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Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: _____

Project Title: Adesa Rialto Food Processing Facility

Lead Agency: City of Rialto

Contact Name: Daniel Casey, Principal Planner

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Project Location: Rialto (*City*) San Bernardino County (*County*)

Project Description (Proposed actions, location, and/or consequences).

The proposed project consists of the development of a 54,144 square foot industrial food processing building and associated site improvements, including paving, screen walls, lighting, landscaping, and utility improvements, on 3.73 acres of land (APN: 1133-521-06) located at the southeast corner of Casmalia Street and Cedar Avenue.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

See Attached Mitigation Discussion.

Revised September 2011

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

N/A

Provide a list of the responsible or trustee agencies for the project.

Santa Ana Regional Water Quality Control Board

Adesa Rialto Food Processing Facility

Mitigation Discussion

4.4. BIOLOGICAL RESOURCES

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

d) Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The following mitigation measures apply to subsections a) and d) of Section 4.4 of the Initial Study:

Mitigation Measure No. BIO-1:

In the event that site-preparation activities (ground disturbance, construction activities, staging equipment, and/or removal of trees and vegetation) occur within the active breeding season for birds (February 1 – August 31), the Project/Applicant (or their Construction Contractor) shall retain a qualified biologist (meaning a professional biologist that is familiar with local birds and their nesting behaviors) to conduct a nesting bird survey no more than 3 days prior to commencement of construction activities to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. The nesting survey shall include the Project Site and areas immediately adjacent to the site that could potentially be affected by project-related construction activities, such as noise, human activity, and dust, etc. If active nesting of birds is observed within 100 feet of the designated construction area prior to construction, the qualified biologist shall establish an appropriate buffer around the active nests (e.g., as much as 500 feet for raptors and 300 feet for nonraptors [subject to the recommendations of the qualified biologist]), and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Prior to commencement of grading activities, the City of Rialto (City) Community Development Director, or designee, shall verify that all project grading and construction plans are consistent with the requirements stated above, that preconstruction surveys have been completed and results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field with orange snow fencing.

If active nests are located during the pre-activity field survey, the Biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience. The Biologist shall monitor the nest at the onset of project activities, and at the onset of any changes in such project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Biologist determines that such project activities may be causing an adverse reaction, the Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The on-site qualified biologist will review and verify compliance with these nesting avoidance buffers and will verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to the City of Rialto for mitigation monitoring compliance record keeping.

Mitigation Measure No. BIO-2:

The Project proponent shall retain a qualified biologist to conduct a preconstruction survey for resident burrowing owls within 30 days prior to commencement of grading and construction activities on the Project Site. The survey will include the Project Site and all suitable burrowing owl habitat within a 500-foot buffer. The results of the survey will be submitted to the City prior to obtaining a grading permit. In addition, if burrowing owls are observed during the MBTA nesting bird survey, to be conducted within three days prior to ground disturbance or vegetation clearance, the observation shall be reported to the Wildlife Agencies. If ground disturbing activities in these areas are delayed or suspended for more than 30 days after the pre-construction survey, the area shall be resurveyed for owls. The pre-construction survey and any relocation activity will be conducted in accordance with the most current CDFW protocol.

4.5. CULTURAL RESOURCES:

b) Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

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

The following mitigation measures apply to subsections b) and c) of Section 4.5 of the Initial Study:

Mitigation Measure No. CUL-1:

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

Mitigation Measure No. CUL-2:

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

Mitigation Measure No. CUL-3:

If human remains or funerary objects are encountered during any activities associated with the Project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the Project.

4.7. GEOLOGY AND SOILS:

a) Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, or death involving strong seismic ground shaking?

c) Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Would the Project be located an expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

f) Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The following mitigation measures apply to subsections a), c), d), and f) of Section 4.7 of the Initial Study:

Mitigation Measure No. GEO-1:

All earthwork, including excavation, backfill, and preparation of the surface soil, should be performed in accordance with the latest geotechnical report's recommendations as well as applicable local regulatory requirements. If an updated geotechnical report is prepared for the Proposed Project, the recommendations set forth in the updated geotechnical report shall take precedence. The latest geotechnical report, dated September 24, 2024, includes the following geotechnical engineering recommendations based on the geotechnical field investigation program, laboratory testing, and geotechnical engineering analyses:

a. Site Clearing: Areas to be graded should be cleared of vegetation, associated root systems and fill piles/debris. All areas scheduled to receive fill should be cleared of old fills and any irreducible matter. The unsuitable materials should be removed off-site. Voids left by constructions should be properly backfilled in accordance with the compaction recommendations of the geotechnical report.

b. Preparation of Building Areas: To provide firm and uniform foundation-bearing conditions, the geotechnical report recommends over-excavation and re-compaction throughout the new building areas. All artificial fill soil and low-density near-surface native soil should be removed to competent native soil (expected at depths of approximately four feet below existing grade) or to a minimum depth of three feet below the bottom of the footings, whichever is deeper. Remedial grading should extend laterally to a minimum of five feet beyond the building perimeter, where possible. The exposed native soil exposed by over-excavation should then be scarified, moisture conditioned to over optimum moisture content and compacted to at least 90 percent relative compaction prior to fill placement.

c. Compaction: Soil to be used as engineered fill should be free of organic material, debris, and other unsuitable materials, and should not contain irreducible matter greater than three inches in maximum dimension. All fill materials should be placed in thin lifts, not exceeding six inches in a loose condition at near optimum moisture content. If import fill is required, the material should be of a low to non-expensive nature and should meet the criteria listed in page 7 of the September 2024 geotechnical report.

4.18. TRIBAL CULTURAL RESOURCES:

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

b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe?

The following mitigation measures apply to subsections a) and b) of Section 4.18 of the Initial Study:

Mitigation Measure No. TCR-1:

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

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

C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribes.

Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribes.

A. On-site tribal monitoring shall conclude upon the following: (1) written confirmation to the Tribe(s) or Tribal monitoring agency from a designated point of contact for the project applicant that all ground-disturbing activities and phases that may involve ground-disturbing activities on the Project Site or in connection with the Project are complete; or (2) a determination and written notification by the Tribe(s) or Tribal monitoring agency to the Director of Community Development, or designee that no future, planned construction activity and/or development/construction phase at the Project Site possesses the potential to impact tribal cultural resources.

Mitigation Measure No. TCR-2:

Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 60 feet) and shall not resume until the discovered TCR has been fully assessed by the Native American monitor and/or Tribal archaeologist. The Tribes will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural, and/or historic purposes.

Mitigation Measure No. TCR-3:

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

B. If Native American human remains and/or grave foods are discovered or recognized on the Project Site, then PRC § 5097.9 as well as Health and Safety Code §7050.5 shall be followed.

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

D. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.

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

Mitigation Measure No. TCR-4:

The Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN) shall be contacted, as detailed in MM CUL-1, of any pre-contact and/or historic-era cultural resources discovered during Project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN and any other applicable tribes, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the Project, should YSMN elect to place a monitor on-site.

Mitigation Measure No. TCR-5:

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 Tribes. The Lead Agency and/or applicant shall, in good faith, consult with Tribes throughout the life of the Project.