



FINAL MITIGATED NEGATIVE  
DECLARATION  
FOR THE  
9TH STREET AND TIPPECANOE AVENUE  
WAREHOUSE PROJECT

**Lead Agency:**

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Planning Department  
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November 2022

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# Chapter 1. Public Review MND

## 1 INTRODUCTION

### 1.1 PURPOSE AND SCOPE

This document is an Initial Study and Mitigated Negative Declaration (IS/MND) prepared pursuant to the California Environmental Quality Act (CEQA) for the proposed 9<sup>th</sup> and Tippecanoe Avenue Warehouse Project, which involves a development plan review for construction and operation of an approximately 337,300 square foot (SF) tilt up warehouse facility on an approximately 14.3-acre site located at the southwest corner of the 9<sup>th</sup> Street and Tippecanoe Avenue intersection in the City of San Bernardino, California (proposed Project, Project). This IS/MND has been prepared in accordance with CEQA, Public Resources Code Sections 21000 et seq., and the Guidelines for Implementation of the California Environmental Quality Act (State CEQA Guidelines).

An initial study is conducted by a lead agency to determine if a project may have a significant effect on the environment. In accordance with CEQA Guidelines Section 15064, an Environmental Impact Report (EIR) must be prepared if the initial study indicates that the proposed project under review may have a potentially significant impact on the environment. A negative declaration may be prepared instead, if the lead agency prepares a written statement describing the reasons why a proposed project would not have a significant effect on the environment, and, therefore, why it does not require the preparation of an EIR (State CEQA Guidelines Section 15371). According to State CEQA Guidelines Section 15070, a negative declaration shall be prepared for a project subject to CEQA when either:

- (a) The initial study shows there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or
- (b) The initial study identified potentially significant effects, but:
  - (1) Revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
  - (2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

If revisions are adopted into the proposed project in accordance with the State CEQA Guidelines Section 15070(b), a mitigated negative declaration is prepared. This document includes such revisions in the form of mitigation measures. Therefore, this document is a Mitigated Negative Declaration (MND) and incorporates all of the elements of an Initial Study (IS). Hereafter this document is referred to as an IS/MND.

This IS/MND incorporates by reference the City of San Bernardino General Plan EIR and the technical documents that relate to the proposed Project or provide additional information concerning the environmental setting of the proposed Project. The information within in this IS/MND is based on the following technical studies and/or planning documents:

- City of San Bernadino General Plan  
(<http://www.ci.san-bernardino.ca.us/pdf/DevSvc/General%20Plan%20Document.pdf>)
- City of San Bernardino General Plan EIR
- City of San Bernadino Municipal Code  
(<http://www.ci.san-bernardino.ca.us/civicax/filebank/blobdload.aspx?blobid=19233>)
- Technical studies, personal communications, and web sites listed in Section 6, *References*

In addition to the websites listed above, all documents are available for review at the City of San Bernadino Planning Division, located at 290 N D Street, San Bernardino, CA 92401. The proposed Project evaluated herein involves a development plan review for construction of an approximately 337,300 SF tilt up warehouse facility on an approximately 14.3-acre site located at the southwest corner of the 9<sup>th</sup> Street and Tippecanoe Avenue intersection in the City of San Bernardino, County of San Bernardino, California. The site is designated as Industrial Light (IL) by the San Bernardino General Plan land use map and is zoned Industrial Light (IL).

This IS/MND serves as the environmental review for the proposed 9<sup>th</sup> Street and Tippecanoe Avenue Warehouse Project. The Project proposes development of a site within the boundaries of the City of San Bernadino in consistency with the City's General Plan land use and zoning designation for the site.

## 2 ENVIRONMENTAL SETTING

### 2.1 PROJECT LOCATION

The proposed Project is located within the City of San Bernadino, at the southwest corner of 9<sup>th</sup> Street and Tippecanoe Avenue. The site is identified by Assessor's Parcel Numbers (APN) 0278-191-12, -17, -25, and -28. The site is located within Section 2, Township 1 South, Range 4 West of the USGS San Bernardino South, California (7.5 minute) topographic quadrangle map. The Project site borders unincorporated San Bernardino County to the south and the City of Highland to the east.

Regional access to the Project site is provided by Interstate 215 (I-215), located approximately 1.15 miles west of the Project site, and Interstate 210 (I-210), approximately 1.9 miles northeast of the Project site. The Project site and surrounding area is shown in Figure 1, *Regional Location* and Figure 2, *Local Vicinity*.

### 2.2 EXISTING PROJECT SITE

The Project site consists of four parcels encompassing approximately 14.3 acres. The majority of the Project site is composed of vacant and undeveloped land. The southeast corner of parcel 0278-191-12 is partially developed with small foundational structures remaining from previous residential uses. The site is currently accessible via partially paved right-of-way along 9<sup>th</sup> Street and Tippecanoe Avenue at the northeast corner of the Project site. Additionally, a former access point exists near the residential foundations within the southeast corner of the Project site. The Project site's existing conditions are shown in Figure 3, *Aerial View* and Figure 4, *Site Photos*.

The Project site has a General Plan land use designation of Industrial Light (IL) and a zoning designation of Industrial Light (IL). The General Plan Land Use Element details that the Industrial Light General Plan land use designation allows for development up to a Floor Area Ratio (FAR) of 0.75 and a variety of light industrial uses, including warehousing/distribution, assembly, light manufacturing, research and development, mini storage, and repair facilities conducted within enclosed structures, as well as supporting retail and personal uses.

The City's Municipal Code Section 19.08 describes that the IL zoning designation is to provide for development of lighter industrial uses along major vehicular, rail, and air transportation routes serving the City. In addition, the code section provides for development standards for the IL zone.

### 2.3 SURROUNDING GENERAL PLAN AND ZONING DESIGNATIONS

The surrounding land uses are described in Table 2-1 along with the General Plan Land Use and zoning designations.

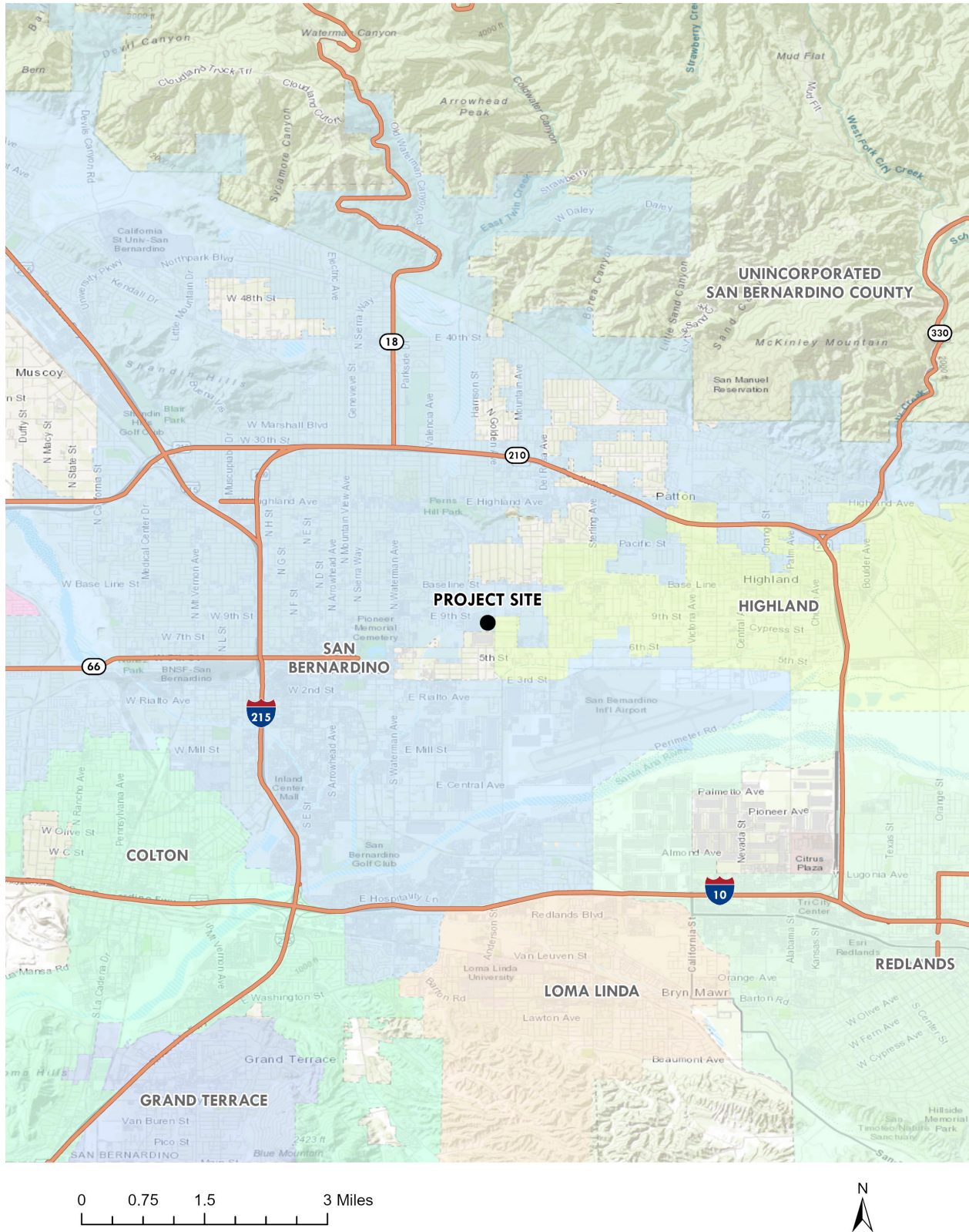
**Table 2-1: Surrounding Existing Land Use and Zoning Designations**

	Existing Land Use	City General Plan Designation	City Zoning Designation
<b>North</b>	9 <sup>th</sup> Street followed by an auto mall and self-storage facility	Commercial (C)	Commercial General 1 (CG-1)
<b>West</b>	Industrial warehouse buildings followed by Pedley Road	Industrial Light (IL)	Industrial Light (IL)
<b>South</b>	Industrial warehouse building followed by 6 <sup>th</sup> Street	Community Industrial (IC) (San Bernardino County)	Community Industrial (IC) (San Bernardino County)
<b>East</b>	Single-family residential and vacant undeveloped land	Low Density (LD) (City of Highland)	Single-Family (R-1) District (City of Highland)

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# Regional Location

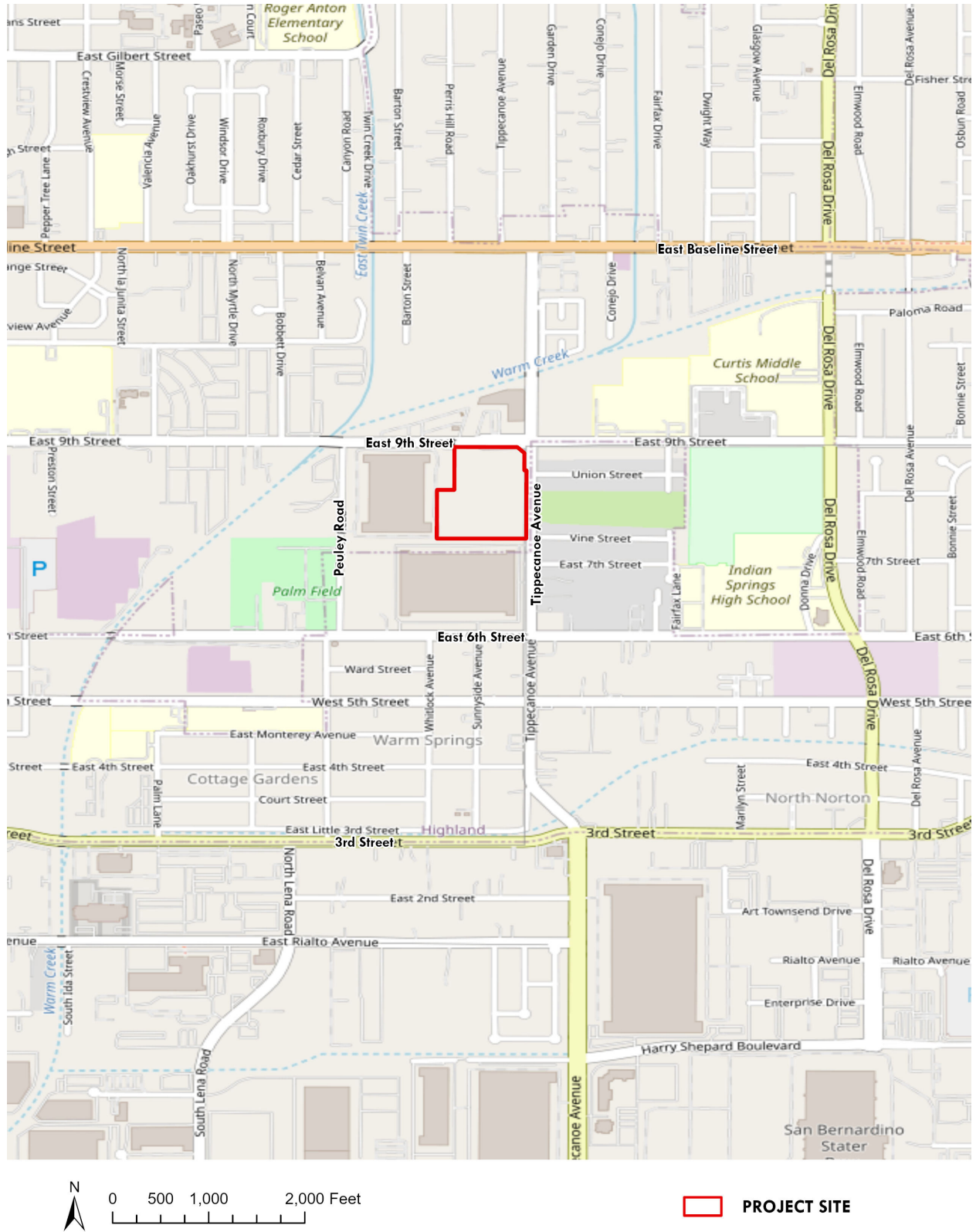


9th Street and Tippecanoe Avenue Warehouse Project

Figure 1

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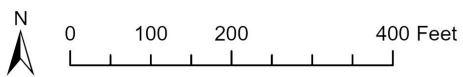
# Local Vicinity



9th Street and Tippecanoe Avenue Warehouse Project

Figure 2

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 PROJECT SITE

9th Street and Tippecanoe Avenue Warehouse Project

Figure 3

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# Existing Site Photos



Southern views from the northern edge of the Project Site from 9th street.



Western views from the eastern edge of the Project Site from Tippecanoe avenue street.



Northern views from the eastern edge of the Project Site from Tippecanoe avenue street.

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## 3 PROJECT DESCRIPTION

### 3.1 Project Overview

The Project consists of development and operation of an industrial warehouse facility with an office, parking, landscaping, and related infrastructure on a 14.3-acre site. The Project would remove existing structures from the site and the new structure would be a 337,300 SF concrete tilt up warehouse facility. The proposed building would result in an FAR of 0.54. The conceptual site plan is provided as Figure 5, *Conceptual Site Plan*.

### 3.2 Project Features

#### Building Summary and Architecture

The proposed warehouse building would be 337,300 SF, inclusive of a 5,000 SF office, single-story, and a maximum of 50-feet high. The Project also includes the construction of associated parking, landscaping, and frontage improvements.

As shown in Figure 6, *Elevations*, the proposed Project would be a concrete tilt-up building painted grey and white with dark grey and red accents. Cutouts and decorative window facades would be installed to create variety in scale and texture. The building would be setback from both street frontages and from both adjacent lots and landscaping would be provided in all setback areas. The proposed facility would include 35 dock doors along the western side of the building, as well as 28 truck trailer stalls.

#### Parking and Loading Dock Summary

A total of 291 passenger vehicle stalls, including 271 standard stalls and 8 accessible stalls, would be provided in surface lots around the perimeter of the Project site. Proposed parking also includes 28 trailer stalls located along the western side of the building in the truck court. Additionally, bicycle parking would be provided. Parking would meet the requirements of the City's Municipal Code, as outlined in Table 2 below.

**Table 2-2: Parking Summary**

Type of Parking	Required Spaces	Provided Spaces
Standard Parking Spaces	N/A	271
Accessible Parking Spaces	N/A	8
Parallel Stalls	N/A	12
<b>Total</b>	<b>286</b>	<b>291</b>

#### Landscaping and Fencing

Parking lot landscaping would include perimeter planters, planters abutting parking lots and drive aisles, and tree planting for parking shade. Proposed landscaping encompasses approximately 31.9 percent of the paved surface area which exceeds the 15 percent requirement of the City's Municipal Code. The conceptual landscape plan is provided as Figure 7, *Landscape Plan*.

The truck court on the western side of the building would be secured with two 10-foot-high concrete tilt up screening walls with 8-foot-high gates, one on the south entrance and one on the north entrance, accessible via 30-foot-wide access drive.

#### Access and Circulation

The Project would be accessible via three proposed driveways. One 30-foot driveway is proposed along Tippecanoe Avenue and two driveways are proposed along 9<sup>th</sup> Street: one 30-foot wide and one 40-foot

wide. A majority of the truck traffic is anticipated to access the site from 9<sup>th</sup> Street. Internal circulation would be via 30-foot drive aisles. Access to trailer stalls and loading dock areas would be controlled through the use of swinging and sliding gates. The Project would also include offsite roadway improvements, which include paving along 9<sup>th</sup> Street and implementation of curb and gutter and widening of the west side of Tippecanoe Avenue.

The Project includes development of a sidewalk along 9<sup>th</sup> Street and Tippecanoe Avenue, which would connect to existing adjacent pedestrian paths. Development of this sidewalk would reduce Vehicle Miles Traveled (VMT) (as detailed in Section 5.17, Transportation), as is therefore included as a Project Description Feature (PDF) that will be included in the Project's Mitigation Monitoring and Reporting Program (MMRP), as listed below.

**PDF-1: Sidewalks.** The Project shall provide a new sidewalk fronting the Project site along 9<sup>th</sup> Street and Tippecanoe Avenue that would connect to the existing adjacent sidewalks. The new sidewalks shall be consistent with City standards, as determined by the City through the development permitting process.

### Infrastructure Improvements

#### *Water and Sewer Improvements*

The Project applicant would utilize the existing onsite water lines that connect to the existing 16-inch diameter water line in 9<sup>th</sup> Street, and the existing onsite sewer system would connect to the existing 8-inch diameter sewer line in Tippecanoe Avenue.

#### *Drainage Improvements*

The Project site's stormwater runoff would be collected by catch basins and conveyed to an underground infiltration system. Proposed underground stormwater chambers would be located on the southwest corner of the site, beneath proposed truck trailer parking. Stormwater runoff volume beyond the design capture volume (DCV) would be discharged into the existing storm drain lateral on the southwest corner of the Project site. Additionally, a 36-inch storm drain would be extended from existing facilities at the corner of Vine Street and Tippecanoe Avenue below Tippecanoe Avenue to approximately 300 feet north terminating at a proposed catch basin.

### 3.3 General Plan and Zoning

The Project is consistent with the General Plan designation of Industrial Light (IL) which accommodates a full spectrum of industrial related employment uses including manufacturing, distribution, research and development, office, and mineral extraction, at a range of intensities to meet the demand of current and future residents. The Project is also consistent with the zoning designation of Industrial Light (IL) which allows for a variety of uses including warehousing/distribution, assembly, light manufacturing, research and development, mini storage, and repair facilities conducted within enclosed structures. In general, areas designated Industrial Light (IL) are intended to be used for less intensive warehousing and manufacturing uses.

### 3.4 Construction and Phasing

Construction activities for the Project would occur over one phase and include demolition, site preparation, grading, building construction, paving, and architectural coatings. Grading work of soils is expected to result in cut of 70,410 cubic yards (CY) and fill of 101,650 CY of soils for a net soil import of 31,240 CY. Construction is expected to occur over 10 months and would occur within the hours allowable by the San Bernardino Code Section 8.54.070, which states that construction shall occur only between the hours of 7:00 AM and 8:00 PM.

### 3.5 Operational Characteristics

The Project would maintain and operate an industrial warehouse facility and is expected to operate 24/7. Typical operational characteristics include employees traveling to and from the site, delivery of materials and supplies to the site, truck loading and unloading, and distribution.

### 3.6 Discretionary Approvals, Permits, and Studies

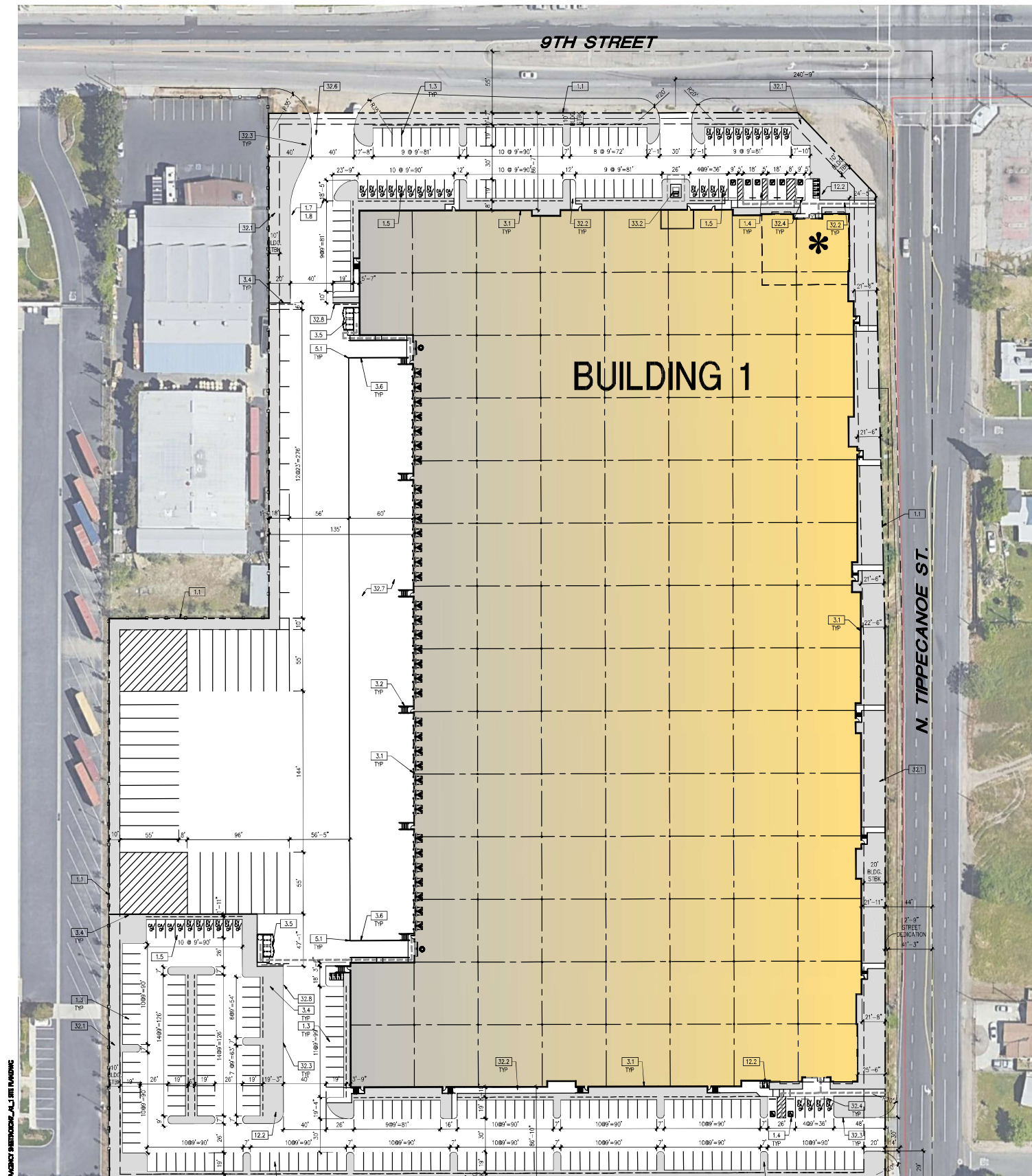
The following discretionary approval, permits, and studies are anticipated to be necessary for implementation of the proposed Project:

#### **City of San Bernardino**

- Development Plan Approval
- Adoption of this Mitigated Negative Declaration
- Approvals and permits necessary to execute the proposed Project, including but not limited to, demolition permit, grading permit, building permit, tree removal permit, etc.

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# Conceptual Site Plan



## SITE INFORMATION

**APN:**  
0278-191-12, 0278-191-17, 0278-191-25, AND 0278-191-28.

**LEGAL DESCRIPTION:**  
REF. TO CIVIL.

**LAND USE / ZONING:**  
EXISTING PROPOSED GENERAL PLAN: INDUSTRIAL  
EXISTING PROPOSED ZONING: IL - LIGHT INDUSTRIAL  
EXISTING LAND USE: VACANT

**UTILITIES:**  
WATER: MUNICIPAL UTILITIES COMPANY  
SEWER: MUNICIPAL UTILITIES COMPANY  
GAS: SOUTHERN CALIFORNIA GAS COMPANY  
ELECTRIC: SOUTHERN CALIFORNIA EDISON  
PHONE: VERIZON, AT&T  
T.V.: TIME WARNER CABLE, VERIZON

**SCHOOL DISTRICT:**  
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

**CODE ANALYSIS:**  
2019 CBC CODE  
BUILDING OCCUPANCY: B, S  
CONSTRUCTION TYPE: III-B  
FIRE SPRINKLERS (AUTOMATIC): YES  
STORES: 1

**ZONING ANALYSIS:**  
MAX COVERAGE/FAR: 75%  
REQ. LANDSCAPING: 15% OF PAVED SURFACE  
MAX. BLDG. HEIGHT: 50'

**PARKING/LOADING:**  
STANDARD STALL: 9'x12'  
COMPACT STALL: NOT ALLOWED  
MIN. AISLE: 26'; 30' FIRE DEPARTMENT ACCESS LANES

## SITE PLAN & CITY NOTES

### NOTES:

- THE PROPERTY IS NOT WITHIN A SPECIFIC PLAN.
- THIS AREA IS NOT SUBJECT TO LIQUEFACTION OR OTHER GEOLOGIC HAZARDS WITHIN A SPECIAL STUDIES ZONE.
- THIS PROPERTY IS NOT SUBJECT TO OVERFLOW, INUNDATION, OR FLOOD HAZARD.
- SUBSURFACE SEPTIC SEWAGE IS NOT INTENDED FOR THIS SITE.
- THE PROPERTY DOES NOT CONTAIN ANY FLAMMABLE/COMBUSTIBLE MATERIALS OR WASTE.
- THE PROPERTY'S WATER QUALITY FEATURES ARE SHOWN AS PART OF THE CIVIL PACKAGE.
- LOADING SPACES WILL BE PAVED WITH CONCRETE.
- SERVICE GATES WILL BE MANUALLY OPERATED W/ KNOX PAD LOCK.
- SON PROGRAM WILL BE UNDER SEPARATED PERMIT.
- NO ABOVE/GROUND TANKS ARE PROVIDED.
- SITE PLAN SHALL MEET ALL ENGINEERING & NPDES REQUIREMENTS.

### FIRE DEPARTMENT NOTES:

- FIRE DEPARTMENT ACCESS SHALL COMPLY WITH FIRE DEPARTMENT FIRE PROTECTION STANDARDS.

### CALGREEN NOTES:

- PROJECT SITE IS LARGER THAN ONE ACRE - A STORM WATER POLLUTION PLAN IS REQUIRED (CG 5.106.1).
- VISITOR BICYCLE PARKING RACKS SHALL BE PROVIDED WITHIN 200 FEET OF BUILDING ENTRANCES, FOR A MINIMUM OF SIX NEW VISITOR VEHICULAR PARKING (CG 5.106.4.1).
- IN BUILDINGS WITH OVER 10 TENANT-OCCUPANTS, SECURE, LONG-TERM BICYCLE ENCLOSURES OR LOCKERS SHALL BE PROVIDED ON-SITE, FOR A MINIMUM OF 5% NEW TENANT VEHICULAR PARKING (CG 5.106.5.1). COMPLIANCE WITH THIS SECTION WILL BE PROVIDED IN EACH PERMIT FOR TENANT IMPROVEMENT INDORS IN AMOUNTS PROPORTIONAL TO THE PARKING REQUIRED FOR EACH TENANT IMPROVEMENT.
- CLEAN AND PARKING SPACES SHALL BE PROVIDED ON SITE FOR CARRIAGES & FUEL-EFFICIENT VEHICLES, FOR A MINIMUM NUMBER OF SPACES PROPORTIONAL TO REQUIRED VEHICLE PARKING PER CALGREEN TABLE (CG 5.106.5.2).
- LOADING DESIGN SHALL LIMIT CLARE AND UPLIGHT AND COMPLY WITH LOCAL CODES AND CALGREEN (CG 5.106.8).
- THIS PROJECT'S PLUMBING FIXTURES SHALL BE 20% WATER-CONSERVING (CG 5.303.2). BEING A SHELL BUILDING, COMPLIANCE WITH THIS SECTION WILL BE PROVIDED IN EACH PERMIT FOR TENANT IMPROVEMENT.
- FOR PROJECTS WITH OVER 1,000 S.F. OF LANDSCAPING, SEPARATE SUBMETERS OR METERING DEVICES SHALL BE INSTALLED FOR OUTDOOR POTABLE WATER USE, AND IRRIGATION SYSTEM SHALL HAVE WEATHER- OR SOIL MOISTURE-BASED AUTOMATIC CONTROLS (CG 5.304.2A).
- A CONSTRUCTION WASTE MANAGEMENT PLAN SHALL BE DEVELOPED, DEMONSTRATING A MINIMUM OF 50% RECYCLING AND/OR SALVAGING OF NON-HAZARDOUS CONSTRUCTION WASTE, AND COMPLYING WITH CALGREEN REQUIREMENTS (CG 5.408.1). 100% OF LAND-CLEARED SOILS AND VEGETATION SHALL BE REUSED OR RECYCLED (CG 5.408.3).
- PER SECTION 5.410.2, EXCEPTIONS 1 & 2, COMMISSIONING IS NOT REQUIRED FOR DRY STORAGE WAREHOUSES OR AREAS USED FOR OFFICES LESS THAN 10,000 SF IN DRY STORAGE WAREHOUSES (CG 5.410.2).
- ALL CONSTRUCTION MATERIALS TO COMPLY WITH THE VOC AND TOXIN LIMITS LISTED (CG 5.504).
- SMOKING SHALL BE PROHIBITED WITHIN 25 FEET OF BUILDING ENTRIES, AIR INTAKES, AND OPERABLE WINDOWS (CG 5.504.7).

## KEYNOTES

- 1.0 GENERAL
- PROPERTY LINE/ R.O.W. - REFER TO CIVIL DRAWINGS
  - EASEMENT - REFER TO CIVIL DRAWINGS
  - STANDARD PARKING STALL(S) - TYP.
  - ADA-ACCESSIBLE PARKING STALL(S)
  - CLEAN AIR/ VAN POOL/ EV PARKING STALL(S) PER CALGREEN 5.106.5.2
  - COMPACT PARKING STALL(S)
  - 2-WAY DRIVE AISLE: 24'W MIN.
  - FIRE DEPT. ACCESS DRIVE: 30'W MIN.
- 3.0 CONCRETE
- TILT-UP CONCRETE BUILDING WALL
  - CONCRETE STAR W/ HANDRAIL & 42" GUARDRAIL
  - CONCRETE STAR W/ HANDRAIL
  - TILT-UP CONCRETE SCREEN WALL, PTD.
  - TILT-UP CONCRETE TRASH ENCLOSURE, 6' TALL TYP.
  - TILT-UP CONCRETE GUARDRAIL T.O.W. 42" ABOVE HIGH SIDE
  - CONCRETE RETAINING WALL - SEE CIVIL
- 5.0 METAL FABRICATIONS
- STEEL PIPE BOLLARD, REFER TO 1/A0.2
- 12.0 FURNISHINGS
- BICYCLE RACK PER CAL GREEN; LONG-TERM 5% OF EMPLOYEE PARKING - REFER TO TABULATIONS
  - BICYCLE RACK PER CAL GREEN; SHORT-TERM 5% OF VISITOR PARKING - REFER TO TABULATIONS
- 21.0 FIRE SUPPRESSION - REFER TO FIRE PROTECTION DRAWINGS
- FUTURE FIRE PUMP HOUSE.
- 32.0 EXTERIOR IMPROVEMENT - REFER TO CIVIL AND LANDSCAPE U.N.O.
- LANDSCAPE PLANTING AREA
  - CONCRETE WALKWAY
  - CONCRETE CURB, TYP.
  - PRECAST CONCRETE WHEEL STOP
  - VEHICULAR PAVING
  - CONCRETE COMMERCIAL DRIVEWAY
  - CONCRETE TRUCK BOOK APPROX.
  - WROUGHT IRON GATE W/ MOTOR & KNOX PADLOCK - 8' TALL
- 33.0 UTILITIES - REFER TO CIVIL AND ELECTRICAL
- BIO-SWALE
  - ELECTRICAL TRANSFORMER
  - (E) POWER POLE
  - (E) FIRE HYDRANT

## GENERAL NOTES

- GUARDS SHALL BE LOCATED ALONG OPEN SIDE OF WALKING SURFACES, STAIRS, RAMP AND LANDINGS THAT ARE LOCATED MORE THAN 30 INCHES MEASURED VERTICALLY TO THE FLOOR OR GRADE BELOW AT ANY POINT WITHIN 36 INCHES HORIZONTALLY TO THE EDGE OF THE OPEN SIDE. GUARDS ARE NOT REQUIRED ON THE LOADING SIDE OF LOADING DOCKS (CBC 1013.2).
- THE RUNNING SLOPE OF WALKING SURFACE SHALL NOT BE STEEPER THAN 1:20 (5%). THE CROSS SLOPE OF WALKING SURFACE SHALL NOT BE STEEPER THAN 1:48 (2.083%).
- THE CLEAR WIDTH FOR SIDEWALKS AND WALKS SHALL BE 48 INCHES MINIMUM.
- THE WASTE STORAGE AREA SHALL BE GRADED SO THAT STORAGE CONTAINERS REMAIN AT REST WITHOUT AUXILIARY RESTRAINING DEVICES.

## SITE PLAN - LEGEND

- ACCESSIBLE PATH OF TRAVEL - 4' WIDE MINIMUM - 1:20 MAX RUNNING SLOPE (UNO.), AND 1:48 MAX CROSS SLOPE
- ACCESSIBLE PARKING STALL(S), TYP.
- PARKING STALL MARKING PER CALGREEN CLEAN AIR/VANPOOL/EV, TYP.
- COMPACT PARKING STALL(S), TYP.
- LANDSCAPE AREA, REFER TO LANDSCAPE DRAWINGS
- FIRE LANE - PER FIRE DEPARTMENT REQUIREMENTS

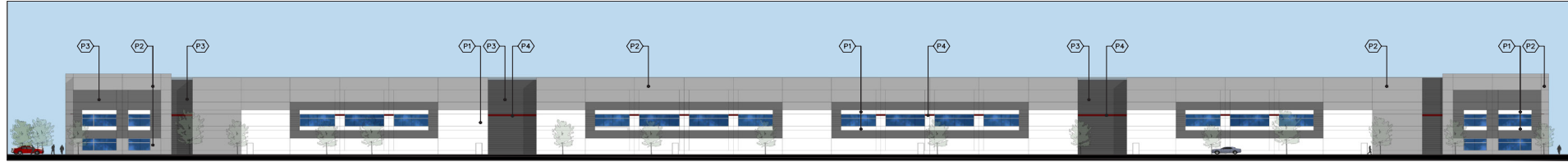
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# Elevations

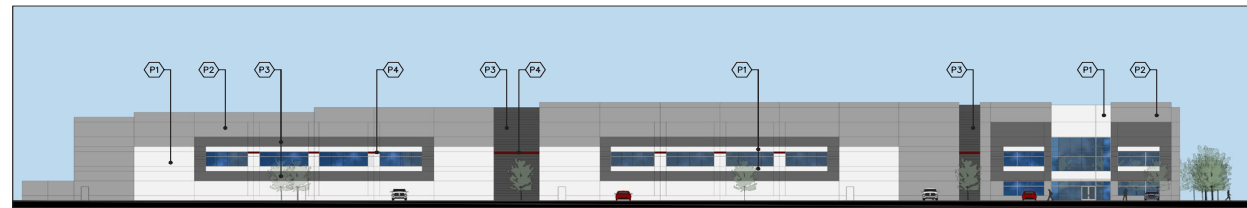
## COLOR SCHEDULE / MATERIALS

G1	GLAZING	MEDIUM PERFORMANCE COLOR: BLUE
M1	CANOPY	METAL
M2	MULLIONS	ALUMINUM FINISH: CLEAR ANODIZED
M3	EYEBROW	METAL
P1	PAINT 1	MAIN BUILDING COLOR - LIGHT GREY DUNN EDWARDS "LACE VEIL" DE6372
P2	PAINT 2	MAIN BUILDING COLOR - MEDIUM GREY DUNN EDWARDS "CASTLE ROCK" DE6376
P3	PAINT 3	MAIN BUILDING COLOR - DARK GREY DUNN EDWARDS "BOAT ANCHOR" DE6377
P4	PAINT 4	BUILDING ACCENT COLOR - RED DUNN EDWARDS "ROYAL RED FLUSH" DET425

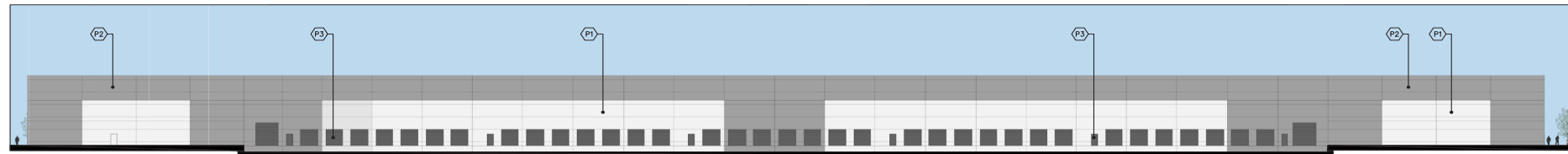
DOORS TO MATCH ADJACENT BUILDING COLOR



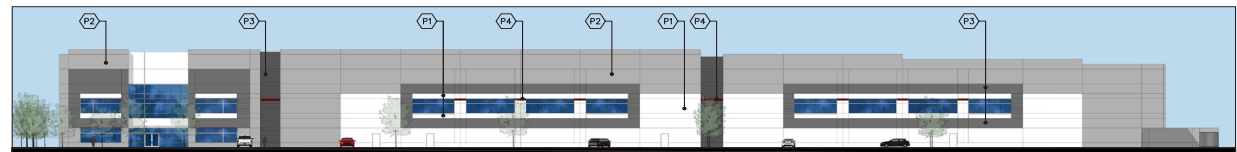
EAST ELEVATION | 1"=30' | 4



SOUTH ELEVATION | 1"=30' | 3



WEST ELEVATION | 1"=30' | 2



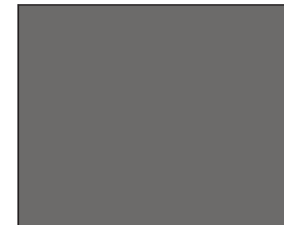
NORTH ELEVATION | 1"=30' | 1



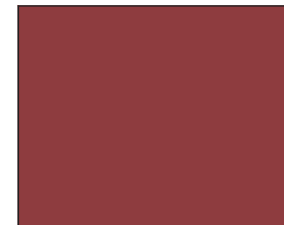
P1 PAINT - SEE MATERIALS SCHEDULE



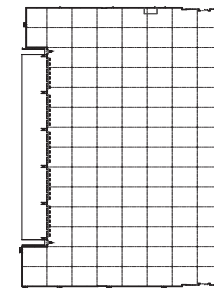
P2 PAINT - SEE MATERIALS SCHEDULE



P3 PAINT - SEE MATERIALS SCHEDULE



P4 PAINT - SEE MATERIALS SCHEDULE

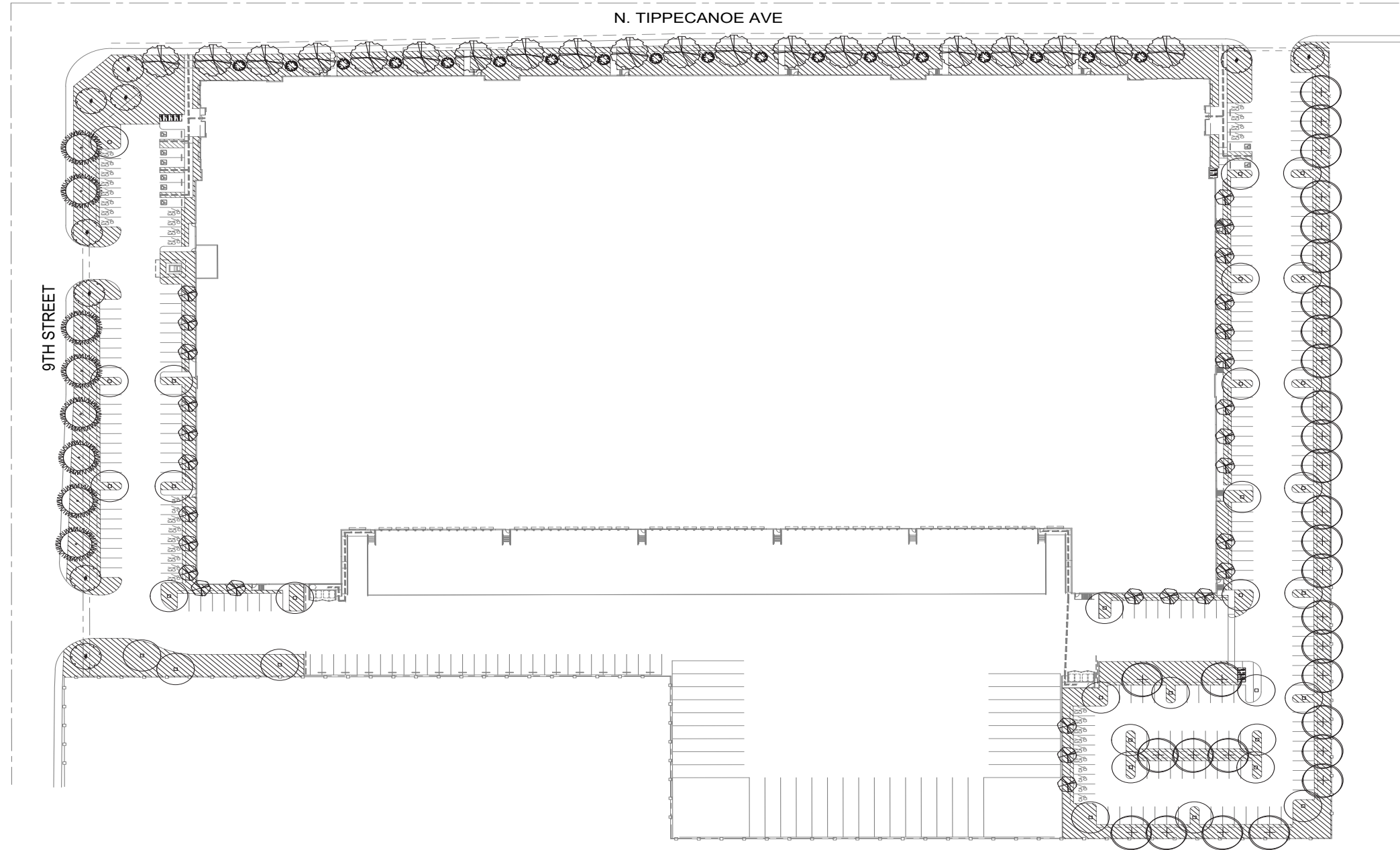


KEYMAP | NTS | 5

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# Landscape Plan



## PLANTING LEGEND

TREES					
SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	<i>Koehornia spinosa</i> Chinese Flame Tree	36" Box	20	M	Muti
	<i>Olea europaea</i> Olive	24" Box	9	L	Muti
	<i>Pistacia chinensis</i> Chinese Pistache	24" Box	30	L	Standard
	<i>Platanus acerifolia</i> London Plane	24" Box	8	M	Standard
	<i>Rhus typhina</i> African Sumac	24" Box	32	L	Standard
	<i>Tristramia conferta</i> Brisbane Box	15 Gal	28	M	Standard
	<i>Washingtonia robusta</i> Mexican Fan Palm	10' ht	18	L	Skinned

SHRUBS					
SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	SPACING
	<i>Acacia salicifolia</i> Pineapple Cane	5 Gal	0	M	2' OC
	<i>Callistemon luteo-johii</i> Dwarf Bottle Brush	5 Gal	0	M	2' from hardscape
	<i>Cassia stipulata</i> Silverleaf Cassia	5 Gal	0	L	2' OC
	<i>Citrus aurantium</i> Pomelo	5 Gal	0	M	2' from hardscape
	<i>Ligustrum l. Texanum</i> Texas Privet	5 Gal	0	M	2' OC
	<i>Muhlenbergia capillaris</i> Pink Muhly	5 Gal	0	M	2' from hardscape
	<i>Muhlenbergia rigens</i> Dwarf Grass	5 Gal	0	M	4' OC
	<i>Rhamnus californica</i> Coffeeberry	5 Gal	0	L	2' from hardscape
	<i>Rosmarinus o. Tuscan Blue</i> Rosemary	5 Gal	0	L	2' OC
	<i>Salvia leucostachya</i> Athen Checkering Sage	5 Gal	0	L	2' from hardscape
	<i>Salvia greggii</i> Austin Sage	5 Gal	0	L	2' OC
	<i>Salvia leucostachya</i> Mexican Sage	5 Gal	0	L	2' OC
	<i>Westringia filifolia</i> Coast Rosemary	5 Gal	0	L	2' from hardscape
	<i>Westringia filifolia</i> Dwarf Coast Rosemary	5 Gal	0	L	2' from hardscape

ACCENTS					
SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	<i>Agave americana</i> Century Plant	5 Gal	0	L	
	<i>Agave Blue Flame</i> Blue Flame Agave	5 Gal	0	L	
	<i>Agave Blue Glow</i> Blue Glow Agave	5 Gal	0	L	
	<i>Aloe striata</i> Coral Aloe	1 Gal	0	L	
	<i>Dissotis wheeleri</i> Desert Succot	5 Gal	0	L	
	<i>Hesperaloe parviflora</i> Red Yucca	5 Gal	0	L	
	<i>Lantana Old Mount</i> Yellow Lantana	5 Gal	0	L	

GROUNDCOVER					
SYMBOL	BOTANICAL/COMMON NAME	SIZE	SPACING	WUCOLS	REMARKS
	<i>Acacia pedunculata</i> Low Boy	1 Gal	8" O.C.	L	
	<i>Carissa m. Green Carpet</i> Dwarf Apricot	1 Gal	36" O.C.	M	
	<i>Prunella natalensis</i> Prostrate Natal Plum	1 Gal	36" O.C.	M	
	<i>Hemerocallis hybridus</i> Yellow Day Lily	1 Gal	24" O.C.	M	
	<i>Lantana Old Mount</i> Yellow Lantana	1 Gal	36" O.C.	L	
	<i>Lonicera j. Hellana</i> Hart's Honeycuckle	1 Gal	48" O.C.	L	
	<i>Myoporum parvifolium</i> Myoporum	1 Gal	36" O.C.	L	
	<i>Rosa Flower Carpet</i> Red Flower Carpet Rose	1 Gal	30" O.C.	L	
	<i>Rosmarinus o. Huntington Carpet</i> Prostrate Rosemary	1 Gal	48" O.C.	L	
	<i>Setaria subulnoides</i> Moor Grass	1 Gal	18" O.C.	M	Grass
	<i>Trichodesmium jamaicense</i> Moss Jasmine	1 Gal	24" O.C.	M	

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## 4 ENVIRONMENTAL CHECKLIST

### 4.1 BACKGROUND

<b>Date:</b> November 2022
<b>Project Title:</b> 9 <sup>th</sup> Street and Tippecanoe Avenue Warehouse
<b>Lead Agency:</b> City of San Bernardino, 290 N D Street San Bernardino, CA 92401
<b>Lead Agency Contact:</b> Mike Rosales, Associate Planner City of San Bernardino, Planning Division Rosales_Mi@sbcity.org (909) 384-5930
<b>Project Location:</b> 14.3-acre site comprised of four parcels identified as Assessor's Parcel Numbers 0278-191-12, -17, -25, and -28 at the southwest corner of the intersection of 9 <sup>th</sup> Street and Tippecanoe Avenue in the City of San Bernardino, San Bernardino County, California.
<b>Project Sponsor's Name and Address:</b> Oakmont Industrial Group 23520 Piedmont Avenue, Suite 100 Atlanta, GA 30305
<b>General Plan and Zoning Designation:</b> The Project site has a General Plan Land Use designation of Industrial Light (IL) and a zoning designation of Industrial Light (IL).
<b>Project Description:</b> The applicant for the proposed Project is requesting approval to remove existing structures on the site and to construct a new 337,300 SF concrete tilt up warehouse facility with parking, landscaping, and access improvements. The proposed building would result in an FAR of 0.54. The conceptual site plan is provided as Figure 4, <i>Site Plan</i> .
<b>Other Public Agencies Whose Approval is Required:</b> Not Applicable

4.2 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” or “Less than Significant with Mitigation Incorporated” as indicated by the checklist on the following pages.

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

**4.3 DETERMINATION:**

(To be completed by the Lead Agency) on the basis of this initial evaluation

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

Signature

Date

Printed Name

For

**EVALUATION OF ENVIRONMENTAL IMPACTS**

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is

- substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Potentially Significant Unless 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.

## 5 ENVIRONMENTAL ANALYSIS

This section provides evidence to substantiate the conclusions in the environmental checklist.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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### 5.1 AESTHETICS.

Except as provided in Public Resources Code Section 21099 would the project:

a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### a) Have a substantial adverse effect on a scenic vista?

**No Impact.** The City of San Bernardino General Plan does not designate any scenic vistas or protected viewsheds. Views of the surrounding foothills of the San Bernardino Mountains are available from public vantage points on 9<sup>th</sup> Street and Tippecanoe Avenue.

The Project site is currently vacant and generally undeveloped. Two concrete pads from the demolition of a single-family residence remains at the ground surface in the southeastern corner of the site. The proposed Project would develop a new 50-foot-tall 337,300 SF tilt up warehouse facility. Pursuant to the City of San Bernardino Municipal Code Section 19.08.030, the maximum allowable building height for a structure in the Industrial Light (IL) zone is 50 feet (2 stories). The new 50-foot-high warehouse building would be set back from the adjacent streets and would not encroach into the existing public long-distance views of the mountains. The proposed Project includes setbacks of 86 feet along 9<sup>th</sup> Street, setback of 10 feet along the southern and western property lines, and a minimum 15 feet setback along Tippecanoe Avenue. Pursuant to San Bernardino City Municipal Code Section 19.08.030 required front, rear, and side yard setback requirement in the Industrial Light zoning district is 10 feet. The Project does not encroach upon views of the mountains from pedestrian and motorists along 9<sup>th</sup> Street and Tippecanoe Avenue.

The City does not contain any designated scenic vistas. Additionally, the Project would not impact any scenic views or protected viewsheds, and the Project is consistent with City development standards. Therefore, the Project would result in no impact.

**b) Substantially damage scenic resources, including, trees, rock outcroppings, and historic buildings within a state scenic highway?**

**No Impact.** Officially Designated State Scenic Highway State Route 38 is approximately 6 miles from the Project site. The closest Eligible State Scenic Highways are State Route 330, located approximately 4.5 miles from the Project site, and State Route 18, located approximately 7 miles from the Project site. Route 18 is also designated as a local scenic highway by the County. The Project site is not visible from State Routes 18, 38, or 330. The Project site is currently vacant and generally undeveloped. Two concrete pads remain from the demolition of a single-family residence remains at the ground surface in the southeastern corner of the site. The proposed Project would develop a 50-foot-tall tilt up warehouse facility. The Project site is not near to, nor visible from, any state scenic highways. Therefore, due to the distance of the Project site from either a designated or eligible State or County scenic highway, the proposed Project would not have a substantial effect upon a scenic highway corridor within which it is located and there would be no impacts.

**c) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

**Less Than Significant Impact.**

The Project is in an urbanized area, and the following regulatory standards are applicable to development of the Project site.

**City of San Bernardino Municipal Code**

The following provisions in Table AES-1 from the Municipal Code are relevant to the proposed Project.

**Table AES-1: Municipal Code Industrial Light Development Standards**

	<b>Industrial Light (IL) Development Standards</b>	<b>Proposed Project</b>
Minimum Net Lot Area	20,000 SF	623,832 SF
Maximum Structure Size/Floor Area Ration (FAR)	0.75 FAR	0.54 FAR
Maximum Lot Coverage	75%	54.5%
Maximum Structure Height	50 feet (2 stories)	50 feet
Minimum Front Yard Setback	10 feet	10
Minimum Rear Yard Setback	10 feet	10
Minimum Street Side Yard Setback	10 feet	10

As shown above in Table AES-1, proposed Project would be consistent with the municipal code regulations regarding aesthetics and scenic quality. In addition, landscaping would be planted along the perimeter of the Project site on 9<sup>th</sup> Street, North Tippecanoe Avenue, and along the southern property line adjacent to the proposed parking lot, as shown in Figure 7, *Landscape Plan*, which would minimize the visual scale of the building structure. The proposed Project would also install landscaping in the vehicle parking area and front entrance. The layering of landscaping consisting of 24-inch box trees, 36-inch box trees, layer shrubs, and accent succulents would provide visual depth and distance between the roadways and proposed structure. Overall, 3 Project site would include 31,575 SF landscaping (31.9 percent of proposed paved surface area), which is more than the required landscaping (15 percent of proposed paved surface area) for the site per the City’s development standards for Industrial Light development. As the proposed Project is consistent with the applicable regulations governing scenic quality, including the municipal code development standards, impacts would be less than significant.

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



**Less Than Significant.** The Project site is currently vacant and generally undeveloped. Two concrete pads remain from the demolition of a single-family residence remains at the ground surface in the southeastern corner of the site. Thus, the Project site does not currently generate any light or glare. However, the Project site is within in a predominately developed area and existing sources of light and glare include vehicle lights along adjacent roadways, parking lot lighting, landscaping lighting, and interior lighting that passes through windows.

The Project proposes to develop the site with an approximately 337,300 SF warehouse facility, which would include security lighting, landscaping lighting, driveway lighting, and parking lot lighting. This lighting would be installed per Section 19.20.030, whereby exterior lighting is required to be shielded or recessed so that direct glare and reflections are contained within the boundaries of the Project site. Additionally, the proposed building materials do not consist of highly reflective materials, lights would be shielded consistent with Municipal Code requirements, and the proposed landscaping along Project boundaries would screen sources of light and reduce the potential for glare. The proposed Project would create limited new sources of light or glare from security and site lighting but would not adversely affect day or nighttime views in the area given the similarity of the existing lighting in the surrounding urbanizing environment. With implementation of the regulatory requirements per Municipal Code Section 19.20.030, included as PPP AES-1, impacts related to light and glare would be less than significant.

#### **Plans, Programs, or Policies (PPPs)**

**PPP AES-1: Outdoor Lighting.** All outdoor luminaires installed shall be appropriately located and adequately shielded and directed such that no direct light falls outside the parcel of origin, or onto the public right-of-way. In addition, outdoor luminaires shall not blink, flash, or rotate and shall be shown on electrical plans submitted to the Department of Building and Safety for plan check approval and shall comply with the requirements of Municipal Code Section 19.20.030.

#### **Mitigation Measures**

None.

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
-----------------------------------------------	---------------------------------------------------------------------------	---------------------------------------------	----------------------

**5.2 AGRICULTURE AND FORESTRY RESOURCES.**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- |                                                                                                                                                                                                                                                                                            |                          |                          |                          |                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?                                                                                                                                                                                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?                                                                                                                                                                                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?                                                                               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

**No Impact.** The Project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the California Department of Conservation. The Project site has a zoning designation of Industrial Light (IL). In addition, the Project site is identified as “Urban and Built-up Land” by the California Department of Conservation’s California Important Farmland Finder (FMMP, 2022). There are currently no agricultural activities within or adjacent to the Project site. There would be no impacts related to the conversion of Farmland from the proposed Project.

**b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**No Impact.** The Project site is designated as Industrial Light (IL) by the City of San Bernardino General Plan. The Project site is not designated or zoned for agricultural use, used for agriculture, or subject to a Williamson Act contract. In addition, the Project site is identified as “Urban and Built-up Land” by the California Department of Conservation’s California Important Farmland Finder (FMMP, 2022). Therefore, redevelopment of the site for industrial uses would not have an impact on agricultural zoning or a Williamson Act contract, and no impact would occur.

**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))?**

**No Impact.** There are no forest lands or timberland resources on or in proximity to the Project site. Additionally, the Project site is not designated or zoned for forest or timber land or used for foresting. As such, development of the proposed Project would have no impact on forest land or resources.

**d) Result in the loss of forest land or conversion of forest land to non-forest use?**

**No Impact.** There are no forest lands or resources on or in proximity to the Project site. Therefore, development of the proposed Project would not cause loss of forest land or convert forest land to non-forest use. No impact would occur to forest land or timberlands.

**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?**

**No Impact.** The proposed Project includes the construction of a new light industrial warehousing building consistent with the land use designation and zoning of the Project site.

As previously discussed within this section, development of the Project would not convert farmland or forest land. In addition, the Project site is identified as “Urban and Built-up Land” by the California Department of Conservation’s California Important Farmland Finder. Based on the site location and its urban nature, the proposed Project would not cause conversion of farmland or forest land as the proposed Project would be developed consistent with the intended designated uses. The Project would result in no impact.

**Plans, Programs, or Policies (PPPs)**

None.

**Mitigation Measures**

None.

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
-----------------------------------------------	---------------------------------------------------------------------------	---------------------------------------------	----------------------

**5.3 AIR QUALITY.**

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a) Conflict with or obstruct implementation of the applicable air quality plan?**

**Less Than Significant Impact.** The Project site is located in the South Coast Air Basin (SCAB) and is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD and the Southern California Association of Governments (SCAG) are responsible for preparing the Air Quality Management Plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements. The AQMP details goals, policies, and programs for improving air quality in the SCAB. In preparation of the AQMP, SCAQMD and SCAG use regional growth projections to forecast, inventory, and allocate regional emissions from land use and development-related sources. The SCAQMD CEQA Air Quality Handbook describes two criteria indicators used for purposes of analyzing consistency with the AQMP. Consistency Criterion No. 1 states if a proposed project would result in growth that is substantially greater than what was anticipated, then the proposed project would conflict with the AQMP. On the other hand, if a project’s density is within the anticipated growth of a jurisdiction, its emissions would be consistent with the assumptions in the AQMP, and the project would not conflict with SCAQMD’s attainment plans. Consistency Criterion No. 2 states that a project is consistent with the AQMP if the project would not result in an increase in the frequency or severity of existing air quality violations or cause a new violation.

Furthermore, the SCAB is in a non-attainment status for federal ozone standards, and state and federal particulate matter standards. The SCAB has a maintenance status for federal PM<sub>10</sub> standards. Any development in the SCAB, including the proposed Project, could cumulatively contribute to these pollutant violations. Should construction or operation of the proposed Project exceed these thresholds, a significant impact could occur; however, if estimated emissions are less than the thresholds, impacts would be considered less than significant.

The proposed Project would develop the site with an unrefrigerated warehouse. The Project site has a General Plan Land Use designation of Industrial Light (IL) and a zoning designation of Industrial Light (IL). The Project would develop the 14.3-acre site with a 337,300 SF warehouse. The proposed Project would result in a FAR of 0.54, which is within the maximum allowable FAR of 0.75 of the Industrial designation. Thus, implementation of the Project would not exceed the growth assumptions for the Project site. As a result, the proposed Project would be consistent with Consistency Criterion No. 1.

As discussed below, the emissions generated by the construction and operation of the proposed Project would not exceed thresholds, and the Project would not result in an increase in the frequency or severity of existing air quality violations or cause a new violation. As such, the proposed Project would be consistent with Consistency Criterion No. 2. Therefore, impacts related to conflict with the AQMP from the proposed Project would be less than significant.

**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)?**

**Less than Significant.** The SCAB is in non-attainment status for federal ozone standards, and state and federal particulate matter standards. The SCAB is designated as a maintenance area for federal PM<sub>10</sub> standards. Any development in the SCAB, including the proposed Project, could cumulatively contribute to these pollutant violations. Evaluation of the cumulative air quality impacts of the proposed Project has been completed pursuant to SCAQMD’s cumulative air quality impact methodology. SCAQMD states that if an individual project results in air emissions of criteria pollutants (ROG, CO, NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>) that exceed the SCAQMD’s recommended daily thresholds for project-specific impacts, then it would also result in a cumulatively considerable net increase of the criteria pollutant(s) for which the Project region is in non-attainment under an applicable federal or state ambient air quality standard. SCAQMD has established daily mass thresholds for regional pollutant emissions, which are shown in Table AQ-1.

**Table AQ- 1: SCAQMD Regional Daily Emissions Thresholds**

<b>Pollutant</b>	<b>Construction (lbs/day)</b>	<b>Operations (lbs/day)</b>
VOC	75.0	55.0
NO <sub>x</sub>	100.0	55.0
CO	550.0	550.0
SO <sub>x</sub>	150.0	150.0
PM <sub>10</sub>	150.0	150.0
PM <sub>2.5</sub>	55.0	55.0

Source: Air Quality, Energy, Greenhouse Gas Impact Analysis (Appendix A)

**Construction**

Construction activities associated with the proposed Project would generate pollutant emissions from the following: (1) demolition, (2) site preparation, (3) grading, (4) building construction, (5) paving, and (6) architectural coating. The amount of emissions generated on a daily basis would vary, depending on the intensity and types of construction activities occurring.

It is mandatory for all construction projects to comply with several SCAQMD Rules, including Rule 403 for controlling fugitive dust, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from construction activities. Rule 403 requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project site, covering all trucks hauling soil with a fabric cover and maintaining a freeboard height of 12-inches, and maintaining effective cover over exposed areas.

Compliance with Rule 403, included as PPP AQ-1, was accounted for in the construction emissions modeling. In addition, the construction emissions modeling assumed the use of Tier 2 equipment. As shown in Table AQ-

2, the CalEEMod results indicate that construction emissions generated by the proposed Project would not exceed SCAQMD regional thresholds. Therefore, construction activities would result in a less than significant.

**Table AQ-2: Project Construction Emissions and Regional Thresholds**

Construction Activity	Maximum Daily Regional Emissions (pounds/day)					
	VOC	NOx	CO	SOx	PM <sub>10</sub>	PM <sub>2.5</sub>
Site Preparation	1.3	33.8	23.7	<0.1	10.0	5.5
Grading	2.4	69.9	42.2	0.1	8.2	3.8
Building Construction	2.0	27.2	27.3	0.1	3.9	1.7
Paving	1.5	20.2	17.9	<0.1	0.8	0.7
Architectural Coating	65.9	2.5	3.5	<0.1	0.6	0.2
<b>Maximum Daily Emissions (lbs/day)</b>	<b>65.9</b>	<b>69.9</b>	<b>42.2</b>	<b>0.1</b>	<b>10.0</b>	<b>5.5</b>
SCAQMD Significance Thresholds	75	100	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Air Quality, Energy, Greenhouse Gas Impact Analysis (Appendix A)

**Operation**

Implementation of the proposed Project would result in long-term regional emissions of criteria air pollutants and ozone precursors associated with area sources, such as natural gas consumption, landscaping, applications of architectural coatings, and consumer products. Operation of the proposed Project would include emissions from vehicles traveling to the Project site and from vehicles in the parking lots and loading areas. Area source emissions would occur from operation of the warehouse building.

Operational emissions associated with the proposed Project were modeled using CalEEMod and compared to the existing emissions associated with the onsite, operational pallet manufacturer. Net emissions associated with operation of the proposed Project are presented in Table AQ-3. As shown, the proposed Project would result in long-term regional emissions of criteria pollutants, however, these emissions would be below the SCAQMD’s applicable thresholds. Therefore, the Project’s operational emissions would not exceed the NAAQS and CAAQS, would not result in a cumulatively considerable net increase of any criteria pollutant, and impacts would be less than significant.

**Table AQ-3: Project Operational Emissions and Regional Thresholds**

Emission Type	Maximum Daily Regional Emissions (pounds/day)					
	VOC	NOx	CO	SOx	PM <sub>10</sub>	PM <sub>2.5</sub>
Area Sources	7.6	<0.1	0.1	0.0	<0.1	<0.1
Energy Sources	<0.1	0.2	0.2	<0.1	<0.1	<0.1
Mobile Sources	1.8	7.0	19.6	0.1	4.5	1.2
<b>Total Project Operational Emissions</b>	<b>9.5</b>	<b>7.2</b>	<b>19.8</b>	<b>0.1</b>	<b>4.6</b>	<b>1.3</b>
SCAQMD Significance Thresholds	55.0	55.0	550.0	150.0	150.0	55.0
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Air Quality, Energy, Greenhouse Gas Impact Analysis (Appendix A)

**c) Expose sensitive receptors to substantial pollutant concentrations?**

**Less than Significant with Mitigation Incorporated.** A construction health risk assessment (HRA), which evaluates construction-period health risk to sensitive off-site receptors, was performed for the Project. Sensitive receptors can include residences, schools, playgrounds, childcare centers, athletic facilities. The nearest sensitive receptors to the Project site include construction workers at the site, residences located approximately 100 feet from North Tippecanoe Street to the east and Bing Wong Elementary School

located 231 feet to the northeast. A dispersion model was used to estimate the potential cancer risk associated with construction of the proposed Project.

**Construction**

Construction of the proposed Project may expose nearby residential sensitive receptors to airborne particulates as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement measures to reduce or eliminate emissions by following SCAQMD’s standard construction practices Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site (incorporated as PPP AQ-2). Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source (incorporated as PPP AQ-1). Table AQ-4 below identifies the results of the analysis assuming the use of Tier 2 construction equipment, as proposed by the Project, at the maximally exposed individual (MEI), which is the nearest sensitive receptor.

**Table AQ-4: Unmitigated Health Risks from Project Construction to Off-Site Receptors**

Location	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index
Worker Receptor Risk	40.1	0.116	0.000
Sensitive Receptor Risk	29.3	0.010	0.000
<b>SCAQMD Threshold</b>	<b>10.0 in one million</b>	<b>1.0</b>	<b>1.0</b>
<b>Exceeds Threshold?</b>	<b>Yes</b>	<b>No</b>	<b>No</b>

Source: Air Quality, Energy, Greenhouse Gas Impact Analysis (Appendix A)

**Table AQ-5: Mitigated Health Risks from Project Construction to Off-Site Receptors**

Location	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index
Worker Receptor Risk	7.6	0.022	0.000
Sensitive Receptor Risk	5.6	0.002	0.000
<b>SCAQMD Threshold</b>	<b>10.0 in one million</b>	<b>1.0</b>	<b>1.0</b>
<b>Exceeds Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Air Quality, Energy, Greenhouse Gas Impact Analysis (Appendix A)

As shown in Table AQ-4, the maximum cancer risk for the worker receptor MEI would be 40.1 in one million, which would exceed the SCAQMD cancer risk threshold of 10 in one million. Tier 2 construction equipment has been assumed for the Project. Mitigation Measure AQ-1 would require the installation of Level 3 diesel particulate filters, or equivalent, on Tier 2 construction equipment to reduce substantial pollutant concentrations during Project construction. As shown in Table AQ-5, with implementation of Mitigation Measure AQ-1, the mitigated cancer risk at the worker receptor MEI would be reduced to 7.6 in one million, which would not exceed the SCAQMD threshold of 10 in one million. Additionally, the mitigated cancer risk at the sensitive receptor MEI would be 5.6 in one million, which would also not exceed SCAQMDs HRA thresholds.

**Operation**

An operational HRA was conducted to determine the potential health risk to sensitive receptors near the Project site during operation of the Project. The operational HRA was conducted using three models:

- (1) Emission Factor (EMFAC) 2021 for on-road vehicle emissions factors and percentages of fuel type within the overall vehicle fleet;

- (2) the United States Environmental Protection Agency (USEPA) AERMOD air dispersion model to determine how the TACs would move through the atmosphere after release from sources both on site and on surrounding roadways; and
- (3) California Air Resources Board (CARB’s) HARP2 model to translate the pollutant concentrations from AERMOD into individual health risks at any sensitive receptor locations surrounding the Project site.

Operation of the proposed Project would include emissions from vehicles traveling to the Project site and from vehicles in the parking lots and loading areas. Area source emissions would occur from operation of the warehouse. As demonstrated in Table AQ-5, emissions would not exceed SCAQMD’s HRA thresholds for operations, and impacts would be less than significant.

**Table AQ-6: Health Risks from Project Operation to Off-Site Receptors**

Location	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index
Worker Receptor Risk	0.50	0.002	<0.001
Sensitive Receptor Risk	6.66	0.002	<0.001
<b>SCAQMD Thresholds</b>	<b>10.0 in one million</b>	<b>1.0</b>	<b>1.0</b>
<b>Exceeds Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Air Quality, Energy, Greenhouse Gas Impact Analysis (Appendix A)

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

**Less than Significant.** The proposed Project would not generate other emissions, not described previously. The Project site does not contain land uses typically associated with emitting objectionable odors. According to the SCAQMD CEQA Air Quality Handbook, land uses associated with odor issues include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting activities, refineries, landfills, dairies, and fiberglass molding operations. The proposed Project would develop and operate a warehouse, which would not involve the types of uses that lead to odors.

Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed Project’s operational uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of construction; no impact would occur.

It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the County’s solid waste regulations. The proposed Project would also be required to comply with SCAQMD Rule 402 (included as PPP AQ-2) to prevent occurrences of public nuisance odors. Therefore, other emissions (such as those leading to odors) that could adversely affect a substantial number of people would not occur from the proposed Project.

**Plans, Programs, or Policies (PPPs)**

**PPP AQ-1: Rule 403.** The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.



- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day.
- The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less.

**PPP AQ-2: Rule 402.** The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The Project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons 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.

### **Mitigation Measures**

**Mitigation Measure AQ-1: Tier 2 Equipment with Level 3 Filters.** Prior to issuance of construction or demolition permits, the City of San Bernardino Public Works Department shall ensure that Project construction plans and specifications state that all off-road diesel-powered construction equipment of 50 horsepower or more used for the Project meets the California Air Resources Board Tier 2 emissions standards with Level 3 diesel particulate filters or equivalent.

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

**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?**

**Less Than Significant with Mitigation Incorporated.** A Biological Assessment was prepared by Hernandez Environmental Services for the proposed Project, which included a field survey conducted on December 7, 2021 (Appendix B). The Biological Assessment describes that the Project site contains disturbed developed and ruderal areas. According to the California Natural Diversity Database (CNDDDB), a total of 55 sensitive species of plants and 65 sensitive species of animals have the potential to occur within the Project region.

These include those species listed or candidates for listing by the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW) and California Native Plant Society (CNPS). All habitats with the potential to be used by sensitive species were evaluated during the field survey for their potential presence.

#### *Sensitive Plant Species*

Based on the CNDDDB, a total of 14 plant species are listed as state and/or federal Threatened, Endangered, or Candidate species; are 1B.1 listed plants on the CNPS Rare Plant Inventory; or have been found to have potential to exist within the Project region. Table BIO-1 shows survey results for listed and potential plant species and demonstrates that no sensitive plant species are present at the Project site.

**Table BIO-1: Potentially Occurring Plant Species**

Species Name	Presence
San Diego ambrosia	Not Present
Marsh sandwort	Not Present
Horn's milk-vetch	Not Present
Nevin's barberry	Not Present
Thread-leaved brodiaea	Not Present
Smooth tarplant	Not Present
Salt marsh bird's beak	Not Present
Parry's spineflower	Not Present
Slender-horned spineflower	Not Present
Santa Ana River woollystar	Not Present
Mesa horkelia	Not Present
Coulter's goldfields	Not Present
Gambel's water cress	Not Present
Brand's star phacelia	Not Present

Source: Biological Assessment (Appendix B)

#### *Sensitive Animal Species*

Based on the CNDDDB, a total of 18 animal species that are listed as state or federally Threatened, Endangered, or Candidate have the potential to occur within the Project region. However, Table BIO-2 shows survey results, which demonstrates that no sensitive species are present at the Project site.

**Table BIO-2: Potentially Occurring Animal Species**

Animal Species	Presence
Tricolored blackbird	Not Present
Swanison's hawk	Not present
Santa Ana sucker	Not Present
Southern rubber boa	Not Present
Western yellow-billed cuckoo	Not Present
San Bernardino kangaroo rat	Not Present
Stephen's kangaroo rat	Not Present
Southwestern willow flycatcher	Not Present
Quino checkerspot butterfly	Not Present
Bald eagle	Not Present
California black rail	Not Present
Steelhead – Southern California DPS	Not Present
Coastal California gnatcatcher	Not Present
California red-legged frog	Not Present
Southern mountain yellow-legged frog	Not present
Dehli Sands flower-loving fly	Not present
Riverside fairy shrimp	Not Present
Least Bell's viero	Not Present

Source: Biological Assessment (Appendix B)

The Biological Assessment determined that the Project site does not provide suitable habitat for any special-status plant or wildlife species due to the disturbed nature of the site.

However, the Project site contains trees and shrubs that can be utilized by nesting birds and raptors during the nesting bird season of February 1 through September 15. Many of these trees would be removed during construction. Therefore, the proposed Project has the potential to impact active bird nests if vegetation and trees are removed during the nesting season. Nesting birds are protected under the federal Migratory Bird Treaty Act (MBTA) (United States Code Title 33, Section 703 et seq.; see also Code of Federal Regulations Title 50, Part 10) and Section 3503 of the California Fish and Game Code. Implementation of mitigation measure Mitigation Measure BIO-1 would ensure MBTA compliance and would require a nesting bird survey to be conducted prior to the commencement of construction during nesting season, which would reduce potential impacts related to nesting avian species and native wildlife nursery sites to a less than significant level.

**b) Have a substantial adverse effect on 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?**

**No Impact.** Riparian habitats are those occurring along the banks of rivers and streams. Sensitive natural communities are natural communities that are considered rare in the region by regulatory agencies, known to provide habitat for sensitive animal or plant species, or known to be important wildlife corridors.

As described in the Biological Assessment (Appendix B), the Project site does not contain any drainage, riparian, or riverine features. In addition, there are no sensitive natural communities on site. The Project site is not located within any designated critical habitat areas. Therefore, no impacts related to riparian habitat or other sensitive natural communities identified in local or regional plans would result from proposed Project implementation, and no mitigation 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?**

**No Impact.** As discussed in the Biological Assessment (Appendix B), the Project site does not include any wetlands or vernal pools. In addition, there are no CDFW, United States Army Corps of Engineers (USACE), or Regional Water Quality Control Board (RWQCB) jurisdictional waters within the Project site boundaries. Therefore, the Project would not impact federally protected wetlands and no impacts would occur.

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

**Less Than Significant with Mitigation Incorporated.** Wildlife corridors are linear features that connect areas of open space and provide avenues for the migration of animals and access to additional areas of foraging. As discussed in the Biological Assessment (Appendix B), the Project site does not contain, or is not adjacent to, any wildlife corridors. The Project site is relatively flat, and no hillsides or drainages exist on the site. Areas of industrial and undeveloped land are located beyond the roadways and railroad adjacent to the site. Development of the site would not result in impacts related to established native resident or migratory wildlife corridor.

The Project site contains shrubs and trees that can be utilized by nesting birds and raptors during the nesting bird season of February 1 through September 15. Therefore, if vegetation is required to be removed during nesting bird season, Mitigation Measure BIO-1 has been included to require a nesting bird survey to be conducted prior to initiating vegetation clearing should they commence within the nesting season. With the

implementation of Mitigation Measure BIO-1, impacts related to nesting birds would be reduced to a less than significant level.

**e) Conflict with any local policies or ordinances protecting biological resources?**

**Less than Significant Impact.** The proposed Project would not conflict with any local policies or ordinances protecting biological resources. The San Bernardino Municipal Code Chapter 15.34 and 19.28.100 requires a tree removal permit for any project requesting to remove five or more trees within a 36-month period. As discussed in the Biological Assessment (Appendix B), the Project site contains ornamental vegetation along the border of the site. The site contains a small number of trees, more than five, that are predominately in poor health or remain as stumps from previous removal. As described by PPP BIO-1, if more than five trees are required to be removed onsite as part of Project construction, the Project would require a tree removal permit and replacement with 36-inch box trees on a 1:1 basis, if the trees removed are determined to be of significant value by the Community Development Director, as required by the Municipal Code. It is anticipated existing trees onsite would not be determined to be of significant value; however, the Project site and proposed landscape plans would be reviewed and updated as necessary in accordance with Municipal Code 19.28.100. As shown on Figure 3-3, *Landscape Plan*, the Project would include twenty 36-inch box trees, which is greater than the number of trees that would be removed from the Project site. Thus, the proposed Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, and impacts would be less than significant.

**f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**No Impact.** A Biological Assessment was prepared for the proposed Project, which included a field survey conducted on December 7, 2021 (Appendix B). The Biological Assessment found that the Project site is not located within a Habitat Conservation Plan or Natural Community Conservation Plan, and therefore, would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. As such, no impacts would occur.

**Plans, Programs, or Policies (PPPs)**

**PPP BIO-1: Tree Removal Permit.** San Bernardino Municipal Code Chapter 15.34 and San Bernardino Development Code 19.28.100 requires that in the event more than five trees are removed within a 36-month period, a tree removal permit must first be issued by the Community Development Department. The owner of the property or his agent shall file a written application with the Planning Official prior to the destruction or removal of the trees. The Planning Official shall cause an inspection to be made of the property within ten (10) working days to determine whether the trees can be removed. If it is determined that the trees can be removed without detriment to the environment and welfare of the community, then the Planning Official shall issue the permit. Unless there is a pre-approved tree replacement plan, each tree that is removed, and is determined to be of significant value by the Community Development Director, shall be replaced with a 36-inch box tree.

**Mitigation Measures**

**Mitigation Measure BIO-1: Nesting Bird Survey.** Project construction and grading plans shall state that ground-disturbing and vegetation-clearing activities should occur outside of the nesting bird season (generally between February 1 and September 15). If ground-disturbing and vegetation-clearing activities cannot be avoided during the nesting bird season, the construction grading plans and City permitting for the Project shall state that nesting birds surveys will be conducted by a qualified biologist(s) within three days of vegetation removal. If active nests are observed, a qualified biologist will determine appropriate minimum disturbance buffers and other adaptive mitigation techniques (e.g., biological monitoring of active nests during construction-related activities, staggered schedules, etc.) to ensure that impacts to nesting birds are

avoided until the nest is no longer active. At a minimum, construction activities will stay outside of a 300-foot buffer around the active nests. For raptor species, the buffer is to be expanded to 500 feet. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist and City of San Bernardino Planning Division verify that the nests are no longer occupied, and the juvenile birds can survive independently from the nests. Once the qualified biologist(s) have determined that the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities may occur.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**5.5 CULTURAL RESOURCES.**

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?**

**Less Than Significant.** According to the *State CEQA Guidelines*, a historical resource is defined as something that meets one or more of the following criteria: (1) listed in, or determined eligible for listing in, the California Register of Historical Resources; (2) listed in a local register of historical resources as defined in Public Resources Code (PRC) Section 5020.1(k); (3) identified as significant in a historical resources survey meeting the requirements of PRC Section 5024.1(g); or (4) determined to be a historical resource by the Project’s Lead Agency. Implementation of the proposed Project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the State CEQA Guidelines, as there are no eligible historical resources on the Project site.

The California Register of Historical Resources defines a “historical resource” as a resource that meets one or more of the following criteria: (1) associated with events that have made a significant contribution to the broad patterns or local or regional history of the cultural heritage of California or the United States; (2) associated with the lives of persons important to local, California, or national history; (3) embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values; or (4) has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

A Cultural Resources Assessment was conducted for the proposed Project to locate and record any cultural resources that may be present within the Project site (Appendix C). A field survey of the Project site was conducted that identified one single-family residence foundation, two concrete pads, and historic refuse in the southeastern corner of the property. The structure foundation was determined to be associated with a single-family residence that was constructed in 1947, and the two concrete pads were determined to be likely poured prior to 1953 and used as a driveway (the central concrete pad) and a portion of a structure foundation (the western-most concrete pad). The foundation and the concrete pads were determined to not retain further research integrity, and not historically or architecturally significant under CEQA criteria. Also, the Cultural Resources Assessment determined that the individuals associated with the structures are not historically important, nor has any historically significant events occurred on this property.

The proposed Project would include the removal of the foundation and concrete pads, which were determined by the Cultural Resources Assessment to not be eligible for listing on the California Register of Historic Resources (CRHR) or otherwise historically significant. Therefore, impacts related to a historical resource pursuant to in § 15064.5 would be less than significant.

**b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

**Less Than Significant with Mitigation Incorporated.** In its existing setting, the Project site is heavily disturbed and consists of vacant land, one single-family residence foundation, two concrete pads, and a historic refuse. As described previously, the Project site has been previously disturbed through farming activities and the construction and demolition of various structures. The Cultural Resources Study prepared for the Project included an archaeological records search that was completed at the SCCIC (Appendix C). The records search did not identify previous archaeological resources on or adjacent to the site but did determine that the presence of the foundation and driveway for previous structures indicates that there is a potential to encounter historic features or artifacts associated with culturally significant uses. Further, the proximity of the Project to Warm Creek to the north indicates there is the potential for the discovery of previously unrecorded prehistoric cultural resources. As a result, the potential for archaeological resources existing on site are considered moderate. Therefore, Mitigation Measure CUL-1 is included to specify that in the event that potential archaeological resources are discovered during construction, work shall cease within 60 feet of the find until a qualified archaeologist has evaluated the find and Mitigation Measure CUL-2 is included to require preparation of a Cultural Resources Management Plan and require archaeological monitoring. With implementation of Mitigation Measure CUL-2, impacts related to unknown historical resources onsite would be less than significant.

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

**No Impact.** The Project site has not been previously used as a cemetery. Thus, human remains are not anticipated to be uncovered during Project construction. In addition, California Health and Safety Code Section 7050.5, CEQA Section 15064.5, and Public Resources Code Section 5097.98, included as PPP CUL-1, mandate the process to be followed in the event of an accidental discovery of any human remains. Specifically, California Health and Safety Code Section 7050.5 requires that if human remains are discovered, disturbance of the site shall remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of death, and made recommendations concerning the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and if the coroner has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Compliance with existing law would ensure that significant impacts to human remains would not occur.

**Plans, Programs, or Policies (PPPs)**

**PPP CUL-1: Human Remains.** Should human remains or funerary objects be discovered during Project construction, the Project would be required to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance may occur in the vicinity of the body (within a 100-foot buffer of the find) until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission within 24-hours, which will determine the identity of and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD must complete the inspection within 48 hours of being granted access to the site.

**Mitigation Measures**



**Mitigation Measure CUL-1: Inadvertent Discoveries.** Prior to the issuance of any permits for ground-disturbing activities that cause excavation of soils (including as grading, excavation, and trenching), the City of San Bernardino shall ensure that all Project grading and construction plans shall include specifications of the Cultural Resources Management Plan (CRMP) (MM CUL-2), including that in the event that potential archaeological resources are discovered during excavation, grading, or construction activities, work shall cease within 60 feet of the find until a qualified archaeologist from the City or County List of Qualified Archaeologists as designated by the CRMP has evaluated the find to determine whether the find constitutes a “unique archaeological resource,” as defined in Section 21083.2(g) of the California Public Resources Code.

Any resources identified shall be treated in accordance with California Public Resources Code Section 21083.2(g). If the discovered resource(s) appears Native American in origin, a Native American Monitor shall be contacted to evaluate any potential tribal cultural resource(s) and shall have the opportunity to consult on appropriate treatment and curation of these resources.

Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within MM 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 CUL-2: Cultural Resources Monitoring Plan.** The Project archaeologist, in consultation with consulting tribes, the Developer, and the City, shall develop and implement a Cultural Resources Monitoring Plan (CRMP) to address the details, timing, and responsibility of all archaeological and cultural activities that will occur on the Project site. Details in the plan shall include:

- a. **Archaeological monitoring:** Prior to the issuance of any permits for ground-disturbing activities and the first grading permit, the developer/applicant shall provide a letter to the City of San Bernardino Planning Division, or designee, from a qualified professional archeologist meeting the Secretary of Interior’s Professional Qualifications for Archaeology as defined at 36 CFR Part 61, Appendix A stating that a qualified archeologist(s) has been retained and will be present for the initial clearing of the property and then periodically during ground-disturbing activities as determined by the Project archaeologist.
- b. Project grading and development scheduling;
- c. The development of an archaeological monitoring schedule, and in the event any pre-contact and/or historic-era cultural resources are discovered, the archaeologist will coordinate with the developer/applicant and designated Native American Tribal Monitor from the consulting tribe during grading, excavation, and ground-disturbing activities on the site, including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors’ authority to stop and redirect grading activities in coordination with all project archaeologists (see MM TCR-1);
- d. The protocols and stipulations that the Applicant, tribes, and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits, or nonrenewable paleontological resources that shall be subject to a cultural resources evaluation (provisions of MM CUL-1 shall be incorporated);
- e. Treatment and final disposition of any cultural and paleontological resources, sacred sites, and human remains if discovered on the project site;
- f. The Yuhaaviatam of San Manuel Nation Cultural Resources Department shall be contacted immediately 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 Treatment and Disposition Plan shall be created by the

archaeologist, in coordination with Yuhaaviatam of San Manuel Nation (as specified within MM TCR-2), and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents Yuhaaviatam of San Manuel Nation for the remainder of the Project, should Yuhaaviatam of San Manuel Nation elect to place a monitor on-site; and

- g. The requirements (including scheduling and timing) of a preconstruction Cultural Sensitivity Training.

Following construction prior to issuance of a building permit, the archaeologist shall submit a draft monitoring report describing the results, analysis, and conclusions of all phases of the archaeological monitoring program.

**Potentially Significant Impact**      **Less Than Significant with Mitigation Incorporated**      **Less Than Significant Impact**      **No Impact**

**5.6 ENERGY.**

Would the project:

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

**a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

**Less than Significant.**

**Construction**

During construction of the proposed Project would consume energy for activities such as the manufacture and transportation of building materials, grading activities, and building construction. Construction of the Project would also require electricity to power construction related equipment.

Construction activities related to the proposed industrial development and the associated infrastructure are not expected to result in demand for fuel greater on a per-development basis than other development projects in Southern California. Table E-1 below details the construction fuel usage over the Project’s construction period. Table E-1 shows that construction workers would use approximately 48,106 gallons of gasoline fuel to travel to and from the Project site. Haul trucks would use 75,331 gallons of diesel fuel traveling to and from the Project site. Fuel consumption from vehicle trips in San Bernardino County for the year 2022 was approximately 915.5 million gallons of gasoline and approximately 321.6 million gallons of diesel. Therefore, construction of the proposed Project would increase the annual construction generated fuel use in San Bernardino County by approximately 0.02 percent for diesel fuel usage and by approximately 0.01 percent for gasoline fuel usage.

**Table E-1: Estimated Construction Worker Fuel Consumption**

Energy Type	Total Project Energy Consumption	Total County Energy Consumption (2022)	Percentage Increase Countywide
Diesel Fuel (total gallons)	75,331	321.6 million	0.02
Gasoline (total gallons)	48,106	915.5 million	0.01

Source: Air Quality, Energy, and Greenhouse Gas Impact Analysis (Appendix A)

Construction of the Project would result in fuel consumption from the use of construction tools and equipment, vendor and haul truck trips, and vehicle trips generated from construction workers traveling to and from the site. There are no unusual Project characteristics that would cause the use of construction equipment that would be less energy efficient compared with other similar construction sites in other parts of the state. Therefore, construction-related fuel consumption by the Project would not result in inefficient, wasteful, or unnecessary energy use compared with other construction sites in the region, and impacts would be less than significant.

**Operation**

Once operational, the Project would generate demand for electricity, natural gas, as well as gasoline for fuel tanks. Operational use of energy includes the heating, cooling, and lighting of the building, water heating, operation of electrical systems and plug-in appliances, parking lot and outdoor lighting, and the transport of electricity, natural gas, and water to the areas where they would be consumed. This use of energy is typical for urban development, and no operational activities or land uses would occur that would result in extraordinary energy consumption.

The State of California provides a minimum standard for building design and construction standards through Title 24 of the California Code of Regulations (CCR). Compliance with Title 24 is mandatory at the time new building permits are issued by local governments. The City's administration of the Title 24 requirements includes review of design components and energy conservation measures that occurs during the permitting process, which ensures that all requirements are met. Typical Title 24 measures include insulation; use of energy-efficient heating, ventilation, and air conditioning equipment (HVAC); energy-efficient indoor and outdoor lighting systems; reclamation of heat rejection from refrigeration equipment to generate hot water; and incorporation of skylights, etc. In complying with the Title 24 standards, impacts to peak energy usage periods would be minimized, and impacts on statewide and regional energy needs would be reduced. Thus, operation of the Project would not use large amounts of energy or fuel in a wasteful manner, and no operational energy impacts would occur. As detailed in Table E-2, operation of the proposed Project is estimated to result in the annual net use of approximately 65,378 net gallons of gasoline fuel, approximately 50,235 net gallons of diesel fuel, approximately 6,828 thousand net British thermal units (BTU) of natural gas, and approximately 829,032 net kilowatt-hours (kWh) of electricity.

**Table E-2: Project Annual Operational Energy Demand Summary**

Energy Type	Annual Energy Consumption	Total Consumption San Bernardino County (2020)	Percentage Increase Countywide
Electricity Consumption (kWh/year)	829,032	15,968,151,536	0.01
Natural Gas Consumption (therms/year)	6,828	527,236,428	<0.01
<b>Automotive Fuel Consumption</b>		<b>Total Consumption San Bernardino County (2022)</b>	
Gasoline (gallons/year)	65,378	915.5 million	0.01
Diesel Fuel (gallons/year)	50,235	321.6 million	0.02

Source: Air Quality, Energy, and Greenhouse Gas Impact Analysis (Appendix A)

Therefore, construction and operations-related fuel consumption by the Project would not result in inefficient, wasteful, or unnecessary energy use compared with other projects in the region, and impacts would be less than significant.

**b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

**Less than Significant.** The California Title 24 Building Energy Efficiency Standards are designed to ensure new and existing buildings achieve energy efficiency and preserve outdoor and indoor environmental quality. These measures (Title 24, Part 6) are listed in the CCR. The California Energy Commission is responsible for adopting, implementing, and updating building energy efficiency. Local city and county enforcement agencies have the authority to verify compliance with applicable building codes, including energy efficiency. As required by Municipal Code, Chapter 15.04 Building Codes, prior to issuance of a building permit, the Project Applicant shall submit plans showing that the Project would be in compliance with Title 24 requirements (included as PPP E-1). Therefore, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and impacts would not occur. As such, the Project would have less than significant impacts related to energy.

**Plans, Programs, or Policies (PPPs)**

**PPP E-1. Title 24.** As required by Municipal Code, Chapter 15.04 Building Codes, prior to issuance of a building permit, the Project Applicant shall submit plans showing that the Project would be in compliance with incumbent Title 24 requirements.

**Mitigation Measures**

None.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**5.7 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**a) Expose people or structures to 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?**

**Less Than Significant Impact.** A Geotechnical Investigation was conducted by Southern California Geotechnical, Inc. for the Project site (see Appendix E). As described in the Geotechnical Investigation, the Project site is within a seismically active zone. Because the Project site is in a seismically active region of Southern California, occasional seismic ground shaking is likely to occur within the lifetime of the proposed Project. However, according to the California Department of Conservation, the California Geologic Survey, the Project site is not within an Alquist-Priolo Earthquake Fault Zone. The closest active faults to the Project site are the San Jacinto Fault, approximately 3.4 miles west of the site, and the San Andreas Fault, approximately 4 miles northeast of the site. As the Project site does not contain an earthquake fault, it is not affected by a state-designated Alquist-Priolo Earthquake Fault Zone. Thus, impacts would be less than significant.

**ii. Strong seismic ground shaking?**

**Less Than Significant Impact.** As mentioned previously, the Project site is located within a seismically active region of Southern California. The closest active faults are the San Jacinto Fault (located approximately 3.4 miles west of the site) and the San Andres Fault (located 4 miles northeast of the site). Thus, strong seismic ground shaking has a high likelihood of occurring at the site. The amount of motion can vary depending upon the distance to the fault, the magnitude of the earthquake, and the local geology. Greater movement can be expected at sites located closer to an earthquake epicenter, which consist of poorly consolidated material such as alluvium, and in response to an earthquake of great magnitude.

Structures built in the city are required to be built in compliance with the California Building Code (CBC [California Code of Regulations, Title 24, Part 2]), included in the Municipal Code as Chapter 15.04. Compliance with the CBC would ensure earthquake safety based on factors including occupancy type, the types of soils onsite, and the probable strength of the ground motion. Compliance with the CBC would include the incorporation of: 1) seismic safety features to minimize the potential for significant effects as a result of earthquakes; 2) proper building footings and foundations; and 3) construction of the building structures so that it would withstand the effects of strong ground shaking. The Project would be reviewed by the City's Civil Engineer during plan check for compliance with applicable CBC standards. Therefore, with CBC compliance, the proposed Project would not expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking more than other developments in Southern California. Impacts would be less than significant.

**iii. Seismic-related ground failure, including liquefaction?**

**Less Than Significant Impact.** Liquefaction occurs when soils are transformed from a solid state into a liquefied state due to increased pressure. Liquefaction is most likely to occur with soils of higher porosity (i.e., clay) become saturated and subjected to seismic activity. Areas where the groundwater table is within approximately 50 feet below ground surface are also more susceptible to liquefaction. According to the City of San Bernardino General Plan Safety Element Figure 10-25: *Liquefaction Susceptibility*, the Project site is located within a zone of high liquefaction susceptibility. The Geotechnical Investigation (included as Appendix E) conducted a detailed liquefaction evaluation in order to determine the site-specific liquefaction potential. The liquefaction analysis identified no potentially liquefiable soils at Boring Nos. B-1 and B-4, nor at any of the cone penetration test (CPT) locations. The soils encountered below the historic high groundwater table either possess adequate factors of safety or are considered non-liquefiable due to their cohesive characteristics and the results of the Atterberg limits testing with respect to the requirements of Special Publication 117A (Southern California Geotechnical 2021, Appendix E). Based on the results of the liquefaction analysis, the Geotechnical Investigation (Appendix E) determined that no design considerations

related to liquefaction are required for the proposed Project. Additionally, all structures built in the City are required to be developed in compliance with the CBC (California Code of Regulations, Title 24, Part 2), which is adopted as Chapter 15.04 of the City Code. Compliance with the CBC is included as a condition of approval and verified by the City's development permitting process would ensure that impacts related to liquefaction are less than significant.

**iv. Landslides?**

**No Impact.** Landslides are the downhill movement of masses of earth and rock and are often associated with earthquakes; but other factors, such as the slope, moisture content of the soil, composition of the subsurface geology, heavy rains, and improper grading can influence the occurrence of landslides. The elevation of the Project site ranges between 1,062 feet above mean sea-level to 1,066 feet above mean sea-level (Hernandez Environmental Services 2021). The Project site and the adjacent parcels are flat and do not contain any hills or steep slopes, and no landslides on or adjacent to the Project site would occur. Thus, there would be no impact.

**b) Result in soil erosion or the loss of topsoil?**

**Less Than Significant Impact.** The proposed Project includes the construction of a new industrial warehouse building with earthmoving activities that would disturb soil and expose soil. As such, the proposed Project would be required to comply with the City's grading standards and erosion control measures, included in Municipal Code Section 8.80.502 (General Permit for Storm Water Discharges from Construction Activity).

The Project would be required to comply with the General Storm Water Permit for Construction Activity from the State Water Resources Control Board (SWRCB), which would include implementation of a Stormwater Pollution Prevention Plan (SWPPP) and associated Best Management Practices (BMPs) (included as PPP WQ-1). BMPs that may include a combination of erosion control measures to reduce, prevent, or minimize soil erosion from Project-related grading and construction activities, such as fiber rolls, fencing, and watering. Additionally, the Construction General Permit (CGP; Order No. R8-2002-0011) issued by the State Water Resources Control Board (SWRCB), regulates construction activities to minimize water pollution, including sediment. With compliance with City Municipal Code stormwater management requirements, Regional Water Quality Control Board (RWQCB) SWPPP requirements, and installation of BMPs, which would be ensured by the City's Department of Building and Safety permitting process, construction impacts related to erosion and loss of topsoil would be less than significant.

The Project includes installation of landscaping adjacent to the proposed warehouse building and throughout the proposed parking areas. With this landscaping, areas of loose topsoil that could erode by wind or water would not exist during operation of the Project. In addition, as described in Section 5.10, *Hydrology and Water Quality*, the hydraulic features of the proposed Project have been designed to slow, filter, and retain stormwater within landscaping and the proposed detention basin, which would also reduce the potential for stormwater to erode topsoil. Therefore, with implementation of existing requirements that would be ensured through the City development permitting process, impacts related to substantial soil erosion or loss of topsoil would be less than significant.

**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 offsite landslide, lateral spreading, subsidence, liquefaction or collapse?**

**Less Than Significant Impact.** As described above, Project site elevations range from 1,062 feet above mean sea-level to 1,066 feet above mean sea-level (Hernandez Environmental Services 2021). The Project site is relatively flat and does not contain nor is adjacent to any significant slope or hillside area. The Project would not create slopes. Thus, on or off-site landslides would not occur from implementation of the Project.



Lateral spreading is a type of liquefaction induced ground failure associated with the lateral displacement of surficial blocks of sediment resulting from liquefaction in a subsurface layer. Once liquefaction transforms the subsurface layer into a fluid mass, gravity plus the earthquake inertial forces may cause the mass to move downslope towards a free face (such as a river channel or an embankment). Lateral spreading may cause large horizontal displacements and such movement typically damages pipelines, utilities, bridges, and structures. As described in the Geotechnical Investigation (Appendix E), high groundwater does not exist in the Project vicinity, and the Project site is not susceptible to liquefaction. Similarly, the site is not susceptible to lateral spreading. Impacts would be less than significant with compliance with the mandatory CBC requirements that would be verified by the City through the development permitting process.

In addition, the Geotechnical Investigation identified that dense onsite soils are considered to have a low risk for liquefaction and settlement. Compliance with the requirements of the CBC and recommendations in the Geotechnical Investigation related to compaction of soils and development of foundations is required as part of the building plan check and development permitting process, and would reduce potential impacts related to liquefaction, settlement, and ground collapse to a less than significant level.

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

**Less Than Significant Impact.** Expansive soils contain certain types of clay minerals that shrink or well as the moisture content changes; the shrinking or swelling can shift, crack, or break structures built on such soils. Arid or semiarid areas with seasonal changes of soil moisture experiences, such as southern California, have a higher potential of expansive soils than areas with higher rainfall and more constant soil moisture.

The Geotechnical Investigation (Appendix E) found the near-surface soils of the Project site consist of sands, silty sands, and gravelly sands with no appreciable clay content. These materials have been visually classified as non-expansive. Therefore, the Geotechnical Investigation determined that no design considerations related to expansive soils are required for this site. In addition, as described previously, compliance with the CBC would require specific engineering design recommendations be incorporated into grading plans and building specifications as a condition of construction permit approval to ensure that Project structures would withstand the effects of related to ground movement, including expansive soils. Therefore, impacts would be less than significant.

**e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

**No Impact.** The proposed Project would not use septic tanks or alternative wastewater disposal systems. As a result, no impacts related to septic tanks or alternative wastewater disposal systems would not occur from implementation of the proposed Project.

**f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**Less than Significant Impact with Mitigation Incorporated.** The proposed Project would construct a new tilt-up industrial warehouse facility. The Project would include earthmoving activities, such as grading, with the potential to disturb previously unknown paleontological resources. A Paleontological Assessment of the Project site was completed (Appendix D) and included a review of paleontological literature and fossil locality records and a review of the underlying geology of the Project site. The Paleontological Assessment describes that the Project site is underlain by late Holocene-aged young axial-valley deposits, which have a low paleontological sensitivity.

The record search did not identify any previously recorded fossil localities from within the boundaries of the Project, or within several miles of the Project site. The Paleontological Assessment determined that the Project site has a low to no paleontological sensitivity and that construction activities have a limited potential to impact paleontological resources. Thus, Mitigation Measure PAL-1 is included to stop construction until the

potential resources has been evaluated by a qualified paleontologist. Mitigation Measure PAL-2 has been included to ensure proper treatment of potential resources, should any inadvertent discovery be unearthed during Project construction through development and implementation of a Paleontological Resource Impact Mitigation Program (PRIMP). Therefore, the Project would result in a less than significant impact on paleontological resources.

#### **Plans, Programs, or Policies (PPPs)**

None.

#### **Mitigation Measures**

**Mitigation Measure PAL-1: Inadvertent Paleontological Discoveries.** Prior to issuance of a grading permit, the City of San Bernardino Building Department shall verify that all Project grading and construction plans and specifications state that in the event that potential paleontological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified paleontologist (i.e., a practicing paleontologist that is recognized in the paleontological community and is proficient in vertebrate paleontology) from the City or County List of Qualified Paleontologists has evaluated the find in accordance with federal and state regulations. Construction personnel shall not collect or move any paleontological materials and associated materials. If any fossil remains are discovered, the paleontologist shall make a recommendation if monitoring shall be required for the continuance of earth moving activities.

**Mitigation Measure PAL-2: Paleontological Resource Impact Mitigation Program.** If paleontological resources of any sort are discovered during grading and earthmoving activities, a paleontologist must be retained to develop a Paleontological Resource Impact Mitigation Program (PRIMP) consistent with the provisions of CEQA and those of the guidelines of the Society of Vertebrate Paleontology (2010). Implementation of the paleontological PRIMP would mitigate any adverse impacts (loss or destruction) to potential nonrenewable paleontological resources, if present, to a level below significant.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**5.8 GREENHOUSE GAS EMISSIONS.**

Would the project:

- |                                                                                                                                  |                          |                          |                                     |                          |
|----------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?      | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**GHG Thresholds**

SCAQMD does not have approved thresholds; however, SCAQMD does have draft thresholds that provide a tiered approach to evaluate GHG impacts. The current interim SCAQMD thresholds consist of the following:

- Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA.
- Tier 2 consists of determining whether the project is consistent with a GHG reduction plan. If a project is consistent with a qualifying local GHG reduction plan, it does not have significant GHG emissions.
- Tier 3 consists of screening values, which the lead agency can choose, but must be consistent with all projects within its jurisdiction. A project’s construction emissions are averaged over 30 years and are added to the project’s operational emissions. If a project’s emissions are below one of the following screening thresholds, then the project is less than significant:
  - Residential and Commercial land use: 3,000 MTCO<sub>2</sub>e per year
  - Industrial land use: 10,000 MTCO<sub>2</sub>e per year
  - Based on land use type: residential: 3,500 MTCO<sub>2</sub>e per year; commercial: 1,400 MTCO<sub>2</sub>e per year; or mixed use: 3,000 MTCO<sub>2</sub>e per year
- Tier 4 has the following options:
  - Option 1: Reduce business as usual emissions by a certain percentage; this percentage is currently undefined.
  - Option 2: Early implementation of applicable AB 32 Scoping Plan measures
  - Option 3, 2020 target for service populations (SP), which includes residents and employee: 4.8 MTCO<sub>2</sub>e/SP/year for projects and 6.6 MTCO<sub>2</sub>e/SP/year for plans;
  - Option 3, 2035 target: 3.0 MTCO<sub>2</sub>e/SP/year for projects and 4.1 MTCO<sub>2</sub>e/SP/year
- Tier 5 involves mitigation offsets to achieve target significance threshold.

In addition, SCAQMD methodology for project’s construction are to average them over 30-years and then add them to the Project’s operational emissions to determine if the Project would exceed the screening values listed above. However, the SCAQMD’s thresholds are based on the AB 32 GHG reduction target and 2020 GHG emissions inventory prepared for CARB’s 2008 Scoping Plan. Because the Project would begin operations in the post-2020 timeframe, the 2020 numerical screening threshold of 3,000 MT CO<sub>2</sub>e was adjusted to 2,640 MT CO<sub>2</sub>e/yr to reflect the State’s post-2020 GHG reduction goals. Thus, this assessment

uses a threshold of 2,640 MT CO<sub>2</sub>e/yr, which was calculated for the buildout year of 2023 based on the GHG reduction goals of SB 32 and EO B-30-15.

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

**Less Than Significant Impact.** Construction activities produce combustion emissions from various sources, such as site excavation, grading, utility engines, heavy-duty construction vehicles onsite, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. Exhaust emissions from onsite construction activities would vary daily as construction activity levels change.

In addition, operation of the proposed warehouse would result in area and indirect sources of operational GHG emissions that would primarily result from vehicle trips, electricity and natural gas consumption, water transport (the energy used to pump water), and solid waste generation. GHG emissions from electricity consumed by the building would be generated off-site by fuel combustion at the electricity provider. GHG emissions from water transport are also indirect emissions resulting from the energy required to transport water from its source.

The estimated operational GHG emissions that would be generated from implementation of the proposed Project are shown in Table GHG-1. Additionally, in accordance with SCAQMD recommendation, the Project’s amortized construction related GHG emissions are added to the operational emissions estimate in order to determine the Project’s total annual GHG emissions. As shown, GHG emissions would be less than SCAQMD thresholds. Therefore, based upon SCAQMD’s screening threshold, impacts related to GHG emissions would be less than significant.

**Table GHG-1: Greenhouse Gas Emissions (MT/year)**

Emissions Source	Operational Emissions <sup>1</sup>				
	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e	Percent of Total
Area Sources	<0.1	<0.1	0.0	<1	<1
Energy Sources	183.5	<0.1	<0.1	184.4	11
Mobile Sources	1,002.3	<0.1	0.1	1,030.2	62
Waste Sources	64.8	3.8	0.0	160.6	10
Water Sources	209.5	2.6	0.1	292.4	17
Total Project Operational Emissions				1,667.7	-
Amortized Construction Emissions				25.6	-
<b>Total Annual Emissions</b>				<b>1,693.3</b>	<b>-</b>
Threshold				2,640	-
<b>Exceed Threshold?</b>				<b>No</b>	<b>-</b>

Source: Air Quality, Energy, Greenhouse Gas Impact Analysis (Appendix A)

<sup>1</sup> Modeling assumed a building square footage of 339,600 based on previous plans.

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

**Less Than Significant Impact.** The Project involves the construction of a 337,300 SF warehouse. In 2006, the California State Legislature adopted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires CARB to adopt rules and regulations that would achieve GHG emissions equivalent to statewide levels in 1990 by 2020 through an enforceable statewide emission cap, which was phased in starting in 2012. Therefore, as the proposed Project meets the current interim emissions targets/thresholds established by SCAQMD, it would also be on track to meet the reduction target of 40 percent below 1990 levels by 2030, as mandated by the State. Furthermore, all of the post-2020 reductions in GHG emissions are

addressed via regulatory requirements at the State level, and the proposed Project would be required to comply with these regulations as they come into effect.

As a response to the 2006 AB 32 law, a project partnership led by the San Bernardino Associated Governments, the predecessor agency to the San Bernardino County Transportation Authority (SBCTA), has compiled an inventory of GHG emissions and developed reduction measures that were adopted by the 21 Partnership Cities of San Bernardino County. The regional GHG reduction plan serves as the basis for cities in San Bernardino County to develop more detailed community level climate action plans. The City of San Bernardino was a participant in the San Bernardino County Regional Greenhouse Gas Reduction Plan, which identifies the County’s vision and goals on reducing GHG emissions in the different cities, local government facilities, and communities. In response to these initiatives, an informal project partnership, led by the San Bernardino Council of Governments (SBCOG), compiled a GHG emissions inventory and an evaluation of reduction measures that could be adopted by the 25 Partnership Cities of San Bernardino County. Table GHG-2 below presents the proposed Project’s compliance with each reduction measure evaluated for the City of San Bernardino, as identified in the San Bernardino County Regional Greenhouse Gas Reduction Plan.

**Table GHG-2: Project Consistency with City of San Bernardino GHG Reduction Measures**

Measure	Description	Project Consistency
<b>Building Energy</b>		
<b>Energy-1. Building Energy Efficiency</b>	<ul style="list-style-type: none"> <li>• Conserve scarce energy resources 13.1.1: Reduce the City’s ongoing electricity use by 10% and set an example for residents and businesses to follow.</li> <li>• Conserve scarce energy resources 13.1.3: Consider enrollment in the Community Energy Efficiency Program (CEEP), which provides incentives for builders who attain energy savings 30% above the National Model Energy Code, the Energy Star Program, which is sponsored by the United States Department of Energy and the Environmental Protection Agency and encourages superior energy efficiency by residents and businesses, or the</li> <li>• State’s Energy Efficiency and Demand Reduction Program, which offer rebates and incentives to agencies and developers who reduce energy consumption and use energy efficient fixtures and energy-saving design elements.</li> <li>• Conserve scarce energy resources 13.1.4: Require energy audits of existing public structures and encourage audits of private structures, identifying levels of existing energy use and potential conservation measures.</li> <li>• Conserve scarce energy resources 13.1.5: Encourage energy-efficient retrofitting of existing buildings throughout the City.</li> <li>• Conserve scarce energy resources 13.1.6: Consider program that awards</li> </ul>	<p><b>Not Applicable.</b> This measure is not applicable as the City would be responsible for implementing this measure. However, the proposed Project would comply with CALGreen, regarding building energy efficiency and other green building standards</p>

	<p>incentives to projects that install energy conservation measures, including technical assistance and possible low-interest loans.</p> <ul style="list-style-type: none"> <li>Conserve scarce energy resources 13.1.8: Educate the public regarding the need for energy conservation, environmental stewardship, and sustainability techniques and about systems and standards that are currently available for achieving greater energy and resource efficiency, such as the U.S. Green Building Council’s LEED standards for buildings.</li> </ul>	
<b>Energy-2.</b> Lighting Efficiency.	<ul style="list-style-type: none"> <li>Electricity 9.6.5: Encourage and promote the use of energy-efficient (U.S. Department of Energy “Energy Star®” or equivalent) lighting fixtures, light bulbs, and compact fluorescent bulbs in residences, commercial, and public buildings, as well as in traffic signals and signs where feasible.</li> </ul>	<b>Consistent.</b> The proposed Project would comply with CALGreen, regarding energy conservation and green building standards.
<b>Energy-3.</b> All Electric Buildings.	<ul style="list-style-type: none"> <li>Conserve scarce energy resources 13.1.5: Encourage energy-efficient retrofitting of existing buildings throughout the City.</li> </ul>	<b>Not Applicable.</b> This measure is not applicable as the proposed Project would not retrofit an existing building.
<b>Energy-5.</b> Renewable Energy – New Commercial/Industrial	<ul style="list-style-type: none"> <li>Conserve scarce energy resources 13.1.9: Encourage increased use of passive and active solar and wind design in existing and new development (e.g., orienting buildings to maximize exposure to cooling effects of prevailing winds, day lighting design, natural ventilation, space planning, thermal massing and locating landscaping and landscape structures to shade buildings).</li> </ul>	<b>Consistent.</b> The proposed Project would comply with CALGreen, regarding energy conservation and green building standards.
<b>Energy-6.</b> Solar Energy for Warehouse Space	<ul style="list-style-type: none"> <li>Conserve scarce energy resources 13.1.9: Encourage increased use of passive and active solar and wind design in existing and new development (e.g., orienting buildings to maximize exposure to cooling effects of prevailing winds, day lighting design, natural ventilation, space planning, thermal massing and locating landscaping and landscape structures to shade buildings).</li> </ul>	<b>Consistent.</b> The proposed Project would comply with CALGreen, regarding energy conservation and green building standards.
<b>Energy-7.</b> Solar Installation – Existing Housing	<ul style="list-style-type: none"> <li>Conserve scarce energy resources 13.1.9: Encourage increased use of passive and active solar and wind design in existing and new development (e.g., orienting buildings to maximize exposure to cooling effects of prevailing winds, day lighting design, natural ventilation, space planning, thermal massing and locating landscaping and landscape structures to shade buildings).</li> </ul>	<b>Not Applicable.</b> This measure is not applicable as the proposed Project would not retrofit an existing residential building.

<b>Energy-8.</b> Renewable Energy – Existing Commercial/Industrial	<ul style="list-style-type: none"> <li>Conserve scarce energy resources 13.1.9: Encourage increased use of passive and active solar and wind design in existing and new development (e.g., orienting buildings to maximize exposure to cooling effects of prevailing winds, day lighting design, natural ventilation, space planning, thermal massing and locating landscaping and landscape structures to shade buildings).</li> </ul>	<b>Not Applicable.</b> This measure is not applicable as the proposed Project would not retrofit an existing building.
<b>Energy-9.</b> Rooftop Gardens	<ul style="list-style-type: none"> <li>Conserve scarce energy resources 13.1.9: Encourage increased use of passive and active solar and wind design in existing and new development (e.g., orienting buildings to maximize exposure to cooling effects of prevailing winds, day lighting design, natural ventilation, space planning, thermal massing and locating landscaping and landscape structures to shade buildings).</li> </ul>	<b>Not Applicable.</b> Rooftop gardens would not be applicable to this warehouse development Project. However, the Project would provide landscaping along the perimeter of the Project site.
<b>Energy-10.</b> Urban Tree Planting for Shading and Energy Savings	<ul style="list-style-type: none"> <li>Conserve scarce energy resources 13.1.9: Encourage increased use of passive and active solar and wind design in existing and new development (e.g., orienting buildings to maximize exposure to cooling effects of prevailing winds, day lighting design, natural ventilation, space planning, thermal massing and locating landscaping and landscape structures to shade buildings).</li> </ul>	<b>Consistent.</b> The proposed Project would include landscaping, which would help with shading.
<b>On-Road</b>		
<b>OnRoad-1.</b> Alternative Fueled Transit Fleets	<ul style="list-style-type: none"> <li>Air Quality 12.6.1 through 12.6.3, 12.6.5, and 12.6.7</li> </ul>	<b>Not Applicable.</b> The proposed Project would construct a warehouse building and would not include transit fleet vehicles.
<b>OnRoad-2.</b> Encourage Use of Mass Transit.	<ul style="list-style-type: none"> <li>Public Transit 6.6.1, 6.6.2, and 6.6.7 through 6.6.10</li> <li>CI 3.1: Encourage the reduction of automobile usage through various incentive programs.</li> </ul>	<b>Not Applicable.</b> The proposed Project would include a speculative warehouse building. Future tenants of the building would implement mass transit encouragement measures as applicable.
<b>OnRoad-3.</b> Transportation Demand Management and Signal Synchronization	<ul style="list-style-type: none"> <li>Distinct Character and Identity 2.3.2: Promote development that is compact, pedestrian-friendly, and served by a variety of transportation options along major corridors and in key activity areas.</li> <li>Distinct Character and Identity 2.3.1: Commercial centers, open spaces, educational facilities, and recreational facilities should be linked to residential neighborhoods.</li> <li>GOAL CI 4: The County will coordinate land use and transportation planning to ensure adequate transportation facilities to support planned land uses and ease congestion.</li> </ul>	<b>Not Applicable.</b> The proposed Project would generate 475 daily trips, including 26 AM peak hour trips and 34 PM peak hour trips. Based on the minimal peak hour trips generated by the proposed Project, the Project would not be required to implement transportation demand management strategies or signal synchronization.

	<ul style="list-style-type: none"> <li>• Redevelopment and Revitalization 2.4.1</li> <li>• Specific Areas 5.5.3 and 5.5.5</li> <li>• 10. Downtown Strategic Area, Strategies 1,3,7, and 13</li> </ul>	
<b>OnRoad-4.</b> Expand Bike Routes	<ul style="list-style-type: none"> <li>• District/Neighborhood Design Features 5.3.3: A well-integrated network of bike and pedestrian paths should connect residential areas to schools, parks, and shopping centers.</li> </ul>	<b>Not Applicable.</b> The proposed Project would not include residential, school, park, or shopping center uses.
<b>OnRoad-5.</b> Community Fleet Electrification	<ul style="list-style-type: none"> <li>• Air Quality 12.6.1 through 12.6.3, 12.6.5, and 12.6.7</li> </ul>	<b>Not Applicable.</b> The proposed Project would not involve and City fleet vehicles.
<b>Solid Waste Management</b>		
<b>Waste-2.</b> Waste Diversion	<ul style="list-style-type: none"> <li>• Solid Waste 9.5.3: Continue to reduce the amount of solid waste that must be disposed of in area landfills, to conserve energy resources, and be consistent with the County Solid Waste Management Plan and State law.</li> <li>• Solid Waste 9.5.4 through 9.5.6</li> </ul>	<b>Consistent.</b> The proposed Project would be consistent with County Solid Waste and State requirements for waste reduction.

Source: Air Quality, Energy, Greenhouse Gas Impact Analysis (Appendix A)

As demonstrated above, the Project would be consistent with the State’s GHG emissions reductions objectives to meet the reduction target of 40 percent below 1990 levels by 2030 and would be consistent with the applicable measures in the San Bernardino County Regional Greenhouse Gas Reduction Plan. Therefore, implementation of the proposed Project would not conflict with existing plans, policies, and regulations adopted for the purpose of reducing the emissions of greenhouse gas.

**Plans, Programs, or Policies (PPPs)**

None.

**Mitigation Measures**

None.



	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**5.9 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?                                                                                                                                             | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?                                                                                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?                                                                                                                     | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                                      | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?                                                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?                                                                                                                                             | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

**Less Than Significant Impact.** Development and long-term operation of the Project would require standard transport, use, and disposal of hazardous materials and wastes. If the use of these materials does not adhere

to established federal, state, and local laws and regulations, workers, building occupants and residents, the public, and/or the environment could be exposed to hazardous materials.

### **Construction**

Heavy construction equipment (e.g., dozers, excavators, tractors) would be operated for development of the Project. The equipment would be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which are considered hazardous if improperly stored, handled, or transported. Other materials used—such as paints, adhesives, and solvents—could also result in accidental releases or spills that could pose risks to people and the environment. However, these risks are standard for all construction sites, and the Project would not cause greater risks than that which would occur on other similar construction sites.

Construction contractors would be required to comply with federal, state, and local laws and regulations regarding the transport, use, and storage of the hazardous materials. Applicable laws and regulations include CCR, Title 8 Section 1529 (pertaining to ACM) and Section 1532.1 (pertaining to LBP); CFR, Title 40, Part 61, Subpart M (pertaining to ACM); CCR, Title 23, Chapter 16 (pertaining to UST); CFR, Title 29 - Hazardous Waste Control Act; CFR, Title 49, Chapter I; and Hazardous Materials Transportation Act requirements as imposed by the USDOT, CalOSHA, CalEPA and DTSC. Additionally, construction activities would require a SWPPP, which is mandated by the National Pollution Discharge Elimination System General Construction Permit (included as PPP WQ-1 herein) and enforced by the Santa Ana RWQCB. The SWPPP would include strict onsite handling rules and BMPs to minimize potential adverse effects to workers, the public, and the environment during construction, including, but not limited to:

- Establishing a dedicated area for fuel storage and refueling activities that includes secondary containment protection measures and spill control supplies;
- Following manufacturers' recommendations on the use, storage, and disposal of chemical products used in construction;
- Avoiding overtopping construction equipment fuel tanks;
- Properly containing and removing grease and oils during routine maintenance of equipment; and
- Properly disposing of discarded containers of fuels and other chemicals.

Mandatory compliance with applicable laws and regulations related to the routine transport, use, and disposal of hazardous materials during construction activities at the Project site would limit potentially significant hazards to construction workers, the public, and the environment. Impacts would be less than significant.

### **Operation**

The Project site would be developed with an industrial warehouse building. Operations could require the use of various types and quantities of hazardous materials, including lubricants, solvents, cleaning agents, wastes, paints and related wastes, petroleum, wastewater, batteries, (lead acid, nickel cadmium, nickel, iron, carbonate), scrap metal, and used tires. These hazardous materials would be used, stored, and disposed of in accordance with applicable regulations and standards (such as CFR, Title 49, Chapter I; CCR, Title 8; CFR, Title 40, Part 263) that are enforced by the USEPA, USDOT, CalEPA, CalOSHA, DTSC, and County of San Bernardino Environmental Health Services.

Under California Health and Safety Code Section 25531 et seq., CalEPA requires businesses operating with a regulated substance that exceeds a specified threshold quantity to register with a managing local agency, known as the Certified Unified Program Agency (CUPA). Additionally, businesses are required to provide workers with training on the safe use, handling, and storage of hazardous materials. Businesses are also required to maintain equipment and supplies for containing and cleaning up spills of hazardous materials that can be safely contained and cleaned by onsite workers and to immediately notify emergency response agencies in the event of a hazardous materials release that cannot be safely contained and cleaned up by onsite personnel. Compliance with existing laws and regulations governing hazard and hazardous materials

results in less than significant impacts related the routine transport, use, and disposal of the hazardous materials.

**b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

**Less Than Significant with Mitigation Incorporated.**

A Phase I Environmental Assessment (Phase I ESA) was completed for the Project site (Appendix F). The purpose of the Phase I ESA is to identify recognized environmental conditions (RECs), including historical recognized environmental conditions (“HRECs”), and controlled recognized environmental conditions (“CRECs”) that may exist at a property. The term “recognized environmental conditions” means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment

The Phase I ESA did not identify evidence of Recognized Environmental Conditions (RECs) related to the Project site or conditions of adjacent site that could substantially effect the Project site. However, the Phase I ESA also identified the following:

- Small debris piles, indicative of illegal dumping, were observed in the eastern portion of the Property during the site visit. Further, small amounts of soil staining were observed in the northern and northeastern portion of the Property where prolonged vehicular parking was suspected to historically occur.
- Historical records indicate that the Property and vicinity were historically utilized for agricultural purposes in the 1930s and 1940s. Based on previous uses of the Project site, there is potential for contaminated soils.
- Given the historical agricultural use of the Property, there is potential that unknown subsurface structures (i.e. septic systems, leech pits, wells) may be encountered during earthwork activities at the Property.

**Construction**

As identified above, the Project site has several potentially hazardous conditions. Small debris piles, indicative of illegal dumping, were observed in the eastern portion of the Property. Further, small amounts of soil staining were observed in the northern and northeastern portion of the Property where prolonged vehicular parking was suspected to historically occur. Additionally, records indicate that the Property and vicinity were historically utilized for agricultural purposes in the 1930s and 1940s. Based on previous uses of the Project site, there is potential for contaminated soils. Under Mitigation Measure HAZ-1, soils would be sampled, and a Soil Management Plan (SMP) would be developed prior to excavation and/or disposal of soils offsite. Given the historical agricultural use of the Property, there is potential that unknown subsurface structures (i.e., septic systems, leech pits, wells) may be encountered during earthwork activities at the Property. Mitigation Measure HAZ-1 is being incorporated into the Project to require a SMP be prepared for the Project site to properly handle these potential issues.

While the routine use, storage, transport, and disposal of hazardous materials in accordance with applicable regulations during construction activities would not pose health risks or result in significant impacts; improper use, storage, transportation and disposal of hazardous materials and wastes could result in accidental spills or releases, posing health risks to workers, the public, and the environment. To avoid an impact related to an accidental release, the use of BMPs during construction are implemented as part of a SWPPP as required by the National Pollution Discharge Elimination System General Construction Permit. Implementation of an SWPPP would minimize potential adverse effects of upset or accident conditions involving the release of

hazardous materials to workers, the public, and the environment. Construction contract specifications would include strict on-site handling rules and BMPs that include, but are not limited to:

- Establishing a dedicated area for fuel storage and refueling and construction dewatering activities that includes secondary containment protection measures and spill control supplies;
- Following manufacturers' recommendations on the use, storage, and disposal of chemical products used in construction;
- Avoiding overtopping construction equipment fuel tanks;
- Properly containing and removing grease and oils during routine maintenance of equipment; and
- Properly disposing of discarded containers of fuels and other chemicals.

With implementation of SWPPP (PPP WQ-1) and Mitigation Measure HAZ-1, risk of hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant. Therefore, Project construction would result in a less than significant impact with the incorporation of mitigation.

### **Operation**

Operation of the proposed industrial warehouse involve use and storage of common hazardous materials such as paints, solvents, cleaning products, fuels, lubricants, adhesives, sealers, and pesticides/herbicides. Normal routine use of these typical commercially used products pursuant to existing regulations would not result in a significant hazard to the environment or workers in the vicinity of the Project. Should future uses of the industrial warehouse utilize or store substantial amounts or acute types of hazardous materials, both federal and state governments require all businesses that handle more than specified amounts of hazardous materials to submit a business plan to regulating agencies. With adherence of existing regulations, impacts would be less than significant.

### **c) Emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**Less Than Significant Impact.** Bing Wong Elementary School is located approximately 1,100 feet (0.2-mile) from the Project site. As discussed in responses 5.9(a) and 5.9(b) above, the proposed Project is not anticipated to release hazardous emissions or handle hazardous or acutely hazardous materials, substances, or wastes in significant quantities. Further, the Project would be required to comply with all applicable federal and state safety rules and regulations regarding hazardous materials and the release of hazardous materials. Therefore, the proposed Project would not emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. As such, impacts would be less than significant.

### **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?**

**No Impact.** The record searches determined that although the site has a history of various uses, the Project site is not located on or near by a site which is included on a list of hazardous materials sites pursuant to Government Code Section 65962.5 (Phase I 2021).

In addition, the Phase I ESA did not identify any nearby or surrounding area sites that are included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and as a result, impacts related to hazards from being located on or adjacent to a hazardous materials site would not occur from implementation of the proposed Project.

**e) For a project 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 for people residing or working in the project area?**

**No Impact.** The proposed Project site is located approximately 1.5 miles northwest of San Bernardino International Airport (SBIA). As noted in the City of San Bernardino Land Use Element, the Project site is within the boundaries of the SBIA Influence Area. However, according to San Bernardino Municipal Code Section 19.12 and the San Bernardino International Airport 2017 CNEL Contour and Generalized Land Uses, the Project site is not within a SBIA Overlay Zone that would limit building height (San Bernardino County 2018). The Project would be required to be consistent with the permitted uses and building height restrictions as identified by the Development Code and General Plan to ensure that the building height does not impact navigable airspace. The proposed height of the Project would not exceed the 50-foot maximum height allowed in the Industrial Light (IL) zone. The proposed Project would be consistent with the general land use and airport land use planning of the area. Thus, there would be no conflicts between SBIA aircraft activities and the Project. Therefore, the Project would not result in impacts related to airport safety hazards.

**f) Impair implementation of an adopted emergency response plan or emergency evacuation plan?**

**Less Than Significant Impact.** The proposed Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan.

**Construction**

The proposed construction activities, including equipment and supply staging and storage, would occur within the Project site, and would not restrict access of emergency vehicles to the Project site or adjacent areas. The installation of new driveways and connections to existing infrastructure systems that would be implemented during construction of the proposed Project would not require closure of 9<sup>th</sup> Street or Tippecanoe Avenue. Any temporary lane closures needed for utility connections or driveway construction would be required to implement appropriate measures to facilitate vehicle circulation, such as a Traffic Management Plan, as included within construction permits. Thus, implementation of the Project through the City's permitting process would ensure existing regulations are adhered to and would reduce potential construction related emergency access or evacuation impacts to a less than significant level.

**Operation**

The City of San Bernardino participates in the *San Bernardino County Multi-Jurisdictional Hazard Mitigation Plan* which outlines requirements for emergency access and standards for emergency responses.

Direct access to the Project site would be provided from 9<sup>th</sup> Street and Tippecanoe Avenue by three driveways. The Project's driveways and internal access would be required to meet the City's design standards to ensure adequate emergency access and evacuation through the City's permitting procedures. The Project is also required to provide fire suppression facilities (e.g., hydrants and sprinklers). The Fire Department and/or Public Works Department would review the development plans as part of the permitting procedures to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), included as Municipal Code Chapter 15.16. As such, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.

**g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

**Less than Significant Impact.** The Project site is within an urbanized industrial area of the City of San Bernardino. The Project site is bounded by 9<sup>th</sup> Street, an RV park, self-storage business, and automotive tuning shop to the north; North Tippecanoe Avenue followed by residential uses to the east; an industrial warehouse followed by 6<sup>th</sup> Street to the south; and a paper manufacturer and warehouse followed by Highland Creek to the west. The Project site is not within a CALFIRE Fire Hazard Severity Zone (CAL FIRE

2022). The proposed Project does not include the construction of any habitable structures. Additionally, as part of the Project review process, the Project would be subject to review by the San Bernardino County Fire Department and the City to ensure the proposed Project is compliant with all applicable codes and ordinances for emergency vehicle access. Since the Project is required to comply with all applicable City codes, as verified by the City, the Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, and impacts would be less than significant.

### **Plans, Programs, or Policies (PPPs)**

None.

### **Mitigation Measures**

**Mitigation Measure HAZ-1: Soil Management Plan.** Prior to issuance of a grading permit, the Project applicant shall demonstrate to the City of San Bernardino that a qualified environmental consultant has been retained and has prepared a Soil Management Plan (SMP) that details procedures and protocols for onsite management of soils containing potentially hazardous materials. The SMP shall be implemented during grading activities onsite to ensure that soils containing residual levels of hydrocarbons, volatile organic compounds, and tetrachloroethylene, are properly identified, monitored, and managed onsite, and include the following:

- A certified hazardous waste hauler shall remove all potentially hazardous soils. In addition, sampling of soil shall be conducted during excavation to ensure that all petroleum hydrocarbon and arsenic impacted soils are removed, and that Environmental Screening Levels (ESLs) for non-residential uses are not exceeded. Excavated materials shall be transported per California Hazardous Waste Regulations to a landfill permitted by the State to accept hazardous materials.
- Any subsurface materials exposed during construction activities that appear suspect of contamination, either from visual staining or suspect odors, shall require immediate cessation of excavation activities. Soils suspected of contamination shall be tested for potential contamination. If contamination is found to be present per the Department of Toxic Substances Control Screening Levels for industrial/commercial land use (DTSC-SLi) and the EPA Regional Screening Levels for industrial/commercial land use (EPA-RSLi), it shall be transported and disposed of per state regulations to an appropriately permitted landfill.
- The SMP shall include a Health and Safety Plan (HSP) addresses potential safety and health hazards and includes the requirements and procedures for employee protection; each contractor will be required to have their own HSP tailored to their particular trade that addresses the general Project safety requirements. The HSP shall also outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction.
- The SMP shall be prepared and executed in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil. The SMP shall require the timely testing and sampling of soils so that contaminated soils can be separated from inert soils for proper disposal. The SMP shall specify the testing parameters and sampling frequency. Anticipated testing includes total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and semi-volatile organic compounds (SVOCs). During excavation, Rule 1166 requires that soils identified as contaminated shall be sprayed with water or another approved vapor suppressant, or covered with sheeting during periods of inactivity of greater than an hour, to prevent contaminated soils from becoming airborne. Under Rule 1166, contaminated soils shall be transported from the Project site by a licensed transporter and disposed of at a licensed storage/treatment facility to prevent contaminated soils from becoming airborne or otherwise released into the environment.
- All SMP measures shall be printed on the construction documents, contracts, and Project plans prior to issuance of grading permits.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**5.10 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?                                                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| i) result in substantial erosion or siltation on- or off-site;                                                                                                                                                         | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;                                                                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or                             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iv) impede or redirect flood flows?                                                                                                                                                                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?                                                                                                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?                                                                                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?**

**Less Than Significant Impact.**

**Construction**

Construction of the Project would require grading and excavation of soils, which would loosen sediment, and then have the potential to mix with surface water runoff and degrade water quality. Pollutants of concern during Project construction include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. During construction activities, excavated soil would be exposed, and there would be an increased potential for soil erosion and transport of sediment downstream compared to existing conditions. During a storm event, soil erosion could occur at an accelerated rate. In addition, construction-related pollutants, such as chemicals, liquid and petroleum products (e.g., paints, solvents, and fuels), and concrete-related waste, could be spilled, leaked, or transported via stormwater runoff into adjacent drainages and into downstream receiving waters.

These types of water quality impacts during construction of the Project would be prevented through implementation of a SWPPP that is required to identify all potential sources of pollution that are reasonably expected to affect the quality of storm water discharges from the construction site. The SWPPP would include construction BMPs such as:

- Prompt revegetation of proposed landscaped/grassed swale areas;
- Perimeter gravel bags or silt fences to prevent off-site transport of sediment;
- Storm drain inlet protection (filter fabric gravel bags and straw wattles), with gravel bag check dams within paved roadways;
- Regular sprinkling of exposed soils to control dust during construction and soil binders for forecasted wind storms;
- Specifications for construction waste handling and disposal;
- Contained equipment wash-out and vehicle maintenance areas;
- Erosion control measures including soil binders, hydro mulch, geotextiles, and hydro seeding of disturbed areas ahead of forecasted storms;
- Construction of stabilized construction entry/exits to prevent trucks from tracking sediment on City roadways;
- Construction timing to minimize soil exposure to storm events; and
- Training of subcontractors on general site housekeeping.

Adherence to the existing requirements and implementation of the appropriate BMPs as ensured through the City's construction permitting process. Implementation of a SWPPP (included as PPP WQ-1) would ensure that the Project would not violate any water quality standards or waste discharge requirements, potential water quality degradation associated with construction activities would be minimized, and impacts would be less than significant.

**Operation**

The proposed Project would operate an industrial warehouse facility, which would introduce the potential for pollutants such as chemicals from cleaners, pesticides and sediment from landscaping, trash and debris, and oil and grease from vehicles and trucks. These pollutants could potentially discharge into surface waters and result in degradation of water quality. However, the proposed Project would be required to incorporate a Water Quality Management Plan (WQMP) with post-construction (or permanent) Low Impact Development (LID) site design, source control, and treatment control BMPs (included as PPP WQ-2). The LID site design would minimize impervious surfaces and provide infiltration of runoff into landscaped areas.

The source control BMPs would minimize the introduction of pollutants that may result in water quality impacts; and treatment control BMPs that would treat stormwater runoff. For the purposes of stormwater quality, an underground infiltration system is proposed. All runoff would be collected in a series of inlets and piped to a clarifier for pre-treatment and then into the underground system. Underground infiltration system overflow would be conveyed by a 36-inch outlet pipe and discharged into the existing storm drain lateral at the southwest corner of the site. The proposed onsite stormwater system would accommodate the 2-year 24-



hour storm event by providing 60,962 cubic feet of underground retention. Runoff would not exceed the existing condition. This system would remove coarse sediment, trash, and pollutants (i.e., sediments, nutrients, heavy metals, oxygen demanding substances, oil and grease, bacteria, and pesticides).

With implementation of the operational source and treatment control BMPs that are outlined in the preliminary WQMP (Appendix G) that would be reviewed and approved by the City during the Project's permitting and approval process, potential pollutants would be reduced to the maximum extent feasible, and implementation of the proposed Project would not substantially degrade water quality. Therefore, impacts would be less than significant.

**b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

**Less Than Significant Impact.** The Project site is located within the service area of the East Valley Water District (EVWD). EVWD's main water supply is from the Bunker Hill Basin which has the capacity to provide 70,000 acre-foot per year from groundwater and surface water resources (City of San Bernardino 2005). Development of the proposed Project would introduce approximately 547,798 SF of impervious surfaces to the site. However, the proposed Project would install an onsite storm drain system that would convey runoff to a pre-treatment unit then to an underground infiltration/detention system that would capture, filter, and infiltrate runoff. In addition, the Project includes 67,187 SF of landscaping that would infiltrate stormwater onsite. As a result, the proposed Project would not decrease groundwater supplies or interfere substantially with groundwater recharge; and the Project would not impede sustainable groundwater management of the basin. Thus, the proposed Project would have a less than significant impact.

**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 substantially increase the rate or amount of surface runoff in a manner which would:**

**i. Result in substantial erosion or siltation on- or off-site?**

**Less Than Significant Impact.**

**Construction**

Construction of the Project would require grading and excavation of soils, which would loosen sediment and could result in erosion or siltation. However, as described previously, construction of the proposed Project requires City approval of a SWPPP prepared by a Qualified SWPPP Developer, as included in PPP WQ-1. The SWPPP is required during the City's plan check and permitting process and would include construction BMPs to reduce erosion or siltation. Typical BMPs for erosion or siltation, include use of silt fencing, fiber rolls, gravel bags, stabilized construction driveway, and stockpile management (as described in the previous response above). Adherence to the existing requirements and implementation of the required BMPs per the plan check and permitting process would ensure that erosion and siltation associated with construction activities would be minimized, and impacts would be less than significant.

**Operation**

The Project site consists of vacant and undeveloped land. The proposed Project would introduce impervious surfaces to the majority of the site. The pervious surfaces remaining on the site would be landscaped. There would be no substantial areas of bare or disturbed soil on the site that could be subject to erosion. In addition, the Project is required to implement a WQMP, as included in PPP WQ-2, which would provide operational BMPs to ensure that operation of the proposed warehouse would not result in erosion or siltation. With implementation of these regulations, impacts related to erosion or siltation onsite or off-site would be less than significant.

**ii. Substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?**

**Less Than Significant Impact.** As discussed in Section 5.10(a) above, during construction a SWPPP would be implemented to control drainage. Stormwater drainage infrastructure proposed within the Preliminary WQMP as part of the Project maintains existing drainage patterns across the Project site.

The Project site does not contain any streams or rivers which could be altered by the proposed Project. The Project would include 547,798 SF of impervious surface area to the Project site, which could increase the amount and rate of surface runoff on the Project site. As discussed in the Drainage Report prepared for the proposed Project (see Appendix H), runoff from the Project site would be adequately handled by the proposed drainage system. A proposed underground infiltration basin would be constructed in the southwest portion of the site, which would capture and release stormwater runoff. Stormwater would be treated prior to capture via catch basin filters. Onsite runoff would be directed to the underground infiltration system. The overflow from the underground infiltration system would be directed through an onsite drain to the outlet and would connect to the existing storm drain lateral on the southwest corner of the site (see Appendix H for proposed on-site hydrology map). Proposed storm drain facilities would be able to capture runoff and mitigate the 2-year 1-hour storm event to pre-Project conditions, as required. Therefore, the Project would not result in flooding on- or off-site, and impacts would be less than significant.

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

**Less Than Significant Impact.** As described in the previous responses, the proposed Project would be required to implement a SWPPP during construction that would implement BMPs, such as the use of silt fencing, fiber rolls, and gravel bags, that would ensure that runoff would not substantially increase during construction, and that pollutants would not discharge from the Project site, which would reduce potential impacts to drainage systems and water quality to a less than significant level.

See response to Section 5.10 c)(ii), above. The proposed Project would introduce approximately 547,798 square feet of impervious surfaces to the Project site. Proposed stormwater facilities would mitigate the 2-year 1-hour storm event to pre-Project conditions with the proposed underground infiltration basin that would be constructed in the southwest portion of the site. Stormwater would be treated prior to capture via catch basin filters. Onsite runoff would be directed to the underground infiltration system. The overflow from the underground infiltration system would be directed through a storm drain line to the outlet and would connect to the existing storm drain lateral on the southwest corner of the site (see Appendix H for proposed on-site hydrology map). Therefore, development of the proposed Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems and impacts would be less than significant.

iv. **Impede or redirect flood flows?**

**Less Than Significant Impact.** According to the FEMA FIRM maps, the Project site is within an area of minimal flood hazard (Firm Panel 06071C8682J). The City would review the Project permit applications to ensure the proposed development would not be subject to significant flood hazard and structures would be floodproofed. Thus, the proposed Project would result in less than significant impacts on flood flows.

d) **In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

**Less Than Significant Impact.** As discussed in Response 5.10 c)(iv), the Project site is in an area with minimal flood hazard. Additionally, as previously discussed, a SWPPP (PPP WQ-1) and WQMP (PPP WQ-2) would be prepared and implemented as part of the Project to ensure pollutants are contained and would not be released from the Project site during construction. Post construction stormwater infrastructure would ensure capture and treatment of storm flows up to the 2-year 1-hour storm. Therefore, implementation of the Project would not risk the release of pollutants due to Project inundation in a flood hazard zone.

The Project site is located approximately 70 miles inland from the Pacific Ocean. Therefore, the Project is not located within a tsunami zone and no impacts would occur.

Similarly, a seiche is the sloshing of a closed body of water from earthquake shaking. Seiches are of concern relative to water storage facilities because inundation from a seiche can occur if the wave overflows a containment wall, such as the wall of a reservoir, water storage tank, dam, or other artificial body of water. The nearest body of water to the Project site is Secombe Lake Recreation Area, approximately 1 mile west. The Project site is not adjacent to any impounded bodies of water; therefore, the Project is not at risk of a seiche. Therefore, impacts would be less than significant on potential release of pollutants due to Project inundation.

**e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**No Impact.** As described previously, Project construction would be required to have an approved SWPPP, which would include construction BMPs to minimize the potential for construction related sources of pollution. Also, the Project would require a WQMP (PPP WQ-2) which would require implementation of source control BMPs to minimize the introduction of pollutants; and treatment control BMPs to treat runoff. Additionally, catch basin filters would be implemented for pretreatment of runoff into the underground basin. With implementation of the operational source and treatment control BMPs that would be required by the City during the permitting and approval process, potential pollutants would be reduced to the maximum extent feasible, and implementation of the proposed Project would not obstruct implementation of a water quality control plan.

Project operation would require the use of water supplies. The Project site is served by the EVWD, which receives its water from the Bunker Hill Basin. Furthermore, the Bunker Hill Basin is not currently listed as a critically over-drafted basin or a medium or high priority basin under the State's Sustainable Groundwater Management Act (SGMA). As discussed in Section 5.19, *Utilities & Service Systems*, the water demand of the Project would be within projected demand for the EVWD as specified by the City of San Bernardino's Urban Water Management Plan. Therefore, the Project would result in a less than significant impact related to water management and would not obstruct implementation of a water quality control plan or sustainable groundwater management plan.

**Plans, Programs, or Policies (PPPs)**

**PPP WQ-1: Stormwater Pollution Prevention Plan.** Prior to grading permit issuance, the Project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a QSD (Qualified SWPPP Developer) pursuant to the Municipal Code Chapter 13.54. The SWPPP shall incorporate all necessary Best Management Practices (BMPs) and other City requirements to comply with the National Pollutant Discharge Elimination System (NPDES) requirements to limit the potential of polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by City of San Bernardino staff or its designee to confirm compliance.

**PPP WQ-2: Water Quality Management Plan.** Prior to grading permit issuance, the Project developer shall have a Water Quality Management Plan (WQMP) approved by the City for implementation. The Project shall comply with the City's Municipal Code Section 13.54 and the Municipal Separate Storm Sewer System (MS4) permit requirements in effect for the Regional Water Quality Control Board (RWQCB) at the time of grading permit to control discharges of sediments and other pollutants during operations of the Project.

**Mitigation Measures**

None.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**5.11 LAND USE AND PLANNING.**

Would the project:

- |                                                                                                                                                                                        |                          |                          |                                     |                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community?                                                                                                                                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**a) Physically divide an established community?**

**No Impact.** The Project site is vacant and undeveloped, except for a building foundation and pad areas. The site is adjacent to industrial warehouses to the west and south sides of the site and existing roadways to the north and east. The Project would develop the site with a light industrial warehouse that would be consistent with the existing industrial buildings to the west and south of the site, and consistent with land uses to the south of 9th Street and to the west of Tippecanoe. The proposed Project would provide infill development of consistent uses and would not physically divide an established community. In addition, the Project would utilize the existing roadway and infrastructure system and does not involve development of roadways or other infrastructure that could divide a community. Therefore, the proposed Project would not disrupt or divide the physical arrangement of an established community, and no impact would occur.

**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?**

**Less Than Significant Impact.** The documents regulating land use for the Project site and immediate vicinity are the City’s General Plan and the City’s Municipal Code. The proposed Project’s relationship to these planning documents is described below.

**General Plan.** The Project site has a General Plan land use designation of Industrial Light (IL). The General Plan Land Use Element details that the IL land use designation allows for development up to FAR of 0.75 and a variety of light industrial uses, including warehousing/distribution, assembly, light manufacturing, research and development, mini storage, and repair facilities conducted within enclosed structures, as well as supporting retail and personal uses.

The proposed 337,300 SF industrial warehouse facility on the 14.3-acre site would result in a FAR of 0.54, which is less than the General Plan maximum of 0.75. Thus, the Project would be consistent with the General Plan land use designation for the site. Also, as shown in Table LU-1, the proposed Project would be consistent with the goals and policies of the San Bernardino General Plan. As such, no impact related to General Plan inconsistency would occur.

**Regional Transportation Plan/Sustainable Communities Strategy**

The Project would be required to comply with the goals and policies of SCAG’s Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). As shown in Table LU-2, the proposed Project would be consistent with the goals and policies of the plan. As such, no impact related to regional plan inconsistency would occur.

**Table LU-1: San Bernardino General Plan Consistency**

Policy	Consistency
<p><b>2.1.1:</b> Actively enforce development standards, design guidelines, and policies to preserve and enhance the character of San Bernardino’s neighborhoods.</p>	<p><b>Consistent.</b> As shown on Table AES-1, the proposed Project would be consistent with the development standards for the Industrial Light (IL) designation.</p>
<p><b>2.1.2:</b> Require that new development with potentially adverse impacts on existing neighborhoods or residents such as noise, traffic, emissions, and storm water runoff, be located and designed so that quality of life and safety in existing neighborhoods are preserved.</p>	<p><b>Consistent.</b> The Project would mitigate impacts determined to be potentially significant on the environment as identified in each environmental topic section of this document. Measures would be reviewed by the City.</p>
<p><b>2.2.7:</b> Control the development of industrial and similar uses that use, store, produce or transport toxics, air emissions, and other pollutants.</p>	<p><b>Consistent.</b> The Project would construct a new tilt up warehouse facility. Project would be consistent with the development standards for the Industrial Light (IL) designation, as currently zoned.</p>
<p><b>2.2.9</b> Require Police Department review of uses that may be characterized by high levels of noise, nighttime patronage, and/or rates of crime; providing for the conditioning or control of use to prevent adverse impacts on adjacent residences, schools, religious facilities, and similar “sensitive” uses.</p>	<p><b>Consistent.</b> The Project would include crime deterrents, including security lights and tree setbacks from the proposed building. The truck court on the western side of the building would be secured with two 10-foot concrete tilt up screening walls with 8-foot-tall gates, one on the south entrance and one on the north entrance. The Project is not directly adjacent to schools or residential uses, and adherence to the City’s municipal code standards would ensure the proposed Project would not affect surrounding sensitive land uses.</p>
<p><b>2.2.10</b> The protection of the quality of life shall take precedence during the review of new projects. Accordingly, the City shall utilize its discretion to deny or require mitigation of projects that result in impacts that outweigh benefits to the public.</p>	<p><b>Consistent.</b> The Project would mitigate impacts determined to have the potential to be significant on the environment as identified in each environmental topic section of this document. Measures would be reviewed by the City.</p>
<p><b>2.3.2</b> Promote development that is compact, pedestrian-friendly, and served by a variety of transportation options along major corridors and in key activity areas.</p>	<p><b>Consistent.</b> The Project would be consistent with the development standards for Industrial Light (IL) designation, as currently zoned. Additionally, the Project area is served by sbX Green Line and Baseline Barton and Tippecanoe bus stops, approximately 0.5-miles from the Project area. The Project would include development of a sidewalk along 9th Street and Tippecanoe Avenue, which would connect to existing adjacent pedestrian paths.</p>
<p><b>2.5.4</b> Require that all new structures achieve a high level of architectural design and provide a careful attention to detail.</p>	<p><b>Consistent.</b> As shown on Table AES-1, the proposed Project would be consistent with the development standards for the Industrial Light (IL) zoning designation.</p>
<p><b>2.5.6</b> Require that new developments be designed to complement and not devalue the physical characteristics of the surrounding environment, including consideration of:</p> <ul style="list-style-type: none"> <li>a. The site’s natural topography and vegetation;</li> <li>b. Surrounding exemplary architectural design styles;</li> <li>c. Linkages to pedestrian, bicycle, and equestrian paths;</li> <li>d. The use of consistent fencing and signage;</li> <li>e. The provision of interconnecting greenbelts and community amenities, such as clubhouses, health clubs, tennis courts, and swimming pools;</li> <li>f. The use of building materials, colors, and forms that contribute to a “neighborhood” character;</li> <li>g. The use of extensive site landscaping;</li> <li>h. The use of consistent and well designed street signage, building signage, and entry monumentation;</li> <li>i. A variation in the setbacks of structures;</li> </ul>	<p><b>Consistent.</b> The Project would include construction of a new tilt-up warehouse facility. The Project would be consistent with the surrounding flat topography, as discussed under Section 5.7, <i>Geology and Soils</i>. As discussed in the Project Description, the Project would provide a sidewalk along 9th Street and Tippecanoe Avenue, which would connect to other pedestrian paths. As shown on Table AES-1, the proposed Project would be consistent with the development standards for the Industrial Light (IL) designation. As shown in Figure 3-2, <i>Elevations</i>, the Project would incorporate consistent fencing and utilize window glazing and aluminum canopies, which would be consistent with surrounding industrial buildings. Additionally, the proposed building would be setback from 9th Street and Tippecanoe Avenue, as further discussed in Section 5.1, <i>Aesthetics</i>.</p>

<p>j. The inclusion of extensive landscape throughout the site and along street frontages;</p> <p>k. The articulation of building facades to provide interest and variation by the use of offset planes and cubic volumes, building details, balconies, arcades, or recessed or projecting windows, and other techniques which avoid “box”-like structures;</p> <p>l. The integration of exterior stairways into the architectural design;</p> <p>m. The screening of rooftop mechanical equipment;</p> <p>n. The use of a consistent design through the use of unifying architectural design elements, signage, lighting, and pedestrian areas;</p> <p>o. The provision of art and other visual amenities;</p> <p>p. The inclusion of awnings, overhangs, arcades, and other architectural elements to provide protection from sun, rain, and wind; and</p> <p>q. The location of parking at the rear, above, or below the ground floor of non-residential buildings to enhance pedestrian connectivity. (LU-1)</p>	<p>As discussed in Section 5.1, <i>Aesthetics</i>, the proposed Project would install landscaping onsite and along boundaries with adjacent streets. Areas adjacent to the building would be landscaped with trees and a variety of shrubs and ground covers. Additionally, the layering of landscaping between the proposed building and the surrounding roadways would provide visual depth and distance between the roadways and proposed structure. Landscaping would be complimentary to the surrounding community character.</p>
<p><b>2.6.2</b> Balance the preservation of plant and wildlife habitats with the need for new development through site plan review and enforcement of the California Environmental Quality Act (CEQA)</p>	<p><b>Consistent.</b> As discussed in Section 5.4, <i>Biological Resources</i>, the Project would not result in significant impacts on plant and wildlife habitats.</p>
<p><b>2.7.1</b> Enhance and expand drainage, sewer, and water supply/storage facilities to serve new development and intensification of existing lands.</p>	<p><b>Consistent.</b> As discussed in Section 5.19, <i>Utilities and Service Systems</i>, the Project proposes connection to existing utilities, which would have capacity to serve the proposed Project.</p>
<p><b>2.7.5</b> Require that development be contingent upon the ability of public infrastructure to provide sufficient capacity to accommodate its demands and mitigate its impacts.</p>	<p><b>Consistent.</b> As discussed in Section 5.19, <i>Utilities and Service Systems</i>, the Project proposes connection to existing utilities, which would have capacity to serve the proposed Project.</p>
<p><b>2.8.1</b> Ensure that all structures comply with seismic safety provisions and building codes.</p>	<p><b>Consistent.</b> As discussed in Section 5.7, <i>Geology and Soils</i>, the Project would comply with seismic safety provisions and building codes.</p>
<p><b>2.8.2</b> Ensure that design and development standards appropriately address the hazards posed by wildfires and wind, with particular focus on the varying degrees of these threats in the foothills, valleys, ridges, and the southern and western flanks of the San Bernardino Mountains.</p>	<p><b>Consistent.</b> As discussed in Section 5.20, <i>Wildfires</i>, the Project would not significantly exacerbate wildfire risk, exposing employees and surrounding areas to threats associated with wildfire.</p>
<p><b>2.8.3</b> Encourage projects to incorporate the Crime Prevention Through Environmental Design (CPTED) and defensible space techniques to help improve safety.</p>	<p><b>Consistent.</b> The Project would incorporate multiple crime prevention strategies. As shown on Figure 3-1, the Project would provide security gates in order to limit access to truck loading areas and would provide security lighting throughout the site and along the 9<sup>th</sup> Street and Tippecanoe Avenue frontage. Furthermore, Project plans would be reviewed by the San Bernardino Police Department to ensure that proper measures are incorporated into the Project design.</p>
<p><b>2.8.4</b> Control the development of industrial and other uses that use, store, produce, or transport toxics, air emissions, and other pollutants.</p>	<p><b>Consistent.</b> The Project would be consistent with the development standards for the Industrial Light (IL) designation, as currently zoned.</p>
<p><b>2.10.1</b> Ensure that all decisions related to the physical development and growth of the City of San Bernardino complies with the General Plan. Specifically, the provisions of this plan shall be applied to the following:</p> <p>a. Proposed private development projects; b. Proposed public works projects in support of land development or</p>	<p><b>Consistent.</b> As presented in this Section, the Project would be consistent with the City’s General Plan.</p>

<p>preservation (Government Code Section 65401); c. Proposed acquisition or disposal of public land (Government Code Section 65401); and d. Adoption of ordinances and standards for implementing General Plan land use designations, especially through the Development Code.</p>	
<p><b>4.1.4</b> Diversify the industrial use mix with a balance of warehousing/ distribution, manufacturing, and research and development uses.</p>	<p><b>Consistent.</b> The Project proposes to construct a new tilt up warehouse facility. The Project would be consistent with the development standards for the Industrial Light (IL) designation, as currently zoned.</p>
<p><b>4.5.1</b> Focus on developing the export-oriented economic capacity of the City, which includes ‘production businesses’ (i.e., manufacturing and service firms).</p>	<p><b>Consistent.</b> The Project proposes to construct a new tilt up warehouse facility. The Project would provide a warehouse facility to facilitate regional movement of goods.</p>
<p><b>5.3.2</b> Distinct neighborhood identities should be achieved by applying streetscape and landscape design, entry treatments, and architectural detailing standards, which are tailored to each particular area and also incorporate citywide design features.</p>	<p><b>Consistent.</b> As discussed in Section 5.1, <i>Aesthetics</i>, the proposed Project would install landscaping onsite and along adjacent streets. Areas adjacent to the building entrance would be landscaped with trees and a variety of shrubs and ground covers. Additionally, the layering of landscaping within the landscape setbacks and along the surrounding roadways would provide visual depth and distance between the roadways and proposed structure and surface parking lots. Landscaping would be complimentary to the surrounding community character.</p>
<p><b>5.3.4</b> Enhance and encourage neighborhood or street identity with theme landscaping or trees, entry statements, enhanced school or community facility identification, and a unified range of architectural detailing.</p>	<p><b>Consistent.</b> As discussed in Section 5.1, <i>Aesthetics</i>, the proposed Project would construct a sidewalk along the Project frontage along 9<sup>th</sup> Street and Tippecanoe Avenue. The Project would install landscaping onsite and along the Project’s boundary, including along 9<sup>th</sup> Street and Tippecanoe Avenue. The Project site would be landscaped with trees and a variety of shrubs and ground covers to provide depth and visual interest and to compliment the building architecture. Landscaping and sidewalks would enhance the street identity in the area and be complimentary to the surrounding community character.</p>
<p><b>5.7.2</b> Orient buildings toward major thoroughfares, sidewalks, and public spaces so that parking is convenient but not visually dominating.</p>	<p><b>Consistent.</b> The Project building would be oriented towards 9<sup>th</sup> Street. The proposed Project would include construction of a sidewalk along the Project frontage along Tippecanoe Avenue. The Project site would be landscaped with trees and a variety of shrubs and ground covers to provide depth and visual interest, including along 9<sup>th</sup> Street and Tippecanoe Avenue, such that the parking areas are not visually dominating.</p>
<p><b>5.7.3</b> Maintain architectural interest and variety through varied rooflines, building setbacks, and detailed façade treatments and maintain a strong sense of project identity through similarities in façade organization, signage, landscaping, material use, colors, and roof shapes.</p>	<p><b>Consistent.</b> As shown in Figure 5, the proposed building elevations would incorporate varied roof lines, color variations, and a variety of materials in order to reduce massing. Furthermore, the elevations would incorporate glazed windows, including windows above loading docks, in order to provide architectural interest.</p>
<p><b>5.7.6</b> Encourage architectural detailing, which includes richly articulated surfaces and varied facade treatment, rather than plain or blank walls.</p>	<p><b>Consistent.</b> The proposed elevations would include a variety of materials such as aluminum and glazed windows. Furthermore, a variety of gray and white paint colors would be incorporated into the elevations in order to provide architectural interest.</p>
<p><b>5.7.7</b> Minimize the visual impact of surface parking lots by locating them behind buildings, away from the street or through perimeter and interior landscaping, berming, and small-scale fencing.</p>	<p><b>Consistent.</b> The use of landscaping, building layout, finish materials, and accenting on the Project site would minimize visual impact of parking lots. Also, the majority</p>

	of the parking is proposed along the back and side of the building.
<b>5.7.9</b> Ensure that the scale and massing of office, commercial, and industrial uses are sensitive to the context of surrounding residential development.	<b>Consistent.</b> As shown on Table AES-1, the proposed Project would be consistent with the development standards for the Industrial Light (IL) zoning designation. Design would be reviewed and approved for consistency with design standards, including setbacks, fencing, signage, open space, architectural treatments, etc. by the City prior to Project approval.
<b>5.7.10</b> Lighting should provide for safety and to highlight features of center but not shine directly onto neighboring properties or into the eyes of motorists.	<b>Consistent.</b> Security lighting is proposed around the building. Lighting would be directed downwards and shielded from surrounding properties. Lighting would comply with City lighting municipal code standards.
<b>5.7.11</b> Loading bays should be screened by walls and landscaping and oriented away from major streets and entries.	<b>Consistent.</b> A concrete screen wall is proposed around the truck court. The proposed Project includes ornamental landscaping that would include 24-inch box trees, 15-gallon trees, various shrubs, and succulents to screen the proposed building, and parking and loading areas from off-site viewpoints.
<b>6.2.1</b> Maintain a peak hour level of service D or better at street intersections.	<b>Consistent.</b> As discussed in Section 5.17, <i>Transportation</i> , the Project would not result in impacts related to traffic level of service.
<b>6.2.3</b> Keep traffic in balance with roadway capacity by requiring traffic studies to identify local roadway and intersection improvements necessary to mitigate the traffic impacts of new developments and land use changes.	<b>Consistent.</b> As discussed in Section 5.17, <i>Transportation</i> , the Project would not result in impacts related to roadway capacity.
<b>6.3.6</b> Locate new development and their access points in such a way that traffic is not encouraged to utilize local residential streets and alleys.	<b>Consistent.</b> The Project would provide access along 9 <sup>th</sup> Street and Tippecanoe Avenue, which are arterial roadways. Residential streets and alleys would not be utilized for access.
<b>6.3.7</b> Require that adequate access be provided to all developments in the City including secondary access to facilitate emergency access and egress	<b>Consistent.</b> The proposed Project area would be accessed from three driveways: two on 9 <sup>th</sup> Street and one on Tippecanoe Avenue, thus providing secondary access for emergency access. The construction permitting process would provide adequate and safe circulation to, from, and through the Project area, and would provide routes for emergency responders to access different portions of the Project area. The Project would provide a 40-foot or wider fire access lane behind the proposed warehouse building. Because the Project is required to comply with all applicable City codes, as verified by the City potential impacts related to inadequate emergency access would be less than significant.
<b>6.4.1</b> Work with Caltrans to ensure that construction of new facilities includes appropriate sound walls or other mitigating noise barriers to reduce noise impacts on adjacent land uses.	<b>Consistent.</b> The Noise Impact Analysis prepared for the Project evaluated potential impacts to ambient noise levels at the nearest sensitive receptors, which determined that the noise levels generated by the Project would be less than the 65 dBA Leq exterior noise standard. Therefore, noise generated from operation of the proposed Project would not exceed noise standards and would be less than significant.
<b>6.4.8</b> Develop appropriate protection measures along routes frequently used by trucks to minimize noise impacts to sensitive land uses including but not limited to residences, hospitals, schools, parks, daycare facilities, libraries, and similar uses.	<b>Consistent.</b> The Noise Impact Analysis prepared for the Project evaluated potential impacts to ambient noise levels at the nearest sensitive receptors resulting from the proposed onsite noise sources such as idling trucks, delivery truck activities, backup alarms, loading and unloading of trucks, and roof-top air conditioning units



	(LSA 2022). As shown in Table N-4 and N-5 in Section 5.13, Noise, the noise levels generated by the Project would be less than the 65 dBA Leq exterior noise standard at the closest sensitive receptors. Therefore, noise generated from operation of the proposed Project would not exceed noise standards and would be less than significant.
6.5.4 Require that on-site loading areas minimize interference of truck loading activities with efficient traffic circulation on adjacent roadways.	<b>Consistent.</b> The proposed Project area would be accessed by trucks from three driveways: two on 9 <sup>th</sup> Street and one on Tippecanoe Avenue. The Project permitting process would ensure that the Project would provide adequate and safe circulation to, from, and through the Project area. Loading docks would be located on the west side of the building and would not interfere with traffic along 9 <sup>th</sup> Street or Tippecanoe Avenue.
6.9.1 Ensure that developments provide an adequate supply of parking to meet its needs either on-site or within close proximity.	<b>Consistent.</b> The Project would provide 291 parking spaces, which would exceed the City requirement of 286 parking spaces.
7.1.5 Ensure that landscaping (i.e., trees and shrubbery) around buildings does not obstruct views required to provide security surveillance.	<b>Consistent.</b> Areas adjacent to the building would be landscaped with trees and a variety of shrubs and ground covers. Landscaping would be placed so as not to interfere with security surveillance.
7.1.6 Require adequate lighting around residential, commercial, and industrial buildings in order to facilitate security surveillance.	<b>Consistent.</b> The Project would include security lighting around the building. Lighting plans would be reviewed by applicable City departments prior to Project approval to ensure adequate light is provided for security purposes.
7.1.7 Require the provision of security measures and devices that are designed to increase visibility and security in the design of building siting, interior and exterior design, and hardware.	<b>Consistent.</b> Operation of the warehouse may generate a typical range of police service calls, such as burglaries, thefts, and employee disturbances. The Project would include security lighting and other security measures, such as security gates, and appropriate landscaping setback from the building.
7.2.2 Assess the effects of increases in development density and related traffic congestion on the provision of adequate facilities and services ensuring that new development will maintain fire protection services of acceptable levels.	<b>Consistent.</b> The Project would be required to comply with the provisions of Municipal Code Section 3.27.040, which requires payment of the Development Impact Fee to assist the City in providing for fire protection services. Payment of the Development Impact Fee would ensure that the Project provides fair share funds for the provision of additional public services, including fire protection services, which may be applied to fire facilities and/or equipment, to offset the incremental increase in the demand for fire protection services that would be created by the Project.
7.2.3 Establish a program whereby new development projects are assessed a pro rata fee to pay for additional fire service protection to that development.	<b>Consistent.</b> The Project would be required to comply with the provisions of Municipal Code Section 3.27.040, which requires payment of the Development Impact Fee to assist the City in providing for fire protection services.
7.2.6 Require that all buildings subject to City jurisdiction adhere to fire safety codes.	<b>Consistent.</b> The Project would be required to comply with the California Building Code, pursuant to Section 15.04.020, Adoption of Codes, of the City's Municipal Code.
9.1.3 Require new development to connect to a master planned sanitary sewer system in accordance with the Department of Public Works' "Sewer Policy and Procedures". Where construction of master planned facilities is not feasible, the Mayor and Common Council	<b>Consistent.</b> The Project applicant would utilize the existing onsite water lines that connect to the existing 16-inch diameter water line in 9 <sup>th</sup> Street, and the existing onsite sewer system would connect to the existing 8-inch diameter sewer line in Tippecanoe Avenue. The Project would not require the construction of new facilities.

<p>may permit the construction of interim facilities sufficient to serve the present and short-term future needs.</p>	
<p>9.3.4 Monitor the demands on the water system and, as necessary, manage development to mitigate impacts and/or facilitate improvements.</p>	<p><b>Consistent.</b> As discussed in Section 5.19, City of San Bernardino Municipal Water Department has sufficient capacity to serve the proposed Project.</p>
<p>9.3.5 Impose limits on new water hook-ups, if necessary, to comply with available domestic water supply.</p>	<p><b>Consistent.</b> The Project would redevelop the Project site, which is currently served by City of San Bernardino Municipal Water Department's water infrastructure and would install new water infrastructure at the Project site that would connect to existing water infrastructure within 9<sup>th</sup> Street.</p>
<p>9.4.4 Require that adequate storm drain and flood control facilities be in place prior to the issuance of certificates of occupancy. Where construction of master planned facilities is not feasible, the Mayor and Common Council may permit the construction of interim facilities sufficient to protect present and short-term future needs.</p>	<p><b>Consistent.</b> The Project would include implementation of on-site storm drain facilities. As discussed in Section 5.10, <i>Hydrology and Water Quality</i>, on-site drainage would be directed to the on-site underground infiltration system located on the west side of the site. The overflow from the underground infiltration system would be directed to the existing storm drain lateral on the southwest corner of the site. Proposed storm drain facilities would be able to capture runoff and mitigate the 2-year 1-hour storm event to pre- Project conditions. Runoff would not exceed existing conditions.</p>
<p>9.4.8 Minimize the amount of impervious surfaces in conjunction with new development.</p>	<p><b>Consistent.</b> The Project would be required to incorporate a WQMP with post-construction (or permanent) LID site design, source control, and treatment control BMPs. The LID site design would minimize impervious surfaces and provide infiltration of runoff into landscaped areas.</p>
<p>9.4.10 Ensure compliance with the Federal Clean Water Act requirements for National Pollutant Discharge Elimination System (NPDES) permits, including requiring the development of Water Quality Management Plans, Erosion and Sediment Control Plans, and Storm Water Pollution Prevention Plans for all qualifying public and private development and significant redevelopment in the City.</p>	<p><b>Consistent.</b> As discussed in Section 5.10, <i>Hydrology and Water Quality</i>, the Project would comply with applicable NPDES permit requirements, including compliance with conditions of the CGP and development of a SWPPP. The Project would be required to incorporate a WQMP with post-construction (or permanent) LID site design, source control, and treatment control BMPs. The LID site design would minimize impervious surfaces and provide infiltration of runoff into landscaped areas.</p>
<p>9.4.11 Implement an urban runoff reduction program consistent with regional and federal requirements, which includes requiring and encouraging the following examples of Best Management Practices (BMPs) in all developments:</p> <ul style="list-style-type: none"> <li>• Increase permeable areas, utilize pervious materials, install filtration controls (including grass lined swales and gravel beds), and divert flow to these permeable areas to allow more percolation of runoff into the ground;</li> <li>• Replanting and hydroseeding of native vegetation to reduce slope erosion, filter runoff, and provide habitat;</li> <li>• Use of porous pavement systems with an underlying stone reservoir in parking areas;</li> <li>• Use natural drainage, detention ponds, or infiltration pits to collect and filter runoff;</li> <li>• Prevent rainfall from entering material and waste storage areas and pollution-laden surfaces; and</li> <li>• Require new development and significant redevelopment to utilize site preparation, grading, and other BMPs that provide erosion and sediment control to prevent construction-related contaminants from leaving the site and polluting waterways.</li> </ul>	<p><b>Consistent.</b> As discussed in Section 5.10, <i>Hydrology and Water Quality</i>, the Project would comply with applicable NPDES permit requirements, and development of a SWPPP, to ensure Project construction would not result in impacts related to stormwater runoff. The Project would be required to incorporate a WQMP with post-construction (or permanent) LID site design, source control, and treatment control BMPs. The LID site design would minimize impervious surfaces and provide infiltration of runoff into landscaped areas.</p>

9.5.3 Continue to reduce the amount of solid waste that must be disposed of in area landfills, to conserve energy resources, and be consistent with the County Solid Waste Management Plan and State law.	<b>Consistent.</b> CalEEMod solid waste generation rate for general light industrial land use is 1.24 tons per year per 1,000 square feet. The project would generate approximately 16,080 pounds of solid waste per week. Per AB341 75 percent of solid waste would be diverted from landfill and the Project would result in 4,020 pounds (2.01 tons) of solid waste per week.
9.6.1 Require that approval of new development be contingent upon the ability to be served with adequate electrical facilities.	<b>Consistent.</b> The Project would connect to the existing Southern California Edison electrical distribution facilities that are adjacent to the Project site and would not require the construction of new electrical facilities. Confirmation that Southern California Edison would be able to serve the Project would be obtained prior to Project construction.
9.6.2 Underground utilities, including on-site electrical utilities and connections to distribution facilities, unless such undergrounding is proven infeasible	<b>Consistent.</b> The Project would include connection to existing underground utilities. New above ground utilities would not be constructed as part of the Project.
9.6.4 Require improvements to the existing street light system and/or new street light systems necessitated by a new development proposal be funded by that development.	<b>Consistent.</b> The Project would include security lighting around the building. Lighting plans would be reviewed by applicable City departments prior to Project approval to ensure adequate light is provided for operational and security purposes.
9.6.5 Encourage and promote the use of energy-efficient (U.S. Department of Energy “Energy Star” or equivalent) lighting fixtures, light bulbs, and compact fluorescent bulbs in residences, commercial, and public buildings, as well as in traffic signals and signs where feasible.	<b>Consistent.</b> As required by Municipal Code, Chapter 15.04 Building Codes, prior to issuance of a building permit, the Project Applicant shall submit plans showing that the Project would be in compliance with Title 24 requirements. The Project would include energy efficient design and fixtures where feasible.
9.7.2 Require that all new development served by natural gas install on-site pipeline connections to distribution facilities underground, unless such undergrounding is infeasible due to significant environmental or other constraints	<b>Consistent.</b> The Project would include connection to existing underground utilities. New above ground utilities would not be constructed as part of the Project.
9.8.2 Require that all new developments underground telecommunication facilities, unless such undergrounding is infeasible due to significant environmental or other constraints.	<b>Consistent.</b> The Project would include connection to existing underground utilities. New above ground utilities would not be constructed as part of the Project.
9.10.1 Require that new development proposals bear the cost to improve wastewater collection and treatment facilities, water supply transmission, distribution, storage, and treatment facilities, and storm drain and flood control facilities as necessitated by the proposed project. This shall be accomplished either through the payment of fees, or by the actual construction of the improvements.	<b>Consistent.</b> As discussed in Section 5.19, <i>Utilities and Service Systems</i> , the Project would include connection to existing facilities. The applicant would pay all applicable development fees prior to Project construction.
10.1.2 Ensure the protection of surface and groundwater quality, land resources, air quality, and environmentally sensitive areas through safe transportation of waste through the City and comprehensive planning of hazardous materials, wastes, and sites.	<b>Consistent.</b> As discussed in Section 5.9, <i>Hazards and Hazardous Materials</i> , mandatory compliance with applicable laws and regulations related to the routine transport, use, and disposal of hazardous materials during construction and operational activities at the Project site would limit potentially significant hazards to construction workers, the public, and the environment.
10.2.1 Require the proper handling, treatment, movement, and disposal of hazardous materials and hazardous waste.	<b>Consistent.</b> As discussed in Section 5.9, <i>Hazards and Hazardous Materials</i> , mandatory compliance with applicable laws and regulations related to the routine transport, use, and disposal of hazardous materials during construction and operational activities at the Project site would limit potentially significant hazards to construction workers, the public, and the environment.

<p>10.2.2 Encourage businesses to utilize practices and technologies that will reduce the generation of hazardous wastes at the source.</p>	<p><b>Consistent.</b> The Project would include development of a warehouse facility, which would not include generation of hazardous materials.</p>
<p>10.2.3 Implement federal, state, and local regulations for the disposal, handling, and storage of hazardous materials.</p>	<p><b>Consistent.</b> As discussed in Section 5.9, <i>Hazards and Hazardous Materials</i>, mandatory compliance with applicable laws and regulations related to the routine transport, use, and disposal of hazardous materials during construction and operational activities at the Project site would limit potentially significant hazards to construction workers, the public, and the environment.</p>
<p>10.4.2 Protect surface water and groundwater from contamination.</p>	<p><b>Consistent.</b> As discussed in Section 5.9, <i>Hazards and Hazardous Materials</i>, implementation of the operational source and treatment control BMPs that are outlined in the preliminary WQMP (Appendix G) that would be reviewed and approved by the City during the permitting and approval process, potential pollutants would be reduced to the maximum extent feasible, and implementation of the proposed Project would not substantially degrade water quality.</p>
<p>10.5.1 Ensure compliance with the Federal Clean Water Act requirements for National Pollutant Discharge Elimination System (NPDES) permits, including developing and requiring the development of Water Quality Management Plans for all new development and significant redevelopment in the City.</p>	<p><b>Consistent.</b> As discussed in Section 5.10, <i>Hydrology and Water Quality</i>, the Project would comply with applicable NPDES permit requirements, including development of a SWPPP, to ensure Project construction would not result in impacts related to stormwater runoff. The Project would also be required to incorporate a WQMP with post-construction (or permanent) LID site design, source control, and treatment control BMPs. The LID site design would minimize impervious surfaces and provide infiltration of runoff into landscaped areas.</p>
<p>10.5.2 Continue to implement an urban runoff reduction program consistent with regional and federal requirements, which includes requiring and encouraging the following:</p> <ul style="list-style-type: none"> <li>• Increase permeable areas to allow more percolation of runoff into the ground;</li> <li>• Use natural drainage, detention ponds or infiltration pits to collect runoff;</li> <li>• Divert and catch runoff using swales, berms, green strip filters, gravel beds and French drains;</li> <li>• Install rain gutters and orient them towards permeable surfaces;</li> <li>• Construct property grades to divert flow to permeable areas;</li> <li>• Use subsurface areas for storm runoff either for reuse or to enable release of runoff at predetermined times or rates to minimize peak discharge into storm drains;</li> <li>• Use porous materials, wherever possible, for construction of driveways, walkways and parking lots; and</li> <li>• Divert runoff away from material and waste storage areas and pollution-laden surfaces such as parking lots</li> </ul>	<p><b>Consistent.</b> As discussed in Section 5.10, <i>Hydrology and Water Quality</i>, the Project would comply with applicable NPDES permit requirements, including development of a SWPPP, to ensure Project construction would not result in impacts related to stormwater runoff. The Project would be required to incorporate a WQMP with post-construction (or permanent) LID site design, source control, and treatment control BMPs. The LID site design would minimize impervious surfaces and provide infiltration of runoff into landscaped areas.</p>
<p>10.5.4 Require new development and significant redevelopment to utilize site preparation, grading and foundation designs that provide erosion control to prevent sedimentation and contamination of waterways.</p>	<p><b>Consistent.</b> Development of the proposed Project would introduce approximately 547,798 SF of impervious surfaces to the site. The pervious surfaces remaining on the site would be landscaped. There would be no substantial areas of bare or disturbed soil onsite subject to erosion.</p>
<p>10.6.1 Maintain flood control systems and restrict development to minimize hazards due to flooding.</p>	<p><b>Consistent.</b> The Project would include implementation of on-site storm drain facilities. As discussed in Section 5.10,</p>

	<i>Hydrology and Water Quality</i> , on-site drainage would be directed to the on-site underground infiltration system located on the west side of the site. The overflow from the underground infiltration system would be directed to the existing storm drain lateral on the southwest corner of the site. Proposed storm drain facilities would be able to capture runoff and mitigate the 2-year 1-hour storm event to pre- Project conditions. Runoff would not exceed existing conditions.
10.6.4 Evaluate all development proposals located in areas that are subject to flooding to minimize the exposure of life and property to potential flood risks.	<b>Consistent.</b> As discussed in Section 5.10, <i>Hydrology and Water Quality</i> , the Project would include stormwater infrastructure to manage on-site flows and would not result in impacts related to flooding.
10.6.5 Prohibit land use development and/or the construction of any structure intended for human occupancy within the 100-year flood plain as mapped by the Federal Emergency Management Agency (FEMA) unless adequate mitigation is provided against flood hazards.	<b>Consistent.</b> According to FEMA’s FIRM Flood Map, the Project site is within an area of minimal flood hazard. The City would review the Project permit applications to ensure the proposed development would not be subject to significant flood hazard and structures would be floodproofed.
10.6.7 Utilize flood control methods that are consistent with Regional Water Quality Control Board Policies and Best Management Practices (BMPs).	<b>Consistent.</b> As discussed in Section 5.10, <i>Hydrology and Water Quality</i> , the Project would comply with applicable NPDES permit requirements, including development of a SWPPP, to ensure Project construction would not result in impacts related to stormwater runoff. The Project would also be required to incorporate a WQMP with post-construction (or permanent) LID site design, source control, and treatment control BMPs. The LID site design would minimize impervious surfaces and provide infiltration of runoff into landscaped areas.
10.6.9 Ensure major drains in developed areas have a pipeline capacity to comply with the Flood Control District’s Comprehensive Storm Drain Plans for development of the City’s storm drain system.	<b>Consistent.</b> The Project would include construction of a new warehouse facility. The Project would connect to existing stormwater facilities adjacent to the Project site. The Project would be reviewed by Public Works and other applicable department prior to Project approval in order to ensure the provision of adequate utility infrastructure and capacity.
10.7.1 Minimize the risk to life and property through the identification of potentially hazardous areas, establishment of proper construction design criteria, and provision of public information.	<b>Consistent.</b> As discussed in Section 5.7, <i>Geology and Soils</i> , the Project site is susceptible to strong seismic ground shaking; however, with CBC compliance, the proposed Project would not expose people or structures to potentially substantial adverse effects.
10.7.2 Require geologic and geotechnical investigations for new development in areas adjacent to known fault locations and approximate fault locations (Figure S-3) as part of the environmental and/or development review process and enforce structural setbacks from faults identified through those investigations.	<b>Consistent.</b> A Preliminary Geotechnical Investigation was conducted for the Project site (see Appendix E). Recommendations of the report would be implemented as part of the Project.
10.7.3 Enforce the requirements of the California Seismic Hazards Mapping and Alquist-Priolo Earthquake Fault Zoning Acts when siting, evaluating, and constructing new projects within the City.	<b>Consistent.</b> As discussed in Section 5.7, <i>Geology and Soils</i> , the Project site is not within an Alquist-Priolo Earthquake Fault Zone.
10.7.4 Determine the liquefaction potential at a site prior to development, and require that specific measures be taken, as necessary, to prevent or reduce damage in an earthquake.	<b>Consistent.</b> The Geotechnical Investigation conducted a detailed liquefaction evaluation and identified no potentially liquefiable soils at any of the test locations on the Project site (Appendix E).
10.8.1 Enforce the requirements of the California Seismic Hazards Mapping and Alquist-Priolo Earthquake Fault Zoning Acts 10-28 City of San Bernardino when siting, evaluating, and constructing new projects within the City.	<b>Consistent.</b> As discussed in Section 5.7, <i>Geology and Soils</i> , the Project site is not within an Alquist-Priolo Earthquake Fault Zone.

<p>10.9.1 Minimize risk to life and property by properly identifying hazardous areas, establishing proper construction design criteria, and distribution of public information.</p>	<p><b>Consistent.</b> As discussed in Section 5.7, <i>Geology and Soils</i>, the Project site is susceptible to strong seismic ground shaking; however, with CBC compliance, the proposed Project would not expose people or structures to potentially substantial adverse effects.</p>
<p>10.9.2 Require geologic and geotechnical investigations in areas of potential geologic hazards as part of environmental and/or development review process for all new structures.</p>	<p><b>Consistent.</b> A Preliminary Geotechnical Investigation was conducted for the Project site (see Appendix E). Recommendations of the report would be implemented as part of the Project.</p>
<p>10.9.3 Require that new construction and significant alterations to structures located within potential landslide areas (Figure S-7) be evaluated for site stability, including potential impact to other properties during project design and review.</p>	<p><b>Consistent.</b> As discussed in Section 5.7, <i>Geology and Soils</i>, the Project site and the adjacent parcels are flat and do not contain any hills or steep slopes, and no landslides on or adjacent to the Project site would occur.</p>
<p>10.10.4 Require that structures be sited to prevent adverse funneling of wind on-site and on adjacent properties.</p>	<p><b>Consistent.</b> According to the City's General Plan, the Project is not located within a wind hazard area. Additionally, the building would not be multi-story.</p>
<p>10.11.3 Require that development in the High Fire Hazard Area, as designated on the Fire Hazards Areas Map (Figure S-9) be subject to the provisions of the Hillside Management Overlay District (HMOD) and the Foothill Fire Zones Overlay</p>	<p><b>Consistent.</b> The proposed Project site is not located within a Fire Hazard Severity Zone (CAL FIRE 2022).</p>
<p>10.11.5 Continue to require that all new construction and the replacement of 50% and greater of the roofs of existing structures use fire retardant materials.</p>	<p><b>Consistent.</b> As discussed in Section 5.20, <i>Wildfire</i>, the proposed Project site is not located within a Fire Hazard Severity Zone. City review of the Project would require compliance with standards for fire retardant roofs.</p>
<p>10.12.5 Prevent serious damage and injuries through effective hazard mitigation.</p>	<p><b>Consistent.</b> As discussed in Section 5.9, <i>Hazards and Hazardous Materials</i>, mandatory compliance with applicable laws and regulations related to the routine transport, use, and disposal of hazardous materials during construction and operational activities at the Project site would limit potentially significant hazards to construction workers, the public, and the environment.</p>
<p>11.1.3 Consider, within the environmental review process, properties that may have become historically significant since completion of the survey in 1991.</p>	<p><b>Consistent.</b> As described by the Cultural Resources Assessment, the Project site is undeveloped, but remnants of a single-family residence exist in the southeastern corner of the site (Appendix C). According to building records, the house was built in 1947. The Cultural Resources Assessment found that the foundation is not historically or architecturally significant under CEQA criteria. Additionally, a survey conducted of the site confirmed that no historical resources exist.</p>
<p>11.5.2 Develop mitigation measures for projects located in archaeologically sensitive areas to protect such locations, remove artifacts, and retain them for educational display. Native American tribes should be consulted to determine the disposition of any Native American artifacts discovered.</p>	<p><b>Consistent.</b> The Cultural Resources Assessment prepared for the Project included an archaeological records search that was completed at the SCCIC (Appendix C). The Cultural Resources Assessment determined that there is a potential for previously unknown archaeological resources to be below the soil surface. As a result, Mitigation Measure CUL-2, which requires preparation of a Cultural Resources Management Plan and archaeological monitoring, shall be implemented to reduce potential impacts related to historical and archaeological resources to a less than significant level.</p>
<p>12.1.2 Site and develop land uses in a manner that is sensitive to the unique characteristics of and that minimizes the impacts upon sensitive biological resources.</p>	<p><b>Consistent.</b> As discussed in Section 5.4, <i>Biological Resources</i>, the Biological Assessment determined that the Project site does not provide suitable habitat for any special-status plant or wildlife species due to the disturbed nature of the site.</p>

<p>12.2.1 Prohibit development and grading within fifty (50) feet of riparian corridors, as identified by a qualified biologist, unless no feasible alternative exists.</p>	<p><b>Consistent.</b> As discussed in Section 5.4, <i>Biological Resources</i>, the Project site does not contain riparian habitat or corridors.</p>
<p>12.4.7 Restrict incompatible land uses within the impact area of existing or potential surface mining areas.</p>	<p><b>Consistent.</b> As discussed in Section 5.12, <i>Mineral Resources</i>, the Project site is located within an area that is classified as Mineral Resource Zone 2 (MRZ-2). MRZ-2 areas indicate the existence of a construction aggregate deposit that meets certain State criteria for value and marketability based solely on geologic factors. However, the Project site is not designated for mineral resources and has not recently been used for mineral extractions. Thus, there are no available mineral resources that would be affected by the Project, and impacts would be less than significant.</p>
<p>12.5.1 Reduce the emission of pollutants including carbon monoxide, oxides of nitrogen, photochemical smog, and sulfate in accordance with South Coast Air Quality Management District (SCAQMD) standards.</p>	<p><b>Consistent.</b> Emissions generated by the construction and operation of the proposed Project would not exceed SCAQMD thresholds, and the Project would not result in an increase in the frequency or severity of existing air quality violations or cause a new violation.</p>
<p>12.5.2 Prohibit the development of land uses (e.g., heavy manufacturing) that will contribute significantly to air quality degradation, unless sufficient mitigation measures are undertaken according SCAQMD standards.</p>	<p><b>Consistent.</b> Emissions generated by the construction and operation of the proposed Project would not exceed SCAQMD thresholds, and the Project would not result in an increase in the frequency or severity of existing air quality violations or cause a new violation.</p>
<p>12.5.3 Require dust abatement measures during grading and construction operations.</p>	<p><b>Consistent.</b> As discussed in Section 5.3, <i>Air Quality</i>, construction contractors would be required to implement measures to reduce or eliminate emissions by following SCAQMD's standard construction practices Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source.</p>
<p>12.5.4 Evaluate the air emissions of industrial land uses to ensure that they will not impact adjacent uses.</p>	<p><b>Consistent.</b> As discussed in Section 5.3, <i>Air Quality</i>, the Project would not result in impacts to adjacent land uses.</p>
<p>12.8.3 Review grading, access, and site plans for new projects to ensure that they are sensitively designed to minimize impacts to the City's natural features.</p>	<p><b>Consistent.</b> The Project site does not contain natural features. The City would review grading, access, and site plans prior to Project approval.</p>
<p>13.1.2 Ensure the incorporation of energy conservation features in the design of all new construction and site development in accordance with State Law.</p>	<p><b>Consistent.</b> As required by Municipal Code, Chapter 15.04 Building Codes, prior to issuance of a building permit, the Project Applicant shall submit plans showing that the Project would be in compliance with Title 24 requirements. The Project would include energy efficient design and fixtures where feasible.</p>
<p>13.2.2 Require that development not degrade surface or groundwater, especially in watersheds, or areas with high groundwater tables or highly permeable soils.</p>	<p><b>Consistent.</b> As discussed in Section 5.9, <i>Hazards and Hazardous Materials</i>, implementation of the operational source and treatment control BMPs that are outlined in the preliminary WQMP (Appendix G) that would be reviewed and approved by the City during the permitting and approval process, potential pollutants would be reduced to the maximum extent feasible, and implementation of the proposed Project would not substantially degrade water quality.</p>
<p>13.2.4 Require the use of reclaimed water for landscape irrigation and other non-contact uses for industrial projects, golf courses, and freeways.</p>	<p><b>Consistent.</b> The Project site does not currently include recycled water lines within the Project site vicinity. Therefore, the Project would not use reclaimed water for landscape irrigation.</p>

<p>13.2.5 Mitigate degradation of the groundwater basins that may have already occurred by existing commercial, industrial, and other uses.</p>	<p><b>Consistent.</b> As discussed in Section 5.9, <i>Hazards and Hazardous Materials</i>, implementation of the operational source and treatment control BMPs that are outlined in the preliminary WQMP (Appendix G) that would be reviewed and approved by the City during the permitting and approval process, potential pollutants would be reduced to the maximum extent feasible, and implementation of the proposed Project would not substantially degrade water quality.</p>
<p>13.2.7 Require that new development incorporate improvements to channel storm runoff to public storm drainage systems and prevent discharge of pollutants into the groundwater basins and waterways.</p>	<p><b>Consistent.</b> As discussed in Section 5.9, <i>Hazards and Hazardous Materials</i>, implementation of the operational source and treatment control BMPs that are outlined in the preliminary WQMP (Appendix G) that would be reviewed and approved by the City during the permitting and approval process, potential pollutants would be reduced to the maximum extent feasible, and implementation of the proposed Project would not substantially degrade water quality.</p>
<p>13.2.8 Require that Best Management Practices (BMPs) are implemented for each project to control the discharge of point source and non-point source pollutants both during construction and for the life of the projects to protect the City’s water quality.</p>	<p><b>Consistent.</b> As discussed in Section 5.10, <i>Hydrology and Water Quality</i>, the Project would comply with applicable NPDES permit requirements, including development of a SWPPP, to ensure Project construction would not result in impacts related to stormwater runoff.</p>
<p>13.2.10 Require that development in the City’s watersheds incorporate adequate landscape and groundcover to prevent slope erosion and significant sedimentation of canyon drainages.</p>	<p><b>Consistent.</b> Development of the proposed Project would introduce a substantial area of impervious surfaces on the site. The pervious surfaces remaining on the site would be landscaped. There would be no substantial areas of bare or disturbed soil onsite that would be subject to erosion.</p>
<p>14.1.4 Prohibit the development of new or expansion of existing industrial, commercial, or other uses that generate noise impacts on housing, schools, health care facilities or other sensitive uses above a Ldn of 65 dB(A).</p>	<p><b>Consistent.</b> As discussed in Section 5.13, <i>Noise</i>, operation of the Project in the Existing Year condition, Table N-1 shows that noise would be approximately 69 dBA Ldn. However, noise levels generated by the Project would be less than the 65 dBA Leq exterior noise standard at the closest sensitive receptors. Implementation of the proposed Project would not generate a noise level increase above the City’s noise increase thresholds.</p>
<p>14.2.3 Require that development that increases the ambient noise level adjacent to noise-sensitive land uses provide appropriate mitigation measures.</p>	<p><b>Consistent.</b> As discussed in Section 5.13, <i>Noise</i>, operation of the Project in the Existing Year condition, would result in noise volumes of less than the 65 dBA Leq exterior noise standard at the closest sensitive receptors. Implementation of the proposed Project would not generate a noise level increase on the study area above the City’s identified increase thresholds. No mitigation would be required.</p>
<p>14.2.5 Require sound walls, berms, and landscaping along existing and future highways and railroad right-of-ways to beautify the landscape and reduce noise.</p>	<p><b>Consistent.</b> As discussed in Section 5.13, <i>Noise</i>, operation of the Project in the Existing Year condition, would result in volumes of less than the 65 dBA Leq exterior noise standard at the closest sensitive receptors. Implementation of the proposed Project would not generate a noise level increase on the study area above the City’s identified increase thresholds. No sound walls would be required, but screening walls and landscaping would be implemented along the Project frontage.</p>
<p>14.2.17 Ensure that new development is compatible with the noise compatibility criteria and noise contours as defined in the Comprehensive Land Use Plan for the SBIA and depicted in Figure LU-4.</p>	<p><b>Consistent.</b> As discussed in Section 5.13, <i>Noise</i>, operation of the Project in the Existing Year condition, would result in noise volumes that are less than the 65 dBA Leq exterior noise standard at the closest sensitive</p>



	receptors. Implementation of the proposed Project would not generate a noise level increase above the City's identified increase thresholds.
14.2.18 Limit the development of sensitive land uses located within the 65 decibel (dB) Community Noise Equivalent Level (CNEL) contour, as defined in the Comprehensive Land Use Plan for the SBIA and depicted in Figure LU-4.	<b>Consistent.</b> As discussed in Section 5.13, Noise, operation of the Project in the Existing Year condition, would result in noise volumes that are less than the 65 dBA Leq exterior noise standard at the closest sensitive receptors. Implementation of the proposed Project would not generate a noise level increase above the City's identified increase thresholds.
14.2.19 As may be necessary, require acoustical analysis and ensure the provision of effective noise mitigation measures for sensitive land uses, especially residential uses, in areas significantly impacted by noise.	<b>Consistent.</b> As discussed in Section 5.13, Noise, a Noise Impact Analysis (Appendix I) was prepared for the Project, to identify the existing and future ambient noise level environments.

**Table LU-2: RTP/SCS Consistency**

<b>RTP/SCS Policy</b>	<b>Proposed Project Consistency with Policy</b>
<b>RTP/SCS G1:</b> Encourage regional economic prosperity and global competitiveness.	<b>Consistent.</b> The Project would include development of an industrial site that would benefit regional economics by providing increased employment and providing additional goods and services. As an individual development, the Project is limited in its ability to directly contribute to regional economic prosperity and global competitiveness.
<b>RTP/SCS G2:</b> Improve mobility, accessibility, reliability, and travel safety for people and goods.	<b>Consistent.</b> As an individual development, the Project is limited in its ability to maximize mobility and access for people and goods in the SCAG region. However, the Project would not create substantial traffic impediments that would affect the accessibility of goods in the region and it would provide added mobility in the immediate vicinity of the Project through the incorporation of sidewalks.
<b>RTP/SCS G3:</b> Ensure the preservation, security, and resilience of the regional transportation system.	<b>Not Applicable.</b> As an individual development, the Project is limited in its ability to ensure security and resilience of the regional transportation system. There are no components of the Project that would result in the deterioration of the transportation system.
<b>RTP/SCS G4:</b> Increase person and goods movement and travel choices within the transportation system.	<b>Not Applicable.</b> As an individual development, the Project is limited in its ability to maximize the goods movement and travel choices within the SCAG region. The Project would not create substantial traffic impediments and would not affect the accessibility of goods to the surrounding area. The Project includes dd would support the overall distribution and movements of goods in the region.
<b>RTP/SCS G5.</b> Reduce greenhouse gas emissions and improve air quality.	<b>Consistent.</b> While the Project would not improve air quality or reduce greenhouse gas emissions, it would not prevent SCAG from implementing actions that would improve air quality within the region and the Project would incorporate various measures related to building design, landscaping, and energy systems to promote the efficient use of energy, pursuant to Title 24 CALGreen Code and Building Energy Efficiency Standards and Consistent with Policy NR-1.9.
<b>RTP/SCS G6:</b> Support healthy and equitable communities.	<b>Consistent.</b> The Project would comply with Citywide goal and policies to support healthy and equitable communities. Additionally, the Project would construct

	frontage improvements, including sidewalks, which would encourage walking in the Project area.
<b>RTP/SCS G7:</b> Adapt to a changing climate and support an integrated regional development pattern and transportation network.	<b>Consistent.</b> This policy would be implemented by cities and the counties within the SCAG region as part of their overall planning efforts; the Project however is consistent with industrial use planned for the area.
<b>RTP/SCS G8:</b> Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	<b>Not Applicable.</b> This policy would be implemented by cities and the counties within the SCAG region as part of the overall planning and maintenance of the regional transportation system. The Project would not conflict with this goal.
<b>RTP/SCS G9:</b> Encourage development of diverse housing types in areas that are supported by multiple transportation options.	<b>Not Applicable.</b> The proposed Project would develop a truck terminal in an area that is designated and zoned for industrial development.
<b>RTP/SCS G10:</b> Promote conservation of natural and agricultural lands and restoration of habitats.	<b>Consistent.</b> The proposed Project would be consistent with goals and policies of the City’s General Plan and would not cause significant environmental impacts to agricultural lands or biological resources.

**Municipal Code.** According to Title 19 of the Municipal Code, the Project site is zoned for Industrial Light (IL). As detailed previously in Table AES-1, the proposed Project would be consistent with the development standards for the IL zoning district. Thus, the proposed Project would not conflict with any applicable zoning regulations adopted for the purpose of avoiding or mitigating an environmental effect. No impacts would occur.

**Plans, Programs, or Policies (PPPs)**

None.

**Mitigation Measures**

None.

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
-----------------------------------------------	---------------------------------------------------------------------------	---------------------------------------------	----------------------

**5.12 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?                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**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?**

**No Impact.** The Project site is located within an area of San Bernardino that is classified as Mineral Resource Zone 2 (MRZ-2). MRZ-2 areas indicate the existence of a construction aggregate deposit that meets certain State criteria for value and marketability based solely on geologic factors. However, the classification of MRZs does not consider the existing land uses as criteria, and the General Plan accounted for the fact that areas already developed are “unsuitable for mineral production”. The Project site has a land use designation of Industrial Light (IL) and zoning designation of Industrial Light (IL) and is planned for light industrial use. Furthermore, the Project site is currently vacant and undeveloped and has not recently been used for mineral extractions. Thus, there are no known available mineral resources that would be affected by the Project, and no impacts would occur.

**b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on the general plan, specific plan or other land use plan?**

**No Impact.** The Project site is located within an area of San Bernardino that is classified as Mineral Resource Zone 2 (MRZ-2). MRZ-2 areas indicate the existence of a construction aggregate deposit that meets certain State criteria for value and marketability based solely on geologic factors. However, the classification of MRZs does not consider the existing land uses as criteria, and the General Plan accounted for the fact that areas already developed are “unsuitable for mineral production”. The Project site has a land use designation of Industrial Light (IL) and zoning designation of Industrial Light (IL) and is planned for light industrial use. Furthermore, the Project site is currently vacant and undeveloped and has not recently been used for mineral extractions. Therefore, implementation of the proposed Project would not result in the loss of availability of a locally-important mineral resource recovery site as delineated on a local plan. Thus, development of the proposed Project would not have an impact on mineral resources.

**Plans, Programs, or Policies (PPPs)**

None.

**Mitigation Measures**

None.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>5.13 NOISE.</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a) Generation of substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

**Less Than Significant Impact.**

**City of San Bernardino Noise Thresholds**

City of San Bernardino General Plan

The Noise Element of the General Plan includes the following regulations related to noise.

*Policy 14.1.4* Prohibit the development of new or expansion of existing industrial, commercial, or other uses that generate noise impacts on housing, schools, health care facilities or other sensitive uses above a Ldn of 65 dB(A).

City of San Bernardino Municipal Code Section 8.54 Noise Control

The municipal code includes the following regulations related to noise.

*8.54.020 Prohibited Acts*

It shall be unlawful for any person to engage in the following activities:

- L. The operation or use between the hours of 10:00 p.m. and 8:00 a.m. of any pile driver, steam shovel, pneumatic hammers, derrick, steam or electric hoist, power driven saw, or any other tool or apparatus, the use of which is attended by loud and excessive noise, except with the approval of the City

*8.54.050 Controlled Hours of Operation*

It shall be unlawful for any person to engage in the following activities other than between the hours of 8:00 a.m. and 8:00 p.m. in residential zones and other than between the hours of 7:00 a.m. and 8:00 p.m. in all other zones:

- A. Load or unload any vehicle, or operate or permit the use of dollies, carts, forklifts, or other wheeled equipment that causes any impulsive sound, raucous, or unnecessary noise within one thousand (1,000) feet of a residence.

**8.54.070 Disturbance from Construction Activity**

No person shall be engaged or employed, or cause any other person to be engaged or employed, in any work of construction, erection, alteration, repair, addition, movement, demolition, or improvement to any building or structure except within the hours of 7:00 a.m. and 8:00 p.m.

**19.20.030 General Standards.**

- A. In residential areas, no exterior noise level shall exceed 65 dBA and no interior noise level shall exceed 45 dBA.

28. *Vibration* No vibration associated with any use shall be permitted which is discernible beyond the boundary line of the property

**City of Highland Noise Thresholds**

The land to the east of the Project site is within the City of Highland; and is therefore subject to the City of Highland noise standards.

City of Highland General Plan

The City’s General Plan Noise Element references the Municipal Code’s noise standards as guidelines to evaluate the acceptability of noise impacts (City of Highland 2006). These standards are used to assess long-term noise impacts on land uses. The Noise Element identifies noise problems in the community, quantifies existing and projected noise levels, addresses excessive noise exposure, and provides regulations to control noise. The General Plan Noise Element contains the following goals and policies that address noise and are applicable to the project:

*Goal 7.1* Protect sensitive land uses and the citizens of Highland from annoying and excessive noise through diligent planning and regulation.

*Goal 7.3.* Protect residents from the effects of “spill over” or nuisance noise

City of Highland Municipal Code Section 8.50 Noise Control

Operational Noise Standards: Pursuant to Chapter 8.50 (Noise Control) of the Highland Municipal Code, allowable daytime (between the hours of 7:00 AM and 10:00 PM) and nighttime (between the hours of 10:00 PM and 7:00 AM) noise levels are as follows:

- Residential – 60 dBA daytime, 55 dBA nighttime.
- Commercial – 70 dBA daytime, 65 dBA nighttime.
- Industrial Zone – 75 dBA at any time.

**Federal Transit Administration (FTA) Criteria**

To determine potential CEQA noise impacts, construction noise was assessed using criteria from the Transit Noise and Vibration Impact Assessment Manual (FTA Manual).

**Table N-1: Daytime Construction Noise Criteria**

Land Use	Daytime 1-hour L <sub>eq</sub> (dBA)
Residential	90
Commercial	100
Industrial	100

Source: Noise and Vibration Analysis (Appendix I)

The following analysis is based on the Noise and Vibration Impact Analysis included as Appendix I.

**Existing Noise Levels**

As detailed in the Noise and Vibration Analysis (Appendix I), to identify the existing ambient noise level environment, two long term (24 hours) noise level measurements were taken at two locations in the Project area. The background ambient noise levels in the Project area are dominated by transportation related noise and existing industrial land use activities that are adjacent to the site. Additionally, noise from aircraft flyovers from San Bernardino International Airport (SBD) can be heard at the Project site; however, the Project site is located outside the SBD Airport Influence Area. The existing noise levels are provided in Table N-2.

**Table N-2: Long Term Noise Measurement Summary**

Site No.	Location	Daytime Noise Levels <sup>1</sup> (dBA Leq)	Evening Noise Levels <sup>2</sup> (dBA Leq)	Nighttime Noise Levels <sup>3</sup> (dBA Leq)	Daily Noise Levels (dBA CNEL)
LT 1	1080 9 <sup>th</sup> Street, on second palm tree west of driveway, approximately 60 ft north of the 9 <sup>th</sup> Street centerline.	69.0-71.6	66.9-68.8	59.2-68.0	72.6
LT 2	24914 Union Street, on utility pole near the northeast corner of the intersection of Union Street and Tippecanoe Avenue, approximately 50 ft from Tippecanoe Avenue centerline.	66.7-69.0	66.3-70.6	58.3-70.1	72.4

Notes: Noise measurements taken using two Larson-Davis Spark 706RC Dosimeters on March 9<sup>th</sup> and 10<sup>th</sup>, 2022.

Source: Noise and Vibration Analysis (Appendix I).

Note: Noise measurements were conducted from March 9 to March 10, 2022, starting at 10:00 a.m.

<sup>1</sup> Daytime Noise Levels = noise levels during the hours from 7:00 a.m. to 7:00 p.m.

<sup>2</sup> Evening Noise Levels = noise levels during the hours from 7:00 p.m. to 10:00 p.m.

<sup>3</sup> Nighttime Noise Levels = noise levels during the hours from 10:00 p.m. to 7:00 a.m.

dBA = A-weighted decibels

CNEL = Community Noise Equivalent Level

Leq = equivalent continuous sound level

**Construction**

As described above, Municipal Code Section 8.54.070 exempts construction noise between the hours of 7:00 a.m. and 800 p.m. The Project would comply with the City’s construction hours regulations. Short term noise impacts could occur during construction of the Project in two forms: noise from construction crew commutes and noise generated during construction activities. Construction is expected to occur in the following stages: excavation and grading, building construction, architectural coating, and paving.

Table N-3 below lists typical construction equipment noise levels based on a distance of 50 feet between with equipment and a noise receptor. As shown, noise levels generated by heavy construction equipment can range from approximately 55 dBA to 85 dBA when measured at 50 feet.

**Table N-3: Typical Construction Equipment Noise Levels**

Equipment Description	Acoustical Use Factor <sup>1</sup> (percent)	Maximum Noise Level (L <sub>max</sub> ) at 50 feet <sup>2</sup>
Auger Drill Rig	20	84
Backhoes	40	80
Compactor (ground)	20	80
Compressor	40	80
Cranes	16	85
Dozers	40	85
Dump Trucks	40	84
Excavators	40	85
Flat Bed Trucks	40	84

Forklift	20	85
Front-end Loaders	40	80
Graders	40	85
Impact Pile Drivers	20	95
Jackhammers	20	85
Paver	50	77
Pickup Truck	40	55
Pneumatic Tools	50	85
Pumps	50	77
Rock Drills	20	85
Rollers	20	85
Scrapers	40	85
Tractors	40	84
Trencher	50	80
Welder	40	73

Note: Noise levels reported in this table are rounded to the nearest whole number  
Source: Noise and Vibration Analysis (Appendix I)  
<sup>1</sup> Usage factor is the percentage of time during a construction noise operation that a piece of construction equipment is operating at full power.  
<sup>2</sup> Maximum noise levels were developed based on Specification 721.560 from the Central Artery/Tunnel program to be consistent with the City of Boston's Noise Code for the "Big Dig" project.  
FHWA = Federal Highway Administration  
Lmax = maximum instantaneous sound level

Table N-4 below shows the nearest uses to the Project site, their distance from the center of construction activities, and composite noise levels expected during construction.

**Table N-4: Potential Construction Noise Impacts at Nearest Receptor**

Receptor (Location)	Composite Noise Level (dBA Leq) at 50 feet <sup>1</sup>	Distance (feet)	Composite Noise Level (dBA Leq)
Industrial Uses (West)	88	240	75
Residence (East)		480	69
Commercial (North)		590	67
Industrial Uses (South)		650	53
RV Park (North)		650	53
School (Northeast)		1,150	42

Source: Noise and Vibration Analysis (Appendix I).

<sup>1</sup> The composite construction noise level represents the grading phase which is expected to result in the greatest noise level as compared to other phases.

dBA Leq = average A-weighted hourly noise level

As shown in Table N-4, it is expected that composite noise levels during construction would reach 69 dBA Leq at the nearest sensitive residential receptor to the east of the site, which is below the existing measured CNEL noise levels at the site. The construction noise levels predicted in Table N-4 would only occur when all construction equipment is operating simultaneously, which is a conservative assumption, and unlikely to occur. Additionally, noise generated from construction activities is temporary in nature and would cease upon completion of construction. Furthermore, construction-related noise impacts would remain below the 90 dBA Leq and 100 dBA Leq 1-hour construction noise level criteria for daytime construction noise level criteria as established by the Federal Transit Administration (FTA) for residential and industrial land uses, respectively, and therefore Project construction noise would be less than significant.

**Operation**

**Onsite Operational Noise.** The Noise Element of the San Bernardino General Plan establishes an exterior noise level of 65 dBA for residential land uses. Additionally, the neighboring City of Highlands daytime and nighttime noise standards of 60 dBA Leq and 55 dBA Leq. Long term off-site stationary noise impacts from

the Project could include on-site heating, ventilation, and air conditioning (HVAC) equipment, trash enclosure activity, truck deliveries, and loading and unloading activities.

Tables N-5 and N-6 show that the combined hourly noise levels generated by HVAC equipment, trash enclosure activities, and truck delivery activities at the closest off-site land uses would range from 36.6 dBA Leq to 54.2 dBA Leq at the sensitive receptors. These levels are well below the City of San Bernardino’s exterior noise standard of 65 dBA Leq and the City of Highlands daytime and nighttime noise standards of 60 dBA Leq and 55 dBA Leq, respectively. Because Project noise levels would not generate a noise level increase of 3 dBA or more, or exceed the City’s thresholds, the impact would be less than significant.

**Table N-5: Daytime Exterior Noise Level Impacts**

Receptor	Direction	Existing Quietest Daytime Noise Level (dBA Leq)	Project Generated Noise Levels (dBA Leq)	Potential Operational Noise Impact? <sup>1</sup>
Residential (24914 Union Street, Highland)	East	66.7	47.3	No
Residential (7769 Vine Street, Highland)	East	66.7	37.1	No
Residential (San Bernardino RV Park, San Bernardino)	North	69.0	54.2	No
School (Bing Wong Elementary School, San Bernardino)	Northeast	69.0	36.6	No

Source: Noise and Vibration Analysis (Appendix I).

<sup>1</sup> A potential operational noise impact would occur if (1) the quietest daytime ambient hour is less than the applicable hourly standard and project noise impacts would cause an exceedance of said standard, OR (2) the quietest daytime ambient hour is greater than the applicable hourly standard and project noise impacts are 3 dBA greater than the quietest daytime ambient hour.

dBA = A-weighted decibels  
Leq = equivalent noise level

**Table N-6: Nighttime Exterior Noise Level Impacts**

Receptor	Direction	Existing Quietest Daytime Noise Level (dBA Leq)	Project Generated Noise Levels (dBA Leq)	Potential Operational Noise Impact? <sup>1</sup>
Residential (24914 Union Street)	East	58.3	47.3	No
Residential (7769 Vine Street)	East	58.3	37.1	No
Residential (San Bernardino RV Park)	North	59.2	54.2	No
School (Bing Wong Elementary School)	Northeast	-	-	No <sup>2</sup>

Source: Noise and Vibration Analysis (Appendix I).

<sup>1</sup> A potential operational noise impact would occur if (1) the quietest nighttime ambient hour is less than the applicable hourly standard and project noise impacts would cause an exceedance of said standard, OR (2) the quietest nighttime ambient hour is greater than the applicable hourly standard and project noise impacts are 3 dBA greater than the quietest nighttime ambient hour.

<sup>2</sup> Under typical conditions, the Bing Wong Elementary school is not occupied during nighttime hours.

dBA = A-weighted decibels  
Leq = equivalent noise level

**b) Generation of excessive groundborne vibration or groundborne noise levels?**

**Less Than Significant Impact.**

**Construction**

Construction activity can cause varying degrees of ground vibration, depending on the equipment and methods used, the distance to receptors, and soil type. Construction vibrations are intermittent, localized intrusions. The use of heavy construction equipment, particularly large bulldozers, and large loaded trucks hauling materials to or from the site generate construction-period vibration impacts.

The Noise and Vibration Analysis (Appendix I) uses vibration standards in the FTA Manual to analyze ground-borne vibration impacts on human annoyance. The Noise and Vibration Analysis discusses the level of human annoyance using vibration levels in VdB and assesses the potential for building damages using vibration



levels in PPV (in/sec). Vibration levels calculated in VdB are best for characterizing human response to building vibration, while vibration level in PPV is best for characterizing potential for damage. The threshold at which vibration levels would result in annoyance is 78 VdB for daytime residential uses. The FTA guidelines indicated that for a non-engineered timber and masonry building, the construction vibration damage criterion is 0.2 in/sec in PPV. Table N-7 below shows the PPV and VdB values at 25 feet from the construction vibration sources.

**Table N-7: Construction Equipment Vibration Levels**

Equipment	Reference Peak Particle Velocity (PPV)/Lv at 25 ft	
	PPV (inches/second)	Approximate Vibration Level (Lv)at 25 feet <sup>1</sup>
Hoe Ram	0.089	87
<b>Large bulldozer<sup>2</sup></b>	<b>0.089</b>	<b>87</b>
Caisson drill	0.089	87
<b>Loaded trucks<sup>2</sup></b>	<b>0.076</b>	<b>86</b>
Jackhammer	0.035	79
Small bulldozer	0.003	58

Source: Noise and Vibration Analysis (Appendix I).

<sup>1</sup> RMS vibration velocity in decibels (VdB) is 1 µin/sec.

<sup>2</sup> Equipment shown in **bold** is expected to be used on site.

µin/sec = microinches per second

ft = foot/feet

FTA = Federal Transit Administration

in/sec = inch/inches per second

LV = velocity in decibels

PPV = peak particle velocity

RMS = root-mean-square

VdB = vibration velocity decibels

As shown in Table N-7, at approximately 25 feet, a large bulldozer would create a vibration level of 0.089 inch per second peak particle velocity (PPV). Therefore, based on typical vibration propagation rates, the vibration level at the nearest offsite structure, located approximately 240 feet from the property line, would be 0.08 inch per second PPV. Therefore, the vibration level would be less than the 0.25 inch per second PPV vibration threshold. As such, construction vibration impacts would be less than significant.

**Table N-8: Potential Construction Vibration Annoyance Impacts to Nearest Receptors**

Receptor (Location)	Reference Vibration Level (VdB) at 25 feet <sup>1</sup>	Distance (feet) <sup>2</sup>	Vibration Level (VdB)
Industrial Uses (West)	87	240	58
Residence (East)		480	49
Commercial (North)		590	46
Industrial Uses (South)		650	45
RV Park (North)		650	45
School (Northeast)		1,150	37

Source: Noise and Vibration Analysis (Appendix I).

<sup>1</sup> The reference vibration level is associated with a large bulldozer which is expected to be representative of the heavy equipment used during construction.

<sup>2</sup> The reference distance is associated with the average condition, identified by the distance from the center of construction activities to surrounding uses

ft = foot/feet

VdB = vibration velocity decibels

As shown in Table N-8, construction related vibration levels are expected to be 49 VdB at the closest residential use to the east of the site, which is below the 78 VdB annoyance threshold for daytime residential uses.

Table N-9 shows the potential for construction vibration damage at nearest receptors. As shown, vibration is expected to approach 0.124 PPV in/sec at the surrounding structures and would be below the 0.2 PPV in/sec damage threshold. Thus, impacts related to construction vibration would not occur.

**Table N-9: Potential Construction Vibration Damage Impacts to Nearest Receptors**

Receptor (Location)	Reference Vibration Level (PPV) at 25 feet <sup>1</sup>	Distance (feet) <sup>2</sup>	Vibration Level (PPV)
Industrial Uses (West)	0.089	20	0.124
Residence (East)		95	0.012
Commercial (North)		120	0.008
Industrial Uses (South)		125	0.008
RV Park (North)		135	0.007
School (Northeast)		720	0.001

Source: Noise and Vibration Analysis (Appendix I)

<sup>1</sup> The reference vibration level is associated with a large bulldozer which is expected to be representative of the heavy equipment used during construction.

<sup>2</sup> The reference distance is associated with the peak condition, identified by the distance from the perimeter of construction activities to surrounding structures

ft = foot/feet

in/sec = inch/inches per second

PPV = peak particle velocity

Additionally, as discussed above, construction activities are regulated by the City’s municipal code which states temporary construction, maintenance, or demolition activities are not allowed between 8:00 p.m. on one day and 7:00 a.m. of the following day. As such, vibration impacts would not occur during sensitive nighttime hours. Therefore, impacts related to construction vibration would be less than significant.

**Operation**

Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. According to the FTA Transit Noise Impact and Vibration Assessment, trucks rarely create vibration that exceeds 70 VdB or 0.003 in/sec RMS (unless there are frequent potholes in the road). Trucks transiting to the site and onsite would be travelling at very low speeds so it is expected that truck vibration impacts at nearby sensitive uses would not exceed the FTA guidelines detailed previously. Therefore, operational vibration impacts would be less than significant.

- 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?**

**Less Than Significant Impact.** The nearest airport is San Bernardino International Airport that is located approximately 1.25 miles southeast of the Project site. The Project site is located outside of the 60 dBA CNEL noise contours of San Bernardino International Airport. Therefore, the proposed Project would not expose people working in the Project area to excessive noise levels from airports. Impacts would be less than significant.

**Plans, Programs, or Policies (PPPs)**

None.

**Mitigation Measures**

None.

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**5.14 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)?

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

**a) Induce substantial unplanned population growth in an area, either directly or indirectly?**

**Less Than Significant Impact.** The proposed Project would construct a new concrete tilt up warehouse facility. The Project site has a General Plan Land Use designation of Industrial Light (IL) and a zoning designation of Industrial Light (IL). Development of the Project would be consistent with the General Plan land use designation for the site. No habitable structures are being constructed as part of the Project.

According to the City’s General Plan Land Use Element (Appendix 5), the generation rate for employees for sites that have a land use designation of IL is 1 employee for every 1,030 SF of building space. As the Project would build and operate a 337,300 SF warehouse facility, operation of the Project would require approximately 328 employees. The General Plan buildout assumed that the Project site would be developed at a FAR of 0.75 and require the number of employees for an 0.75 FAR building. The proposed Project would result in a much lower FAR of 0.54 and a reduced number of employees compared to the General Plan’s buildout assumption for the Project site. Therefore, the employees that would be generated by the Project would be within, and not exceed, the General Plan growth assumptions. Thus, impacts would be less than significant.

In addition, the employees that would fill the jobs generated by the Project are anticipated to come from the region, as the unemployment rate of the City of San Bernardino in February 2022 was 6.4 percent, the City of Rialto was 5.7 percent, and the City of Fontana was at 5.7 percent (State of California Employment Development Department [EDD], February 2022). Due to these levels of unemployment, it is anticipated that new employees at the Project site would already reside within commuting distance and would not generate needs for any housing.

In addition, should the Project require employees to relocate to the area for work, there is sufficient vacant housing available within the region. The City of San Bernardino has a vacancy rate of 7.2 percent. San Bernardino has a total of 65,654 housing units; 60,953 of which are occupied (State of California Department of Finance [DOF] 2021). Therefore, impacts related to unplanned population growth from the Project would be less than significant.

**b) Displace substantial numbers of existing people housing, necessitating the construction of replacement housing elsewhere?**

**No Impact.** The Project site is currently vacant and no people or housing is located on the site. The Project site has a zoning designation of Industrial Light (IL), which does not provide for residential development. No habitable structures are being constructed as part of the Project. Therefore, the Project would not displace any housing and would not necessitate the construction of replacement housing. As a result, no impact would occur.

**Plans, Programs, or Policies (PPPs)**

None.

**Mitigation Measures**

None.

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**5.15 PUBLIC SERVICES.**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a) Fire Protection and Emergency Services**

**Less Than Significant Impact.** The County of San Bernardino Fire Department provides fire and related services to the City of San Bernardino. There are three existing fire stations in the vicinity of the Project site. San Bernardino County Fire Station Number 221 is located 1.3 miles southwest of the Project site, San Bernardino County Fire Station 226 is located 1.5 miles north of the Project site, and San Bernardino County Fire Station 234 is located 2 miles southeast of the Project site. The proposed Project would result in an incremental increase in demand for fire protection and emergency medical services. However, there are three fire stations within 2 miles of the Project site that currently serve the Project vicinity. As part of the permitting process, the Project plans would be reviewed by the City’s Fire Department and the Building Department to ensure that the Project plans meet the fire protection requirements. Additionally, the proposed facility would be required to comply with City fire suppression standards including current CBC and would provide adequate fire access. The increase in fire service demands from the Project would not require construction of a new or physically altered fire station that could cause environmental impacts. Therefore, impacts related to fire protection services would be less than significant.

Additionally, the Project would be required to comply with the provisions of Municipal Code Section 3.27.040, which requires payment of the Development Impact Fee to assist the City in providing for fire protection services. Payment of the Development Impact Fee would ensure that the Project provides fair share funds for the provision of additional public services, including fire protection services, which may be applied to fire facilities and/or equipment, to offset the incremental increase in the demand for fire protection services that would be created by the Project.

**b) Police Protection**

**Less Than Significant Impact.** The City of San Bernardino is served by the San Bernardino Police Department. The station, which would serve the Project site, is located approximately 1.7 miles west of the Project site at 710 North D Street. The Project would result in employees and goods on the site that could create the need for police services. Crime and safety issues during Project construction may include theft of building materials and construction equipment, malicious mischief, graffiti, and vandalism. Operation of the warehouse may generate a typical range of police service calls such as burglaries, thefts, and employee disturbances. The Project would include security lighting and other security measures. The limited additional need for law enforcement services from the Project would not result in the need for new or physically altered police facilities. Thus, impacts related to police services would be less than significant.

Additionally, the Project would be required to comply with the provisions of Municipal Code Section 3.27.030 which requires payment of Development Impact Fees to assist the City in providing for public services, including police protection services. Payment of Development Impact Fees would ensure that the Project would be required to offset the any impact induced by the Project.

**c) School Services**

**Less Than Significant Impact.** The Project consists of a warehouse facility that would not directly generate students. As described previously, the Project is not anticipated to generate a new population, as the employees needed to operate the Project are anticipated to come from within the Project region and substantial in-migration of employees that could generate new students is not anticipated to occur. Thus, the Project would not generate the need for new or physically altered school facilities and impacts would be less than significant.

Additionally, pursuant to Government Code Section 65995 et seq., the need for additional school facilities is addressed through compliance with school impact fee assessment. SB 50 (Chapter 407 of Statutes of 1998) sets forth a state school facilities construction program that includes restrictions on a local jurisdiction's ability to condition a project on mitigation of a project's impacts on school facilities in excess of fees set forth in the Government Code. The Project would be required to contribute fees to the San Bernardino City Unified School District in accordance with the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50). Pursuant to Senate Bill 50, payment of school impact fees constitutes complete mitigation under CEQA for Project-related impacts to school services.

**d) Parks**

**Less Than Significant Impact.** The Project would build a warehouse facility on a site that is currently undeveloped with an Industrial Light (IL) land use designation. The Project would not construct any residential facilities, nor create an additional need for housing. Additionally, the employees needed to operate the Project are anticipated to come from the existing labor force in the region. The proposed Project would not generate an increase in use of the 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 include or require the construction or expansion of recreational facilities which could negatively impact the environment. In addition, no offsite parks or recreational improvements are proposed or required as part of the Project. Furthermore, the payment of development impact fees per Municipal Code Chapter 3.27 would further reduce any Project impacts related to parks. Thus, impacts would be less than significant.

**e) Other Public Facilities**

**Less Than Significant Impact.** As previously discussed, development of the Project would not result in a direct increase in the population of the Project site and would not increase the demand for public services, including public health services and library services which would require the construction of new or expanded public facilities. As described previously, the employees needed to operate the proposed Project are

anticipated to come from the Project region and commute Project site and substantial in-migration of employees that could generate substantial usage of other public facilities is not anticipated to occur. Therefore, impacts related to other public services would be less than significant.

In addition, the Project would be required to comply with the provisions of Municipal Code Chapter 3.27 which requires payment of Development Impact Fees to assist the City in providing public services.

**Plans, Programs, or Policies (PPPs)**

None.

**Mitigation Measure**

None.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**5.16 RECREATION.**

- |                                                                                                                                                                                                                |                          |                          |                                     |                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that physical deterioration of the facility would be accelerated?**

**Less Than Significant Impact.** The Project proposes construction of a warehouse facility on a site that is currently undeveloped with an Industrial Light (IL) land use designation. As previously discussed, the Project does not propose any residential facilities, and would not cause an increase in residential population. Additionally, the employees needed to operate the Project are anticipated to come from the existing labor force in the region. The closest park to the Project site is Palm Field Park, located approximately 0.5-miles southeast of the Project site. Project employees may use the park for breaks or recreation; however, the use of the park by Project employees would not lead to a physical deterioration of the park. Thus, there would be no increase in residents which would cause any increase in demand for existing parks or other recreational facilities, and the Project would not cause nor accelerate physical deterioration of these facilities. In addition, the payment of development impact fees per Municipal Code Chapter 3.27 would reduce any indirect Project impacts related to recreational facilities. Thus, impacts to recreation would be less than significant.

**b) Require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

**No Impact.** The Project would build a warehouse facility on a site that is currently undeveloped with an Industrial Light (IL) land use designation, and would not construct any residential facilities, nor create an additional need for housing. The Project would not directly increase the residential population of the City or generate additional need for parkland. The Project does not include or require the construction or expansion of recreational facilities which could negatively impact the environment, and no offsite parks or recreational improvements are proposed or required as part of the Project. Thus, no impacts would occur.

**Plans, Programs, or Policies (PPPs)**

None.

**Mitigation Measures**

None.



**Potentially Significant Impact**      **Less Than Significant with Mitigation Incorporated**      **Less Than Significant Impact**      **No Impact**

**5.17 TRANSPORTATION.**

Would the project:

- a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- d) Result in inadequate emergency access?

**a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

**Less Than Significant Impact.** The proposed Project involves the construction and operation of a 337,300 SF warehouse facility. Vehicular traffic to and from the Project site would utilize the existing network of regional and local roadways that currently serve the Project area. The Project would also include offsite roadway improvements, which include paving along 9<sup>th</sup> Street and implementation of curb and gutter and widening of the west side of Tippecanoe Avenue.

As shown on Table T-1, the Project would generate approximately 642 PCE weekday daily trips, with 39 trips in the AM peak hour and 46 trips in the PM peak hour.

**Table T-1: Project Trip Generation**

Land Use	Units	Daily	AM Peak Hour			PM Peak Hour			
			In	Out	Total	In	Out	Total	
<u>Trip Rates</u>									
High-Cube Transload and Short-Term Storage <sup>1</sup>	TSF	1.40	0.06	0.02	0.08	0.03	0.07	0.10	
<b><u>Project Trip Generation</u></b>									
9 <sup>th</sup> St & Tippecanoe Warehouse	339.600 <sup>4</sup>	TSF	475	21	7	28	10	24	34
<b><u>Vehicle Mix<sup>2</sup></u></b>									
	<b><u>Percent</u></b>								
Passenger Vehicles	79.57%	378	16	6	22	8	19	27	
2-Axle Trucks	3.46%	16	1	0	1	0	1	1	

3-Axle Trucks	4.64%	22	1	0	1	0	1	2
4+-Axle Trucks	12.33%	59	3	1	4	1	3	4
	100%	475	21	7	28	10	24	34
<b><u>PCE Trip Generation</u></b> <sup>3</sup>	<b><u>PCE Factor</u></b>							
Passenger Vehicles	1.0	378	16	6	22	8	19	27
2-Axle truck	2.0	33	2	0	2	1	2	2
3-Axle truck	2.5	55	3	0	3	1	3	5
4+-Axle Trucks	3.0	176	9	3	12	4	9	12
<b>Total</b>		<b>642</b>	<b>30</b>	<b>9</b>	<b>39</b>	<b>13</b>	<b>33</b>	<b>46</b>

TFS = Thousand Square Feet

PCE = Passenger Car Equivalent

<sup>1</sup> Trip rates from the Institute of Transportation Engineers, Trip Generation, 11th Edition, 2021. Land Use Code 154 – High-Cube Transload and Short-Term Storage Warehouse.

<sup>2</sup> Vehicle Mix from the City of Fontana Truck Trip Generation Study, August 2003. Classification: Heavy Warehouse.

<sup>3</sup> Passenger Car Equivalent (PCE) factors from the City of San Bernardino TIA Guidelines, August 2020.

<sup>4</sup> Project trip generation calculated based on previous plans with a conservative building size of 339,600 SF.

Source: VMT Screening Analysis (Appendix J).

The Project has been designed to construct onsite roadway improvements consistent with the City guidelines. Additionally, as shown in Table LU-1 in Section 5.11, *Land Use and Planning*, the Project would be consistent with circulation goals and policies included as part of the General Plan. Further, the Project would pay Development Impact Fees as conditioned by the City pursuant to Municipal Code Chapter 3.27. The fees shall be collected and utilized as needed by the City to construct the improvements necessary to maintain the required Level of Service (LOS) and build or improve roads to their build-out level. Therefore, the Project would have a less than significant impact on a program, plan, or ordinance related to roadway facilities.

**Alternative Transportation**

The proposed Project would construct sidewalks along 9<sup>th</sup> Street and Tippecanoe Avenue. The Project would be located approximately two miles from the SBX Green Line, which is located south of Kendall Drive and west of Palm Avenue. The Project would not disrupt service of the Green Line. Additionally, the City’s General Plan, Figure PRT-2, identifies the portion of Tippecanoe Avenue adjacent to the Project site as a bicycle route. The Project wouldn’t disturb or impede with the function of Tippecanoe as a bicycle route. Therefore, the Project would not conflict with alternative transportation and Project impacts to transit, bicycle, and pedestrian facilities would be less than significant.

**b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

**Less Than Significant Impact.** Senate Bill (SB) 743 was signed by Governor Brown in 2013 and required the Governor’s Office of Planning and Research (OPR) to amend the State CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts. SB743 specified that the new criteria should promote the reduction of GHGs, the development of multimodal transportation networks and a diversity of land uses. In response, Section 15064.3 was added to the CEQA Guidelines beginning January 1, 2019. Section 15064.3(c) states that the provisions of the section shall apply statewide beginning on July 1, 2020. State CEQA Guidelines Section 15064.3 - Determining the Significance of Transportation Impacts states that VMT is the most appropriate measure of transportation impacts and provides lead agencies with the discretion to choose the most appropriate methodology and thresholds for evaluating VMT.

The City of San Bernardino TIA Guidelines were consulted to determine whether a VMT analysis would be required for the Project. The City’s TIA Guidelines provide criteria for projects that would be considered to have a less-than significant impact on VMT and therefore could be screened out from further analysis. If a project meets one of the following criteria, then the VMT impact of the project is considered less-than significant and no further analysis of VMT would be required: (1) the project is located within a Transit Priority Area (TPA), (2), the project is located in a low VMT generating area, or (3) the project is a local-serving land use or generates less than 110 daily vehicle trips. Because the Project would not meet any of the City’s screening criteria, a VMT analysis was prepared using the City’s guidelines for VMT analysis (Appendix J). According to the guidelines, a project would result in a significant project generated VMT impact is either of the following conditions are satisfied:

- The baseline (2022) project generated VMT per service population exceeds the City of San Bernardino General Plan Buildout VMT per service population, calculated as of 31.6 VMT per service population, or
- The cumulative project generated VMT per service population exceeds the City of San Bernardino General Plan Buildout VMT per service population, calculated as 31.6 VMT per service population.

Further, the project’s effect on VMT would be considered significant if it resulted in the following condition:

- The cumulative link-level boundary VMT per service population within the City of San Bernardino increases under the plus project condition compared to the no project condition.

The proposed Project includes sidewalks along the Project site frontage, which reduces the VMT per service population. With implementation of the proposed sidewalks, the VMT per service population for the year 2022 would be 31.58, which does not exceed the City’s threshold of 31.6. The proposed sidewalk is included as a Project Design Feature (PDF) to ensure is implementation during project construction and ensure that impacts would remain less than significant.

In addition, the Citywide roadway VMT would be reduced with the implementation of the Project, as shown in Table T-2. Thus, impacts related to VMT would be less than significant.

**Table T-2: 2040 Project Effect on VMT**

	Without Project	With Project	VMT Impact?
<b>Citywide Roadway VMT</b>	4,875,262	4,873,843	No

Source: VMT Screening Analysis (Appendix J).

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

**Less Than Significant Impact.** Vehicular access to the Project site would be provided via ingress and egress driveways connecting to 9<sup>th</sup> Street and Tippecanoe Avenue. The Project would also include offsite roadway improvements, which include paving along 9<sup>th</sup> Street and widening of the west side of Tippecanoe Avenue. Vehicular traffic to and from the Project site would utilize the existing network of regional and local roadways that currently serve the Project area. The proposed Project would not introduce any new roadways or introduce a land use that would conflict with existing urban land uses in the surrounding area. The proposed Project includes internal driveways that would provide trucks access to the warehouse building and truck parking. Design of the proposed Project, including the internal private roadway, ingress, egress, and other streetscape changes are subject to the City’s development standards. For example, the design of the Project streets would be reviewed to ensure fire engine accessibility and turn around area is provided to the fire code standards. As a result, impacts related to vehicular circulation design features would be less than significant.

**d) Result in inadequate emergency access?**

**Less Than Significant Impact.****Construction**

The proposed construction activities, including equipment and supply staging and storage, would occur within the Project site, and would not restrict access of emergency vehicles to the Project site or adjacent areas. The installation of driveways and connections to existing infrastructure systems that would be implemented during construction of the proposed Project could require the temporary closure of portions of 9<sup>th</sup> Street or Tippecanoe Avenue for a short period of time (i.e., hours or a few days). However, the construction activities would be required to ensure emergency access in accordance with Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), which would be ensured through the City's permitting process. Thus, implementation of the Project through the City's permitting process would ensure existing regulations are adhered to and would reduce potential construction related emergency access impacts to a less than significant level.

**Operation**

As described previously, the proposed Project area would be accessed from three driveways: two on 9<sup>th</sup> Street and one on Tippecanoe Avenue. The construction permitting process would provide adequate and safe circulation to, from, and through the Project site, and would provide routes for emergency responders to access different portions of the Project site. The Project would provide a 40-foot or wider fire access lane around the proposed warehouse building. Because the Project is required to comply with all applicable City codes, as verified by the City potential impacts related to inadequate emergency access would be less than significant.

**Plans, Programs, or Policies (PPPs)**

None.

**Mitigation Measures**

None.

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**5.18 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)?                                                                                                                                                                                                                             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**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)?**

**Less than Significant with Mitigation Incorporated.** The Project is required to comply with AB 52 regarding tribal consultation. Chapter 532, Statutes of 2014 (i.e., AB 52), requires that Lead Agencies evaluate a project’s potential to impact “tribal cultural resources.” Such resources include sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register or included in a local register of historical resources (PRC Section 21074). AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource falling outside the definition stated above nonetheless qualifies as a “tribal cultural resource.”

In compliance with these requirements, on March 25, 2022, the City sent letters to the following Native American tribes that may have knowledge regarding tribal cultural resources in the Project vicinity.

- Yuhaaviatam of San Manuel Nation (formerly San Manuel Band of Mission Indians)
- Soboba Band of Luiseno Indians
- Gabrieleño Band of Mission Indians - Kizh Nation

On October 11, 2021, a Sacred Lands File (SLF) search was requested from the Native American Heritage Commission. On February 4, 2022, the NAHC responded that the SLF search yielded positive results for known tribal cultural resources or sacred lands within a 1-mile radius of the Project site. The Yuhaaviatam of San Manuel Nation (formerly San Manuel Band of Mission Indians) requested consultation regarding the proposed Project. The Yuhaaviatam of San Manuel Nation consulted with City on May 6, 2022, via email and considers the area sensitive for cultural resources as several sites are located nearby. As such, the consulting tribes requested inclusion of mitigation due to the potential of the Project to unearth previously undocumented tribal cultural resources during construction. Mitigation Measure TCR-1 requires the qualified archaeologist to coordinate with the Yuhaaviatam of San Manuel Nation in the event of a pre-contact and/or historic-era cultural resource discovery. TCR-2 requires dissemination of any archaeological/cultural documents created as a part of the Project to the Yuhaaviatam of San Manuel Nation. Coordination with the Yuhaaviatam of San Manuel Nation on potential cultural resource discoveries and archaeological/cultural documents would ensure proper precaution and handling of such resources, and further, minimize potential impacts to resources. Therefore, with implementation of Mitigation Measure TCR-1 and Mitigation Measure TCR-2, impacts to tribal cultural resources would be less than significant.

- 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

**Less Than Significant Impact with Mitigation Incorporated.** As discussed above, to avoid potential adverse effects to tribal cultural resources, Mitigation Measures CUL-1, CUL-2, TCR-1, and TCR-2 have been included to require coordination with the Yuhaaviatam of San Manuel Nation to avoid potential impacts to tribal cultural resources that may be unearthed by Project construction activities. No information has been provided to the Lead Agency indicating any likelihood of uncovering tribal cultural resources on the Project site, there are no known tribal cultural resources on or adjacent to the Project site, and no potentially significant impacts are anticipated.

Additionally, as described previously California Health and Safety Code, Section 7050.5, included as PPP CUL-1, requires that if human remains are discovered in the Project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation. If the coroner determines that the remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Therefore, with implementation of Mitigation Measures TCR-1, TCR-2, CUL-1, and CUL-2, impacts to TCRs would be less than significant.

### **Plans, Programs, or Policies (PPPs)**

PPP CUL-1, as described in Section 5.5, *Cultural Resources*.

### **Mitigation Measures**

**Mitigation Measure CUL-1:** As listed previously in Section 5.5, *Cultural Resources*.

**Mitigation Measure CUL-2:** As listed previously in Section 5.5, *Cultural Resources*.

**Mitigation Measure TCR-1: Yuhaaviatam of San Manuel Nation Monitoring.** The Yuhaaviatam of San Manuel Nation Cultural Resources Department shall be contacted and a Treatment and Disposition Plan shall

be created by the archaeologist in coordination with Yuhaaviatam of San Manuel Nation (as specified within MM CUL-2).

**Mitigation Measure TCR-2: Recording of Inadvertent Discoveries.** 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 Yuhaaviatam of San Manuel Nation. The Lead Agency and/or applicant shall, in good faith, consult with Yuhaaviatam of San Manuel Nation throughout the life of the Project.

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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**5.19 UTILITIES AND SERVICE SYSTEMS.**

Would the project:

- |                                                                                                                                                                                                                                   |                          |                          |                                     |                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Require or result in the relocation or construction of new or expanded water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?                                                                         | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure or otherwise impair the attainment of solid waste reduction goals?                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?                                                                                                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

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

**Less Than Significant Impact.**

**Water Infrastructure**

The Project applicant would develop the Project site, which contains and is adjacent to East Valley Water District's water infrastructure. The Project would utilize the existing onsite water lines that connect to the existing 16-inch diameter water line in 9<sup>th</sup> Street. The new onsite water system would convey water supplies to the proposed warehouse building and landscaping through plumbing/landscaping fixtures that are compliant with the CalGreen Plumbing Code for efficient use of water.

The proposed Project would continue to receive water supplies through the existing water lines located within the 9<sup>th</sup> Street right-of-way that have the capacity to provide the increased water supplies needed to serve the proposed Project, and no expansions of the water pipelines that convey water to the Project site would be required. Installation of the new water distribution lines would only serve the proposed Project and would not provide new water supplies to any off-site areas.



The construction activities related to the onsite water infrastructure that would be needed to serve the proposed Project is included as part of the Project and would not result in any physical environmental effects beyond those identified throughout this IS/MND. For example, analysis of construction emissions from excavation and installation of the water infrastructure is included in Sections 3, *Air Quality* and 8, *Greenhouse Gas Emissions*. Therefore, the proposed Project would not result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

### **Wastewater**

The Project site is adjacent to existing sewer lines within Tippecanoe Avenue. The Project includes installation of onsite sewer lines that would connect to the existing 8-inch sewer lines within Tippecanoe Avenue. The existing sewer lines would accommodate development of the Project site and would not require expansion to serve the proposed Project. The necessary onsite installation of wastewater infrastructure is included as part of the proposed Project and would not result in any physical environmental effects beyond those identified in other sections of this IS/MND.

### **Storm Drainage**

As discussed previously, the Project site is relatively flat, and runoff onsite would be conveyed into an underground infiltration system at the southwest corner of the Project site. Stormwater runoff volume beyond the design capture volume (DCV) would be discharged into the existing storm drain lateral on the southwest corner of the Project site. Additionally, a 36-inch storm drain would be extended from existing facilities at the corner of Vine Street and Tippecanoe Avenue below Tippecanoe Avenue to approximately 300 feet north terminating at a proposed catch basin. Due to the appropriate sizing of the onsite drainage features, as ensured through the Project permitting process, operation of the proposed Project would not substantially increase stormwater runoff, and the Project would not require or result in the construction of new offsite storm water drainage facilities or expansion of existing offsite facilities, the construction of which could cause significant environmental effects. The required installation of the proposed drainage features is included as part of the proposed Project and would not result in any physical environmental effects beyond those identified in other sections of this IS/MND. Overall, impacts related to stormwater drainage facilities would be less than significant.

### **Electric Power**

The Project would connect to the existing Southern California Edison electrical distribution facilities that are adjacent to the Project site and would not require the construction of new electrical facilities.

### **Natural Gas**

The Project would connect to the existing Southern California Gas natural gas distribution facilities that are adjacent to the Project site.

The installation of the utilities at the locations as described above are evaluated throughout this IS/MND and found to be less than significant.

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

**Less Than Significant Impact.** Water service to the Project site would be provided by the East Valley Water District (EVWD). The primary water source for the EVWD is groundwater from the Bunker Hill Basin. The Bunker Hill Basin has the capacity to provide 70,000 acre-feet per year of water from groundwater and surface water sources (City of San Bernardino 2005). The San Bernardino Valley Regional Urban Water Management Plan contains existing and projected water supplies for the region, including the EVWD. Table UT-1 shows projected water supplies during single- and multiple-dry year conditions, which represents “worst-case” conditions during extended periods of drought when supplies would be reduced.

**Table UT-1: Projected Multiple Dry Year Supply and Demand Comparison (AF)**

Multiple Dry Year Scenario	2020	2025	2030	2035	2040
<b>First Year</b>					
Supply Totals	37,270	42,050	42,050	42,050	42,050
Demand Totals	25,060	27,006	29,000	29,616	29,900
Difference	12,210	15,044	13,050	12,434	12,150
<b>Second Year</b>					
Supply Totals	37,270	42,050	42,050	42,050	42,050
Demand Totals	25,060	27,006	29,000	29,616	29,900
Difference	12,210	15,044	13,050	12,434	12,150
<b>Third Year</b>					
Supply Totals	37,270	42,050	42,050	42,050	42,050
Demand Totals	25,060	27,006	29,000	29,616	29,900
Difference	12,210	15,044	13,050	12,434	12,150

Source: San Bernardino Valley Regional Urban Water Management Plan 2016

As shown in Table UT-1, the EVWD anticipates adequate supplies for years 2020 to 2040 under multiple dry year conditions. Therefore, water demand from the proposed Project would be within the EVWD's current and projected water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. All new development that connects to the system is required to pay its applicable fair-share Development Impact Fee(s). Thus, impacts related to water supplies would be less than significant.

**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?**

**Less Than Significant Impact.** The Project site receives wastewater service from the City of San Bernardino with connections to sewer lines in Tippecanoe Avenue. Wastewater from the Project site would be treated at the San Bernardino Water Reclamation Plant Facility. The facility has capacity for 33 million gallons per day (mgd). In 2020, the facility received an average 21.5 mgd. As such, the facility had an excess capacity of 11.5 mgd.

Industrial uses generate approximately 1,700 gallons per day (gpd) per acre of wastewater. Thus, the 14.3-acre Project site would generate approximately 24,310 gpd of wastewater. Therefore, the proposed Project's wastewater generation would be within the current capacity for the San Bernardino Water Reclamation Facility, and impacts would be less than significant.

All new development that connects to the system is required to pay its applicable fair-share Development Impact Fee(s). As such, the Water Reclamation Plant Facility would have adequate capacity to serve the Project. The proposed Project would connect to and operate under capacity of the current water treatment facility, allowing for sufficient service to the Project area. The Project would not result in any of the wastewater treatment plants discussed above exceeding wastewater treatment requirements. Therefore, impacts related to wastewater generation are less than significant.

**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?**

**Less Than Significant Impact.** The City of San Bernardino Refuse and Recycling Division provides collection services to residential and commercial customers for refuse, recyclables, and green waste. Solid waste from demolition and construction would be collected and sent to the East Valley Transfer and Recycling Materials

Recovery Facility, located at 1150 and 1250 S. Tippecanoe Avenue in San Bernardino, where it is separated from recyclable materials. Solid waste is then shipped to the Mid-Valley Sanitary Landfill at 2390 N. Alder Avenue in the City of Rialto. The Mid-Valley Sanitary Landfill has a daily permitted throughput of 7,500 tons/day and is currently permitted to operate through 2045 (CalRecycle 2022). Calrecycle database details that the peak tonnage accepted by the facility in April 2022 was 5,526 tons. Thus, the landfill has an estimated additional daily capacity of 1,974 tons daily.

The CalEEMod solid waste generation rate for general light industrial land use is 1.24 tons per year per 1,000 square feet. The 337,300 square foot industrial warehouse building would generate approximately 2,680 pounds per day, or 16,080 pounds of solid waste per week (based on a six-day work week).

Recycling requirements require diversion of 75 percent of solid waste away from landfills, the proposed Project would result in 670 pounds of solid waste per day (4,020 pounds [2.01 tons] per week), which is within the existing available permitted capacity of the landfill. Therefore, the existing landfill has sufficient capacity to accommodate the Project's solid waste disposal need, and impacts would be less than significant.

**e) Comply with federal, state, and local statutes and regulations related to solid waste?**

**No Impact.** The proposed Project would generate an increased amount of solid waste. All solid waste-generating activities within the City are subject to the requirements set forth in Section 5.408.1 of the California Green Building Standards Code that requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste, and AB 341 that requires diversion of a minimum of 75 percent of operational solid waste.

The proposed Project would comply with all standards related to solid waste diversion, reduction, and recycling during Project construction and operation, which would be verified through the City development permitting process. Therefore, the proposed Project would not result in impacts related to conflicts with regulations pertaining to solid waste.

**Plans, Programs, or Policies (PPPs)**

None.

**Mitigation Measures**

None.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**5.20 WILDFIRES.**

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a) Substantially impair an adopted emergency response plan or emergency evacuation plan?**

**No Impact.** According to the CAL FIRE Hazard Severity Zone map, the Project site is not within an area identified as a Fire Hazard Severity Zone (FHSZ). As discussed in Section 5.9, *Hazards and Hazardous Materials*, the proposed Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed Project does not include any characteristics (e.g., permanent road closures or long-term blocking of road access) that would substantially impair or otherwise conflict with an emergency response plan or emergency evacuation plan. Further, the proposed Project would not obstruct or alter any transportation routes that could be used as evacuation routes during emergency events.

The proposed Project would provide adequate emergency access to the site via driveways from 9<sup>th</sup> Street and Tippecanoe Avenue and would connect to an internal access way that would ensure access for emergency vehicles within the interior of the site. Access to and from the Project site for emergency vehicles would be reviewed and approved by the San Bernardino County Fire Department and the City as part of the Project approval process to ensure the proposed Project is compliant with all applicable codes and ordinances for emergency vehicle access. Since the Project is required to comply with all applicable City codes, as verified by the City, and the site is not located within a fire hazard zone, no impacts would occur.

**b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollution concentrations from a wildfire or the uncontrolled spread of a wildfire?**

**No Impact.** As described in the previous response, the Project site is not located within a fire hazard zone. In addition, the Project site is flat with elevations ranging from 1,062 feet above mean sea level (AMSL) to 1,066 feet AMSL. Surrounding land uses include urban development and no wildlands, or other factors that could exacerbate wildfire risks, exist within the vicinity. Therefore, no impacts would occur.

**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?**

**No Impact.** As described in the previous response, the Project site is not located within a fire hazard zone. The Project does not require the installation or maintenance of associated infrastructure (including roads, fuel breaks, emergency water sources, power lines, or other utilities) that would exacerbate fire risk or that would result in impacts to the environment. Although the Project includes new driveways to the Project site, the Project does not include any changes to public or private roadways that would exacerbate fire risk or that would result in impacts to the environment. Although utility improvements, including domestic water, sanitary sewer, and storm drain lines proposed as part of the Project would be extended throughout the Project site and beneath Tippecanoe Avenue, these utility improvements would be underground and would not exacerbate fire risk. Project design and implementation of utility improvements would be reviewed and approved by the City as part of the Project approval process to ensure the proposed Project is compliant with all applicable design standards and regulations. Therefore, the proposed Project would not include infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities), that would exacerbate fire risk or that would result in impacts to the environment and no impacts would occur.

**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?**

**No Impact.** As described in the previous response, the Project site is not located within a fire hazard zone. Also, according to the FEMA FIRM maps, the Project site is within an area of minimal flood hazard (Firm Panel 06071C8682J).

As established in Section 5.10 of this IS/MND, during Project construction BMPs would be implemented to control and direct surface runoff to prevent flooding, and as such, Project construction would not expose people or structures to significant risks related to downslope and downstream flooding. Therefore, impacts would be less than significant.

During operation, the proposed Project would not substantially alter the existing onsite drainage patterns. Compliance with the proposed operational BMPs would ensure onsite storm drain facilities would be sized to accommodate stormwater runoff from the Project site so that onsite flooding would not occur. Therefore, impacts would be less than significant.

As established in Section 5.7 of this IS/MND, there are no landslide zones close to or within the boundaries of the Project site. The Project site is relatively flat; therefore, the risk of slope failure represents a limited level of concern on the Project site. Further, projects in the City of San Bernardino are required to comply with the CBC, which would include the incorporation of features for ground stability. Therefore, the Project would not expose people or structures to risks related to downslope or downstream landslides, and impacts would not occur.

**Plans, Programs, or Policies (PPPs)**

None.

**Mitigation Measures**

None.

**5.21 MANDATORY FINDINGS OF SIGNIFICANCE.**

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**a) Does the project have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

**Less Than Significant Impact with Mitigation Incorporated.** Based on the discussion in Section 5.4, *Biological Resources*, of this document, the proposed Project would not result in significant impacts related to habitat, wildlife species, and/or plant and animal communities. The proposed Project would not eliminate a plant or animal community, nor would it substantially reduce the number or restrict the range of a rare or endangered plant or animal. However, Mitigation Measure BIO-1 has been included to comply with the provisions of the MBTA as there are trees and shrubs onsite that can be utilized by nesting birds and raptors during the nesting bird season.

As described in Section 5.5, *Cultural Resources*, the Project site does not contain any buildings or structures that meet any of the California Register of Historical Resources (California Register) criteria or qualify as "historical resources" as defined by CEQA. Therefore, the proposed Project would not cause a substantial adverse change in the significance of a historical resource. As described previously, the Project site has been previously disturbed from various past agricultural uses and the construction and demolition of various structures. As a result of proximity to historic resources and a positive SLF result, the potential for archaeological resources exists on site is moderate. Thus, Mitigation Measures CUL-1 and CUL-2 have been included to require preparation of a Cultural Resources Monitoring Plan and to require archaeological monitoring of ground disturbing activities to ensure that inadvertent discovery of resources during ground-disturbing activities are less than significant. Implementation of Mitigation Measure CUL-1 and CUL-2 and Mitigation Measures TCR-1 and TCR-2 would reduce potential impacts to important examples of California prehistory to a less than significant level.

- 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)?**

**Less Than Significant with Mitigation Incorporated.** As presented in this document, potential Project-related impacts are either less than significant or would be less than significant with mitigation incorporated. Based on the analysis contained in this document, Project-related impacts would be reduced to less than significant levels with the incorporation of mitigation measures. Given that the potential Project-related impacts would be mitigated to a less than significant level, implementation of the proposed Project would not result in impacts that are cumulatively considerable when evaluated with the impacts of other current projects, or the effects of probable future projects. Therefore, the proposed Project's contribution to any significant cumulative impacts would be less than cumulatively considerable. As discussed in Sections 5.1 through 5.20 of this document, mitigation would be required and incorporated as necessary. Therefore, impacts would be less than significant with mitigation incorporated.

- c) **Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

**Less Than Significant with Mitigation Incorporated.** Based on the Project Description and the preceding responses in Sections 5.1 through 5.20 of this document, implementation of the proposed Project would not cause substantial adverse effects to human beings because all potentially significant impacts of the proposed Project would be mitigated to a less than significant level. Therefore, since all potentially significant impacts of the proposed Project are expected to be mitigated to a less than significant level, implementation of the proposed Project would not cause substantial adverse effects on human beings.

#### **Plans, Programs, or Policies (PPPs)**

**PPP AES-1: Outdoor Lighting**, as listed in Section 5.1.

**PPP AQ-1: Rule 403**, as listed in Section 5.3.

**PPP AQ-2: Rule 402**, as listed in Section 5.3.

**PPP BIO-1: Tree Removal Permit**, as listed in Section 5.4.

**PPP CUL-1: Human Remains**, as listed in Section 5.5.

**PPP WQ-1: Stormwater Pollution Prevention Plan**, as listed in Section 5.10.

**PPP WQ-2: Water Quality Management Plan**, as listed in Section 5.10.

#### **Mitigation Measures**

**Mitigation Measure AQ-1: Tier 2 Equipment**, as listed in Section 5.3.

**Mitigation Measure BIO-1: Nesting Bird Survey**, as listed in Section 5.4.

**Mitigation Measure CUL-1: Inadvertent Discoveries**, as listed in Section 5.5.

**Mitigation Measure CUL-2: Cultural Resources Monitoring Plan** as listed in Section 5.5.

**Mitigation Measure PAL-1: Inadvertent Paleontological Discoveries**, as listed in Section 5.7.

**Mitigation Measure PAL-2: Paleontological Resource Impact Mitigation Program**, as listed in Section 5.7.

**Mitigation Measure HAZ-1: Soil Management Plan**, as listed in Section 5.9.

**Mitigation Measure TCR-1: Yuhaaviatam of San Manuel Nation Monitoring**, as listed in Section 5.18.

**Mitigation Measure TCR-2: Recording of Inadvertent Discoveries**, as listed in Section 5.18.



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Preliminary Water Quality Management Plan. Prepared by Huitt-Zollars, Inc. (Huitt-Zollars 2022). Appendix G.

Preliminary Hydrology Report. Prepared by Huitt-Zollars, Inc. (Huitt-Zollars 2022). Appendix H.

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## Chapter 2. Response to Comments on the Public Review Draft MND

This memo contains responses to the comments that the City of San Bernardino (Lead Agency) received on the Mitigated Negative Declaration (MND) for the 9<sup>th</sup> and Tippecanoe Warehouse Project during the public review period, which began September 26, 2022 and closed October 20, 2022 (SCH No. 2022090482). This document has been prepared in accordance with California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) and represents the independent judgment of the Lead Agency. This document and the circulated IS/MND together comprise the Final MND.

The following public comments were submitted to the City of San Bernardino during the public review period:

1. Blum Collins & Ho, LLC on behalf of Golden State Environmental Justice Alliance, Received October 18, 2022 (137 pages)
2. South Coast Air Quality Management District, Received October 14, 2022 (5 pages)

The public comments and responses to comments are included in the public record and are available to the Lead Agency decision-makers for their review and consideration prior to making their decision. Pursuant to CEQA Statute Section 21155.2(b)(5), none of the comments provide substantial evidence that the Project will have significant environmental effects which would require preparation of an Environmental Impact Report. None of this new material indicates that the Project will result in a significant environmental impact or an increase in a less than significant impact previously disclosed in the 9<sup>th</sup> and Tippecanoe Warehouse Project MND.

This Response to Comments includes minor revisions to the Public Review Draft MND based upon: (1) clarifications required to prepare a response to a specific comment; and/or (2) typographical errors. These revisions do not alter any impact conclusions that are disclosed in the MND. Revisions to the MND are outlined in Chapter 3, MND Errata.

Although CEQA Statute Section 21155 does not require a Lead Agency to prepare written responses to comments received, the City of San Bernardino has elected to prepare the following written responses with the intent of conducting a comprehensive and meaningful evaluation of the proposed Project. The number designations in the responses are correlated to the bracketed and identified portions of each comment letter.

**Comment 1: Blum Collins & Ho, LLC on behalf of Golden State Environmental Justice Alliance, Received October 18, 2022**

**BLUM COLLINS & HO, LLP**  
ATTORNEYS AT LAW  
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October 18, 2022

VIA EMAIL

Michael Rosales, Associate Planner  
290 North D Street  
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Rosales\_Mi@sbcity.org

**SUBJECT: COMMENTS ON 9th & TIPPECANOE WAREHOUSE MND (SCH NO. 2022090482)**

Dear Mr. Rosales:

Thank you for the opportunity to comment on the Mitigated Negative Declaration (MND) for the proposed 9th & Tippecanoe Warehouse Project. Please accept and consider these comments on behalf of Golden State Environmental Justice Alliance. Also, Golden State Environmental Justice Alliance formally requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

1-1

**1.0 Summary**

The project proposes the construction and operation of one industrial warehouse building that is 337,300 square feet (sf), inclusive of a 5,000 sf office. The building is proposed as a single-story and a maximum of 50-feet high. The project site includes a total of 291 passenger vehicle parking stalls, 28 truck/trailer parking stalls, and 35 truck/trailer loading dock doors.

1-2

**3.0 Project Description**

The MND does not include a detailed site plan, floor plan, grading plan, or detailed elevations for the proposed project. The basic components of a Planning Application include a site plan, floor plan, grading plan, elevations, and written narrative. The figure provided in Figure 5: Site Plan has been edited for public review and does not provide pertinent information that is typically provided in an architectural site plan. The Site Plan has been edited to remove pertinent information from public review during the CEQA process. The figure does not provide any

1-3

detailed information such as the earthwork quantity notes, proposed square footage, etc. Additionally, the building elevations provided do not depict the height of the proposed building. The edited version of these items inserted for public review are meaningless and provide no useful information. Providing the complete, detailed plan set including a grading plan is vital as the Project Description states that grading activities will require “a net soil import of 31,240 cubic yards,” but there is no way for the public to verify this quantity.

The MND has excluded these required application items in their true, complete states from public review, which does not comply with CEQA’s requirements for adequate informational documents and meaningful disclosure (CEQA § 15121 and 21003(b)). Incorporation by reference (CEQA § 15150 (f)) is not appropriate as these documents contribute directly to analysis of the problem at hand. An EIR must be prepared to provide these items, including a grading plan to determine the amount of soils/materials to be imported/exported from the site. These grading truck hauling trips must be included for all sections of environmental analysis, including the Air Quality, Energy, Greenhouse Gas Emissions, and Transportation analysis.

1-3  
cont.

**5.3 Air Quality, 5.6 Energy, and 5.8 Greenhouse Gas Emissions**

The MND does not include for analysis relevant environmental justice issues in reviewing potential impacts, including cumulative impacts from the proposed project. This is especially significant as the surrounding community is highly burdened by pollution. According to CalEnviroScreen 4.0<sup>1</sup>, CalEPA’s screening tool that ranks each census tract in the state for pollution and socioeconomic vulnerability, the proposed project’s census tract (6071006401) ranks worse than 84% of the rest of the state overall in pollution burden. The surrounding community, including: Bing Wong Elementary School and the RV Park to the north; Indian Springs High School and residences to the east; Anderson Elementary School, Monterey Elementary School, and residences to the south; and adjacent SB 535 Census Tracts 66071006402 (east), 6071006500 (south), 6071006302 (north), 6071006301 (north), 6071005600 (west), and 6071005800 (west) bears the impact of multiple sources of pollution and is more polluted than average on every pollution indicator measured by CalEnviroScreen. For example, the project census tract ranks in the 100th percentile for ozone burden, the 57th percentile for particulate matter (PM) 2.5 burden, the 50th percentile for diesel particulate matter burden. All of these environmental factors are typically attributed to heavy truck activity in the area.

1-4

The census tract also ranks in the 78th percentile for contaminated drinking water. Poor communities and people in rural areas are exposed to contaminants in their drinking water more often than people in other parts of the state<sup>2</sup>.

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<sup>1</sup> CalEnviroScreen 4.0 <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>  
<sup>2</sup> OEHHHA Contaminated Drinking Water <https://oehha.ca.gov/calenviroscreen/drinking-water>

Further, the census tract is a diverse community including 80% Hispanic and 14% African-American residents, which are especially vulnerable to the impacts of pollution. The community has a high rate of low educational attainment, meaning 92% of the census tract over age 25 has not attained a high school diploma. This is an indication that they may lack health insurance or access to medical care. Medical care is vital for this census tract as it ranks in the 77th percentile for incidence of asthma and 73rd percentile for incidence of cardiovascular disease. The community also has a high rate of linguistic isolation, meaning 81% of the census tract speaks little to no English and faces further challenges and inequities due to this.

1-6

Additionally, the project's census tract (6071006401) and the census tracts adjacent to the project site (6071006402 (east), 6071006500 (south), 6071006302 (north), 6071006301 (north), 6071005600 (west), and 6071005800 (west)) are identified as SB 535 Disadvantaged Communities<sup>3</sup>, which is not discussed or presented for analysis in the MND.

1-7

### 5.11 Land Use and Planning

The MND does not provide a consistency analysis with all General Plan goals and policies that the project has significant potential to conflict with due to errors in modeling and modeling without supporting evidence, including but not limited to:

1. Land Use Policy 2.2.10: The protection of the quality of life shall take precedence during the review of new projects. Accordingly, the City shall utilize its discretion to deny or require mitigation of projects that result in impacts that outweigh benefits to the public.
2. Natural Resources and Conservation Goal 12.5: Promote air quality that is compatible with the health, well being, and enjoyment of life.
3. Natural Resources and Conservation Goal 12.6: Reduce the amount of vehicular emissions in San Bernardino.

1-8

An EIR must be prepared to include an analysis of the project's potential inconsistency with these goals and policies.

Table LU-2: RTP/SCS Consistency provides an erroneous and misleading consistency analysis with SCAG's 2020-2045 Connect SoCal RTP/SCS. Due to errors in modeling and modeling without supporting evidence, as noted throughout this comment letter and attachments, the proposed project has significant potential for inconsistency with Goal 5 to reduce greenhouse gas

1-9

<sup>3</sup> SB 535 Disadvantaged Communities  
<https://experience.arcgis.com/experience/1c21c53da8de48f1b946f3402fbae55c/page/SB-535-Disadvantaged-Communities/>

emissions and improve air quality, Goal 6 to support healthy and equitable communities, and Goal 7 to adapt to a changing climate. An EIR must be prepared to include revised, accurate modeling and a consistency analysis with all goals of the RTP/SCS.

1-9  
cont.

California's Building Energy Code Compliance Software (CBECC) is the State's only approved energy compliance modeling software for non-residential buildings in compliance with Title 24<sup>4</sup>. CalEEMod is not listed as an approved software. The CalEEMod-based modeling used in the Energy Calculations (Appendix C within Appendix A) does not comply with the 2022 Building Energy Efficiency Standards and under-reports the project's significant Energy impacts and fuel consumption to the public and decision makers. Since the MND did not accurately or adequately model the energy impacts in compliance with Title 24, a finding of significance must be made. An EIR with modeling using the approved software (CBECC) must be circulated for public review in order to adequately analyze the project's significant environmental impacts. This is vital as the MND utilizes CalEEMod as a source in its methodology and analysis, which is clearly not the approved software.

1-10

**5.14 Population and Housing**

The MND utilizes uncertain language and does not provide any meaningful analysis or supporting evidence to substantiate the conclusion that there will be no significant impacts to population and housing. The MND states that "the employees that would fill the jobs generated by the Project are *anticipated* to come from the *region*" and that it is "*anticipated* that new employees at the Project site would already reside within *commuting distance* and would not generate needs for any housing." The "commuting distance" of the project site is undefined and relying on the entire labor force within an undefined distance, notably the greater SCAG region, to fill the project's construction and operational jobs will increase VMT and emissions during all phases of construction and operations and an EIR must be prepared to account for longer worker trip distances.

1-11

The MND does not provide any information or analysis to support the conclusion that the project will not necessitate the construction of housing affordable to households earning 80% or less of the County's median income to accommodate Project-related employees. The MND does not provide any information on the wages generated by the construction or operational jobs in the proposed project. MIT's Living Wage Research Center reports that the living wage for two adults with two children is \$42.01 per hour in San Bernardino County<sup>5</sup>. This is an annual salary of

<sup>4</sup> California Energy Commission 2022 Energy Code Compliance Software <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency-1>

<sup>5</sup> MIT Living Wage Research Center <https://livingwage.mit.edu/counties/06071>



approximately \$87,380. The U.S. Bureau of Labor Statistics reports that the mean annual wage in the Riverside - San Bernardino - Ontario metropolitan area for warehouse workers<sup>6</sup> is:

- Freight/stock/material movers: \$35,480
- Packers and packagers: \$29,660
- Stockers and order fillers: \$34,200

HCD's area median income (AMI) for a family of four people in San Bernardino County is \$87,400<sup>7</sup>. 80% of the San Bernardino County AMI is \$69,920 and the MND has not demonstrated that the project's construction and/or operational employees will earn an annual salary of at least \$69,920. The MND has not provided evidence that the project will pay wages above 80% of the San Bernardino County AMI and thus not generate a need for affordable housing. An EIR must be prepared which includes this information for analysis in order to provide an adequate and accurate environmental analysis.

Additionally, the MND has not demonstrated that the available housing in the listed jurisdictions is affordable to the project's employees and/or households earning 80 percent or less of the County's median income. An EIR must be prepared with this analysis and discussion in order to provide an accurate and adequate environmental analysis.

1-11  
cont.

**5.17 Transportation**

The MND does not accurately or adequately analyze the proposed project's impacts to transportation, including potential conflicts with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Per the City of San Bernardino Traffic Impact Analysis Guidelines<sup>8</sup>, a TIA which includes LOS analysis shall be required for a proposed project that meets any of the following criteria:

- Any project that generates more than 40 percent of its total traffic in the form of truck traffic using passenger car equivalents (PCE)
- Any project that is located in the vicinity (within a 1½-mile radius from the project site) of any key intersections that currently operate at a level of service (LOS) D or worse and project traffic is likely to significantly worsen this condition.

1-12

<sup>6</sup> U.S. Bureau of Labor Statistics May 2020 Riverside-San Bernardino-Ontario Metropolitan Area Occupational Employment and Wage Estimates [https://www.bls.gov/oes/current/oes\\_40140.htm#53-0000](https://www.bls.gov/oes/current/oes_40140.htm#53-0000)

<sup>7</sup> HCD 2022 Income Limits <https://www.hcd.ca.gov/docs/grants-and-funding/inc2k22.pdf>

<sup>8</sup> City of San Bernardino Traffic Impact Analysis Guidelines [https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server\\_17442462/File/Government/Department/Public%20Works/Engineering%20Division/Traffic/Traffic%20Impact%20%20%20VMT%20Analysis%20Guidelines.pdf](https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Public%20Works/Engineering%20Division/Traffic/Traffic%20Impact%20%20%20VMT%20Analysis%20Guidelines.pdf)

Table 1: Project Trip Generation of Appendix J - VMT Screening Analysis shows that 41.12% of the project’s total traffic is truck traffic when analyzed in passenger car equivalents (264 truck trips out of 642 total trips). Therefore, an EIR must be prepared to include a TIA that includes a LOS analysis.

Further, the General Plan identifies the following intersections that operate at LOS D and below (Table 1 of Appendix 14 in the General Plan) that are within a 1.5 mile radius of the project site:

- Tippecanoe Avenue @ Rialto Avenue
- Waterman Avenue @ Fifth Street

This is a second threshold within the City Guidelines that the project meets. An EIR must be prepared to include a TIA that includes a LOS analysis.

1-12  
cont.

Further, the VMT analysis concludes that the project VMT per service population is 32.0 VMT. This exceeds the City’s threshold of 31.6 VMT per service population and is a significant impact. The MND concludes that constructing sidewalks along the frontage of the project site will reduce the VMT per service population. Implementing the proposed sidewalks will reduce the VMT per service population to 31.58, which 0.02 VMT below the City’s threshold of 31.6 VMT per service population. The MND utilizes the California Air Pollution Control Officers Association (CAPCOA) Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity as the source for calculating this reduction. However, the Introduction section of the Handbook states that “the Handbook measures and quantitative methods (including available defaults) should not be automatically applied to a project without thoughtful consideration of project-specific circumstances.” Project-specific circumstances are not presented, considered, or analyzed in the VMT section. The operational nature of warehouse/distribution uses involves high rates of truck/trailer VMT due to traveling from large regional distribution centers to smaller industrial parks and then to their final delivery destinations. The project’s truck/trailer activity is unable to utilize public transit or active transportation and it is misleading to the public and decision makers to exclude this activity from VMT analysis. An EIR must be prepared to reflect a quantified VMT analysis that includes all truck/trailer activity to adequately and accurately analyze the potentially significant project transportation impacts. Further, although employees may only generate a certain VMT when commuting from their homes to the project site for work, they will generate additional exponential quantities of VMT as they complete their jobs that require driving delivery vans all day, every day; other employees drive even longer distances with heavy trucks that unload at the project dock doors. These project-specific circumstances related to VMT were not considered in the MND. An EIR must be prepared to include this for analysis in order to be an adequate informational document that provides an accurate environmental analysis.

1-13

Additionally, Appendix K: Mitigation Monitoring and Reporting Program (MMRP) does not include the construction of sidewalks as a mitigation measure. Constructing sidewalks along the frontage of the project site is not required as part of the MND’s approval. An EIR must be prepared to include the sidewalk construction as a requirement.

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1-11

The MND has not adequately analyzed the project’s potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or the project’s potential to result in inadequate emergency access. The MND has not provided any exhibits depicting the available truck/trailer turning radius at the intersection of the project driveways to determine if there is enough space available to accommodate heavy truck maneuvering. Further, there are no exhibits providing on-site analysis regarding available space to accommodate heavy truck maneuvering. Notably, the truck/trailer parking on the west side of the project site are adjacent to the driveway aisle and the truck/trailer dock doors and the parking spaces are arranged in a manner that that may require utilizing an adjacent parking space to accommodate the truck’s maneuvering. These factors may preclude the project site from providing adequate on-site maneuvering area and an EIR must be prepared with this analysis. Further, there is no exhibit depicting emergency access to the project site. Deferring this environmental analysis required by CEQA to the construction permitting phase is improper mitigation and does not comply with CEQA’s requirement for meaningful disclosure and adequate informational documents. An EIR must be prepared for the proposed project with this analysis in order to provide an adequate and accurate environmental analysis.

1-15

**Conclusion**

For the foregoing reasons, GSEJA believes the MND is flawed and an EIR must be prepared for the proposed project and circulated for public review. Golden State Environmental Justice Alliance requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

1-16

Sincerely,



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October 14, 2022

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**Subject: Comments on the 9th Street and Tippecanoe Avenue Warehouse Project**

Dear Mr. Ho,

We have reviewed the September 2022 Initial Study and Mitigated Negative Declaration (“IS/MND”) for the 9th Street and Tippecanoe Avenue Warehouse Project (“Project”) located in the City of San Bernardino (“City”). The Project proposes to construct a 337,300-square-foot (“SF”) warehouse building and 319 parking spaces on the 14.3-acre site.

Our review concludes that the IS/MND fails to adequately evaluate the Project’s air quality and health risk impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project are underestimated and inadequately addressed. An Environmental Impact Report (“EIR”) should be prepared to adequately assess and mitigate the potential air quality and health risk impacts that the project may have on the environment.

1-17

**Air Quality**

**Unsubstantiated Input Parameters Used to Estimate Project Emissions**

The IS/MND’s air quality analysis relies on emissions calculated with the California Emissions Estimator Model (“CalEEMod”) Version 2020.4.0 (p. 34).<sup>1</sup> CalEEMod provides recommended default values based on site-specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but the California Environmental Quality Act (“CEQA”) requires that such changes be justified by substantial evidence. Once all of the

1-18

<sup>1</sup> “CalEEMod Version 2020.4.0.” California Air Pollution Control Officers Association (CAPCOA), May 2021, available at: <https://www.aqmd.gov/caleemod/download-model>.

values are inputted into the model, the Project's construction and operational emissions are calculated, and "output files" are generated. These output files disclose to the reader what parameters are utilized in calculating the Project's air pollutant emissions and make known which default values are changed as well as provide justification for the values selected.

When reviewing the Project's CalEEMod output files, provided as the Air Quality, Health Risk, Greenhouse Gas, and Energy Impact Report ("AQ, HRA, & GHG Report") as Appendix A to the IS/MND, we found that several model inputs were not consistent with information disclosed in the IS/MND. As a result, the Project's construction and operational emissions are underestimated. An EIR should be prepared to include an updated air quality analysis that adequately evaluates the impacts that construction and operation of the Project will have on local and regional air quality.

1-18  
cont.

*Underestimated Parking Land Use Size*

According to the IS/MND:

"A total of 291 passenger vehicle stalls, including 271 standard stalls and 8 accessible stalls, would be provided in surface lots around the perimeter of the Project site. Proposed parking also includes 28 trailer stalls located along the western side of the building in the truck court." (IS/MND, p. 13)."

As such, the model should have included a 319 parking spaces.<sup>2</sup> However, review of the CalEEMod output files demonstrates that the "9th and Tippecanoe Warehouse Project" and "9th and Tippecanoe Warehouse Project - Mitigated" models include only 294 parking spaces (see excerpt below) (Appendix A, pp. 80, 113, 140, 167).

1-19

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area
Unrefrigerated Warehouse-No Rail	339.60	1000sqft	10.29	339,600.00
Parking Lot	294.00	Space	2.65	117,600.00
City Park	1.38	Acre	1.38	60,112.80

As demonstrated above, the amount of parking spaces included in the models is underestimated by 25 spaces.<sup>3</sup> This underestimation presents an issue, as the square footage of parking land uses is used for certain calculations such as determining the area to be painted and stripped (i.e., VOC emissions from architectural coatings), volume to be ventilated, and area to include lighting (i.e., energy impacts).<sup>4</sup> Thus, by underestimating the proposed parking land use size, the models may underestimate the Project's construction-related and operational emissions and should not be relied upon to determine Project significance.

<sup>2</sup> Calculated: (291 passenger vehicle stalls) + (28 trailer stalls) = 319 parking spaces.

<sup>3</sup> Calculated: (319 total vehicle stalls) – (294 modeled stalls) = 25 underestimated stalls.

<sup>4</sup> "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, available at: <https://www.aqmd.gov/caleemod/user's-guide>, p. 29.

*Unsubstantiated Changes to Individual Construction Phase Lengths*

Review of the CalEEMod output files demonstrates that the “9th and Tippecanoe Warehouse Project” and “9th and Tippecanoe Warehouse Project - Mitigated” models include several changes to the default individual construction phase lengths (see excerpt below) (Appendix A, pp. 81, 82, 115, 116, 141, 142, 169).

Table Name	Column Name	Default Value	New Value
tbiConstructionPhase	NumDays	300.00	180.00
tbiConstructionPhase	NumDays	20.00	50.00
tbiConstructionPhase	NumDays	20.00	15.00

As a result of these changes, the models include the following construction schedule (see excerpt below) (Appendix A, pp. 85, 86, 119, 146, 172, 173):

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days
1	Site Preparation	Site Preparation	12/5/2022	12/16/2022	5	10
2	Grading	Grading	12/17/2022	1/27/2023	5	30
3	Building Construction	Building Construction	1/28/2023	10/6/2023	5	180
4	Architectural Coating	Architectural Coating	7/31/2023	10/6/2023	5	50
5	Paving	Paving	10/9/2023	10/27/2023	5	15

1-20

As demonstrated in the excerpt above, the building construction phase is decreased by 67%, from the default value of 300 to 180 days; the architectural coating phase is decreased by 150%, from the default value of 300 to 180 days; and the paving phase is increased by 33%, from the default value of 20 to 15. As previously mentioned, the CalEEMod User’s Guide requires any changes to model defaults be justified.<sup>5</sup> According to the “User Entered Comments & Non-Default Data” table, the justification provided for these changes is:

“Construction: December 2022-October 2023. Assuming overlap of construction and architectural coating phases” (Appendix A, pp. 80, 113).

Furthermore, regarding the proposed construction schedule, the IS/MND states:

“Construction activities for the Project would occur over one phase and include demolition, site preparation, grading, building construction, paving, and architectural coatings. Grading work of soils is expected to result in cut of 70,410 cubic yards (CY) and fill of 101,650 CY of soils for a net soil import of 31,240 CY. Construction is expected to occur over 10 months” (p. 14).

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However, these changes remain unsubstantiated. While the IS/MND substantiates the total construction length of 10 months, the IS/MND and associated documents fail to mention or justify the Project’s

<sup>5</sup> “CalEEMod User’s Guide.” California Air Pollution Control Officers Association (CAPCOA), May 2021, available at: <https://www.aqmd.gov/caleemod/user-s-guide>, p. 1, 14.

individual construction phase lengths. As such, we cannot verify that the revised construction phase lengths are accurate. This is incorrect, as according to the CalEEMod User’s Guide:

“CalEEMod was also designed to allow the user to change the defaults to reflect site- or project-specific information, when available, provided that the information is supported by substantial evidence as required by CEQA.”<sup>6</sup>

Here, as the IS/MND fails to provide substantial evidence to support the revised individual construction phase lengths, we cannot verify the changes.

These unsubstantiated changes present an issue, as the construction emissions are improperly spread out over a longer period of time for some phases, but not for others. According to the CalEEMod User’s Guide, each construction phase is associated with different emissions activities (see excerpt below).<sup>7</sup>

Demolition involves removing buildings or structures.

Site Preparation involves clearing vegetation (grubbing and tree/stump removal) and removing stones and other unwanted material or debris prior to grading.

Grading involves the cut and fill of land to ensure that the proper base and slope is created for the foundation.

Building Construction involves the construction of the foundation, structures and buildings.

Architectural Coating involves the application of coatings to both the interior and exterior of buildings or structures, the painting of parking lot or parking garage striping, associated signage and curbs, and the painting of the walls or other components such as stair railings inside parking structures.

Paving involves the laying of concrete or asphalt such as in parking lots, roads, driveways, or sidewalks.

Thus, by disproportionately altering and extending some of the individual construction phase lengths without proper justification, the model assumes there are a greater number of days to complete the construction activities required by the prolonged phases. As such, there will be less construction activities required per day and, consequently, less pollutants emitted per day. As a result, the model may underestimate the peak daily emissions associated with some phases of construction and should not be relied upon to determine Project significance.

### Updated Analysis Indicates a Potentially Significant Air Quality Impact

In an effort to more accurately estimate the Project’s construction-related emissions, we prepared an updated CalEEMod model, using Project-specific information provided by the IS/MND. In our updated model, we included the correct number of parking spaces and proportionally altered the individual construction phase lengths to match the total construction length of 10 months.<sup>8</sup>

1-21  
cont.

1-22

<sup>6</sup> “CalEEMod User’s Guide.” California Air Pollution Control Officers Association (CAPCOA), May 2021, available at: <https://www.aqmd.gov/caleemod/user-s-guide>, p. 13-14.

<sup>7</sup> “CalEEMod User’s Guide.” California Air Pollution Control Officers Association (CAPCOA), May 2021, available at: <https://www.aqmd.gov/caleemod/user-s-guide>, p. 32.

<sup>8</sup> See Attachment B for updated air modeling.

Our updated analysis estimates that the Project’s construction-related VOC emissions exceed the applicable South Coast Air Quality Management District (“SCAQMD”) thresholds of 75-lbs/day, as referenced by the IS/MND (p. 34, Table AQ-2) (see table below).<sup>9</sup>

SWAPE Criteria Air Pollutant Emissions	
Construction	VOC (lbs/day)
IS/MND	65.9
SWAPE	265
% Increase	302%
<b>SCAQMD Threshold</b>	<b>75</b>
<i>Exceeds?</i>	<b>Yes</b>

1-22  
cont.

As demonstrated above, the Project’s construction-related VOC emissions, as estimated by SWAPE, increase by approximately 302%, exceeding the applicable SCAQMD significance threshold. Thus, our updated model demonstrates that the Project would result in a potentially significant air quality impact that was not previously identified or addressed in the IS/MND. As a result, an EIR should be prepared to adequately assess and mitigate the potential air quality impacts that the Project may have on the environment.

### Disproportionate Health Risk Impacts of Warehouses on Surrounding Communities

Upon review of the IS/MND, we have determined that the development of the proposed Project would result in disproportionate health risk impacts on community members living, working, and going to school within the immediate area of the Project site. According to the SCAQMD:

“Those living within a half mile of warehouses are more likely to include communities of color, have health impacts such as higher rates of asthma and heart attacks, and a greater environmental burden.”<sup>10</sup>

1-23

In particular, the SCAQMD found that more than 2.4 million people live within a half mile radius of at least one warehouse, and that those areas not only experience increased rates of asthma and heart attacks, but are also disproportionately Black and Latino communities below the poverty line.<sup>11</sup> Another study similarly indicates that “neighborhoods with lower household income levels and higher percentages of minorities are expected to have higher probabilities of containing warehousing

<sup>9</sup> “South Coast AQMD Air Quality Significance Thresholds.” SCAQMD, April 2019, available at:

<http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

<sup>10</sup> “South Coast AQMD Governing Board Adopts Warehouse Indirect Source Rule.” SCAQMD, May 2021, available at: <http://www.aqmd.gov/docs/default-source/news-archive/2021/board-adopts-waisr-may7-2021.pdf?sfvrsn=9>.

<sup>11</sup> “Southern California warehouse boom a huge source of pollution. Regulators are fighting back.” Los Angeles Times, May 2021, available at: <https://www.latimes.com/california/story/2021-05-05/air-quality-officials-target-warehouses-bid-to-curb-health-damaging-truck-pollution>.



facilities.”<sup>12</sup> Additionally, a report authored by the Inland Empire-based People’s Collective for Environmental Justice and University of Redlands states:

“As the warehouse and logistics industry continues to grow and net exponential profits at record rates, more warehouse projects are being approved and constructed in low-income communities of color and serving as a massive source of pollution by attracting thousands of polluting truck trips daily. Diesel trucks emit dangerous levels of nitrogen oxide and particulate matter that cause devastating health impacts including asthma, chronic obstructive pulmonary disease (COPD), cancer, and premature death. As a result, physicians consider these pollution-burdened areas ‘diesel death zones.’”<sup>13</sup>

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cont.

It is evident that the continued development of industrial warehouses within these communities poses a significant environmental justice challenge. However, the acceleration of warehouse development is only increasing despite the consequences on public health. The Inland Empire alone is adding 10 to 25 million SF of new industrial space each year.<sup>14</sup>

San Bernardino, the setting of the proposed Project, has long borne a disproportionately high pollution burden compared to the rest of California. When using CalEnviroScreen 4.0, CalEPA’s screening tool that ranks each census tract in the State for pollution and socioeconomic vulnerability, we found that the Project’s census tract is in the 84<sup>th</sup> percentile of most polluted census tracts in the State (see excerpt below).<sup>15</sup>

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<sup>12</sup> “Location of warehouses and environmental justice: Evidence from four metros in California.” Metro Freight Center of Excellence, January 2018, available at:

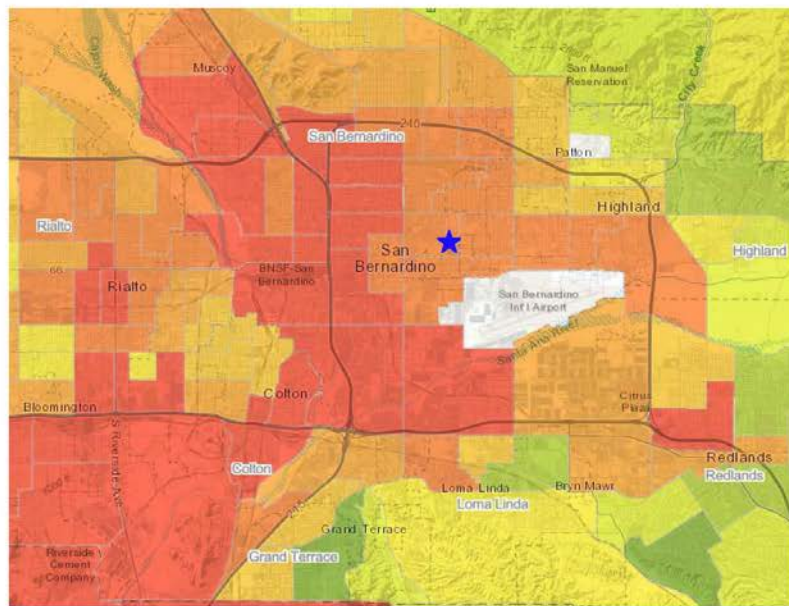
[https://www.metrotrans.org/assets/research/MF%201.1g\\_Location%20of%20warehouses%20and%20environmental%20justice\\_Final%20Report\\_021618.pdf](https://www.metrotrans.org/assets/research/MF%201.1g_Location%20of%20warehouses%20and%20environmental%20justice_Final%20Report_021618.pdf), p. 21.

<sup>13</sup> “Warehouses, Pollution, and Social Disparities: An analytical view of the logistics industry’s impacts on environmental justice communities across Southern California.” People’s Collective for Environmental Justice, April 2021, available at:

[https://earthjustice.org/sites/default/files/files/warehouse\\_research\\_report\\_4.15.2021.pdf](https://earthjustice.org/sites/default/files/files/warehouse_research_report_4.15.2021.pdf), p. 4.

<sup>14</sup> “2020 North America Industrial Big Box Review & Outlook.” CBRE, 2020, available at: <https://www.cbre.com/-/media/project/cbre/shared-site/insights/local-responses/industrial-big-box-report-inland-empire/local-response-2020-ibb-inland-empire-overview.pdf>, p. 2.

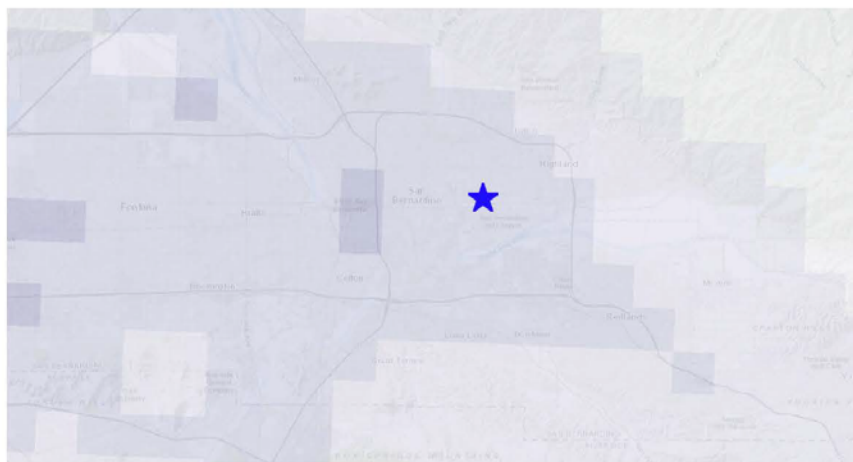
<sup>15</sup> “CalEnviroScreen 4.0.” California Office of Environmental Health Hazard Assessment (OEHHA), October 2021, available at: <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>.



1-24  
cont.

Furthermore, the Data Visualization Tool for Mates V, a monitoring and evaluation study conducted by SCAQMD, demonstrates that the City already exhibits a heightened residential carcinogenic risk from exposure to air toxics. Specifically, the location of the Project site is in the 79<sup>th</sup> percentile of highest cancer risks in the South Coast Air Basin, with a cancer risk of 454 in one million (see excerpt below).<sup>16</sup>

<sup>16</sup> “Residential Air Toxics Cancer Risk Calculated from Model Data in Grid Cells.” MATES V, 2018, available at: <https://experience.arcgis.com/experience/79d3b6304912414bb21ebdde80100b23/page/Main-Page/?views=Click-tabs-for-other-data%2CGridded-Cancer-Risk>; see also: “MATES V Multiple Air Toxics Exposure Study.” SCAQMD, available at: <http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v>.



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cont.

Therefore, development of the proposed warehouse would disproportionately contribute to and exacerbate the health conditions of the residents in San Bernardino.

In April 2022, the American Lung Association ranked San Bernadino and Riverside Counties as the worst for ozone pollution in the nation.<sup>17</sup> San Bernardino County specifically has seen the highest recorded Air Quality Index (“AQI”) values for ground-level ozone in the state.<sup>18</sup> The U.S. Environmental Protection Agency (“EPA”) indicates that ozone, the main ingredient in “smog,” can cause several health problems, which includes aggravating lung diseases and increasing the frequency of asthma attacks. The U.S. EPA states:

“Children are at greatest risk from exposure to ozone because their lungs are still developing and they are more likely to be active outdoors when ozone levels are high, which increases their exposure. Children are also more likely than adults to have asthma.”<sup>19</sup>

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Furthermore, regarding the increased sensitivity of early-life exposures to inhaled pollutants, the California Air Resources Board (“CARB”) states:

“Children are often at greater risk from inhaled pollutants, due to the following reasons:

- Children have unique activity patterns and behavior. For example, they crawl and play on the ground, amidst dirt and dust that may carry a wide variety of toxicants. They often put their hands, toys, and other items into their mouths, ingesting harmful

<sup>17</sup> “State of the Air 2022.” American Lung Association, 2022, available at: <https://www.lung.org/getmedia/74b3d3d3-88d1-4335-95d8-c4e47d0282c1/sota-2022.pdf>, p. 19.

<sup>18</sup> “High Ozone Days.” American Lung Association, 2022, available at: <https://www.lung.org/research/sota/city-rankings/states/california>.

<sup>19</sup> “Health Effects of Ozone Pollution.” U.S. EPA, May 2021, available at: <https://www.epa.gov/ground-level-ozone-pollution/health-effects-ozone-pollution>.

substances. Compared to adults, children typically spend more time outdoors and are more physically active. Time outdoors coupled with faster breathing during exercise increases children's relative exposure to air pollution.

- Children are physiologically unique. Relative to body size, children eat, breathe, and drink more than adults, and their natural biological defenses are less developed. The protective barrier surrounding the brain is not fully developed, and children's nasal passages aren't as effective at filtering out pollutants. Developing lungs, immune, and metabolic systems are also at risk.
- Children are particularly susceptible during development. Environmental exposures during fetal development, the first few years of life, and puberty have the greatest potential to influence later growth and development.<sup>20</sup>

A Stanford-led study also reveals that children exposed to high levels of air pollution are more susceptible to respiratory and cardiovascular diseases in adulthood.<sup>21</sup> Thus, given children's higher propensity to succumb to the negative health impacts of air pollutants, and as warehouses release more smog-forming pollution than any other sector, it is necessary to evaluate the specific health risk that warehouses pose to children in the nearby community.

According to the above-mentioned study by the People's Collective for Environmental Justice and University of Redlands, there are 640 schools in the South Coast Air Basin that are located within half a mile of a large warehouse, most of them in socio-economically disadvantaged areas.<sup>22</sup> Regarding the proposed Project itself, the IS/MND states:

"The nearest sensitive receptors to the Project site include construction workers at the site, residences located approximately 100 feet from North Tippecanoe Street to the east and Bing Wong Elementary school located 231 feet to the northeast." (p. 34).

Furthermore, upon review of Google Earth, we found that Indian Springs High School, Curtis Middle School, Monterey Elementary School, Sierra High School lie within 0.35-miles, 0.46-miles, 0.58-miles, and 0.64-miles, respectively, of the project site (see excerpts below):

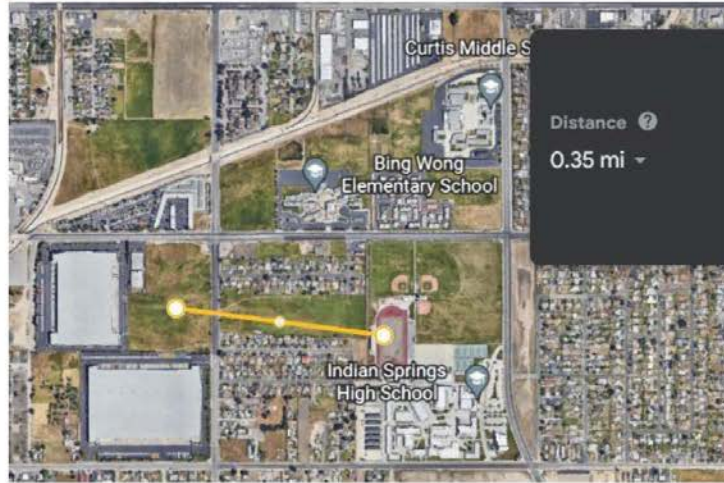
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cont.

<sup>20</sup> "Children and Air Pollution." California Air Resources Board (CARB), available at: <https://ww2.arb.ca.gov/resources/documents/children-and-air-pollution>.

<sup>21</sup> "Air pollution puts children at higher risk of disease in adulthood, according to Stanford researchers and others." Stanford, February 2021, available at: <https://news.stanford.edu/2021/02/22/air-pollution-impacts-childrens-health/>.

<sup>22</sup> "Warehouses, Pollution, and Social Disparities: An analytical view of the logistics industry's impacts on environmental justice communities across Southern California." People's Collective for Environmental Justice, April 2021, available at: [https://earthjustice.org/sites/default/files/files/warehouse\\_research\\_report\\_4.15.2021.pdf](https://earthjustice.org/sites/default/files/files/warehouse_research_report_4.15.2021.pdf), p. 4.

Indian Springs High School



Curtis Middle School



1-25  
cont.

Monterey Elementary School



1-25  
cont.

Sierra High School



This poses a significant threat because, as outlined above, children are a vulnerable population that are more susceptible to the damaging side effects of air pollution. As such, the Project would have detrimental short-term and long-term health impacts on local residents and children if approved.

An EIR should be prepared to evaluate the disproportionate impacts of the proposed warehouse on the community adjacent to the Project, including an analysis of the impact on children and people of color who live and attend school in the surrounding area. Finally, in order to evaluate the cumulative air quality impact from the several warehouse projects proposed or built in a one-mile radius of the Project site, the EIR should prepare a cumulative health risk assessment (“HRA”) to quantify the adverse health outcome from the effects of exposure to multiple warehouses in the immediate area in conjunction with the poor ambient air quality in the Project’s census tract.

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**Diesel Particulate Matter Emissions Inadequately Evaluated**

The IS/MND concludes that the proposed Project would result in a less-than-significant health risk impact based on quantified construction-related and mobile-source health risk analyses (“HRA(s)”) (p. 35, 36). Specifically, the IS/MND estimates that the Project would result in a mitigated construction-related cancer risk of 5.6 in one million (see excerpt below) (p. 35, Table AQ-5).

**Table AQ-5: Mitigated Health Risks from Project Construction to Off-Site Receptors**

Location	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index
Worker Receptor Risk	7.6	0.022	0.000
Sensitive Receptor Risk	5.6	0.002	0.000
<b>SCAQMD Threshold</b>	<b>10.0 in one million</b>	<b>1.0</b>	<b>1.0</b>
<b>Exceeds Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Air Quality, Energy, Greenhouse Gas Impact Analysis (Appendix A)

Furthermore, the IS/MND estimates that the Project would result in an operational cancer risk of 6.6 in one million (see excerpt below) (p. 36, Table AQ-6):

1-26

**Table AQ-6: Health Risks from Project Operation to Off-Site Receptors**

Location	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index
Worker Receptor Risk	0.50	0.002	<0.001
Sensitive Receptor Risk	6.66	0.002	<0.001
<b>SCAQMD Thresholds</b>	<b>10.0 in one million</b>	<b>1.0</b>	<b>1.0</b>
<b>Exceeds Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Air Quality, Energy, Greenhouse Gas Impact Analysis (Appendix A)

However, the IS/MND’s evaluation of the Project’s potential health risk impacts, as well as the subsequent less-than-significant impact conclusion, is incorrect. While the IS/MND includes two HRAs evaluating the health risk impacts to nearby, existing receptors as a result of Project construction and operation, the IS/MND fails to evaluate the combined lifetime cancer risk to nearby receptors as a result of Project construction and operation together. According to OEHHA guidance, “the excess cancer risk is calculated separately for each age grouping and then summed to yield cancer risk at the receptor

location.” However, the IS/MND fails to sum the total cancer risks in order to evaluate the combined cancer risk over the course of the Project’s total construction and operation. This is incorrect and, as such, an updated analysis should quantify and sum the Project’s construction and operational health risks and to compare to the SCAQMD threshold of 10 in one million, as referenced by the IS/MND.

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cont.

**Failure to Identify a Potentially Significant Health Risk Impact**

As previously described, the IS/MND estimates that the maximum individual cancer risk posed to nearby, existing sensitive receptors as a result of Project construction and operation would be 5.6 and 6.6 in one million, respectively, neither of which individually exceed the SCAQMD significance threshold of 10 in one million (p. 35, Table AQ-5; p. 36, Table AQ-6). However, as previously discussed, the IS/MND should have evaluated the *combined* cancer risk resulting from the Project. In order to correctly evaluate the Project’s health risk impact, we summed the IS/MND’s construction-related and operational cancer risk estimates and found that the resulting cancer risk exceeds the SCAQMD threshold of 10 in one million (see table below).

IS/MND Health Risk Assessments	
Source	Cancer Risk (in one million)
Construction	5.6
Operation	6.6
Combined	12.2
<b>SCAQMD Threshold</b>	<b>10</b>
<i>Exceeds?</i>	<b>Yes</b>

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As demonstrated in the table above, the resulting cumulative cancer risk estimate exceeds the SCAQMD threshold of 10 in one million. Thus, the Project poses a potentially significant health risk to nearby existing sensitive receptors, which was not previously identified or addressed by the IS/MND. As such, the IS/MND is required under CEQA to implement all feasible mitigation to reduce impacts to a less-than-significant level. According to CEQA Guidelines § 15096(g)(2):

“When an EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment.”

As demonstrated above, the proposed Project should not be approved until all feasible mitigation has been considered and incorporated where feasible, such as those suggested in the section of this letter titled “Feasible Mitigation Measures Available to Reduce Emissions.” As such, the IS/MND fails to identify and adequately mitigate the Project’s potentially significant health risk impact, and the less-than-significant impact conclusion should not be relied upon.



## Mitigation

### Feasible Mitigation Measures Available to Reduce Emissions

Our analysis demonstrates that the Project would result in potentially significant air quality and health risk that should be mitigated further. As such, in an effort to reduce the Project’s emissions, we identified several mitigation measures that are applicable to the proposed Project. Therefore, to reduce the Project’s emissions, we recommend consideration of SCAG’s 2020 RTP/SCS PEIR’s Air Quality Project Level Mitigation Measures (“PMM-AQ-1”), as described below:<sup>23</sup>

<b>SCAG RTP/SCS 2020-2045</b>
<b>Air Quality Project Level Mitigation Measures – PMM-AQ-1:</b>
In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the <i>State CEQA Guidelines</i> , a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to violating air quality standards. Such measures may include the following or other comparable measures identified by the Lead Agency:
a) Minimize land disturbance.
b) Suspend grading and earth moving when wind gusts exceed 25 miles per hour unless the soil is wet enough to prevent dust plumes.
c) Cover trucks when hauling dirt.
d) Stabilize the surface of dirt piles if not removed immediately.
e) Limit vehicular paths on unpaved surfaces and stabilize any temporary roads.
f) Minimize unnecessary vehicular and machinery activities.
g) Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.
h) Revegetate disturbed land, including vehicular paths created during construction to avoid future off-road vehicular activities.
j) Require contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. Prepare a plan for approval by the applicable air district demonstrating achievement of the applicable percent reduction for a CARB-approved fleet.
k) Ensure that all construction equipment is properly tuned and maintained.
l) Minimize idling time to 5 minutes—saves fuel and reduces emissions.
m) Provide an operational water truck on-site at all times. Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas. Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.
n) Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.

1-28

<sup>23</sup> “4.0 Mitigation Measures.” Connect SoCal Program Environmental Impact Report Addendum #1, September 2020, available at: [https://scag.ca.gov/sites/main/files/file-attachments/fpeir\\_connectsocial\\_addendum\\_4\\_mitigationmeasures.pdf?1606004420](https://scag.ca.gov/sites/main/files/file-attachments/fpeir_connectsocial_addendum_4_mitigationmeasures.pdf?1606004420), p. 4.0-2 – 4.0-10; 4.0-19 – 4.0-23; See also: “Certified Final Connect SoCal Program Environmental Impact Report.” Southern California Association of Governments (SCAG), May 2020, available at: <https://scag.ca.gov/peir>.

o) Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.
p) As appropriate require that portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, obtain CARB Portable Equipment Registration with the state or a local district permit. Arrange appropriate consultations with the CARB or the District to determine registration and permitting requirements prior to equipment operation at the site.
q) Require projects within 500 feet of residences, hospitals, or schools to use Tier 4 equipment for all engines above 50 horsepower (hp) unless the individual project can demonstrate that Tier 4 engines would not be required to mitigate emissions below significance thresholds.
r) Projects located within the South Coast Air Basin should consider applying for South Coast AQMD "SOON" funds which provides funds to applicable fleets for the purchase of commercially available low-emission heavy-duty engines to achieve near-term reduction of NOx emissions from in-use off-road diesel vehicles.
s) Projects located within AB 617 communities should review the applicable Community Emissions Reduction Plan (CERP) for additional mitigation that can be applied to individual projects.
t) Where applicable, projects should provide information about air quality related programs to schools, including the Environmental Justice Community Partnerships (EJCP), Clean Air Ranger Education (CARE), and Why Air Quality Matters programs.
u) Projects should work with local cities and counties to install adequate signage that prohibits truck idling in certain locations (e.g., near schools and sensitive receptors).
y) Projects that will introduce sensitive receptors within 500 feet of freeways and other sources should consider installing high efficiency of enhanced filtration units, such as Minimum Efficiency Reporting Value (MERV) 13 or better. Installation of enhanced filtration units can be verified during occupancy inspection prior to the issuance of an occupancy permit.
z) Develop an ongoing monitoring, inspection, and maintenance program for the MERV filters.
aa) Consult the SCAG Environmental Justice Toolbox for potential measures to address impacts to low-income and/or minority communities.
bb) The following criteria related to diesel emissions shall be implemented on by individual project sponsors as appropriate and feasible: <ul style="list-style-type: none"> <li>- Diesel nonroad vehicles on site for more than 10 total days shall have either (1) engines that meet EPA on road emissions standards or (2) emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85%</li> <li>- Diesel generators on site for more than 10 total days shall be equipped with emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85%.</li> <li>- Nonroad diesel engines on site shall be Tier 2 or higher.</li> <li>- Diesel nonroad construction equipment on site for more than 10 total days shall have either (1) engines meeting EPA Tier 4 nonroad emissions standards or (2) emission control technology verified by EPA or CARB for use with nonroad engines to reduce PM emissions by a minimum of 85% for engines for 50 hp and greater and by a minimum of 20% for engines less than 50 hp.</li> <li>- Emission control technology shall be operated, maintained, and serviced as recommended by the emission control technology manufacturer.</li> <li>- Diesel vehicles, construction equipment, and generators on site shall be fueled with ultra-low sulfur diesel fuel (ULSD) or a biodiesel blend approved by the original engine manufacturer with sulfur content of 15 ppm or less.</li> <li>- The construction contractor shall maintain a list of all diesel vehicles, construction equipment, and generators to be used on site. The list shall include the following:                     <ul style="list-style-type: none"> <li>i. Contractor and subcontractor name and address, plus contact person responsible for the vehicles or equipment.</li> </ul> </li> </ul>

1-28  
cont.

- ii. Equipment type, equipment manufacturer, equipment serial number, engine manufacturer, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation.
  - iii. For the emission control technology installed: technology type, serial number, make, model, manufacturer, EPA/CARB verification number/level, and installation date and hour-meter reading on installation date.
  - The contractor shall establish generator sites and truck-staging zones for vehicles waiting to load or unload material on site. Such zones shall be located where diesel emissions have the least impact on abutters, the general public, and especially sensitive receptors such as hospitals, schools, daycare facilities, elderly housing, and convalescent facilities.
  - The contractor shall maintain a monthly report that, for each on road diesel vehicle, nonroad construction equipment, or generator onsite, includes:
    - i. Hour-meter readings on arrival on-site, the first and last day of every month, and on off-site date.
    - ii. Any problems with the equipment or emission controls.
    - iii. Certified copies of fuel deliveries for the time period that identify:
      1. Source of supply
      2. Quantity of fuel
      3. Quantity of fuel, including sulfur content (percent by weight)
- cc) Project should exceed Title-24 Building Envelope Energy Efficiency Standards (California Building Standards Code). The following measures can be used to increase energy efficiency:
- Provide pedestrian network improvements, such as interconnected street network, narrower roadways and shorter block lengths, sidewalks, accessibility to transit and transit shelters, traffic calming measures, parks and public spaces, minimize pedestrian barriers.
  - Provide traffic calming measures, such as:
    - i. Marked crosswalks
    - ii. Count-down signal timers
    - iii. Curb extensions
    - iv. Speed tables
    - v. Raised crosswalks
    - vi. Raised intersections
    - vii. Median islands
    - viii. Tight corner radii
    - ix. Roundabouts or mini-circles
    - x. On-street parking
    - xi. Chicanes/chokers
  - Create urban non-motorized zones
  - Provide bike parking in non-residential and multi-unit residential projects
  - Dedicate land for bike trails
  - Limit parking supply through:
    - i. Elimination (or reduction) of minimum parking requirements
    - ii. Creation of maximum parking requirements
    - iii. Provision of shared parking
  - Require residential area parking permit.
  - Provide ride-sharing programs
    - i. Designate a certain percentage of parking spacing for ride sharing vehicles
    - ii. Designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles
    - iii. Providing a web site or messaging board for coordinating rides
    - iv. Permanent transportation management association membership and finding requirement.

1-28  
cont.

Furthermore, additional feasible mitigation measures can be found in the Department of Justice Warehouse Project Best Practices document.<sup>24</sup> Therefore, to reduce the Project's emissions, consideration of the following measures should be made:

- Requiring off-road construction equipment to be 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.
- Requiring on-road heavy-duty haul trucks to be model year 2010 or newer if diesel-fueled.
- Providing electrical hook ups to the power grid, rather than use of diesel-fueled generators, for electric construction tools, such as saws, drills and compressors, and using electric tools whenever feasible.
- 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 two 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.
- Requiring that all facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site meet or exceed 2010 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators shall maintain records on-site demonstrating compliance with this requirement and shall make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring all heavy-duty vehicles entering or operated on the project site to be zero-emission beginning in 2030.

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cont.

<sup>24</sup> "Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act." State of California Department of Justice.

- Requiring on-site equipment, such as forklifts and yard trucks, to be electric with the necessary electrical charging 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 two 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 air district, and the building manager.
- 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.
- Constructing electric truck charging stations proportional to the number of dock doors at the project.
- Constructing electric plugs for electric transport refrigeration units at every dock door, if the warehouse use could include refrigeration.
- Constructing electric light-duty vehicle charging stations proportional to the number of parking spaces at the project.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity, such as equal to the building's projected energy needs.
- 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.
- Achieving certification of compliance with LEED green building 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

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cont.

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 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.

These measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently, reduce emissions released during Project construction and operation. An EIR should be prepared to include all feasible mitigation measures, as well as include updated air quality and health risk to ensure that the necessary mitigation measures are implemented to reduce emissions to below thresholds. The EIR should also demonstrate a commitment to the implementation of these measures prior to Project approval, to ensure that the Project’s significant emissions are reduced to the maximum extent possible.


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cont.

**Disclaimer**

SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

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Sincerely,

  
Matt Hagemann, P.G., C.Hg.

  
Paul E. Rosenfeld, Ph.D.

**RESPONSE TO COMMENT 1: Blum Collins & Ho, LLC on behalf of Golden State Environmental Alliance**

**Comment 1.1:** This comment introduces the comment letter, and states that the commenter is writing on behalf of the Golden State Environmental Justice Alliance. This comment introduces the comment letter. Additionally, the comment requests the County notify the firm of any and all notices related to the proposed Project. The firm and GSEJA will be notified regarding any CEQA actions and public hearings related to the Project. The comment does not contain any information requiring changes to the MND. No further response is warranted.

**Comment 1.2:** This comment provides a summary of the Project Description for the proposed Project. The comment does not contain any information requiring changes to the MND. No further response is warranted.

**Comment 1.3:** This comment states that the MND does not include a floor plan, grading plan, or detailed site plan for the proposed Project. Additionally, the comment states that the figures of the plans in the MND remove pertinent information. The comment also states that there is no method to verify that grading work of soils would require net import of 31,240 cubic yards. Finally, the commenter states that an EIR must be prepared because the MND does not comply with CEQA Section 15121 and 21003(b), which requires meaningful disclosure, and that incorporation of the previously mentioned materials by reference is not appropriate since they contribute directly to the analysis of the project issues. Specifically, the commenter asserts that grading truck hauling trips must be included within all sections of the environmental analysis, including air quality, greenhouse gas emissions, and transportation analysis.

Pursuant to CEQA Guidelines Section 15124, the project description “should not supply extensive detail beyond that needed for the evaluation and review of the environmental impact”. The proposed Project is thoroughly described within the MND on pages 13 to 22. As such, the level of detail needed for the evaluation of the Project by the public and decisionmakers, and for the review of the Project’s environmental impacts is adequate within the Project Description, and extensively detailed figures are not needed. As demonstrated by *Citizens for a Sustainable Treasure Island v City & County of San Francisco (2014) 227 CA4th 1036, 1053*, a CEQA document’s description of the proposed Project should identify the Project’s main features and other information needed for an analysis of the Project’s environmental impacts. As long as the requirements set forth in CEQA Guidelines Section 15124 are met, the Project Description may allow for the flexibility needed to respond to changing conditions that could impact the Project’s final design. As such, detailed plans such as grading plans, floor plans, or elevations are not required to be included in the MND’s Project Description and a general description of the Project and conceptual plans are allowed. In addition, detailed plans such as grading plans, floor plans, and elevations are available upon request at the City of San Bernardino Planning Department and public records subject to the California Public Records Act. Contact information for the project’s planner were provided in the MND should the commenter want to view additional plans not provided in the MND.

As discussed on page 14 of the MND, no export or import of soil would be required based on the Project site plans and grading plans that have been reviewed by the City and are being considered for approval. As discussed above, no further information is required, and the comment does not contain any information requiring changes to the MND. No further response is warranted.

**Comment 1.4:** This comment states that the MND does not include for analysis relevant environmental justice issues in reviewing potential impacts, including cumulative impacts from the proposed Project to the surrounding community. The comment states that according to CalEnviroScreen 4.0, the census tract including the Project site ranks in the 84th percentile for pollution burden, meaning that the impacts from pollution are among the highest in the state. The comment states that the census tract is affected by multiple sources of pollution.

CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna,

ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). The Project's potential economic and social effects, including those related to environmental justice, are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Thus, consistent with CEQA, the MND includes an analysis of the Project's potentially significant physical impacts on the environment and does not include discussion of the Project's environmental justice effects.

However, the MND provides a detailed evaluation of the potential project-level and cumulative air quality related impacts of the proposed Project upon the surrounding community (localized impacts). Regarding the existing pollution burden, the existing air quality in the Project area is described in Appendix A to the MND on page 41. Table G in Appendix A provides data from the 14360 Arrow Boulevard, Fontana Monitoring Station and 24302 4th Street, San Bernardino Monitoring Station federal PM<sub>10</sub> standard had an unknown number of exceedances in 2019, one in 2020, and one in 2021. The State PM<sub>10</sub> standard was exceeded 25 times in 2019 and an unknown number of times in 2020 and 2021. The PM<sub>2.5</sub> federal standard had an unknown number of exceedances in 2019, 6 exceedances in 2020, and no exceedances in 2021. The 1-hour ozone State standard was exceeded 63 times in 2019, 89 times in 2020, and an unknown number of times in 2021. The 8-hour ozone State standard was exceeded 96 times in 2019, 132 times in 2020, and an unknown number of times in 2021. The 8-hour ozone federal standard was 96 times in 2019, 130 times in 2020, and 98 times in 2021. In addition, the CO, SO<sub>2</sub>, and NO<sub>2</sub> standards were not exceeded in this area during the 3-year period. However, ambient air quality standards (NAAQS and CAAQS) were exceeded on one or more days for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub> at most monitoring locations throughout the South Coast Air Basin (SCAB).

As detailed on pages 32 through 38 of the MND, emissions from construction and operation of the proposed Project would not expose sensitive receptors to substantial pollutant concentrations and emissions would not exceed the SCAQMD's localized significance thresholds for construction or operation. In addition, as detailed on page 35 of the MND, a Mobile Health Risk Assessment was prepared to evaluate the Project's health risk impacts to residents and workers as a result of exposure to diesel particulate matter (DPM) from heavy-duty diesel trucks traveling to and from the Project site, maneuvering onsite, and entering and leaving the site. The Mobile Source Health Risk Assessment determined that the maximum incremental cancer risk to nearby residences attributable to TAC source emissions is 6.66 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. The maximum non-cancer risks to nearby residences were estimated to be <0.001, which would not exceed the applicable significance threshold of 1.0. As such, operation of the Project at buildout would not cause a significant human health or cancer risk and impacts would be less than significant. Because the Project would not exceed thresholds for either DPM or localized significance thresholds, the Project would not adversely impact neighboring disadvantaged communities. The comment does not contain any information requiring changes to the MND. No further response is warranted.

**Comment 1.5:** This comment states that the Project site is within the 78<sup>th</sup> percentile for contaminated drinking water and that poor and rural communities are more likely to be exposed to contaminants in their drinking water than other communities. The comment does not raise a specific issue with the adequacy of the Draft MND or raise any other CEQA issue. No further response is required.

**Comment 1.6:** The comment states that the census tract is affected by multiple sources of pollution, has high risk of certain medical conditions, and is in a diverse community with low educational attainment. As discussed in Response to Comment 1.4, the Project's potential economic and social effects, including those related to environmental justice, are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Thus, consistent with CEQA, the MND includes an analysis of the Project's potentially significant physical impacts on the environment and does not include discussion of the Project's environmental justice effects. The comment does not contain any information requiring changes to the MND. No further response is warranted.



**Comment 1.7:** This comment states that the Project's census tract and adjacent census tracts are identified as an SB 535 Disadvantaged Community, which is not discussed in the MND. As discussed in Response to Comment 1.4, the Project's potential economic and social effects, including those related to environmental justice, are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Thus, consistent with CEQA, the MND includes an analysis of the Project's potentially significant physical impacts on the environment and does not include discussion of the Project's environmental justice effects. The comment does not contain any information requiring changes to the MND. No further response is warranted.

**Comment 1.8:** This comment states that the MND does not include a consistency analysis with all General Plan goals or policies and errors may be present due to errors in modeling or lack of supporting evidence.

Discussion of specific General Plan goals and policies is included in Table LU-1, *General Plan Consistency*, of the MND. Project consistency with the General Plan goals and policies listed in the comment are provided in the table below. The Project was analyzed for consistency with Land Use Policy 2.2.10 in the Draft MND Table LU-1 and found to be consistent. The Project would mitigate impacts determined to have the potential to be significant on the environment as identified in each environmental topic section of this document. Measures would be reviewed and approved by the City prior to Project approval. Impacts were evaluated accurately and modeling conducted for the Project correctly analyzes the Project's noise, air quality, and GHG emissions and provides a full quantification of potential impacts. The comment does not contain any information requiring changes to the MND or that would require the preparation of an EIR.

Project consistency with the General Plan Goals 12.5 and 12.6 are provided in the table below.

General Plan Goal/Policy in Comment	Proposed Project Consistency
<p><b>Natural Resources and Conservation Goal 12.5</b> Promote air quality that is compatible with the health, wellbeing, and enjoyment of life.</p>	<p><b>Consistent.</b> As detailed in Section 6, <i>Air Quality</i>, of the MND, the proposed Project would not exceed any emissions thresholds established by air quality regulating agencies, and impacts would be less than significant. Thus, the Project is consistent with Natural Resources and Conservation Goal 12.5.</p>
<p><b>Natural Resources and Conservation Goal 12.6</b> Reduce the amount of vehicular emissions in San Bernardino.</p>	<p><b>Consistent.</b> The Project impacts on vehicle miles traveled (VMT) was evaluated in accordance with State CEQA Guidelines Section 15064.3. As determined in Section 5.17, <i>Transportation</i>, Citywide roadway VMT would be reduced with the implementation of the Project as a result of pedestrian improvements. Thus, the Project is consistent with Natural Resources and Conservation Goal 12.6.</p>

**Comment 1.9:** This comment states that the MND does not provide any consistency analysis with SCAG's 2020-2045 Connect SoCal RTP/SCS because the air quality modeling for the Project is incorrect. The SCAG RTP/SCS is based upon buildout of the existing General Plan land uses. As described on page 14 of the MND, the Project site is located with the City's General Plan and has a land use designation of Industrial Light (IL) which accommodates a full spectrum of industrial related employment uses including manufacturing, distribution, research and development, office, and mineral extraction, at a range of intensities to meet the demand of current and future residents. The Project is also consistent with the zoning designation of Industrial Light (IL) which allows for a variety of uses including warehousing/distribution, assembly, light manufacturing, research and development, mini storage, and repair facilities conducted within enclosed structures. In general, areas designated Industrial Light (IL) are intended to be used for less intensive warehousing and manufacturing uses. The Project proposes the construction of a warehousing building that is consistent with the City's General Plan land use designations. Therefore, the development of the proposed Project is

consistent with the assumptions in the SCAG RTP/SCS. In addition, as detailed in Section 5.6, *Air Quality*, emissions generated by construction and operation of the Project would not exceed thresholds of emissions that are based on basin wide cumulative emissions designed to bring the area into attainment. Thus, the Project is consistent with SCAG's 2020-2045 Connect SoCal RTP/SCS and preparation of an EIR is not required.

**Comment 1.10:** This comment states that CalEEMod is not listed as an approved energy compliance modeling software. The comment states that since the Draft EIR did not accurately or adequately model impacts in compliance with Title 24, a revised EIR must be prepared with modeling in one of the three approved software types must be circulated for public review in order to adequately analyze the Project's potentially significant environmental impacts.

This comment does not provide any substantial evidence that the Project would result in a significant environmental impact. The commenter incorrectly assumes the purpose of Title 24 and California Energy Commission approved software programs. The approved programs serve the purpose of being used under the performance approach (energy budget) method of compliance for the 2019 Energy Standards. The programs mentioned are not utilized for CEQA analysis. CalEEMod, the California Emissions Estimator Model, is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use projects. The model was developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with the California Air Districts. Additionally, the Project would be compliant with measures set forth in Title 24. Compliance with Title 24 would be verified through the plan check process. The comment does not contain any information requiring changes to the MND. No further response is warranted.

**Comment 1.11:** This comment states that the MND does not provide a quantified analysis of the construction workforce generated by the proposed Project. The comment states that the "commuting distance" of the project site is undefined and relying on the entire labor force within an undefined distance, notably the greater SCAG region, to fill the Project's construction and operational jobs will increase VMT and emissions during all phases of construction and operations and an EIR must be prepared to account for longer worker trip distances. Page 95 of the MND describes that the approximately 328 employees of the project would likely come from the areas near the Cities of San Bernardino, Rialto, and Fontana. To accommodate for the range of distances traveled by commuters, the CalEEMod model and the Riverside Transportation Analysis Model (RivTAM) include trip lengths that are recommended to be used by SCAG, the City, and are therefore appropriate to use in the MND for the proposed Project.

This comment states that the MND does not provide analysis to support the conclusion that the Project would not necessitate the construction of affordable housing to accommodate Project employees. The comment provides various wages for warehouse workers and states the MND does not demonstrate that the Project's employees will earn enough money to afford housing. The commenter erroneously compares area median income (AMI) and living wages for a family of four to individual wages. Additionally, as described on page 95 of the MND, the approximately 328 employees required for the Project are anticipated to come from the region and would reside within commuting distance to the site. Therefore, the Project would not generate any need for additional housing. Furthermore, should the Project require employees to relocate to the area for work, there is sufficient vacant housing available within the region. Furthermore, CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). The Project merits, including any economic and social effects of the Project are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)) (*San Franciscans for Reasonable Growth v City & County of San Francisco* (1989) 209 Cal.App.3d 1502). Therefore, consistent with CEQA, the MND includes an analysis of the Project's

potentially significant physical impacts on the environment and does not include a discussion of potential employee salaries. Furthermore, CEQA Guidelines Section 15204(a) states that when responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers. Thus, information related to warehouse employee salaries is not provided.

**Comment 1.12:** This comment states that the Project does not accurately analyze transportation impact including potential conflicts with a program, plan, ordinance, or policy addressing the circulation system. The comment quotes the City's Traffic Impact Analysis Guidelines for determining whether a Traffic Impact Analysis (TIA) should be prepared for a project. The commenter states that because the Project over 40 percent of the Project's total traffic is truck traffic, and because intersections would operate at LOS D within a 1.5 mile radius of the Project site, a TIA is required and an EIR should be prepared. A TIA was prepared for the Project pursuant to City Traffic Impact Analysis Guidelines. However, Senate Bill (SB) 743 changes include the elimination of auto delay, LOS, and similar measures of vehicular capacity or traffic congestion as the basis for determining significant impacts. As part of the 2019 amendments to the CEQA Guidelines, SB 743 directed that the revised CEQA Guidelines "shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses" (Public Resources Code Section 21099[b][1]); and that "automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment" (Public Resources Code Section 21099[b][2]). As such, pursuant to Public Resources Code Section 21099(b)(2), the MND is not required to analyze impacts related to traffic congestion. Therefore, transportation impact analysis within the MND is sufficient. The comment does not contain any information requiring changes to the MND or that would require the preparation of an EIR.

**Comment 1.13:** This comment summarizes findings from the Transportation section of the MND. The commenter presents sidewalks proposed as part of the Project as a problematic VMT reduction strategy since the proposed warehouse trips will predominantly consist of truck trips, which can not be replaced with pedestrian trips as a result of sidewalk construction. The commenter erroneously assumes that the MND VMT modeling and reduction strategies consider truck trips. Based on local and State guidance as well as the CEQA Guidelines Section 15064.3, VMT is an evaluation of passenger cars, not truck trips. The VMT analysis conducted therefore, only analyzed VMT/Employee for home-based-work trips as per the County Guidelines. This is consistent with CEQA Guidelines Section 15064.3(a) which states "For the purpose of this section, "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project". Here, the term "automobile" refers to on-road passenger vehicles, specifically cars and light trucks. Hence the VMT analysis only includes and represents the impacts of automobile travel as a result of the proposed Project using RivTAM and is not required to include truck trips as a part of the VMT analysis. The comment does not contain any information requiring changes to the MND. No further response is warranted.

**Comment 1.14:** The comment states that Appendix K: Mitigation Monitoring and Reporting Program (MMRP) does not include the requirement to construct sidewalks as a mitigation measure and an EIR must be prepared to include sidewalk construction as a requirement. Page 14 of the MND identifies construction of sidewalks as a Project Design Feature (PDF), PDF-1.

PDF-1: Sidewalks. The Project shall provide a new sidewalk fronting the Project site along 9th Street and Tippecanoe Avenue that would connect to the existing adjacent sidewalks. The new sidewalks shall be consistent with City standards, as determined by the City through the development permitting process.

Project approval would include requirement for construction of sidewalks (PDF-1). To further ensure PDF-1 is enforced, Chapter 4, Mitigation, Monitoring, and Reporting Program, has been modified to include PDF-1. No further response is warranted and preparation of an EIR is not required.

**Comment 1.15:** The comment states that the Project did not adequately analyze impacts regarding the Project's potential to substantially increase hazards due to a geometric design feature. The comment states that the truck/trailer parking on the west side of the Project site are adjacent to the driveway aisle and truck/trailer dock doors and the parking spaces are arranged in a manner that may be insufficient for truck maneuvering. As noted in the MND, on page 103, design of the proposed Project, including the internal private roadway, ingress, egress, and other streetscape changes are subject to the City's development standards. For example, the design of the Project streets would be reviewed to ensure fire engine accessibility and turn around area is provided to the fire code standards. A TIA was prepared for the Project, which analyzed the geometrics of the driveway entrances and intersections of the proposed Project. The study determined that the intersections and driveways are adequate and meet City and standard roadway specifications per the City and California Department of Transportation (Caltrans) Highway Design Manual. The Project would be reviewed and approved by the City Traffic Engineer prior to approval for consistency with applicable standards and requirements. A copy of the TIA, and other engineering documents, is available upon request at the City of San Bernardino Planning Department and public records subject to the California Public Records Act. Contact information for the project's planner were provided in the MND should the commenter want to view additional plans not provided in the MND.

**Comment 1.16:** The comment states that based on the comments provided, the commenter believes the MND is flawed and an EIR should be prepared and recirculated for public review. The comment reiterates that GSEJA requests to be added to the notification list for the proposed Project. As substantiated by the responses above and below, none of the conditions arise which would require preparation of an EIR pursuant to CEQA Guidelines Sections 15064 and 15065. No significant environmental impact would result from the Project after implementation of existing regulations and mitigation measure proposed to be implemented. Thus, preparation of an EIR is not required. As requested, GSEJA will be added to the notification list for the proposed Project.

**Comment 1.17:** The comment is from a letter by Soil/Water/Air Protection Enterprise (SWAPE) dated October 14, 2022. The comment summarized the proposed Project and states that the MND fails to adequately evaluate the Project's air quality and health risk impacts and an EIR should be prepared. Comment 1.17 does not provide credible evidence of significant impacts that require the preparation of an EIR or that would require changes to the Public Review MND. No further response is warranted.

**Response 1.18:** This comment states that several CalEEMod model inputs are not consistent with the information disclosed in the MND, which results in the Project's construction and operational emissions being underestimated. This comment states that an EIR should be prepared with an updated air quality analysis. All changes to the CalEEMod default values are discussed in the Methodology section of the Air Quality Report (LSA, 2022, Appendix A of the MND) and all changes to the CalEEMod default values are justified with substantial evidence. Furthermore, changes to CalEEMod default values were made to reflect Project-specific conditions. The comment does not contain any information requiring further changes to the MND or requiring preparation of an EIR. No further response is warranted.

**Comment 1.19:** The comment states that the CalEEMod output file for the Project incorrectly indicates that 294 parking spaces would be provided by the Project site when it should indicate 319 parking spaces would be provided. The comment asserts that the underestimation of 25 parking spaces has cause the model to result in an underestimation of emissions associated with the striping, ventilation, and lighting of the additional parking area. The commenter includes truck trailer stalls within their calculation of vehicle parking stalls, as input for "Parking Lot" within CalEEMod. The Project would include 271 standard vehicle stalls, 8 accessible vehicle stalls, and 12 parallel stalls, which would total 291 vehicle parking stalls. The CalEEMod input includes 294 vehicle parking stalls, which assumes 3 additional parking stalls than currently planned for the Project site. The CalEEMod parking input that the commenter references is only reflective of vehicle parking and does not include truck trips. Per methodology of the California Emissions Estimator Model User's Guide, truck

operations are correctly captured under the Project's non-residential land use (Unrefrigerated Warehouse-No Rail). The CalEEMod input provides a conservative slight overestimation of the minor emissions calculated for Project parking (3 additional spaces). The addition is minor and would result in negligible changes to over Project model output. The comment does not contain any information requiring further changes to the MND or requiring preparation of an EIR. No further response is warranted.

**Comment 1.20:** This comment states that there are unsubstantiated changes to the construction phase lengths from default values and states that the building construction phase was decreased from default value of 300 to 180 days, architectural coating phase was decreased from 300 to 180 days, and paving phase was decreased from 20 to 15 days. both the paving and architectural coating phases are increased from 20 days to 130 days. The commenter cites the Air Quality and GHG Study (Appendix A) as justification for the provided construction phase durations. The commenter erroneously states that the architectural coating phase was decreased from 300 to 180 days. The architectural phase duration specified in the MND and figure provided by the commenter is 50 days. The comment is descriptive in nature and does not raise any new impacts. Therefore, no further response is required.

**Comment 1.21:** This comment states that the justification for these changes is that construction timing was provided by the applicant and that the MND does not justify the revised individual construction phase lengths. The comment states that these changes result in lower emissions levels and that the model should have been proportionately altered for all phase lengths. All changes to the CalEEMod default construction timing are discussed in Impact Analysis of the Air Quality Report (LSA, 2022). The default CalEEMod timing does not overlap the phases; however, the Project applicant has stated that it is a possibility that Building Construction, Paving, and architectural phases would overlap. By reducing the duration of Project construction, daily emissions would be greater since the overall construction activities are concentrated to a shorter time duration. Additionally, by analyzing these three phases as overlapping phases, it greatly increases the calculated daily emissions. As such, the emissions calculated for the Project are conservative and impacts are correctly analyzed in the Project's Air Quality Study and MND. The comment does not contain any information requiring further changes to the MND or requiring preparation of an EIR. No further response is warranted.

**Comment 1.22:** This comment states that SWAPE prepared an updated CalEEMod analysis, which estimates that the Project's construction VOC emissions would exceed SCAQMD thresholds. This comment states that the updated modeling demonstrates that the Project would result in a potentially significant impact and an EIR should be prepared. The CalEEMod model run prepared by the commenter does not accurately represent the proposed Project and does not include the specific construction details that the applicant has provided that have been utilized in the CalEEMod model run that was prepared for the project in order to provide the most accurate possible representation of the air quality and GHG impacts created by the Project. Further, the remodeling prepared assumes 70,100 square feet of refrigerated warehouse would be constructed. The Project does not proposed refrigerated warehouse uses and demolition activities, which are not proposed by the Project. Additionally, the model inputs include unsubstantiated construction phase durations that do not follow CalEEMod defaults or the schedule specified by the Project applicant. Therefore, the CalEEMod model prepared and outputs provided by the commenter do not reflect the proposed Project. Comment 1.22 does not provide credible evidence of significant impacts that require the preparation of an EIR or that would require changes to the Public Review MND. No further response is warranted.

**Comment 1.23:** The comment states that development of the proposed Project would result in disproportionate health risk impacts on community members living, working, and going to school within the immediate area of the Project site. The commenter provides several resources describing the impact of warehouse development on low-income and minority communities, resulting in environmental justice issues. CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). The Project's potential economic and social effects, including those related to environmental justice, are not

considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Thus, consistent with CEQA, the MND includes an analysis of the Project's potentially significant physical impacts on the environment and does not include discussion of the Project's environmental justice effects. No further response is warranted.

**Comment 1.24:** This comment states that the City of San Bernardino has disproportionately high pollution burden compared to the rest of California. The comment states that according to CalEnviroScreen 4.0, the census tract including the Project site ranks in the 84<sup>th</sup> percentile for pollution burden, meaning that the impacts from pollution are among the highest in the state. The comment states that the census tract is affected by multiple sources of pollution. Additionally, the commenter states that the Project site ranks in the 79<sup>th</sup> percentile of the highest cancer risks in the South Coast Air Basin and the Project would disproportionately contribute to the health conditions of the residents in San Bernardino.

As detailed on pages 32 through 38 of the MND, emissions from construction and operation of the proposed Project would not expose sensitive receptors to substantial pollutant concentrations and emissions would not exceed the SCAQMD's localized significance thresholds for construction or operation. In addition, as detailed on page 35 of the MND, a Mobile Health Risk Assessment was prepared to evaluate the Project's health risk impacts to residents and workers as a result of exposure to DPM from heavy-duty diesel trucks traveling to and from the Project site, maneuvering onsite, and entering and leaving the site. The Mobile Source Health Risk Assessment determined that the maximum incremental cancer risk to nearby residences attributable to TAC source emissions is 6.66 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. The maximum non-cancer risks to nearby residences were estimated to be <0.001, which would not exceed the applicable significance threshold of 1.0. As such, operation of the Project at buildout would not cause a significant human health or cancer risk and impacts would be less than significant. Because the Project would not exceed thresholds for either DPM or localized significance thresholds, the Project would not adversely impact neighboring disadvantaged communities. The comment does not contain any information requiring changes to the MND. No further response is warranted.

Additionally, CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). The Project's potential economic and social effects, including those related to environmental justice, are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Thus, consistent with CEQA, the MND includes an analysis of the Project's potentially significant physical impacts on the environment and does not include discussion of the Project's environmental justice effects. The comment does not contain any information requiring further changes to the MND or requiring preparation of an EIR. No further response is warranted.

**Comment 1.25:** The comment states that the American Lung Association ranked San Bernardino and Riverside Counties as the worst for ozone pollution in the nation for 2022. Additionally, the commenter states that San Bernardino County has high ground-level ozone Air Quality Index (AQI) values. The comment describes that children are more susceptible to exposure of harmful air pollutants, which could cause increased risk of health issues. The comment also identifies that Indian Springs High School, Curtis Middle School, Monterey Elementary School, Sierra High School lie within 0.35-miles, 0.46-miles, 0.58-miles, and 0.64-miles from the Project site, respectively. These schools support vulnerable populations of children that are susceptible to air pollution and could suffer short and long-term health impacts if the Project is approved. The commenter states that an EIR should be prepared that includes a cumulative health risk assessment to quantify adverse health impacts on local sensitive receptors.

As detailed on pages 32 through 38 of the MND, emissions from construction and operation of the proposed Project would not expose sensitive receptors to substantial pollutant concentrations and emissions would not exceed the SCAQMD's localized significance thresholds for construction or operation. In addition, as detailed

on page 35 of the MND, a Mobile Health Risk Assessment was prepared to evaluate the Project's health risk impacts to residents and workers as a result of exposure to DPM from heavy-duty diesel trucks traveling to and from the Project site, maneuvering onsite, and entering and leaving the site. The Mobile Source Health Risk Assessment determined that the maximum incremental cancer risk to nearby residences attributable to TAC source emissions is 6.66 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. The maximum non-cancer risks to nearby residences were estimated to be <0.001, which would not exceed the applicable significance threshold of 1.0. As such, operation of the Project at buildout would not cause a significant human health or cancer risk and impacts would be less than significant. This determination was based on the nearest sensitive receptors, residences located approximately 100 feet from North Tippecanoe Street. Because the indicated schools are located at a further distance than the closest resident, the impacts would be less than those identified for the nearest receptor. Therefore, impacts were correctly analyzed and changes to the HRA is not needed.

The Project HRA was prepared in accordance with the South Coast Air Quality Management District (SCAQMD) Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (2003). SCAQMD has established an incidence rate of 10 persons per million as the maximum acceptable incremental cancer risk due to TAC exposure from a project. This threshold is used to determine whether or not a project has a potentially significant development-specific and cumulatively considerable impact. The SCAQMD thresholds serve to determine whether or not a given project has a potentially significant development-specific and cumulative impact. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. Thus, the project specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the Project-specific thresholds are not considered to be cumulatively significant. Since the Project would not exceed the SCAQMD health risk or air quality thresholds, the Project would not result in a cumulative impact pursuant to SCAQMD guidance. The comment does not contain any information requiring further changes to the MND or requiring preparation of an EIR. No further response is warranted.

**Comment 1.26:** The comment summarizes the Project's health risk impacts as determined within the Project's Air Quality Study (Appendix A) and Section 5.3, Air Quality, of the MND. The comment states the MND's evaluation of potential health risk impacts fails to combine lifetime cancer risk of Project construction and operation together to nearby receptors.

A HRA analyzing the Project's construction emissions of diesel particulate matter is not warranted. The primary purpose of an HRA is to determine long-term health risks, such as cancer risks over, for example, a 30-year residency or 70-year lifetime. As discussed in the MND, construction of the Project would take less than one year. As discussed on page 35 of the MND, with the use of Tier 2 equipment, the Project would not result in long-term health effects to adjacent receptors during construction. Additionally, the City follows SCAQMD guidance for air quality analysis. SCAQMD's HRA procedures recommend evaluating risk from extended exposures measured across several years. There would be no scenario where the Project construction would overlap with Project operation, and therefore, the type of analysis provided by the commenter would not be required pursuant to OEHHA and SCAQMD requirements. Further, the commenter misconstrues the quoted OEHHA Guidance, which is intended to require the sum of separate age group exposures over a lifetime and not exposures during separate Project stages. The comment does not contain any information requiring further changes to the MND or requiring preparation of an EIR. No further response is warranted.

**Comment 1.27:** This comment summarizes the health risk impact determinations within the MND. The comment states that the MND should have evaluated the combined construction and operation cancer risk resulting from the Project. The commenter combined the anticipated cancer risk from construction (5.6 per one million) and cancer risk from operation 6.6 per one million) to receive a combined cancer risk of 12.2 per one million, which would surpass the SCAQMD threshold of 10 per one million. The commenter states that the Project

needs to include mitigation to reduce potentially significant health risks to nearby sensitive receptors to less than significant levels pursuant CEQA Guidelines Section 15096(g)(2). The commenter asserts that the Project should not be approved until all feasible mitigation has been considered and incorporated where feasible.

A HRA analyzing the Project's construction emissions of diesel particulate matter is not warranted. The primary purpose of an HRA is to determine long-term health risks, such as cancer risks over, for example, a 30-year residency or 70-year lifetime. As discussed in the MND, construction of the Project would take less than one year. As discussed on page 35 of the MND, with the use of Tier 2 equipment, the Project would not result in long-term health effects to adjacent receptors during construction. Additionally, the City follows SCAQMD guidance for air quality analysis. SCAQMD's HRA procedures recommend evaluating risk from extended exposures measured across several years. There would be no scenario where the Project construction would overlap with Project operation, and therefore, the type of analysis provided by the commenter would not be required pursuant to OEHHA and SCAQMD requirements. Further, the commenter inaccurately combines the construction and operational cancer risks associated with the Project. Therefore, the significance conclusion presented by the commenter is based on clearly erroneous fact. The comment does not contain any information requiring further changes to the MND or requiring preparation of an EIR. No further response is warranted.

**Comment 1.28:** The comment states that the Project would result in potentially significant air quality and health risk impacts that should be mitigated. The commenter provides several mitigation measures from the SCAG's 2020 RTP/SCS PEIR's Air Quality Project Level Mitigation Measures that are applicable to the project to reduce the Project's emissions.

As discussed in the MND in Section 5.6 *Air Quality*, impacts related to air quality and health risk would be less than significant with the implementation of standard regulatory requirements. and implementation of Mitigation Measure AQ-1. Further, none of the comments included in the commenter's letter provide credible fair argument of a significant impact related to air quality or health risk. Therefore, pursuant to CEQA Guidelines Section 15126.4, subd. (a)(4)(A)–(B), there is no nexus between mitigation outlined in the comment letter and impacts from the Project on air quality and health risk. Comment 1.28 does not provide evidence of significant impacts that require the preparation of an EIR or that would require changes to the Public Review MND. No further response is required.

**Comment 1.29:** This comment states that the commenter has received limited discovery regarding the Project, additional information may become available in the future; and the commentor retains the right to revise or amend this report when additional information becomes available. The comment also states that the comments reflect efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties. This comment is general in nature and does not provide evidence of significant impacts that require the preparation of an EIR or that would require changes to the MND. This comment and this response will be forwarded to all decision-making bodies to inform their decision on the Project. No further response is warranted.



**Comment 2: South Coast Air Quality Management District, received October 14, 2022**



SENT VIA E-MAIL:  
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 Michael Rosales, Associate Planner  
 City of San Bernardino, Planning Division  
 290 North D Street  
 San Bernardino, CA 92401

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**Mitigated Negative Declaration (MND) for the Proposed  
 9<sup>th</sup> Street and Tippecanoe Avenue Project (Proposed Project)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of San Bernardino is the 21-148 Comment\_Letter\_2California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments include information on the Community Emissions Reduction Plan (CERP) for the Assembly Bill 617 (AB 617) designated San Bernardino, Muscoy (SBM) community and recommended revisions to the localized estimated emissions and regional air quality impacts analysis and information about South Coast AQMD Rules 2305 and 316 that the Lead Agency should incorporate in the Final MND.

2-1

**South Coast AQMD Staff’s Summary of Project Information in the MND**

Based on the MND, the Proposed Project consists of construction and operation of a 339,600 square feet (sf) unrefrigerated warehouse facility on 14.32 acres.<sup>1,2</sup> Operation of the 334,600-sf warehouse portion with 35 loading docks is expected to involve approximately 97 truck trips per day.<sup>3,4</sup> Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., residence) is within approximately 35 meters of the Proposed Project. The Proposed Project site is located near the southwest corner of Tippecanoe Avenue and 9<sup>th</sup> Street in the City of San Bernardino, California 92410. Construction of the Proposed Project is anticipated to begin in the 4<sup>th</sup> quarter of 2022, occur in one phase, and be completed in 10 months concluding in the 4<sup>th</sup> quarter of 2023.<sup>5</sup>

2-2

**South Coast AQMD Staff’s Comments**

*Information on the CERP for the Designated AB 617 SBM Community*

The Proposed Project area is heavily impacted by air pollution generated from sources such as heavy-duty diesel trucks, warehouses, and railroad activities, and includes the AB 617-designated SBM community. An AB 617-designated community requires South Coast AQMD to work with a Community Steering Committee (CSC) to develop a CERP that identifies air quality priorities

2-3

<sup>1</sup> MND, Appendix A, Introduction, Page 1.  
<sup>2</sup> *Ibid.*, 5 Environmental Analysis, Page 33.  
<sup>3</sup> *Ibid.*, Appendix A, Introduction, Page 1.  
<sup>4</sup> *Ibid.*, Appendix J, Project Trip Generation: Table 1, Page 3.  
<sup>5</sup> *Ibid.*, Appendix A, Introduction, Page 1.

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and actions to reduce air pollution in the community. The South Coast AQMD's Governing Board adopted the AB 617 SBM community CERP on September 6, 2019.<sup>6</sup> South Coast AQMD's latest Multiple Air Toxics Exposure Study (MATES), MATES V, which was published in September 2021,<sup>7</sup> shows the air toxics cancer risk as 492 per million in the Proposed Project area zip code.<sup>8</sup> According to MATES V this translates to the Proposed Project's cancer risks as being higher than 62% of the South Coast AQMD population.<sup>9</sup> South Coast AQMD staff recommends that the Lead Agency review the actions included in Chapter 5 of the adopted CERP and continue working with South Coast AQMD's AB 617 staff to explore whether additional mitigation measures can be identified and implemented by the Proposed Project.

2-3  
cont.

#### *Off-Road Tier 4*

The Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to South Coast AQMD's recommended regional air quality CEQA significance thresholds for construction and operation. Based on this analysis, the Lead Agency found that the Proposed Project's unmitigated regional construction and operational air quality impacts would be less than significant.<sup>10</sup>

The Lead Agency also performed a mobile source HRA to determine if construction and operation of the Proposed Project would result in a significant incremental increase in potential cancer risk to surrounding sensitive receptors (i.e., residential units within 35 meters of the Proposed Project). Operational activities were found to not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk. Construction activities, though, were found to result in a maximum cancer inhalation risk of 40.1 in one million and 29.3 in one million for off-site worker and residential receptors respectively,<sup>11</sup> which would exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk. Mitigation Measure (MM) AQ-1 would require off-road construction equipment of 50 horsepower or greater to meet the California Air Resources Board (CARB) Tier 2 emissions standards with Level 3 diesel particulate filters or equivalent.<sup>12</sup> With implementation of MM AQ-1, the maximum cancer risk during construction would be reduced to 7.6 in one million and 5.6 in one million for off-site worker and residential receptors respectively,<sup>13</sup> which would be below the significance threshold.

2-4

With implementation of MM AQ-1, the Proposed Project is expected to have a less than significant impact on air quality.<sup>14</sup> The Proposed Project, however, is in an area that is disproportionately impacted by air pollution; the burden is so high that the area is an AB 617-

<sup>6</sup> South Coast AQMD. September 2019. Assembly Bill 617 San Bernardino, Muscoy Community Emissions Reduction Plan. Accessed at: <http://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/san-bernardino/cerp/carb-submittal/final-cerp.pdf>

<sup>7</sup> MATES V Multiple Air Toxics Exposure Study. August 2021. Accessed at: <http://www.aqmd.gov/docs/default-source/planning/mates-v/mates-v-final-report-9-24-21.pdf>

<sup>8</sup> MATES V Multiple Air Toxics Exposure Study, MATES Data Visualization: <http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v>

<sup>9</sup> *Ibid.*

<sup>10</sup> MND. Appendix A. Impact Analysis: Table L & M. Page 55 - 56.

<sup>11</sup> *Ibid.* 5 Environmental Analysis. Page 35.

<sup>12</sup> *Ibid.* Page 37.

<sup>13</sup> *Ibid.* Page 35.

<sup>14</sup> *Ibid.* Page 34-36.

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designated community. To further reduce criteria pollutants and diesel particulate matter (DPM) during construction and minimize their impacts on nearby sensitive receptors, South Coast AQMD staff recommends that the Lead Agency use off-road diesel-powered construction equipment that meets or exceeds the CARB and United States Environmental Protection Agency Tier 4 off-road emissions standards for equipment rated at 50 horsepower or greater during the Proposed Project construction phase.

2-4  
cont.

*Localized Estimated Emissions (Construction and Operation)*

The Lead Agency did not analyze the Proposed Project’s localized air quality impacts. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD’s CEQA localized significance thresholds (LSTs)<sup>15</sup> to determine the Proposed Project’s localized air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

2-5

*Regional Air Quality Impacts Analysis for Cleanup Activities During Construction*

The Hazards and Hazardous Materials Section in the MND states that a Phase I ESA investigation indicates that previous uses of the Proposed Project site show potential for contaminated soils.<sup>16</sup> MM HAZ-1 would require soil sampling and development of a Soil Management Plan (SMP) prior to excavation and/or disposal of soils offsite.<sup>17</sup> Anticipated soil testing includes total petroleum hydrocarbons, volatile organic compounds, and semi-volatile organic compounds. The SMP will also require that a certified hazardous waste hauler remove all potentially hazardous soils.<sup>18</sup> It is unclear in the MND, however, if the Lead Agency adequately analyzed air quality impacts from such soil cleanup activities.

Hazardous soil removal and hauling activities will likely involve the use of heavy-duty, diesel-fueled trucks and generate mobile source emissions. If contaminated soil cleanup activities are reasonably foreseeable at the time the MND was prepared, the Lead Agency should use good faith, best efforts to provide information on the scope, types, and duration of any reasonably foreseeable contaminated soil removal and hauling activities. Therefore, South Coast AQMD staff recommends that the Lead Agency quantify emissions from removing and hauling contaminated soil and include those emissions in the Proposed Project’s regional construction emissions profile to be compared to South Coast AQMD’s regional air quality CEQA significance thresholds for construction to determine the level of significance in the Final MND. If the reason for not including them in the Final MND is because contaminated soil removal and disposal measures in the SMP have not been fully developed or approved prior to adoption of the Final MND, the Lead Agency should commit to evaluating the air quality impacts from those activities through a CEQA process when the measures become known and prior to allowing the commencement of any soil remedial or mitigation activities at the Proposed Project site.

2-6

<sup>15</sup> <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>

<sup>16</sup> MND. 5 Environmental Analysis. Page 63.

<sup>17</sup> *Ibid*

<sup>18</sup> *Ibid*. Page 66.

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Based on the emission calculations from the CalEEMod output files, the Lead Agency used the default one-way truck trip length of 20 miles to quantify the Proposed Project's construction emissions from hauling construction materials and importing or exporting soil.<sup>19</sup> Since hazardous soil cleanup activities could include the removal and disposal of contaminated soil, depending on the type of contamination, contaminated soil may not be accepted at a landfill within 20 miles of the Proposed Project site. Such soil may need to be disposed of at a permitted hazardous disposal facility with a one-way truck trip length that is longer than 20 miles. Therefore, South Coast AQMD staff recommends that the Lead Agency identify the permitted hazardous disposal facility that the Proposed Project could use to dispose contaminated soil, disclose the information in the Final MND, and re-calculate the Proposed Project's construction emissions from haul truck trips for the transport and disposal of contaminated soil based on the appropriate one-way truck trip length. If construction emissions from haul truck trips for transporting contaminated soil are not re-calculated in the Final MND, the Lead Agency should provide reasons for not re-calculating them supported by substantial evidence in the record.

2-6  
cont.

*South Coast AQMD Rule 2305 and Rule 316*

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NOx) and particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt in to earn Points on behalf of their tenants if they so choose because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities.

2-7

Since the Proposed Project consists of the development of a building with 334,600-sf of warehouse activities, the Proposed Project's warehouse owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation. South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at (909) 396-3140 or [waire-program@aqmd.gov](mailto:waire-program@aqmd.gov). For implementation guidance

<sup>19</sup> MND, Appendix A, Appendices A: CalEEMod Output, Page 120.

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documents and compliance and reporting tools, please visit South Coast AQMD’s WAIRE Program webpage.<sup>20</sup>

2-7  
cont.

Conclusion

According to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When the Lead Agency’s position is at variance with recommendations raised in the comments, the issues raised in the comments should be addressed in detail, giving reasons why specific comments and suggestions are not accepted. There should be good faith and reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision-makers and the public who are interested in the Proposed Project.

2-8

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Evelyn Aguilar, Air Quality Specialist, at [eaguilar@aqmd.gov](mailto:eaguilar@aqmd.gov), should you have any questions or wish to discuss the comments.

Sincerely,

*Sam Wang*

Sam Wang

Program Supervisor, CEQA-IGR

Planning, Rule Development & Implementation

SW:EA  
SBC220927-03  
Control Number

<sup>20</sup> South Coast AQMD. WAIRE Program. Accessed at: <http://www.aqmd.gov/waire>.

**RESPONSE TO COMMENT 2: South Coast Air Quality Management District**

**Comment 2.1:** This comment states that the South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the EIR, and that the following comments include information on the Community Emissions Reduction Plan (CERP) for the Assembly Bill 617 (AB 617) designated San Bernardino, Muscoy (SBM) community and recommended revisions to the localized estimated emissions and regional air quality impacts analysis and information about South Coast AQMD Rules 2305 and 316 that should be incorporated into the Final MND.

The comment is introductory in nature and does not raise a specific issue with the adequacy of the Draft MND or raise any other CEQA issue. No further response is required.

**Comment 2.2:** This comment provides a summary of the Project Description. The comment also states that 97 daily truck trips are associated with warehouse activities. South Coast AQMD staff found that the nearest sensitive receptor is within 35 meters of the proposed Project. Construction of the proposed Project is anticipated to begin in the 4<sup>th</sup> quarter of 2022 and occur over 10 months, concluding in the 4<sup>th</sup> quarter of 2023.

This comment is descriptive in nature and does not raise any new impacts. Therefore, no further response is required.

**Comment 2.3:** This comment states that the Project is located in an area that is heavily impacted by air pollution generated from diesel truck, warehouses, and railroad activities. This comment explains that an AB 617-designated community requires SCAQMD to work with a Community Steering Committee (CSC) to develop a CERP that identifies air quality priorities and actions to reduce air pollution in the community. SCAQMD adopted the AB 617 SMD community CERP in September 2019 and the latest Multiple Air Toxics Exposure Study (MATES), MATES V, which was published in September 2021, shows air toxics cancer risk as 492 per million in the proposed Project zip code. Therefore, the cancer risk for the proposed Project site's cancer risk is higher than 62% of SCAQMD's population and SCAQMD recommends that the Lead Agency review actions included in Chapter 5 of the adopted CERP and continue working with SCAQMD AB 617 staff to explore whether additional mitigation measures can be identified and implemented by the Project.

As discussed in the MND in Section 5.6 *Air Quality*, impacts related to air quality and health risk would be less than significant with the implementation of standard regulatory requirements. and implementation of Mitigation Measure AQ-1. Further, none of the comments included in the commenter's letter provide credible fair argument of a significant impact related to air quality or health risk. Therefore, pursuant to CEQA Guidelines Section 15126.4, subd. (a)(4)(A)–(B), there is no nexus between mitigation outlined in the comment letter and impacts from the Project on air quality and health risk. Comment 2.3 does not provide evidence of significant impacts that require the preparation of an EIR or that would require changes to the Public Review MND. No further response is required.

**Comment 2.4:** This comment is informational and describes how the Project's construction and operational emissions are below SCAQMD's recommended regional air quality CEQA significance thresholds and impacts would be less than significant. The comment also states that a mobile source HRA was performed to determine if construction and operation of the Project would result in a significant increase in potential cancer risk to surrounding sensitive receptors. Operational activities were found to not exceed SCAQMD's CEQA significance threshold, however, construction activities were found to result in a cancer inhalation risk of for off-site worker and residential receptors above the threshold. The comment states that the MND incorporated MM AQ-1 which would require off-road construction equipment of 50 horsepower or greater to meet the California Air Resources Board (CARB) Tier 2 emissions standards with Level 3 diesel particulate filters or equivalent which would reduce cancer risk during construction to levels below the significance threshold.

This comment also states that although impacts are mitigatable to less than significant thresholds, the proposed Project would be in an area that is disproportionately impacted by air pollution and is an AB 617 designated community. The comment recommends that off-road diesel-powered construction equipment be used that meets or exceeds the CARB and United States Environmental Protection Agency Tier 4 off-road emissions standards for equipment rated at 50 horsepower or greater during construction to further reduce criteria pollutants and diesel particulate matter (DPM).

As discussed in the MND in Section 5.6 *Air Quality*, impacts related to air quality and health risk would be less than significant with the implementation of standard regulatory requirements, and implementation of Mitigation Measure AQ-1. Further, none of the comments included in the commenter's letter provide a credible fair argument of a significant impact related to air quality or health risk. Therefore, pursuant to CEQA Guidelines Section 15126.4, subd. (a)(4)(A)–(B), there is no nexus between mitigation outlined in the comment letter and impacts from the Project on air quality and health risk. Nevertheless, in response to Comment 2.3, Mitigation Measure AQ-1 has been revised as follows:

**Mitigation Measure AQ-1: Tier 2 Equipment with Level 3 Filters.** Prior to issuance of construction or demolition permits, the City of San Bernardino Public Works Department shall ensure that Project construction plans and specifications state that all off-road diesel-powered construction equipment of 50 horsepower or more used for the Project meets the California Air Resources Board Tier 2 emissions standards with Level 3 diesel particulate filters or equivalent. **When commercially available, Project construction shall utilize off-road diesel-powered construction equipment of 50 horsepower or more that meets the California Air Resources Board Tier 4 emissions standards.**

Comment 2.3 does not provide evidence of significant impacts that require the preparation of an EIR or that would require changes to the Public Review MND. No further response is required.

**Comment 2.5:** This comment states that the Project did not analyze localized air quality impacts. SCAQMD recommends that criteria pollutant emissions be quantified against SCAQMD's CEQA localized significance thresholds (LSTs) to determine the Project's localized air quality impacts.

In response to Comment 2.5, the LST analysis is included in Appendix A to the Final MND and in Chapter 3, *Errata*. As shown in Chapter 3 Tables AQ-4 and AQ-5, localized emissions during construction and operations would be below SCAQMD thresholds. Therefore, impacts related to localized emissions would be less than significant. These revisions do not alter any impact significance conclusions as disclosed in the MND and are merely to clarify the discussion and the discrepancy in the analysis.

**Comment 2.6:** This comment discusses air quality impacts related to clean up activities. The comment states that the Phase I ESA performed for the Project shows the potential for contaminated soils and MM HAZ-1 would require soil sampling and development of a Soil Management Plan (SMP) prior to excavation and/or disposal of soils offsite. However, the comment states that it is unclear in the MND if the Project adequately analyzed air quality impacts from soil cleanup activities.

The comment describes that soil cleanup activities can generate mobile source emissions and emissions from removing and hauling contaminated soil be quantified and included to the regional construction emissions profile and compared to SCAQMD's CEQA significance threshold to determine the level of significance. If the emissions cannot be included in the Final MND because contaminated soils removal and disposal measures in the SMP have not been fully developed or approved prior to the final MND, the Lead Agency should evaluate air quality impacts from the activities through a CEQA process when measures become known prior to any soil remedial or mitigation activities on the site.

This comment also states that the CalEEMod output files for emission calculations used the default one-way truck trip length of 20 miles for the Project's construction emissions from hauling construction materials and

importing or exporting soil. The comment points out that due to potential hazardous soil cleanup activities, depending on the type of soil contamination, it may not be accepted at a landfill within 20 miles of the site and need to be taken to a landfill greater than 20 miles away. The comment recommends that a disposal facility be identified that could accept contaminated soil in the Final MND and re-calculate the construction emissions from the one-way haul truck trip length based on the designated landfill. If emissions are not recalculated, the comment requests that reasoning be provided and supported by substantial evidence.

As discussed in Chapter 3.0 of the MND, a net import of approximately 31,240 CY of soils would be required during Project construction. As discussed in Appendix F to the MND, while the site had multiple previous uses and potential soil contamination, soil testing would only be necessary if offsite disposal is required, which is not anticipated during Project construction. Therefore, it is not reasonably foreseeable that any soils will need to be transported to a landfill further than 20 miles away. The comment does not contain any information requiring further changes to the MND or requiring preparation of an EIR. No further response is warranted.

**Comment 2.7:** This comment summarizes Rules 2305 and 316 which were adopted by SCAQMD's Governing Board on May 7, 2021 and states that the Project would be required to abide by the adopted rules as the proposed Project building is greater than 100,000 square feet.

The Project would follow all applicable existing rules and regulations set forth by SCAQMD, the City, and any other regulatory body. Therefore, the future Project operator would be required to comply with Rule 2305 and Rule 316. However, since the proposed Project would develop a speculative industrial building, future methods for compliance with these rules is unknown, and therefore, additional mitigation measures for compliance with the rules would be infeasible.

**Comment 2.8:** This comment concludes the letter and requests that written responses to all comments contained within the letter be provided to SCAQMD. The City appreciates SCAQMD's comments on the proposed Project and has made necessary changes to the Final MND based on SCAQMD's comments where applicable. This response will be provided as part of the Final MND and will be forwarded to City decision makers.



## 3. Errata to the 9<sup>th</sup> and Tippecanoe Warehouse MND

This section contains revisions to the Public Review Draft MND based upon: (1) clarifications required to prepare a response to a specific comment; and/or (2) typographical errors. These revisions do not alter any impact significance conclusions as disclosed in the MND. Changes made to the MND are identified here in ~~strikeout~~ text to indicate deletions and in **bold underlined** text to signify additions.

### Revisions in Response to Written Comments and County Changes to Text

The following text, organized by MND Chapters and Sections, has been revised in response to comments received on the MND and corrections identified by the City.

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#### 5.3 Air Quality

Threshold c on pages 34 through 36 will be revised as follows:

**Less than Significant with Mitigation Incorporated. The SCAQMD's Final Localized Significance Threshold Methodology (SCAQMD 2008) recommends the evaluation of localized NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> construction-related impacts to sensitive receptors in the immediate vicinity of the Project site. Such an evaluation is referred to as a localized significance threshold (LST) analysis. According to the SCAQMD's Final Localized Significance Threshold Methodology, "off-site mobile emissions from the Project should not be included in the emissions compared to the LSTs" (SCAQMD 2008). SCAQMD has developed LSTs that represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards, and thus would not cause or contribute to localized air quality impacts. LSTs are developed based on the ambient concentrations of NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> pollutants for each of the 38 source receptor areas (SRAs) in the Basin. The Project is located within Central San Bernardino Valley, which is within SRA 34.**

**Sensitive receptors can include residences, schools, playgrounds, childcare centers, athletic facilities. The nearest sensitive receptors are the existing residences located across Tippecanoe Avenue. For the purpose of the air quality analysis and modeling, which utilizes the distance from the property line to the closest sensitive structure for determining LST thresholds, the distance between the Project boundary and the closest existing residential structure is approximately 100 feet (30 meters).**

#### **Construction**

**Construction of the proposed Project may expose nearby residential sensitive receptors to airborne particulates as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement measures to reduce or eliminate emissions by following SCAQMD's standard construction practices Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. As shown in Table AQ-4, Project construction-source emissions would not exceed SCAQMD LSTs and impacts would be less than significant.**

**Table AQ-4: Localized Significance Summary of Construction Emissions**

<b>Construction Activity</b>	<b>Maximum Daily Localized Construction Emissions (pounds/day)</b>			
	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
<b>2023</b>				
Onsite Emissions	51.2	36.7	9.8	5.5
<b>SCAQMD LST</b>	<b>226</b>	<b>1,473</b>	<b>15</b>	<b>6.4</b>
<b>Emissions Exceed Thresholds?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
NO <sub>x</sub> = oxides of nitrogen    PM <sub>10</sub> = particulate matter 10 microns or less in diameter PM <sub>2.5</sub> = particulate matter 2.5 microns or less in diameter    CO = carbon monoxide Source: LSA (Final MND Appendix A)				

**Operation**

Operation of the proposed Project would include emissions from vehicles traveling to the Project site and from vehicles in the parking lots and loading areas. Area source emissions would occur from operation of the warehouse building. As demonstrated in Table AQ-5, emissions would not exceed SCAQMD LSTs for operations, and impacts would be less than significant.

**Table AQ-5: Localized Significance Summary of Operation Emissions**

<b>Operational Activity</b>	<b>Maximum Daily Localized Emissions (pounds/day)</b>			
	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
Area Sources	≤1	1.0	≤1.0	≤1.0
<b>SCAQMD Significance Threshold</b>	<b>276</b>	<b>1,876</b>	<b>5.4</b>	<b>2.2</b>
<b>Exceed Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
NO <sub>x</sub> = oxides of nitrogen    PM <sub>10</sub> = particulate matter 10 microns or less in diameter PM <sub>2.5</sub> = particulate matter 2.5 microns or less in diameter    CO = carbon monoxide Maximum of daily Summer or winter season emissions presented Source: LSA (Final MND Appendix A)				

**Diesel Health Risk Analysis.** A construction health risk assessment (HRA), which evaluates construction-period health risk to sensitive off-site receptors, was performed for the Project. Sensitive receptors can include residences, schools, playgrounds, childcare centers, athletic facilities. The nearest sensitive receptors to the Project site include construction workers at the site, residences located approximately 100 feet from North Tippecanoe Street to the east and Bing Wong Elementary School located 231 feet to the northeast. A dispersion model was used to estimate the potential cancer risk associated with construction of the proposed Project.

**Construction**

Construction of the proposed Project may expose nearby residential sensitive receptors to airborne particulates as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement measures to reduce or eliminate emissions by following SCAQMD's standard construction practices Rule 402 requires

implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site (incorporated as PPP AQ-2). Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source (incorporated as PPP AQ-1). Table AQ-74 below identifies the results of the analysis assuming the use of Tier 2 construction equipment, as proposed by the Project, at the maximally exposed individual (MEI), which is the nearest sensitive receptor.

**Table AQ-64: Unmitigated Health Risks from Project Construction to Off-Site Receptors**

Location	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index
Worker Receptor Risk	40.1	0.116	0.000
Sensitive Receptor Risk	29.3	0.010	0.000
<b>SCAQMD Threshold</b>	<b>10.0 in one million</b>	<b>1.0</b>	<b>1.0</b>
<b>Exceeds Threshold?</b>	<b>Yes</b>	<b>No</b>	<b>No</b>

Source: Air Quality, Energy, Greenhouse Gas Impact Analysis (Appendix A)

**Table AQ-75: Mitigated Health Risks from Project Construction to Off-Site Receptors**

Location	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index
Worker Receptor Risk	7.6	0.022	0.000
Sensitive Receptor Risk	5.6	0.002	0.000
<b>SCAQMD Threshold</b>	<b>10.0 in one million</b>	<b>1.0</b>	<b>1.0</b>
<b>Exceeds Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Air Quality, Energy, Greenhouse Gas Impact Analysis (Appendix A)

As shown in Table AQ-64, the maximum cancer risk for the worker receptor MEI would be 40.1 in one million, which would exceed the SCAQMD cancer risk threshold of 10 in one million. Tier 2 construction equipment has been assumed for the Project. Mitigation Measure AQ-1 would require the installation of Level 3 diesel particulate filters, or equivalent, on Tier 2 construction equipment to reduce substantial pollutant concentrations during Project construction. As shown in Table AQ-75, with implementation of Mitigation Measure AQ-1, the mitigated cancer risk at the worker receptor MEI would be reduced to 7.6 in one million, which would not exceed the SCAQMD threshold of 10 in one million. Additionally, the mitigated cancer risk at the sensitive receptor MEI would be 5.6 in one million, which would also not exceed SCAQMDs HRA thresholds.

### Operation

An operational HRA was conducted to determine the potential health risk to sensitive receptors near the Project site during operation of the Project. The operational HRA was conducted using three models:

- (1) Emission Factor (EMFAC) 2021 for on-road vehicle emissions factors and percentages of fuel type within the overall vehicle fleet;
- (2) the United States Environmental Protection Agency (USEPA) AERMOD air dispersion model to determine how the TACs would move through the atmosphere after release from sources both on site and on surrounding roadways; and
- (3) California Air Resources Board (CARB's) HARP2 model to translate the pollutant concentrations from AERMOD into individual health risks at any sensitive receptor locations surrounding the Project site.

Operation of the proposed Project would include emissions from vehicles traveling to the Project site and from vehicles in the parking lots and loading areas. Area source emissions would occur from operation of

the warehouse. As demonstrated in Table AQ-85, emissions would not exceed SCAQMD's HRA thresholds for operations, and impacts would be less than significant.

**Table AQ-86: Health Risks from Project Operation to Off-Site Receptors**

Location	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index
Worker Receptor Risk	0.50	0.002	<0.001
Sensitive Receptor Risk	6.66	0.002	<0.001
<b>SCAQMD Thresholds</b>	<b>10.0 in one million</b>	<b>1.0</b>	<b>1.0</b>
<b>Exceeds Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Air Quality, Energy, Greenhouse Gas Impact Analysis (Appendix A)

**Mitigation Measure AQ-1, on page 37 will be revised as follows:**

**Mitigation Measure AQ-1: Tier 2 Equipment with Level 3 Filters.** Prior to issuance of construction or demolition permits, the City of San Bernardino Public Works Department shall ensure that Project construction plans and specifications state that all off-road diesel-powered construction equipment of 50 horsepower or more used for the Project meets the California Air Resources Board Tier 2 emissions standards with Level 3 diesel particulate filters or equivalent. **When commercially available, Project construction shall utilize off-road diesel-powered construction equipment of 50 horsepower or more that meets the California Air Resources Board Tier 4 emissions standards.**

**Project Description/Design Feature 1, as provided on page 14 of the Public Review Draft MND, will be incorporated into the Project Mitigation, Monitoring, and Reporting Program (MMRP).**

**PDF-1: Sidewalks.** The Project shall provide a new sidewalk fronting the Project site along 9th Street and Tippecanoe Avenue that would connect to the existing adjacent sidewalks. The new sidewalks shall be consistent with City standards, as determined by the City through the development permitting process.

## 4. Mitigation Monitoring and Reporting Program

### Introduction

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Mitigated Negative Declaration has been certified which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "...reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented for the 9<sup>th</sup> Street and Tippecanoe Avenue Warehouse Project (Project). The City of San Bernardino is the Lead Agency for the project and is responsible for implementation of the MMRP. This report describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP.

### Mitigation Monitoring and Reporting Program

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the City for the Project. The table identifies mitigation measures required by the City to mitigate or avoid significant impacts associated with the implementation of the Project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As individual Plan, Program, Policies; and mitigation measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

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**TABLE 3-1: MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<b>AIR QUALITY</b>			
<p>Mitigation Measure AQ-1: Tier 2 Equipment with Level 3 Filters. Prior to issuance of construction or demolition permits, the City of San Bernardino Public Works Department shall ensure that Project construction plans and specifications state that all off-road diesel-powered construction equipment of 50 horsepower or more used for the Project meets the California Air Resources Board Tier 2 emissions standards with Level 3 diesel particulate filters or equivalent. When commercially available, Project construction shall utilize off-road diesel-powered construction equipment of 50 horsepower or more that meets the California Air Resources Board Tier 4 emissions standards.</p>	<p>Use of Tier 2 Equipment with Level 3 diesel filters. Construction.</p>	<p>City of San Bernardino Planning Division</p>	
<b>BIOLOGICAL RESOURCES</b>			
<p>Mitigation Measure BIO-1: Nesting Bird Survey. Vegetation removal should occur outside of the nesting bird season (generally between February 1 and September 15). If vegetation removal is required during the nesting bird season, the applicant must conduct take avoidance surveys for nesting birds prior to initiating vegetation removal/clearing. Surveys will be conducted by a qualified biologist(s) within three days of vegetation removal. If active nests are observed, a qualified biologist will determine appropriate minimum disturbance buffers and other adaptive mitigation techniques (e.g., biological monitoring of active nests during construction-related activities, staggered schedules, etc.) to ensure that impacts to nesting birds are avoided until the nest is no longer active. At a minimum, construction activities will stay outside of a 300-foot buffer around the active nests. For raptor species, the buffer is to be expanded to 500 feet. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist and City of San Bernardino Planning Division verify that the nests are no longer occupied, and the juvenile birds can survive independently from the nests. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities may occur.</p>	<p>Submittal of pre-activity field survey results report. Prior to demolition and grading permits.</p>	<p>City of San Bernardino Planning Division</p>	

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<b>CULTURAL RESOURCES</b>			
<p>MM CUL-1: Inadvertent Discoveries. Prior to the issuance of any permits for ground-disturbing activities that cause excavation of soils (including as grading, excavation, and trenching), the City of San Bernardino shall ensure that all Project grading and construction plans shall include specifications of the Cultural Resources Management Plan (CRMP) (MM CUL-2), including that in the event that potential archaeological resources are discovered during excavation, grading, or construction activities, work shall cease within 60 feet (100 feet if identified as human remains or funerary objects, see PPP CUL-1) of the find until a qualified archaeologist from the City or County List of Qualified Archaeologists as designated by the CRMP has evaluated the find to determine whether the find constitutes a “unique archaeological resource,” as defined in Section 21083.2(g) of the California Public Resources Code.</p> <p>Any resources identified shall be treated in accordance with California Public Resources Code Section 21083.2(g). If the discovered resource(s) appears Native American in origin, a Native American Monitor shall be contacted to evaluate any potential tribal cultural resource(s) and shall have the opportunity to consult on appropriate treatment and curation of these resources.</p> <p>Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within MM 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.</p>	<p>Confirmation of professional archaeologist retention/ongoing/monitoring/submittal of Report of Findings. Prior to demolition and grading permits and during subsurface excavation.</p>	<p>City of San Bernardino Planning Division / Qualified Archaeologist</p>	
<p>MM CUL-2: Cultural Resources Monitoring Plan. The Project archaeologist, in consultation with consulting tribes, the Developer, and the City, shall develop and implement a Cultural Resources Monitoring Plan (CRMP) to address the details, timing, and responsibility of all archaeological and cultural activities that will occur on the Project site. Details in the plan shall include:</p> <p>a. Archaeological monitoring: Prior to the issuance of any permits for ground-disturbing activities and the first grading</p>	<p>Archaeologist shall be retained and develop and implement a Cultural Resources Monitoring Plan (CRMP). Prior to grading permit; during initial</p>	<p>City of San Bernardino Planning Division / Qualified Archaeologist</p>	



Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>permit, the developer/applicant shall provide a letter to the City of San Bernardino Planning Division, or designee, from a qualified professional archeologist meeting the Secretary of Interior's Professional Qualifications for Archaeology as defined at 36 CFR Part 61, Appendix A stating that a qualified archeologist(s) has been retained and will be present for the initial clearing of the property and then periodically during ground-disturbing activities as determined by the Project archaeologist.</p> <p>b. Project grading and development scheduling;</p> <p>c. The development of an archaeological monitoring schedule, and in the event any pre-contact and/or historic-era cultural resources are discovered, the archaeologist will coordinate with the developer/applicant and designated Native American Tribal Monitor from the consulting tribe during grading, excavation, and ground-disturbing activities on the site, including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists (see MM TCR-1);</p> <p>d. The protocols and stipulations that the Applicant, tribes, and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits, or nonrenewable paleontological resources that shall be subject to a cultural resources evaluation (provisions of MM CUL-1 shall be incorporated);</p> <p>e. Treatment and final disposition of any cultural and paleontological resources, sacred sites, and human remains if discovered on the project site;</p> <p>f. The Yuhaaviatam of San Manuel Nation Cultural Resources Department shall be contacted immediately of any pre-</p>	<p>clearing and ground disturbing activity.</p>		

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>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 Treatment and Disposition Plan shall be created by the archaeologist, in coordination with Yuhaaviatam of San Manuel Nation (as specified within MM TCR-2), and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents Yuhaaviatam of San Manuel Nation for the remainder of the Project, should Yuhaaviatam of San Manuel Nation elect to place a monitor on-site; and</p> <p>g. The requirements (including scheduling and timing) of a preconstruction Cultural Sensitivity Training.</p> <p>Following construction prior to issuance of a building permit, the archaeologist shall submit a draft monitoring report describing the results, analysis, and conclusions of all phases of the archaeological monitoring program.</p>			
<b>GEOLOGY AND SOILS</b>			
<p>MM PAL-1: Inadvertent Paleontological Discoveries. Prior to issuance of a grading permit, the City of San Bernardino Building Department shall verify that all Project grading and construction plans and specifications state that in the event that potential paleontological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified paleontologist (i.e., a practicing paleontologist that is recognized in the paleontological community and is proficient in vertebrate paleontology) from the City or County List of Qualified Paleontologists has evaluated the find in accordance with federal and state regulations. Construction personnel shall not collect or move any paleontological materials and associated materials. If any fossil remains are discovered, the</p>	<p>Grading/Construction plans must specify procedure for inadvertent paleo resource discovery. Prior to grading permit.</p>	<p>City of San Bernardino Building Department</p>	

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>paleontologist shall make a recommendation if monitoring shall be required for the continuance of earth moving activities.</p>			
<p>MM PAL-2: Paleontological Resource Impact Mitigation Program. If paleontological resources of any sort are discovered during grading and earthmoving activities, a paleontologist must be retained to develop a Paleontological Resource Impact Mitigation Program (PRIMP) consistent with the provisions of CEQA and those of the guidelines of the Society of Vertebrate Paleontology (2010). Implementation of the paleontological PRIMP would mitigate any adverse impacts (loss or destruction) to potential nonrenewable paleontological resources, if present, to a level below significant.</p>	<p>A paleontologist must be retained to develop a Paleontological Resource Impact Mitigation Program (PRIMP). Upon inadvertent discovery of paleontological resources during construction.</p>	<p>City of San Bernardino Building Department</p>	
<b>HAZARDS AND HAZARDOUS MATERIALS</b>			
<p>MM HAZ-1: Soil Management Plan. Prior to issuance of a grading permit, the Project applicant shall demonstrate to the City of San Bernardino that a qualified environmental consultant has been retained and has prepared a Soil Management Plan (SMP) that details procedures and protocols for onsite management of soils containing potentially hazardous materials. The SMP shall be implemented during grading activities onsite to ensure that soils containing residual levels of hydrocarbons, volatile organic compounds, and tetrachloroethylene, are properly identified, monitored, and managed onsite, and include the following:</p> <ul style="list-style-type: none"> <li>• A certified hazardous waste hauler shall remove all potentially hazardous soils. In addition, sampling of soil shall be conducted during excavation to ensure that all petroleum hydrocarbon and arsenic impacted soils are removed, and that Environmental Screening Levels (ESLs) for non-residential uses are not exceeded. Excavated materials shall be transported per California Hazardous Waste Regulations to a landfill permitted by the State to accept hazardous materials.</li> <li>• Any subsurface materials exposed during construction activities that appear suspect of contamination, either from visual staining or suspect odors, shall require immediate cessation of excavation activities. Soils suspected of contamination shall be tested for potential contamination.</li> </ul>	<p>Review and approval of Soil Management Plan. Prior to grading permit.</p>	<p>City of San Bernardino Planning Division</p>	

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>If contamination is found to be present per the Department of Toxic Substances Control Screening Levels for industrial/commercial land use (DTSC-SLi) and the EPA Regional Screening Levels for industrial/commercial land use (EPA-RSLi), it shall be transported and disposed of per state regulations to an appropriately permitted landfill.</p> <ul style="list-style-type: none"> <li>• The SMP shall include a Health and Safety Plan (HSP) addresses potential safety and health hazards and includes the requirements and procedures for employee protection; each contractor will be required to have their own HSP tailored to their particular trade that addresses the general Project safety requirements. The HSP shall also outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction.</li> <li>• The SMP shall be prepared and executed in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil. The SMP shall require the timely testing and sampling of soils so that contaminated soils can be separated from inert soils for proper disposal. The SMP shall specify the testing parameters and sampling frequency. Anticipated testing includes total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and semi-volatile organic compounds (SVOCs). During excavation, Rule 1166 requires that soils identified as contaminated shall be sprayed with water or another approved vapor suppressant, or covered with sheeting during periods of inactivity of greater than an hour, to prevent contaminated soils from becoming airborne. Under Rule 1166, contaminated soils shall be transported from the Project site by a licensed transporter and disposed of at a licensed storage/treatment facility to prevent contaminated soils from becoming airborne or otherwise released into the environment.</li> </ul>			

Mitigation Measure	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<ul style="list-style-type: none"> <li>All SMP measures shall be printed on the construction documents, contracts, and Project plans prior to issuance of grading permits.</li> </ul>			
<b>TRIBAL</b>			
<p>MM TCR-1: Yuhaaviatam of San Manuel Nation Monitoring. The Yuhaaviatam of San Manuel Nation Cultural Resources Department shall be contacted and a Treatment and Disposition Plan shall be created by the archaeologist in coordination with Yuhaaviatam of San Manuel Nation (as specified within MM CUL-2).</p>	<p>Tribe contact. Upon cultural resource discovery.</p> <p>Development of a CRMP. The find is deemed significant.</p>	<p>City of San Bernardino Planning Division</p>	
<p>MM TCR-2: Recording of Inadvertent Discoveries. 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 Yuhaaviatam of San Manuel Nation. The Lead Agency and/or applicant shall, in good faith, consult with Yuhaaviatam of San Manuel Nation throughout the life of the Project.</p>	<p>Submit project cultural documents to applicant. City and tribe. Following preparation.</p>	<p>Qualified Professional Archeologist/ City of San Bernardino Planning Division</p>	

Plans, Programs, or Policies (PPPs)	Action and Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<b>AESTHETICS</b>			
<p>PPP AES-1: Outdoor Lighting. All outdoor luminaires installed shall be appropriately located and adequately shielded and directed such that no direct light falls outside the parcel of origin, or onto the public right-of-way. In addition, outdoor luminaires shall not blink, flash, or rotate and shall be shown on electrical plans submitted to the Department of Building and Safety for plan check approval and shall comply with the requirements of Municipal Code Section 19.20.030.</p>	<p>Shielding building lighting fixtures. Prior to building permit.</p>	<p>City of San Bernardino Planning Division</p>	
<b>AIR QUALITY</b>			
<p>PPP AQ-1: Rule 403. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:</p> <ul style="list-style-type: none"> <li>• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.</li> <li>• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day.</li> <li>• The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour or less.</li> </ul>	<p>Compliance with Rule 403. Construction.</p>	<p>City of San Bernardino Planning Division</p>	
<p>PPP AQ-2: Rule 402. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The Project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons 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.</p>	<p>Compliance with Rule 402. Construction.</p>	<p>City of San Bernardino Planning Division</p>	

<b>BIOLOGICAL RESOURCES</b>			
<p>PPP BIO-1: Tree Removal Permit. San Bernardino Municipal Code Chapter 15.34 and San Bernardino Development Code 19.28.100 requires that in the event more than five trees are removed within a 36-month period, a tree removal permit must first be issued by the Community Development Department. The owner of the property or his agent shall file a written application with the Planning Official prior to the destruction or removal of the trees. The Planning Official shall cause an inspection to be made of the property within ten (10) working days to determine whether the trees can be removed. If it is determined that the trees can be removed without detriment to the environment and welfare of the community, then the Planning Official shall issue the permit. Unless there is a pre-approved tree replacement plan, each tree that is removed, and is determined to be of significant value by the Community Development Director, shall be replaced with a 36-inch box tree.</p>	<p>Application and approval of tree removal permit. If during construction 5 or more trees are removed within a 36-month period.</p>	<p>City of San Bernardino Planning Division</p>	
<b>CULTURAL RESOURCES</b>			
<p>PPP CUL-1: Human Remains. Should human remains or funerary objects be discovered during project construction, the project would be required to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance may occur in the vicinity of the body (within a 100-foot buffer of the find) until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine the identity of and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD must complete the inspection within 48 hours of notification by the NAHC.</p>	<p>Stop disturbance activities within 100-foot buffer area of identified human or funerary remains; contact MLD. Within 48 hours of inadvertent discovery of identified human or funerary remains.</p>	<p>City of San Bernardino Planning Division; County Coroner.</p>	
<b>ENERGY</b>			
<p>PPP E-1. Title 24. As required by Municipal Code, Chapter 15.04 Building Codes, prior to issuance of a building permit, the Project Applicant shall submit plans showing that the Project would be in compliance with incumbent Title 24 requirements.</p>	<p>Compliance with Title 24 requirements. Prior to building permit.</p>	<p>City of San Bernardino Planning Division</p>	

<b>WATER QUALITY</b>			
<p>PPP WQ-1: Prior to grading permit issuance, the project developer shall have a Stormwater Pollution Prevention Plan (SWPPP) prepared by a QSD (Qualified SWPPP Developer) pursuant to the Municipal Code Chapter 13.54. The SWPPP shall incorporate all necessary Best Management Practices (BMPs) and other City requirements to comply with the National Pollutant Discharge Elimination System (NPDES) requirements to limit the potential of polluted runoff during construction activities. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by City of San Bernardino staff or its designee to confirm compliance.</p>	<p>Review and approval of SWPPP. Prior to grading permit.</p>	<p>City of San Bernardino Planning Division</p>	
<p>PPP WQ-2: Water Quality Management Plan. Prior to grading permit issuance, the Project developer shall have a Water Quality Management Plan (WQMP) approved by the City for implementation. The Project shall comply with the City’s Municipal Code Section 13.54 and the Municipal Separate Storm Sewer System (MS4) permit requirements in effect for the Regional Water Quality Control Board (RWQCB) at the time of grading permit to control discharges of sediments and other pollutants during operations of the Project.</p>	<p>Review and approval of WQMP. Prior to grading permit.</p>	<p>City of San Bernardino Planning Division</p>	

**PROJECT DESIGN FEATURE**

Additionally, the following Project Design Feature (PDF) shall be implemented as part of the Project.

**PDF-1: Sidewalks.** The Project shall provide a new sidewalk fronting the Project site along 9<sup>th</sup> Street and Tippecanoe Avenue that would connect to the existing adjacent sidewalks. The new sidewalks shall be consistent with City standards, as determined by the City through the development permitting process.