacts would be less than significant, and further analysis of this topic is not required.				
e) Comply with federal, state, and local statues and regulations related to solid waste?	☐	☐	☒	☐
The Project would be required to comply with the City of San Bernardino's waste reduction programs, including recycling and other diversion programs to reduce the amount of solid waste deposited in landfills. As such, future building users at the Project Site would be required to work with refuse haulers to develop and implement feasible waste reduction programs, including source reduction, recycling, and composting. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (Cal Pub Res. Code § 42911), the Project would be required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued. The implementation of these programs would reduce the amount of solid waste generated and diverted to landfills, which in turn would aid in the extension of the life of affected disposal sites. The Project would be subject to all federal, State, and local statutes and regulations related to solid waste. As such, a less than significant impact would occur, and further analysis of this topic is not required.				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
XX. WILDFIRE If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
(Source: CalFire FHSZ Viewer, 2023) A State Responsibility Area (SRA) includes lands where the State of California is financially responsible for the prevention and suppression of wildfires, and the Project Site is not located within any SRAs (CalFire, 2023). Fire protection services to the Project Site are and would continue to be provided by the San Bernardino County Fire Protection District (SBCFPD). The Project Site is not identified as part of any adopted emergency response plans or emergency evacuation plans, and the Project has no potential to conflict with any such plans. Furthermore, no existing streets would be closed on a permanent or temporary basis as a result of the Project. Temporary intermittent single lane closures along the Project Site's street frontages, if needed during Project construction, would be managed by temporary traffic controls (e.g., flaggers, cones, signage) to ensure continued traffic flow and access including for emergency vehicles. As such, no impacts to adopted emergency response plans or emergency evacuation plans would occur with implementation of the proposed Project, and no further analysis of this topic is required.				
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
As noted under the analysis of Threshold XX(a), the Project Site is not located within any SRAs, as fire protection services in the Project area are provided by the SBCFPD. Additionally, the Project Site is located in an area that is largely urbanized and contains no large and continuous open space areas that have the potential for wildland fire hazards. The Project would result in construction and operation of a large warehouse building with exterior impervious surfaces and irrigated landscaping, which would not result in any increase in fire hazards in the local area. Wildfire hazards would be reduced with conversion of the vacant Project Site to a developed warehouse use. Therefore, the Project has no potential to exacerbate wildfire risks, and thereby exposing people to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. A less-than-significant impact would occur, and further analysis of this topic is not required.				
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
The Project Site is not located within a portion of the City of San Bernardino that is subject to wildfire hazards, and the Project Site is not located within any SRAs. Aside from standard building construction requirements, including the installation of fire sprinklers, the provision of fire hydrants, and the use of irrigated landscaping, the Project does not include any fire protection-related infrastructure that could result in temporary or ongoing impacts to the environment. Wildfire hazards would be reduced with conversion of the vacant Project Site to a developed warehouse use. No impact would occur, and further analysis of this topic is not required.				
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒
The Project Site is not located within a portion of the City of San Bernardino that is subject to wildfire hazards, and the Project Site is not located within any SRAs. The Project Site occurs in a portion of the City of San Bernardino that exhibits generally flat topography, and there are no large slopes in the Project vicinity that could be subject to landslide hazards as a result of post-fire slope instability. Additionally, there are no components of the Project that could result in or exacerbate flooding hazards associated with wildland fire hazards. Wildfire hazards would be reduced with conversion of the vacant Project Site to a developed warehouse use. No impacts would occur, and further analysis of this topic is not required.				
XXI.MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major period of California history or prehistory?	☒	☐	☐	☐
The Project has the potential to substantially reduce the habitat of a wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history. The EIR will evaluate the Project's potential to degrade the quality of the environment and/or result in substantial adverse effects to biological and cultural (historical) resources.				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☒	☐	☐	☐
The Project Site is located within the City of San Bernardino, and other portions of the City of San Bernardino as well as nearby cities have a number of on-going development projects. The Project, in addition to concurrent construction and operation of other development projects in the area, has the potential to result in cumulatively-considerable impacts, particularly with respect to the following issue areas: air quality, greenhouse gas emissions, noise, and transportation. The required EIR will evaluate the Project's potential to result in cumulatively-considerable contributions to cumulatively significant impacts.				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐
The potential for the proposed Project to directly or indirectly affect human beings will be evaluated in the required EIR particularly with respect to the following issue areas: air quality and greenhouse gas emissions (including emissions from Project-related traffic), seismic activity, and noise.				

4.0 REFERENCES

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The following information sources were used during the preparation of this IS:

Cited As	Reference
CalFire, 2023	California Department of Forestry and Fire Protection, 2023. *FHSZ Viewer*. 2023. Accessed June 6, 2023. Available on-line: https://egis.fire.ca.gov/FHSZ/
CalRecycle, 2023a	CalRecycle, 2023. *SWIS Facility/Site Inspection Details, San Timoteo Sanitary Landfill (36-AA-0087)*. April 18, 2023. Accessed June 7, 2023. Available on-line: https://www2.calrecycle.ca.gov/SolidWaste/SiteInspection/Details/354437
CalRecycle, 2023b	CalRecycle, 2023. *SWIS Facility/Site Inspection Details, Mid-Valley Sanitary Landfill (36-AA-0055)*. May 9, 2023. Accessed June 7, 2023. Available on-line: https://www2.calrecycle.ca.gov/SolidWaste/SiteInspection/Details/354637
Caltrans, 2021	California Department of Transportation, 2021. *California State Scenic Highway System Map*. April 27, 2021. Accessed June 1, 2023. Available on-line: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa
CARB, 2022	California Air Resources Board, 2022. *Maps of State and Federal Area Designations*. November 2022. Accessed June 5, 2023. Available on-line: https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations
CCR, 2023	California Code of Regulations (Public Resources Code) Section 5097. Accessed September 5, 2023. Available on-line: https://nahc.ca.gov/codes/california-public-resources-code-5097-9/
CDC, 2018	California Department of Conservation, 2018. *California Important Farmland Finder*. 2018. Accessed June 5, 2023. Available on-line: https://maps.conservation.ca.gov/DLRP/CIFF/
City of San Bernardino, 2005a	City of San Bernardino, 2005. *City of San Bernardino General Plan*. November 1, 2005. Accessed May 25, 2023. Available on-line: https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/C

	ommunity%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf
City of San Bernardino, 2005b	City of San Bernardino, 2005. *San Bernardino General Plan Update and Associated Specific Plans Environmental Impact Report*. July 25, 2005.
City of San Bernardino, 2020	City of San Bernardino, 2020. *City of San Bernardino Water Department Water Reclamation Plant Facilities Assessment and Master Plan*. May 2020. Accessed February 9, 2024. Available on-line: https://www.sbmwd.org/DocumentCenter/View/7679/Water-Reclamation-Plant-Master-Plan-2020
City of San Bernardino, 2021	City of San Bernardino, 2021. *City of San Bernardino Official Zoning Map*. January 15, 2021. Accessed June 7, 2023. Available on-line: https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/About/Map/Official%20Zoning%20Map%2042x42/OfficialZoningMap_42x42.pdf
City of San Bernardino, 2023	City of San Bernardino, 2023. *City of San Bernardino Municipal Code*. April 2023. Accessed June 5, 2023. Available on-line: https://www.sbcity.org/city_hall/city_clerk/municipal_code
City of San Bernardino, 2023	City of San Bernardino, 2024. Draft General Plan Housing Element 2021-2029. January 2024. Accessed February 26, 2023. Available on-line: https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Housing%20Element/San%20Bernardino%202021-2029%20Housing%20Element%20(01.24.2024).pdf
County of San Bernardino, 2023	County of San Bernardino, 2023. Geologic Hazard Maps. San Bernardino South Quadrangle, FH30 C. Accessed September 5, 2023. Available on-line: FH30C_20100309.pdf (sbcounty.gov)
DTSC, n.d.	Department of Toxic Substances Control, n.d. *EnviroStor Database*. No date. Accessed June 6, 2023. Available on-line: https://www.envirostor.dtsc.ca.gov/public/map/?global_id=36990002
FAA, 2023	Federal Aviation Administration, 2023. *Determination of No Hazard to Air Navigation*. June 07, 2023.
FEMA, 2016	Federal Emergency Management Agency, 2016. *FEMA's National Flood Hazard Layer (NFHL) Viewer*. September 2, 2016. Accessed June 6, 2023. Available on-line: https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-117.51213951851739,34.062752455796826,-117.50874384190405,34.06497443466799
IRUWMP, 2020	IRUWMP, 2020. *Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan*. 2020. Accessed February 9, 2024. Available on-line: https://www.sbvwcd.org/our-projects/upper-santa-ana-integrated-regional-water-management-plan/

Kimley-Horn, 2023	Kimley Horn, 2023. *5th and Sterling Avenue San Bernardino, California, Preliminary Drainage Report.* June 2023 (revised: February 16, 2024).
RWQCB, 2010	California Regional Water Quality Control Board, 2010. *National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for the San Bernardino County Flood Control District, the County of San Bernardino, and the Incorporated Cities of San Bernardino County Within the Santa Ana Region*. January 29, 2010. Accessed June 6, 2023. Available on-line: https://www.waterboards.ca.gov/santaana/board_decisions/adopted_orders/orders/2010/10_036_sbc_ms4_permit_01_29_10.pdf
RWQCB, 2019	California Regional Water Quality Control Board, 2019. *Water Quality Control Plan Santa Ana River Basin*. June 2019. Accessed June 6, 2023. Available on-line: https://www.waterboards.ca.gov/santaana/water_issues/programs/basin_plan/
SBCFPD, 2023	San Bernardino County Fire Protection District, 2023. *San Bernardino County Fire Stations and Division Areas*. 2023. Accessed June 7, 2023. Available on-line: https://sbcfire.org/firestations/
SBIAA, 2010	San Bernardino International Airport Authority, 2010. *Airport Layout Plan Narrative Report for San Bernardino International Airport*. November 2010. Accessed June 6, 2023. Available on-line: https://www.sbiaa.org/wp-content/uploads/2015/10/ALP-Narrative-Report-Complete.pdf
SCAQMD, 2022	South Coast Air Quality Management District, 2022. *2022 Air Quality Management Plan*. December 2, 2022. Accessed June 5, 2023. Available on-line: http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/final-2022-aqmp/final-2022-aqmp.pdf?sfvrsn=16
SoCal Geotechnical, 2024	Southern California Geotechnical, 2023. *Geotechnical Investigation 5th and Sterling Avenue, SEC 6th Street at Sterling Avenue*. February 16, 2024.
USFS, 2021	United States Forest Service, 2021. *Interactive Visitor Map*. 2021. Accessed June 5, 2023. Available on-line: https://www.fs.usda.gov/ivm/
USCB, 2012	United States Census Bureau, 2012. *2010 Census - Urbanized Area Reference Map: Riverside - San Bernardino, CA*. March 11, 2012. Accessed June 5, 2023. Available on-line: https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua75340_riverside--san_bernardino_ca/DC10UA75340.pdf
USFWS, 2023a	United States Fish and Wildlife Service, 2023. Critical Habitat Mapping Tool. Accessed September 5, 2023. Available on-line: https://www.arcgis.com/apps/mapviewer/index.html?url=https://services.arcgis.com/QVENGdaPbd4LUkLV/ArcGIS/rest/services/USFWS_Critical_Habitat/FeatureServer&source=sd
USFWS, 2023b	United States Fish and Wildlife Service, 2023. National Wetlands Inventory Mapping Tool. Accessed September 5, 2023. Available on-line: https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper
WSC, 2017	Water Systems Consulting, Inc., 2017. *2015 San Bernardino Valley Regional Urban Water Management Plan*. June 2017. Accessed June 2017. Available on-line: http://documents.yvwd.dst.ca.us/publications/SBVMWD/SBVRUWMP2017.pdf

YSMN, 2023	Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN). Personal communication with T&B Planning, Inc. September 19, 2023