FINDINGS OF FACT FOR

Speedway Commerce Center Project

STATE CLEARINGHOUSE NO. 2020090076

LEAD AGENCY

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Section 1: Introduction

This statement of Findings of Fact (Findings) addresses the environmental effects associated with the proposed Speedway Commerce Center Project (Project), as described in the Final Environmental Impact Report (FEIR). These Findings are made pursuant to the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] § 21000 et seq.), specifically PRC §§ 21081, 21081.5, and 21081.6, and the CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.), specifically §§ 15091 and 15093. The Draft EIR (DEIR) examines the full range of potential effects of construction and operation of the Project and identifies mitigation measures that will be employed to reduce, minimize, or avoid those potential effects.

In accordance with, and in furtherance of the mandates contained in California Public Resources Code Section 21002 and related case law, the Project design reflects the identification and implementation of feasible mitigation measures to lessen identified environmental impacts, and the FEIR presented includes information on the environmental effects of the Project, including effects that are mitigated and those that, despite the inclusion of feasible mitigation measures, remain significant and unavoidable.

1.1 Purpose

PRC § 21081, and CEQA Guidelines § 15091 require that the lead agency, in this case the City of Rancho Cucamonga (City), prepare written findings for identified significant effects, accompanied by a brief explanation of the rationale for each finding. PRC § 21081(a) affirmatively requires a lead agency make one or more of three possible findings in reference to each significant impact. In addition, PRC § 21081(b) requires an additional finding for impacts that include specific economic, legal, social, technological, and other considerations wherein the lead agency affirms that the project benefits outweigh the environmental impacts.

CEQA Guidelines § 15091 states, in part, that:

a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

   1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

   2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

   3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

In accordance with PRC § 21081, and CEQA Guidelines § 15093 (Statement of Overriding Conditions [SOC]), whenever significant effects cannot be mitigated to below a level of significance, the decision-making agency is required to balance, as applicable, the benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable." In that case, the decision-making agency may prepare and adopt an SOC, pursuant to the CEQA Guidelines.

Section 15093 of the CEQA Guidelines provides:

a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the FEIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The FEIR identified potentially significant effects that could result from the project. The City finds that the inclusion of feasible mitigation measures as part of the approval of the Project will reduce all of those effects to less-than-significant levels.

As required by CEQA, the City, in adopting these Findings, also adopts a Mitigation Monitoring and Reporting Program (MMRP) for the Project. The City finds that the MMRP, which is incorporated by reference and made a part of these Findings, meets the requirements of PRC § 21081.6, by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects of the Project.

In accordance with the CEQA Statutes and Guidelines, the City adopts these Findings for the Project. Pursuant to PRC § 21082.1(c)(3), the City also finds that these Findings reflect the City's independent judgment as the lead agency for the Project (see Findings **Section 1.4, CEQA Findings of Independent Judgment, Review and Analysis**).

1.2 Records of Proceedings

For the purposes of CEQA and these Findings, the record of proceedings for the Project includes all data and materials outlined in PRC § 21167.6(e), along with other Project-relevant information contained

within the City's files. Specifically, the record of proceedings for the City's decision on the Project includes the following documents, all of which are incorporated by reference and are relied on in supporting these Findings:

- The Notice of Preparation (NOP), Notice of Availability (NOA), and all other public notices issued by the City in conjunction with the Project
- All written comments submitted by agencies, organizations, or members of the public during the public review comment period on the NOP
- The DEIR for the Project and all technical appendices, technical memoranda and documents relied upon or incorporated by reference
- All written comments submitted by agencies, organizations, or members of the public during the public review comment period on the DEIR and the City's responses to those comments, including related referenced technical materials and DEIR errata
- The FEIR for the Project
- The MMRP for the Project
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the City or consultants to the City with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Project
- All documents submitted to the City by other public agencies or members of the public in connection with the DEIR
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Project
- Any documentary or other evidence submitted to the City at such information sessions, public meetings, and public hearings
- All resolutions adopted by the City regarding the Project, and all staff reports, analyses, and summaries related to the adoption of those resolutions
- Matters of common knowledge to the City, including, but not limited to federal, state, and local laws and regulations
- Any documents expressly cited in these Findings, in addition to those cited above, and any other materials required for the record of proceedings by PRC § 21167.6(e)

1.3 Custodian and Location of Records

The documents and other materials that, as a whole, make up the Record of Proceedings for the City's actions related to the Project are located at the City of Rancho Cucamonga, Planning Department, 10500 Civic Center Drive, Rancho Cucamonga, California 91730. The City, as the lead agency for the Project, is the custodian of the Record of Proceedings for the Project.

1.4 CEQA Findings of Independent Judgment, Review and Analysis

Under CEQA, the lead agency must (1) independently review and analyze the EIR; (2) circulate draft documents that reflect its independent judgment; (3) as part of the certification of an EIR, find that the report or declaration reflects the independent judgment of the lead agency; and (4) submit copies of the documents to the State Clearinghouse if there is state agency involvement or if the project is of statewide, regional, or area-wide significance (PRC § 21082.1[c]).

The Findings contained in this document reflect the City's conclusions, as required pursuant to CEQA, for the Project. The City has exercised independent judgment, in accordance with PRC § 21082.1(c)(3), in the preparation of the EIR. The review, analysis and revision material prepared by the Project Applicant and its consultants, and the review, analysis, and revision of the EIR based on comments received during the public comment process.

Having received, reviewed, and considered the information in the FEIR, as well as any and all other information in the record, the City hereby makes these Findings pursuant to and in accordance with PRC §§ 21081, 21081.5, and 21081.6.

Section 2: General CEQA Findings

Pursuant to PRC § 21081 and CEQA Guidelines § 15091, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless the public agency makes one or more of the following findings with respect to each significant impact:

1. Changes or alterations have been required in, or incorporated into, the project which mitigates or avoid the significant effects on the environment. [referred to in these Findings as "Finding 1"].
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. [referred to in these Findings as "Finding 2"].
3. Specific economic, legal, social, technological, or other consideration, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report. (The concept of infeasibility also encompasses whether a particular alternative or mitigation measure promotes the Project's underlying goals and objectives, and whether an alternative or mitigation measure is impractical or undesirable from a policy standpoint. See, *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957; *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410). [referred to in these Findings as "Finding 3"].

The City has made one or more of the required written findings for each significant impact associated with the Project. Those written findings, along with a presentation of facts in support of each of the written findings, are presented below. The City certifies these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed.

The mitigation measures adopted as part of the Project are feasible and mitigate the environmental impacts to the maximum extent feasible and possible as discussed in the findings made below. The FEIR includes minor clarifications to the DEIR. These changes made to the DEIR are shown in the FEIR in response to individual comments and are shown in ~~strikethrough~~ and underline text. Changes to mitigation measure, as shown in the FEIR Errata and MMRP, are also shown below in ~~strikethrough~~ and underline text.

Thus, it is the finding of the City that such clarifying changes as described in the FEIR, do not present any new, significant information requiring recirculation or additional environmental review under PRC § 21092.1 and CEQA Guidelines § 15088.5.

A MMRP for the Project has been adopted pursuant to the requirements of PRC § 21081.6 to ensure implementation of the adopted mitigation measures to reduce significant effects on the environment and is included in the FEIR document. The City is the custodian of the documents and other material that constitute the record of the proceedings upon which certification of the FEIR for the Project is based, as described above in **Section 1.3, Custodian and Location of Records**.

It is the finding of the City of Rancho Cucamonga's City Council that the FEIR, as presented for review and approval, fulfills environmental review requirements for the Project, and that the document constitutes a complete, accurate, adequate, and good faith effort at full disclosure under CEQA, and reflects the independent judgment of the City.

Section 3: Environmental Impacts Found to Have No Impact

For the following significance thresholds, the City finds that, based upon substantial evidence in the record, the proposed Project would have no impact; therefore, no mitigation is required, and no significant, unavoidable adverse impacts would occur.

Aesthetics

Impact 7.2-2: Would the Project substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

Basis for Conclusion: Roadways surrounding the proposed Project area include Napa Street, Etiwanda Avenue, and Whittram Avenue. As discussed in the City's General Plan EIR, scenic routes within the valley area of the County (which includes the southwestern section of the County located south of the San Bernardino and San Gabriel Mountains), where the proposed Project is located, are located in the eastern section of the valley area near the cities of Loma Linda, Redlands, and Yucaipa and in the southwestern corner of the County. Other scenic routes are in the mountain and desert regions, where natural settings remain. The closest State-designated Scenic Highway is Route. 142, from the Orange County Line to Peyton Drive.[1,2] The intersection of Peyton Drive and Route. 142 is approx. 14.5 miles southeast of the proposed Project site. There are no officially designated county scenic highways in the County.[3] Given the distance between the proposed Project Site and the nearest officially designated state scenic highways, the proposed Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Therefore, no impacts to scenic resources would be anticipated under the Project or Alternate Project.

Supportive Evidence: Please refer to DEIR page 7.2.

Agriculture and Forestry Services

Impact 7.3-1: Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Basis for Conclusion: According to the California Department of Conservation's California Important Farmland Finder and Exhibit 4.2-1: Farmland Resources from the City's General Plan EIR, the proposed Project site does not contain Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance.[4,5] The site is classified as Urban and Built-Up Land by the Farmland Finder

[1] Caltrans. 2017. California Scenic Highways. Available at https://www.arcgis.com/home/item.html?id=f0259b1ad0fe4093a5604c9b838a486a (accessed May 2020).
[2] Caltrans. 2019. List of eligible and officially designated State Scenic Highways. Available at https://dot.ca.gov/-/media/dot-media/programs/design/documents/desig-and-eligible-aug2019_a11y.xlsx (accessed May 2020).
[3] Caltrans. ND. Officially Designated County Scenic Highways. Available at https://dot.ca.gov/-/media/dot-media/programs/design/documents/od-county-scenic-hwys-2015-a11y.pdf (accessed May 2020).
[4] Rancho Cucamonga. 2010. Rancho Cucamonga 2010 General Plan Update Draft Program Environmental Impact Report. Exhibit 4.2-1. Available at https://www.dropbox.com/sh/micnzuy7wxmd8po/AABneqBoO_i2GiNyWkRX9OaRa?dl=0&preview=2010+General+Plan+EIR.pdf (accessed May 2020).
[5] California Department of Conservation. 2016. California Important Farmland Finder. Available at https://maps.conservation.ca.gov/DLRP/CIFF/ (accessed May 2020).

and Exhibit 4.2-1. In addition, the Project site has largely been graded and leveled. Because implementation of the Project would not involve the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, no impact would occur.

Supportive Evidence: Please refer to DEIR page 7-6.

Impact 7.3-2: Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Bases for Conclusion: According to the City's General Plan Land Use Plan map (Figure LU-2 of the General Plan), the City does not have an agricultural land use designation. The City's Development Code also does not have an agricultural zone, although agricultural uses are permitted under the following base zoning districts: Open Space (OS), Flood Control-Open Space (FC), and Utility Corridor-Open Space (UC). Additionally, according to the City's General Plan, there are no lands within the City that are under a Williamson Act contract; therefore, no impacts related to Williamson Act contracts would occur.

In addition, the Project site is classified as Urban and Built-Up Land by the Farmland Finder and according to Figure 6-9A: Prime Farmland – Valley Region from the County of San Bernardino General Plan, the Project site is not within a Williamson Act contract area. The Project site is zoned HI. According to Table 17.30.030-1: Allowed Land Uses and Permit Requirements by Base Zoning District, Agriculture Uses are not permitted under HI zoning.[6] As a result, no impacts associated with agricultural zoning conflicts would occur.

Supportive Evidence: Please refer to DEIR page 7-6.

Impact 7.3-3: Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Impact 7.3-4: Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

Bases for Conclusion: The Project site would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code (PRC) Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)) given that the property is zoned HI and surrounded by properties zoned HI, KC/SP – Kaiser Commerce Center Specific Plan and IR – Regional Industrial (KC/SP and IR by San Bernardino County). Adjacent and surrounding properties to the Project Site are urban and built-up with industrial and commercial uses. The Project Site is currently undeveloped. The majority of the site has been leveled and graded and is covered over in dirt and sparse ruderal vegetation. Development/redevelopment of the Project site would not result in rezoning of forest land as it proposes industrial warehouses or an E-Commerce building with office space that would not result in a conflict with the zoning of, or need for other rezoning of, other parcels within the City. Operation activities for the Project and Alternate Project

[6] Rancho Cucamonga. ND. Title 17 Development Code, Section 17.30.030 Allowed land uses and permit requirements. Available at http://qcode.us/codes/ranchocucamonga/view.php?topic=17-iii-17_30-17_30_030&frames=on (accessed May 2020).

would not involve logging, forestry, or agricultural uses. Therefore, no impacts associated with conflicts with existing zoning for forest land or timberland would occur.

Supportive Evidence: Please refer to DEIR page 7-7.

Impact 7.3-5: Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Basis for Conclusion: Due to the lack of existing farmland, forest lands, or areas zoned for agriculture, or timberlands on the Project site or immediately surrounding areas, development of the Project site would not involve 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.

The nearest designated farmland and active agricultural operations are located approximately 2.25 miles northeast of the Project site. Construction of either the Project or Alternate Project would be limited to the same site and would not impact existing off-site agricultural operations. Further, operations for the Project and Alternate Project would not involve logging, forestry, or agricultural uses. Therefore, no impact would occur.

Supportive Evidence: Please refer to DEIR page 7-7.

Air Quality

Impact 4.1-1: Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Basis for Conclusion: The Project area is within the South Coast Air Basin and therefore is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD has two criteria used to determine consistency with the Air Quality Management Plan (AQMP). The Project would comply with both of the AQMP's criteria. Therefore, the Project would be compliant with the applicable AQMP.

Supportive Evidence: Please refer to DEIR page 4.1-13 through 4.1-14.

Impact 4.1-4: Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Basis for Conclusion: During construction, emissions from construction equipment, such as diesel exhaust, and volatile organic compounds from architectural coatings and paving activities may generate odors. However, these odors would be temporary, are not expected to affect a substantial number of people and would disperse rapidly. Furthermore, the SCAQMD *CEQA Air Quality Handbook* identifies certain land uses as sources of odors. These land uses include agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding. The Project would not include any of the land uses that have been identified by the SCAQMD as odor sources. As a result, the Project would not create objectionable odors. Therefore, no impacts related to odors would occur.

Supportive Evidence: Please refer to DEIR pages 4.1-33 through 4.1-34.

Biological Resources

Impact 4.2.3: Would the Project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Basis for Conclusion: The Project would not impact jurisdictional waters. The jurisdictional delineation performed for the Project site concluded that the Project site does not contain waters subject to the jurisdictions of the Corps, Regional Board, or California Department of Fish and Wildlife (CDFW). As such, the Project would not require a United States Army Corps of Engineers (Corps, or USACE) Clean Water Act (CWA) Section 404 Permit, a Regional Board CWA Section 401 Water Quality Certification or California Water Code (CWC) Section 13260 Waste Discharge Order, or a CDFW Section 1602 Streambed Alteration Agreement. Therefore, no impacts to jurisdictional waters would occur.

Supportive Evidence: Please refer to DEIR page 4.2-30.

Impact 4.2.4: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Basis for Conclusion: The Project site is not located within a known migratory wildlife corridor nor does it serve as a wildlife nursery site. The site does not have any water resources that support fish species and the site would not be used as a migration corridor due to the presence of surrounding existing development/redevelopment. The Project site is predominately surrounded by areas that are disturbed, graded and roads that have been paved including Southern California Edison (SCE) utility properties and easement. Specifically, the Project site is adjacent to an approximate 425-foot utility easement to the west. To the north, west, and east boundary, the easement connects to substantially fragmented and previously disturbed/developed areas. The Project site is enclosed by existing fencing and is bounded by the BNSF railway to the north, Napa Street to the south, the fenced East Etiwanda Creek to the west, and the fenced San Sevaine Channel to the east. The fencing that encloses the site limits any wildlife movement. The Project proposes new walls around the property, which would continue to limit any access to the site for wildlife movement. Further, the site is highly disturbed, lacks natural habitat or topography, and is predominantly surrounded by development. Therefore, no impacts to migratory wildlife or corridors would occur.

Supportive Evidence: Please refer to DEIR page 4.2-30.

Impact 4.2.5: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Basis for Conclusion: The Project and Alternative Project would not conflict with any local policies or ordinances protecting biological resources. The City's Development Code Section 17.80 protects trees from indiscriminate cutting or removal, with emphasis on the protection and expansion of eucalyptus windrows. The Biological Technical Report prepared for the Project did not identify any trees on the Project site, thus no trees would be removed during construction and the Project would be consistent

with the City's Municipal Code as it pertains to tree preservation. Because the site has been disturbed and there are no identified biological resources that are subject to such regulation, no impact would occur.

Supportive Evidence: Please refer to DEIR pages 4.2-31.

Impact 4.2.6: Would the Project conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?

Basis for Conclusion: The Project site is not identified as a Conservation or Open Space Area in the City's Open Space and Conservation Plan, as shown on Figure RC-1 of the City's General Plan. Furthermore, the City does not have any areas that are covered by an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Planning Act (NCCP), or other approved State Habitat Conservation Plan. As a result, the Project would not conflict with an adopted HCP NCCP, or other approved local, regional, or state habitat conservation plan. Therefore, impacts would be less than significant.

Supportive Evidence: Please refer to DEIR page 4.2.31.

Geology and Soils

Impact 4.5-4: Would the proposed Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Basis for Conclusion: Per *Section 1803.2 Expansive Soil* of the 1994 Uniform Building Code, "When the expansive characteristics of a soil are to be determined, the procedures shall be in accordance with U.B.C. Standard 18-2 and the soil shall be classified according to Table 18-1-B. The near-surface soils found by SoCalGeo generally consist of sands and silty sands with no appreciable clay content and soils were visually classified as non-expansive. Therefore, no impact related to expansive soils would occur.

Supportive Evidence: Please refer to DEIR page 4.5.19.

Impact 4.5-5: Would the proposed Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Basis for Conclusion: No septic tanks or other alternative wastewater disposal systems are planned for the Project, this as the Project would be connected to the Cucamonga Valley Water District's existing sewer system. Groundwater and wastewater systems are further discussed in *Section 4.18 Utilities and Service,* of this EIR.

Supportive Evidence: Please refer to DEIR page 4.5.20.

Hazards and Hazardous Materials

Impact 4.7-3: ***Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

Basis for Conclusion: The nearest school site, Redwood Elementary School is located approximately 1 mile to the northeast of the Project site. Construction of the Project would involve the transport, use, and disposal of hazardous materials on-site and off-site, which include fuels, paints, mechanical fluids, and solvents, but would not be present in such a quantity or used in such a manner that would pose a significant hazard to nearby schools. The routine transport, use, and disposal of hazardous materials must adhere to federal, state, and local regulations for transport, handling, storage, and disposal of hazardous substances. Compliance with the regulatory framework would ensure Project construction would not create a significant hazard to nearby schools.

The Project does not propose any industrial uses which could generate hazardous emissions or involve the handling of hazardous materials, substances, or waste in significant quantities that would have an impact to surrounding schools. The types of hazardous materials that would be routinely handled would be limited to cleaners, paints, solvents, and fertilizers and pesticides for site landscaping, but would not be present in such a quantity or used in such a manner that would pose a significant hazard to nearby schools.

Supportive Evidence: Please refer to DEIR page 4.7-21.

Impact 4.7-5: ***For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?***

Basis for Conclusion: The LA/Ontario International Airport is located approximately 4 miles southwest of the Project site. The Project site is not within the AIA, Safety Zones, Noise Impact Zones, Airspace Protection Zones or the Overflight Notification Zones (Maps 2-2 through 2-5 of the ONT ALUCP). Thus, the Project would not result in a safety hazard impact to people residing or working in the Project area, and no impact would occur.

Supportive Evidence: Please refer to DEIR page 4.7-22 through 4.7-23.

Impact 4.7-7: ***Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?***

Basis for Conclusion: According to CAL FIRE's Fire and Resource Assessment Program, FHSZ Viewer, the Project site is not located in or near a State Responsibility Area (SRA); the nearest SRA to the development site is located approximately 4 miles to north. The Project site is located in a Local Responsibility Area. In addition, the Project site does not contain lands classified as a very high fire hazard severity zone (VHFHSZ). The closest VHFHSZs are located approximately four miles to the north and south of the Project site. Review of Exhibit 4.8-2: Fire Hazard Severity Zones of the City's 2010 General Plan EIR further

supports the finding that the Project site is not located in or near an SRA and the Project site is not within a VHFHSZ. No impact would occur in this regard.

Supportive Evidence: Please refer to DEIR page 4.7-23 through 4.7-24.

Land Use and Planning

Impact 4.9-1: Would the project physically divide an established community?

Basis for Conclusion: The Project or Alternate Project does not include construction of structures or other improvements that would be located between existing neighborhoods. The Project site is located on an undeveloped lot in the southeast portion of the City in an industrial development area. The site is surrounded by existing development but would not physically divide an established community. Additionally, the site is not located near an established community and does not propose a significant alteration of roadways that would disrupt residential uses to the north. The Project does not require or propose improvements to a highway or above ground infrastructure that would preclude or impede movement through the Project site or that which would cause permanent disruption to the existing physical arrangement of the surrounding community. While new development and improvements would occur, implementation of the Project would not physically divide an established community. Therefore, no impact associated with physically dividing an established community would occur.

Supportive Evidence: Please refer to DEIR page 4.9-7 through 4.9-8.

Mineral Resources

Impact 7.4-2: Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Basis for Conclusion: Exhibit 4.11-1, Mineral Land Classification, of the City's General Plan EIR and the Mineral Land Classification of a Part of Southwestern San Bernardino County: The San Bernardino Valley Area, California (West) map[7] shows that the proposed Project site is located within Mineral Zone 3 (MRZ-3), which means that aggregate resources are present, but their significance cannot be evaluated with present data. Also, according to the City's General Plan EIR Exhibit 4.11-2, the Project site is not located in a regionally significant aggregate resource area.

The Project site is within approximately 1.5 miles of one mine site: the Kaiser Fontana Mine. The mine was an open-pit sand and gravel mine, which has since been reclaimed.[8] Review of historic aerial imagery dating back to 1938 indicates mining activities on the Project site have not occurred in recent history.[9] Past land use appears to be for agricultural purposes. The Project site is currently undeveloped and does not involve the use or operation of extracting mineral resources. Further, the Project and the Alternate

[7] California Department of Conservation. 1995. Mineral Land Classification of a Part of Southwestern San Bernardino County: The San Bernardino Valley Area, California (West). Available at ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/OFR_94-08/OFR_94-08_West.pdf (accessed May 2020).
[8] DOC. 2016. Mines Online. https://maps.conservation.ca.gov/mol/index.html (accessed May 2020).
[9] Historic Aerials. 2020. https://www.historicaerials.com/viewer (accessed January 2020).

Project would not involve the production or depletion of locally significant mineral resources. Therefore, no impacts associated with the loss of availability of a known mineral resource would occur.

Supportive Evidence: Please refer to DEIR page 7-8.

Noise

Impact 4.10-3: 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?

Basis for Conclusion: The closest airport is the Ontario International Airport and the southern border of the City is about one mile away from the airport's 65 dBA CNEL noise contour.[10] The Project site is not within 2.0 miles of a public airport or within an airport land use plan. Additionally, there are no private airstrips located within the Project vicinity. Therefore, no impacts related to exposing people residing or working in the Project area to excessive airport- or airstrip-related noise levels would occur.

Supportive Evidence: Please refer to DEIR pages 4.10-26.

Population and Housing

Impact 7.5-2: Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Basis for Conclusion: The Project site is vacant. Neither of the Project nor the Alternate Project would require the demolition of residential properties that would displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. Therefore, no impacts associated with the displacement of substantial numbers of people or housing would occur.

Supportive Evidence: Please refer to DEIR page 7-9.

Public Services and Recreation

Impact 7.6-2: Would the proposed 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?

Basis for Conclusion: Patricia Murray Park, located at 8040 Jamestown Circle in Fontana, is the closest park to the Project site. The park is located 3 roadway miles north of the Project site. However, the Project is warehouse buildings, or an E-Commerce building, with office space and does not propose any residential development or other land use that may generate a population that would increase the use of this park or any existing neighborhood or regional parks or other recreational facility. Implementation of the Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. Therefore, no impact would occur.

[10] City of Rancho Cucamonga, *General Plan Update*, May 2020.

Supportive Evidence: Please refer to DEIR page 7-13.

Impact 7.6-3: Would the proposed Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Basis for Conclusion: The Project and Alternate Project propose the construction of a warehouse facility, or an E-Commerce building, with office space and associated infrastructure improvements. Neither the Project nor Alternate Project proposes, nor require, the construction or expansion of recreational facilities. The Project does not include the subdivision of land for residential use and therefore is not required to dedicate land or pay fees in lieu thereof, or combination of both, for park or recreational purposes. See Chapter 3.68: Park In-Lieu/Park Impact Fees of the Rancho Cucamonga Municipal Code for detailed information. Implementation of the Project would not have an adverse physical effect on the environment as it pertains to construction/expansion of recreational facilities. Therefore, no impacts would occur.

Supportive Evidence: Please refer to DEIR page 7-14.

Wildfire

Impact 7.7-1: Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?

Basis for Conclusion: According to CAL FIRE's Fire and Resource Assessment Program, Fire Hazard Severity Zone (FHSZ) Viewer, the Project site is not located in or near a State Responsibility Area (SRA); the nearest SRA to the development site is located approximately 4 miles to north. The Project site is located in a Local Responsibility Area. In addition, the Project site does not contain lands classified as a very high fire hazard severity zone (VHFHSZ).[11] The closest VHFHSZs are located approximately four miles to the north and south of the Project site. Review of Exhibit 4.8-2: Fire Hazard Severity Zones of the City's 2010 General Plan EIR further supports the finding that the Project site is not located in or near an SRA and the Project site is not within a VHFHSZ.[12] Therefore, no impact associated with the substantial impairment of an adopted emergency response plan would occur.

Supportive Evidence: Please refer to DEIR pages 7-14.

Impact 7.7-2: Would the Project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Basis for Conclusion: Refer to Impact 7.7-1 above. The Project site is not located in or near an SRA and the Project site does not contain lands classified as VHFHSZs. Neither the Project nor the Alternate Project would exacerbate wildfire risks or expose Project occupants to pollutant concentrations or the uncontrolled spread of a wildfire. Therefore, no impact would occur.

[11] CAL FIRE. 2020. CAL FIRE, Fire and Resource Assessment Program, FHSZ Viewer. Available at https://egis.fire.ca.gov/FHSZ/ (accessed May 2020).
[12] Rancho Cucamonga. 2010. Rancho Cucamonga 2010 General Plan Update Draft Program Environmental Impact Report. Exhibit 4.8-2. Available at https://www.dropbox.com/sh/micnzuy7wxmd8po/AABneqBoO_i2GiNyWkRX9OaRa?dl=0&preview=2010+General+Plan+EIR.pdf (accessed May 2020).

Supportive Evidence: Please refer to DEIR pages 7-14 through 7-15.

Impact 7.7-3: Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Basis for Conclusion: Refer to Impact 7.7-1 above. The Project site is not located in or near an SRA and does not contain lands classified as VHFHSZs. The Project and Alternate Project would include construction of warehouse facilities, or an E-Commerce building, with parking and landscaping included. Construction and operation of the Project or Alternate Project would not increase the risk of fire nor would it require the installation/maintenance of infrastructure that would exacerbate fire risk. Therefore, no impact would occur.

Supportive Evidence: Please refer to DEIR page 7-15.

Impact 7.7-4: Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Basis for Conclusion: Refer to Impact 7.7-1 above. Neither the Project site nor Alternate Project are located in or near an SRA and do not contain lands classified as VHFHSZs. Because the site is located within a heavily urbanized area, it would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. Therefore, no impact would occur.

Supportive Evidence: Please refer to DEIR page 7-15.

Section 4: Environmental Impacts Found to be Less Than Significant (No Mitigation Required)

For the following significance thresholds, the City finds that, based upon substantial evidence in the record, the proposed Project would have a less than significant impact; therefore, no mitigation is required, and no significant, unavoidable adverse impacts would occur.

Aesthetics

Impact 7.2-1: Would the Project have a substantial adverse effect on a scenic vista?

Basis of Conclusion: Scenic resources identified in the City's 2010 General Plan include the San Gabriel and San Bernardino Mountains and foothills, vistas of the City from hillside areas, and other views of special vegetation and permanent open space features. The City recognizes other scenic resources, including remaining stands of eucalyptus windrows, scattered vineyards and orchards, and natural vegetation in flood-control channels and utility corridors[13]; however, none of these resources occur on the Project site.

Prominent natural features visible from the Project site, include the San Gabriel (approx. 5 miles north), San Bernardino (approx. 13 miles northeast), and Jurupa (approx. 4 miles south) mountains. Views of these mountain ranges are available from the Project site and adjacent streets and properties. The Project site is located in a highly developed area with buildings and structures of varying heights.

The Project would involve the development of two warehouse buildings. The proposed Building A height is anticipated to be up to 56 feet and Building B height anticipated to be up to 48 feet. Under the Alternate Project, only one warehouse building would be developed with a maximum height not to exceed 58'-6". Buildings on the site would not exceed the maximum allowed 75-foot height limit in the HI Zoning District. Based on the proposed building heights, and the distance between the Project and surrounding mountain ranges (approx. 4 to 13 miles), views of these scenic features would remain unobstructed.

Supportive Evidence: Please refer to DEIR pages 7-1 through 7-2.

Impact 7.2-3: Would the Project, in non-urbanized area, 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?

Basis of Conclusion: The Project site is located in an urbanized area and the Project site is largely undeveloped, minus a railroad that traverses the proposed Project site. The majority of the site has been leveled and graded and is covered over in dirt and sparse ruderal vegetation. The proposed Project site is located within the City's HI Zoning District, and the County's General Industrial (GI) District. Project design

[13] Rancho Cucamonga. 2010. *Rancho Cucamonga General Plan*. Available at https://www.dropbox.com/sh/micnzuy7wxmd8po/AABneqBoO_i2GiNyWkRX9OaRa?dl=0&preview=GP+Chapters+1+-+9+Updated+09-2019.pdf (accessed May 2020).

would meet the City's development standards/requirements for the HI Land Use Zoning Districts as required by the Rancho Cucamonga Development Code. Project development would be consistent with the general design principles outlined in the Community Design section of the General Plan. The Project and Alternate Project design and development would be consistent with City standards for HI zoning and would not conflict with the principles, goals and policies of the General Plan. Therefore, impacts on visual character would be less than significant under the Project and Alternate Project.

Supportive Evidence: Please refer to DEIR pages 7-3 through 7-4.

Impact 7.2-4: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Basis of Conclusion: Existing sources of light and glare in the immediate Project area include streetlights along Napa Street, and outdoor safety and security lighting associated with adjacent developments. The predominant source of light impacts from either the Project or Alternate Project would be related to the exterior lighting, building lighting, and vehicle headlights. To minimize effects from lighting and glare, Project lighting would be directed inward and downward and/or shielded to minimize the light from adversely affecting adjacent properties. Concrete tilt-up screen walls (8 feet in height) and landscaping/trees would also serve to block and filter mobile light sources, such as from passenger vehicles and trucks, from adversely affecting adjacent properties. The exterior façade would consist of non-reflective materials, such as concrete. In addition, the windows would be comprised of blue reflective glazing, which reduces glare over other transparent surfaces. Through these design features and adherence with the Development Code, impacts associated with new source of substantial light or glare would be less than significant for the Project and Alternate Project.

Supportive Evidence: Please refer to DEIR pages 7-4 through 7-5.

Air Quality

Impact 4.1-3: Would the Project expose sensitive receptors to substantial pollutant concentrations?

Basis for Conclusion: The Local Significance Threshold (LST) guidance provides thresholds for projects disturbing 1-, 2-, and 5-acres in size and the thresholds increase with size of the site. The nearest receptor is approximately 223 meters away. Therefore, the Project was analyzed using a conservative LST threshold for evaluation. The Project used a 3.5-acre threshold (the amount of disturbance proposed by the Project) were interpolated and utilized for the analysis. It was determined that construction related emissions of CO, NO_x, PM_{10}, and $PM_{2.5}$. would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, significant impacts related to LSTs would not occur during construction. The maximum daily operational emissions of CO, NO_x, PM_{10}, and $PM_{2.5}$. would not result in significant concentrations of pollutants at nearby sensitive receptors. The same is true for the Alternate Project and 100 Percent E-Commerce Worst-Case Scenario. Therefore, overall impacts would remain less than significant.

Supportive Evidence: Please refer to DEIR page 4.1-23 through 4.1-33.

Biological Resources

Impact 4.2.2: Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

Basis for Conclusion: The Project site does not support natural vegetation communities. The Project site is approximately 50-percent vegetated with mostly non-native herbaceous ruderal species. The Project site would impact 2.01 acres of developed lands of which 1.70 acres occur on-site and 0.30 acre is associated with the offsite improvement areas. The Project would impact 33.69 acres of disturbed lands that contain imported compacted material including gravel and road base. The Project would not impact riparian habitat or other sensitive natural communities identified in local or regional plans, policies, and regulations. Therefore, impacts on non-native vegetation communities or habitats would be less than significant.

Supportive Evidence: Please refer to DEIR page 4.2-29.

Cultural Resources

Impact 4.3-1: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Basis for Conclusion: Construction of the Project and Alternate Project would not cause a substantial adverse change in the significant of a historical or archaeological resource pursuant to Section 15064.5. 11 cultural resources deemed historical have been previously documented within one mile of the Project area. All of these resources date to the historic period and include three archaeological sites and eight built-environment (buildings and structures) resources. No prehistoric archaeological resources were identified within the record search area. The Project area lies within the mapped boundary of one of these resources, the Kaiser Steel Mill (CASBR-4131H). Previous cultural resources studies completed within the vicinity of the Project area found that by 2008, all of the major components of the mill had been demolished and the resource no longer existed. In addition, no evidence of the resource was identified during the May 5, 2020 pedestrian survey and archival information suggests this portion of the steel mill property was primarily used for agricultural purposes. Following completion of construction of the Project and disturbances of the site, the Project would include use for industrial warehousing. These land use operations would not impact any known or unknown historical resources. Because no historic resources were identified within in the Project site, implementation of the proposed Project would not be expected to cause a substantial adverse change to an historic resource.

Supportive Evidence: Please refer to DEIR pages 4.3-12 through 4.3-13.

Impact 4.3-3: Would the Project disturb any human remains, including those interred outside of formal cemeteries?

Basis for Conclusion: The Project site is located in an area mainly developed with industrial uses and is not located near a formal cemetery. The Project site was previously used primarily for agricultural uses

and was more recently used as overflow parking associated with the adjacent Auto Club Speedway for races and other events. In 2005, a railroad spur was constructed that extended south of the Atchison, Topeka and Santa Fe (AT&SF) Railway line, through the Project site. Regardless of the possible absence of historical or archeological resources on-site, if human remains are discovered, those remains would require proper treatment in accordance with applicable laws, including HSC Sections 7050.5-7055 and PRC Section 5097.98 and Section 5097.99. It is unlikely that any human remains would be encountered given that the Project site is already disturbed. However, previously undiscovered human remains could be encountered during construction activities. If human remains are found during excavation, excavation would be halted in the vicinity of the find and any area that is reasonably suspected to overlay adjacent remains shall remain undisturbed until the County Coroner has investigated, and appropriate recommendations have been made for the treatment and disposition of the remains. Following compliance with the established regulatory framework (i.e., HSC Sections 7050.5-7055 and PRC Sections 5097.98 and 5097.99), the Project's impacts concerning potential to disturb human remains, would be reduced to a less than significant.

Supportive Evidence: Please refer to DEIR pages 4.3-14 through 4.3-15.

Energy

Impact 4.4-1: Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?

Basis for Conclusion: The Project would entail construction activities that would use energy, primarily in the form of diesel fuel (e.g., mobile construction equipment) and electricity (e.g., power tools). Contractors would be required to monitor air quality emissions of construction activities using applicable regulatory guidance such as from SCAQMD CEQA Guidelines. This requirement indirectly relates to construction energy conservation because when air pollutant emissions are reduced from the monitoring and the efficient use of equipment and materials, energy use is reduced. There are no aspects of the Project that would foreseeably result in the inefficient, wasteful, or unnecessary use of energy during construction activities. The same is true for Alternative Project and the 100 Percent E-Commerce Worst-Case Scenario. Furthermore, due to increasing transportation costs and fuel prices, Contractors and Owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary use of energy during construction.

None of the Project energy uses exceed one percent of their corresponding County use. Project operations would not substantially affect existing energy or fuel supplies or resources. The Project would comply with applicable energy standards and new capacity would not be required. Impacts would be less than significant in this regard.

Supportive Evidence: Please refer to DEIR pages 4.4-9 through 4.4-22.

Impact 4.4-2: Would the Project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?

Basis for Conclusion: Project design and operation will comply with State Building Energy Efficiency Standards, appliance efficiency regulations, and green building standards. As discussed above in Impact 4.4-1, Project development will not cause inefficient, wasteful, and unnecessary energy use, and impacts will be less than significant.

Supportive Evidence: Please refer to DEIR pages 4.4-22 through 4.4-23.

Geology and Soils

Impact 4.5-1: Would the project 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 (Refer to Division of Mines and Geology Special Publication 42)?

Basis for Conclusion: According to the latest U.S Quaternary Faults data, the nearest quaternary earthquake fault to the proposed Project site is an unnamed fault near the City of Fontana. The unnamed fault is classified as a late quaternary fault, but not considered an Alquist-Priolo Fault. Furthermore, the Geotechnical Investigation Report conducted by SoCalGeo did not identify the Project site within an Alquist-Priolo fault zone. In addition, each proposed building would be designed using the latest California Building Codes to minimize impacts from seismic activity and other regulatory standards such as the Federal Emergency Management Agency (FEMA). FEMA provides standards for buildings to resist the effects of earthquake motions.

Supportive Evidence: Please refer to DEIR pages 4.5-14 through 4.5-15.

Impact 4.5-1: Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

ii. Seismic-related ground failure, including liquefaction?

Basis for Conclusion: The California Geological Survey (CGS) has not yet conducted detailed seismic hazards mapping in the area of the Project site according to the County's Land Use Plan, General Plan, and Geologic Hazard Overlays Map. The County's Map FH28 indicates that the subject site is not located within an area of liquefaction susceptibility. Furthermore, on-site subsurface conditions encountered by SoCalGeo geologists at the boring and trench locations indicates that liquefaction would not be considered a design concern for the Project. Therefore, impacts regarding ground failure, including liquefaction would be less than significant.

Supportive Evidence: Please refer to DEIR pages 4.5-16.

Impact 4.5-1: ***Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:***

iv. Landslides?

Basis for Conclusion: The Project site is not located within or near extreme elevation differences that would potentially result in landslide effects. According to the San Bernardino County Geologic Hazard map, the Project site is not regionally located within a zone of generalized landslide susceptibility and is also outside of the hazard zone for rockfall/debris-flow[14]. Therefore, impacts resulting from landslides would be less than significant.

Supportive Evidence: Please refer to DEIR page 4.5-16.

Greenhouse Gas Emissions

Impact 4.6-2: ***Would the Project conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions?***

Basis for Conclusion: As shown in *Table 4.6-6 of the DEIR*, the Project would be consistent with the stated goals of the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). As shown in *Table 4.6-7* of the DEIR, the Project is consistent with most of the strategies of the CARB Scoping Plan, while others are not applicable to the Project. Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the Project would benefit from the implementation of current and potential future regulations (e.g., improvements in vehicle emissions, S.B. 100/renewable electricity portfolio improvements, etc.) enacted to meet an 80 percent reduction below 1990 levels by 2050. The Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for reducing the emissions of GHGs because the Project would generate low levels of GHGs, and would not impede implementation of the Scoping Plan, or conflict with the policies of the Scoping Plan or any other GHG reduction plan.

Supportive Evidence: Please refer to DEIR page 4.5-21 through 4.6-28.

Hazards and Hazardous Materials

Impact 4.7-4: ***Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?***

Environmental Analysis: The Project site is not included on the hazardous sites list compiled pursuant to California Government Code Section 65962.5.[15] The Phase I Environmental Site Assessment (ESA) indicated there was one Recognized Environmental Condition (REC) (as defined by American Society for

[14] County of San Bernardino. (2010). *San Bernardino County Land Use Plan General Plan Geologic Hazard Overlays*. San Bernardino, CA: County of San Bernardino

[15] California, State of, Department of Toxic Substances Control, DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). Available at: https://dtsc.ca.gov/dtscs-cortese-list/. Accessed: August 17, 2020.

Testing and Materials (ASTM) Practice E 1527-13) identified in association with the Project site that required additional investigation. Therefore, a Phase II Investigation was conducted, which concluded pollutant concentrations found in soil associated with the REC was below applicable screening levels. Therefore, no significant adverse impacts relative to hazardous materials sites would result with Project implementation.

Supportive Evidence: Please refer to DEIR page 4.7-22.

Impact 4.7-6: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Environmental Analysis: No revisions to the adopted ReadyRC disaster preparedness manual would be required as a result of the proposed Project. Further, as identified in the LHMP, the City maintains an Emergency Operations Plan which is updated by the City's Emergency Management Program. The proposed Project would not modify or impede existing emergency routes. Primary access to all major roads would be maintained during construction and operation of the proposed Project. By complying with the General Plan and participating in the City's Impact Fee Program, implementation of the Project would result in a less than significant impact with respect to interference with an adopted emergency response plan or emergency evacuation plan.

Supportive Evidence: Please refer to DEIR page 4.7-23.

Hydrology and Water Quality

Impact 4.8-1: Would the proposed project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Basis for Conclusion: The Project and Alternate Project construction-related activities would include excavation, grading, and trenching, which would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. Construction-related erosion effects would be addressed through compliance with the NPDES program's Construction General Permit. Construction activity subject to the Construction General Permit includes any construction or demolition activity, including, but not limited to, clearing, grading, grubbing, or excavation, or any other activity that results in a land disturbance of equal to or greater than 1.0 acre. The Project would disturb approximately 35 acres and would be subject to the Construction General Permit. The Project will comply with NPDES and RCMC requirements, which include implementation of BMPs as a Condition of Approval, and therefore, the Project's construction-related activities would not violate any water quality standards or otherwise substantially degrade surface or groundwater quality. Stormwater pollutants that would be produced during Project operation include pathogens, nutrients, noxious aquatic plants, sediment, metals, oil and grease, trash/debris, pesticides/herbicides, and organic compounds (Albert A. Webb Associates 2020). The Project Applicant would be required to prepare and implement a WQMP (Project's Preliminary WQMP, prepared by Albert A. Webb Associates, is included as *Appendix F* to the DEIR), which is a Project site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. In addition to mandatory implementation of a WQMP, the NDPES program also requires industrial land uses

to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program, unless an exemption has been granted. Therefore, impacts related to groundwater supplies and water quality standards during operations would be less than significant impact.

Supportive Evidence: Please refer to DEIR pages 4.8-9 through 4.8-10.

Impact 4.8-2: ***Would the proposed project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?***

Basis for Conclusion: The Project would be developed within the FWC service area. FWC receives groundwater from multiple groundwater sources including the Chino Basin, the Lytle Basin, the Rialto-Colton Basin, and the No Man's Land Basin. The proposed Project's total water demand of 47 acre feet per year (AFY) would constitute approximately 0.47 percent of the FWC's Chino Basin sourced groundwater in the year 2020. The FWC's water supply is projected to increase through 2040 with a projected 18,093 sourced from the Chino Basin that year.[16] The Project would comprise 0.26 percent of the projected Chino Basin sourced groundwater in the year 2040. This means that as FWC's water supply increased through 2040, the proposed Project would continue to comprise a decreasing percentage of that sourced groundwater. Therefore, impacts related to groundwater supplies would be less than significant impact.

Supportive Evidence: Please refer to DEIR pages 4.8-10 through 4.8-11.

Impact 4.8-3: ***Would the proposed project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:***

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

Basis for Conclusion: The Project and Alternate Project would include development of new warehousing buildings and hardscapes that would increase the amount of impermeable surface covering on the Project site compared to existing conditions. These proposed improvements may cause changes in absorption rates, drainage patterns, and the rate and amount of surface water runoff. Per the Project's Drainage Study, located in EIR *Appendix F*, on-site flows generated by the Project or Alternate Project, would surface flow through the site utilizing ribbon gutters, curb and gutters, and grate inlets. The Project would utilize subsurface storm drain systems that convey flows into the proposed underground corrugated metal pipe (CMP) detention systems. Higher flows would bypass the underground system and drain into the existing 36-inch storm drain line in Napa Street that discharges into San Sevaine Channel. Any runoff that exceeds the system's capacity would be directed to an existing underground system and begin to discharge into a proposed 24-inch line that would connect the existing East Etiwanda Creek reinforced concrete box (RCB) culvert in Napa Street. Further, the Project site is located mostly on land that is designated as having a minimal flood hazard. The NPDES, SWPPP, and WQMP created for the Project would minimize potential impacts from erosion and siltation. Further, an erosion control plan would also be implemented to further

[16] Ibid.

minimize potential siltation and erosion effects. Therefore, impacts related to erosion or siltation would be less than significant impact.

Supportive Evidence: Please refer to DEIR pages 4.8-11 through 4.8-12.

Impact 4.8-3: ***Would the proposed project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:***

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

Basis for Conclusion: The Project or Alternate Project would include development of one and two building(s), respectively, and hardscapes that would increase the amount of impermeable surface covering on the Project site compared to existing conditions. These proposed improvements may cause changes in absorption rates, drainage patterns, and the rate and amount of surface water runoff. The Project site is also bounded along the eastern border by the San Sevaine Flood Control Channel, and along the western border by the Etiwanda Creek Channel. Despite the nearby flood control infrastructure, the Project site is not located in a documented flood plain or floodway, nor is the Project within any special flood hazard areas.[17]

Further, the Project site contains a natural gradient slope downward to the south at a gradient of 2 percent, excluding the northwest plateau, northeast berm, and the southeast corner of the site. The southeast corner slopes gently to north at a gradient of 2.5 percent.[18] As stated in Section 4.8.1, floodwaters would likely flow into and along the main channel of the East Etiwanda Creek. According to FEMA's categorization, the Project site is not located within a documented flood plain or floodway or any special flood hazard areas. Therefore, impacts related to increasing rates of runoff would be less than significant impact.

Supportive Evidence: Please refer to DEIR pages 4.8-13.

Impact 4.8-3: ***Would the proposed project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:***

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

Basis for Conclusion: The existing Project site is comprised of largely vacant and undeveloped lands with asphaltic concrete driveways in the western portion of the site. Existing ground cover includes sparse to moderate native grass, weed growth, limited areas of debris and trash, limited areas of open-graded-gravel driveways, and exposed soils. All projects would be required to obtain a General Construction

[17] Federal Emergency Management Agency (2016). *FEMA Flood Map Service Center: Search By Address.* Retrieved from: https://msc.fema.gov/portal/search?AddressQuery=napa%20street#searchresultsanchor (Accessed September 2020)

[18] Southern California Geotechnical (2020). *Geotechnical Investigation Proposed Commercial/Industrial Development North Side of Napa Street, East of Etiwanda Avenue*

Permit. The General Construction Permit requires implementation of a SWPPP, which would include BMPs designed to protect the quality of storm water runoff. Preparation, implementation, and participation with both the NPDES General Permit and the General Construction Permit, including the SWPPP and BMPs, would reduce the potential for storm water flows, and any potential contaminants contained within those flows, to be conveyed off-site during construction of the Project. Per the Project's Drainage Study, on-site flows generated by the Project would surface flow through the site utilizing ribbon gutters, curb and gutters, and grate inlets. The Project would utilize subsurface storm drain systems that convey flows into the proposed underground CMP detention systems. Higher flows would bypass the underground system and drain into the existing 36-inch storm drain line in Napa Street that discharges into San Sevaine Channel. In accordance with the NPDES, SWPPP, and WQMP required for the Project, BMPs would be implemented on-site to prevent runoff of sediment and pollutants entering the City's existing stormwater system. Therefore, impacts related to runoff exceeding the capacity of existing or planned stormwater drainage systems would be less than significant impact.

Supportive Evidence: Please refer to DEIR pages 4.8-14.

Impact 4.8-3: ***Would the proposed project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:***

iv. Impede or redirect flood flow?

Basis for Conclusion: Refer to discussion in Impact 4.8-3(ii). While the Project site is bounded by the San Sevaine Flood Control Channel and the Etiwanda Creek Channel, the site is not located in a documented flood plain or floodway, nor is the site located within any special flood hazard areas.[19] The Project site's natural gradient slope and FEMA's designation of East Etiwanda Creek as a profile baseline led to the anticipation that flood flows would occur along the main channel of the Etiwanda Creek Main Channel. Therefore, impacts related to flood flows would be less than significant impact.

Supportive Evidence: Please refer to DEIR pages 4.8-15.

Impact 4.8-4: ***Would the proposed project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?***

Basis for Conclusion: FEMA does not categorize the Project site as being located within a documented floodplain or floodway or any special flood hazard areas. The Project site is located in FEMA Zone X which are areas determined to be outside of the 0.2% annual chance floodplain. Therefore, the Project site is not located within a flood hazard zone. The Project site is approximately 55 miles east of the Pacific Ocean and there are no nearby bodies of standing water. The nearest hydrological features to the Project site include East Etiwanda Creek and San Sevaine Flood Control Channel. Tsunamis and seiches do not pose hazards due to the Project site's inland location and lack of nearby bodies of standing water. An analysis of hazards associated with the development of the Project are fully analyzed and discussed in *Section 4.7, Hazards and Hazardous Materials* which determined that no hazardous material would be released from

[19] Federal Emergency Management Agency (2016). *FEMA Flood Map Service Center: Search By Address.* Retrieved from: https://msc.fema.gov/portal/search?AddressQuery=napa%20street#searchresultsanchor (Accessed September 2020)

the site. Therefore, potential impacts associated with inundation by flood hazard, tsunami, or seiche would be less than significant.

Supportive Evidence: Please refer to DEIR pages 4.8-15 through 4.8-16.

Impact 4.8-5: Would the proposed project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Basis for Conclusion: The Project's Geotechnical Investigation found no evidence of groundwater at a level that would be affected at the Project site.[20] Further, the Project is not within a groundwater replenishment zone such as a recharge basin or spreading ground[21]. Further, the Project does not propose the modification of the existing East Etiwanda Creek Channel, or San Sevaine Flood Control Channel.

The City's Storm Water and Urban Runoff Management and Discharge Control Ordinance requires the creation of a WQMP in order to identify BMPs to be used to minimize harmful stormwater pollutants and discharge. The WQMP would be effective through the life of the Project and amended as necessary throughout its duration. Like the WQMP, the SWPPP and NPDES permit would be subject to review periodically through the duration of the Project to ensure compliance and maximum mitigation. The Project would be required to comply with all other applicable Federal, State, and local regulations regarding water quality and/or groundwater maintenance. With implementation of Mitigation Measures, impacts related to potential obstruction or modification of water quality control plans or groundwater management plans would be less than significant.

Supportive Evidence: Please refer to DEIR pages 4.8-16 through 4.8-17.

Land Use and Planning

Impact 4.9-2: Would the Project cause a significant environmental impact due to a conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Basis for Conclusion: The Project would be consistent with the SCAG RTP/SCS, Rancho Cucamonga (General Plan) GP, and the County of San Bernardino Local Agency Formation Commission. With approval and implementation of the proposed General Plan Amendment (GPA), Pre-zone, and annexation, the Project would not result in a change in, or conflict with a land use or zoning designation that would result in potentially significant impacts. Therefore, impacts associated with any existing plan, policy, or regulation would be less than significant.

Supportive Evidence: Please refer to DEIR pages 4.9-8 through 4.9-19.

[20] Southern California Geotechnical (2020). *Geotechnical Investigation Proposed Commercial/Industrial Development North Side of Napa Street, East of Etiwanda Avenue*

[21] City of Rancho Cucamonga. (2010). *Rancho Cucamonga General Plan Figure RC-3: Water Resources*. Page RC-19. Rancho Cucamonga, CA: City of Rancho Cucamonga.

Mineral Resources

Impact 7.4.1: Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Basis for Conclusion: Gravel deposits in the alluvial fans of the San Bernardino County valley represent the most significant and widely spread mineral resource in the region. Aggregates are essential ingredients in construction materials such as concrete, plaster and mortar. The Project would involve the development of two warehouse buildings and the Alternate Project would develop one building for E-Commerce use. Construction of the proposed Project and Alternate Project would demand aggregate resources as part of the construction phase. These resources are commercially available in the southern California region without any constraint and no potential for adverse impacts to the natural resources base supporting these materials is forecast to occur over the foreseeable future. The proposed Project's and Alternate Project's demand for mineral resources would be minimal due to the abundance of available local aggregate resources. Therefore, impacts associated with the loss of availability of known mineral resources would be less than significant.

Supportive Evidence: Please refer to DEIR page 7-8.

Noise

Impact 4.10-1: Would the Project generate 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?

Basis for Conclusion: Construction activities for the Project and Alternate Project would include site preparation, grading, building construction, paving, and architectural coating. Such activities would require graders, scrapers, and tractors during site preparation; graders, dozers, and tractors during grading; cranes, forklifts, generators, tractors, and welders during building construction; pavers, rollers, mixers, tractors, and paving equipment during paving; and air compressors during architectural coating.

The nearest noise sensitive receptors come from the residential community 0.43 miles (2,244 feet) to the north. All construction equipment was assumed to operate simultaneously at a construction area nearest to sensitive receptors. Construction equipment would operate throughout the Project site and the associated noise levels would not occur at a fixed location for extended periods of time. These sensitive uses may be exposed to elevated noise levels during project construction. However, construction noise would be acoustically dispersed throughout the project site and not concentrated in one area near surrounding sensitive uses.

As determined by the Project's Traffic Impact Analysis (TIA), Site Plan A would generate 966 daily trips, which includes 596 passenger cars and 370 trucks. The resulting Project generated traffic would result in a maximum increase of 0.9 dBA. As the noise level increase is below 3.0 dBA, impacts would be less than significant. As determined by the Project's TIA, the Project would generate 2,484 daily trips for the E-Commerce Scenario which includes 2,161 passenger cars and 323 trucks. The resulting Project

generated traffic would result in a maximum increase of 1.9 dBA. As the noise level increase is below 3.0 dBA, impacts would be less than significant.

Supportive Evidence: Please refer to DEIR pages 4.10-17 through 4.10-24.

Impact 4.10-2: Would the Project expose persons to or generate excessive ground borne vibration or ground-borne noise levels?

Basis for Conclusion: Based on Federal Transit Administration (FTA) data, vibration velocities from typical heavy construction equipment operations that would be used during Project construction range from 0.003 to 0.089 in/sec PPV at 25 feet from the source of activity. FTA architectural damage criterion threshold is 0.2 in/sec. The nearest sensitive receptors are the residential uses approximately 2,244 feet to the north of the Project site.

The nearest structure is a warehouse located approximately 93 feet to the north of the future construction zone. vibration velocities from construction equipment would not exceed 0.016 in/sec PPV, which is below the FTA's 0.20 in/sec PPV threshold for building damage and below the 0.10 in/sec PPV annoyance threshold. It is also acknowledged that construction activities would occur throughout the Project site and would not be concentrated at the point closest to the nearest structure. Therefore, vibration impacts associated with Project construction and operation would be less than significant.

Supportive Evidence: Please refer to DEIR pages 4.10-25 through 4.10-26.

Population and Housing

Impact 7.5-1: Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Basis for Conclusion: The Project would have a beneficial effect on the City's employment base by developing a site that is currently vacant with a new industrial/warehouse facility with ancillary office space. Given that the current unemployment rate for the Riverside-San Bernardino-Ontario area is approximately 4.0%,[22] it is reasonably assured that the jobs would be filled by people living in the City, unincorporated County area, and surrounding communities, such as Fontana, Rialto, Jurupa Valley, and Ontario. Furthermore, the Project site is served by existing public roadways, and utility infrastructure is already installed beneath the public rights of way that abut the Project site (Napa Street). As a result, the Project would not be anticipated to induce substantial population growth in the project area. Therefore, impacts associated with substantial, unplanned population growth would be less than significant.

Supportive Evidence: Please refer to DEIR page 7-9.

[22] U.S. Bureau of Labor and Statistics. 2020. Economy at a Glance: Riverside-San Bernardino-Ontario, CA. https://www.bls.gov/eag/eag.ca_riverside_msa.htm (accessed May 2020).

Public Services and Recreation

Impact 7.6-1: ***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services including those for fire prevention, police protection, schools, parks, and other public facilities?***

Basis for Conclusion*:* The Project would not 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. The Project and Alternate Project propose the construction of warehouse building(s) and associated infrastructure improvements. No governmental facilities are included in the Project design.

Based on the Projects proximity to existing fire protection/fire stations, the Project would receive adequate fire protection service and would not result in adverse physical impacts associated with the provision of or need for new or physically altered fire protection facilities, and would not adversely affect service ratios, response times, or other performance objectives. There are no existing fire protection facilities that exist on the Project site, and therefore development of either the Project or Alternate Project would not conflict with existing fire structures or require modification of fire protection facilities. Compliance with applicable local and state regulations would ensure that Project implementation would result in a less than significant impact to fire protection services.

Based on the Projects proximity to existing Police protection services, the Project would receive adequate police protection service and would not result in adverse physical impacts associated with the provision of or need for new or physically altered police protection facilities, and would not adversely affect service ratios, response times, or other performance objectives. There are no police protection facilities that exist on the Project site, and therefore, development of the Project and Alternate Project would not conflict with existing police structures or require modification of police protection facilities. Compliance with applicable local regulations would ensure that Project implementation would result in a less than significant impact to police protection services.

Project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives. The Project and Alternate Project would not conflict with existing school structures or require modification of school facilities. Compliance with applicable local and state regulations would ensure that Project implementation would result in a less than significant impact to school services.

Project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities, need for new or physically altered park facilities, the

construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives.

Project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered other public facilities, need for new or physically altered other public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives. Therefore, Project implementation would result in a less than significant impact to other public facilities.

Supportive Evidence: Please refer to DEIR pages 7-9 through 7-13.

Transportation

Impact 4.11-1: Would the Project conflict with a program, plan, ordinance or policy, addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Basis for Conclusion: The majority of the Project site is presently vacant and undeveloped, with the exception of asphaltic concrete driveways in the western portion of the site, overhead powerlines, and a railroad easement and rail spur. The railroad easement and rail spur extends from the center, southern portion of the site and curves towards the northeast corner property line. The site does not include any pedestrian, bicycle, or public transit facilities. Located on the western edge of the Project site is an existing road that is associated with the adjacent property to the north. As well, construction of the Project would provide newly paved internal roads to provide circulation throughout the Project site, including Buildings A and B.

Construction of Site Plan A would require off-site circulation improvements to support operations through 2040. For opening year (2022), the Project would be required to improve phasing on the I-15 Southbound Ramp and 4th Street intersection which would include the addition of overlap phasing to the northbound, southbound, and westbound right turn lanes to optimize the cycle lengths. These improvements are not included in any fee program, but a fair share contribution has been calculated.

The Project's circulation elements for Site Plan A and Site Plan B would be consistent with the City's General Plan elements pertaining to the land use and mobility (circulation) system, including transit, roadway, bicycle and pedestrian facilities.

The Project would comply with Americans with Disabilities Act (ADA) Standards for Accessible Designs to be readily accessible to and usable by individuals with disabilities. The Project would also be compliant with Caltrans' construction practice requirements by developing and implementing a temporary traffic control plan for construction activities that interfere with the normal function of a roadway. The Project would comply with Federal and State Manual on Traffic Control Devices (MUTCD) standards to install and maintain traffic-control devices on all public streets, highways, bikeways, and private roads that are open to public traffic. Therefore, the Project would not conflict with a program, plan, ordinance or policy, addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Therefore, impacts under the Warehouse Scenario and E-Commerce Scenario would be less than significant.

Supportive Evidence: Please refer to DEIR pages 4.11-29 through 4.11-38.

Impact 4.11-2: Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Basis for Conclusion: Construction of the Project would be a temporary activity not associated with a specific land use. Although there would be vehicle trips and vehicle miles traveled associated with construction workers, excavation, and transport of materials and equipment, these activities do not fall squarely into the primary goals of SB 743, which is to reduce reliance on individual automobiles and promote multi-modal transportation networks through effective land use planning. In addition, impacts from construction-related activities are captured in the analysis of air quality and greenhouse gas emissions for the Project.

The Site Plan A Project would not exceed the City's VMT per service for either the baseline (without Project) or plus-Project scenarios. As a result, the Site Plan A would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). Site Plan B Project would also not exceed the City's VMT per service in either baseline (without Project) or with-Project scenarios. As a result, the Project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). Therefore, impacts would be less than significant.

Supportive Evidence: Please refer to DEIR pages 4.11-38 through 4.11-42.

Impact 4.11-3: Would the Project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Basis for Conclusion: Construction impacts associated with the Project, the Alternate Project, and 100 Percent E-Commerce Worst-Case Scenario may temporarily restrict vehicular traffic or cause temporary hazards. Access to the Project site would be provided via four driveways along Napa Street and a new public street. Depending on the development scenario implemented, some driveways would be exclusively for vehicle traffic, with others providing access for both vehicles and trucks. Driveways would be continually maintained to allow for the safe ingress and egress to/from the Project site. Additionally, driveways would be designed in accordance with all applicable design and safety standards required by adopted fire codes, safety codes, and building codes established by the City's Engineering and Fire Departments.

The Project Construction Manager would implement necessary traffic control measures in conformance with the City's construction permit requirements, Lane Closure Permit, and Encroachment Permit requirements. Further measures would be taken to provide adequate access to and from the Project site as needed. As a result, the Project would not result in increased hazards due to design features from the Project site.

Supportive Evidence: Please refer to DEIR pages 4.11-42 through 4.11-43.

Impact 4.11-4: Would the Project result in inadequate emergency access?

Basis for Conclusion: The Project would not be anticipated to result in any significant emergency access impacts during construction. In case of an emergency, the Project's construction manager would have assigned staff to flag emergency response vehicles and direct them to the emergency location. Unimpeded access would be provided throughout the Project site by ensuring construction vehicles are not be parked or placed in a manner that would impede access for emergency response vehicles. Site conditions, during and after the workday, would be either maintained or left in a condition that adheres to Division of Occupational Safety and Health (OSHA) safety standards to prevent any hazardous condition that may affect construction staff and emergency responders. Access roads throughout the Project site would be constructed for use by construction staff/inspectors, construction equipment and materials delivery/removal, and emergency response vehicles. Access roads would be maintained in good condition in order to allow for the safe passage for emergency response vehicles. As a result, the Project would not result in inadequate emergency access at off-site construction locations.

Supportive Evidence: Please refer to DEIR pages 4.11-43 through 4.11-44.

Utilities and Service Systems

Impact 4.13-1: Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Basis for Conclusion: The Project and Alternate Project propose the construction of one and two building(s), respectively, and associated infrastructure improvements. All required improvements to existing electrical, natural gas, or telecommunications utilities would occur within the existing right-of-way's. All areas adjacent to the existing roadways also are heavily disturbed and are within the overall footprint of Project and any impacts are therefore, discussed and disclosed as part of this Draft EIR within the various sections of this document. Therefore, impacts associated with extension of services in these areas and within the site, are less than significant.

The Project's Drainage Study concluded that with the proposed system, the Project could adequately convey flows and provide flood protection for the 100-year storm event. Further, the Drainage Study found that the CMP detention system would adequately treat on-site flows and would not impact flooding conditions to upstream or downstream properties. The Project would include construction of the necessary water infrastructure to provide potable water to the proposed Project. Internal to the Project, no new water mains are anticipated. Both buildings A and B are anticipated to require two 12-inch water lines, extending from the existing water main in Napa Street to each of the buildings to provide water supply for fire protection. No additional relocation or construction of new or expanded water supply would be necessary to meet the Project's water demand. Improvements to facilitate wastewater service to the Project site would consist of tie-ins to existing CVWD sewer lines and the Project would be required to meet Santa Ana RWQCB wastewater requirements. As a result, the increase in daily wastewater generated by the Project would be minimal and no expansion of sewer pipelines or wastewater facilities would be required

Communications infrastructure exists in the Project area and it is not anticipated that new or expanded communication facilities would be required to serve the Project site. It is anticipated that the Project would require some amount of natural gas to support future operations, which would be supplied by SCGC. Similar to electrical services, natural gas lines already exist in the Project area. Additionally, it is not anticipated that new or expanded gas supply facilities would be required to serve the Project site. Additionally, there are overhead SCE powerlines present along the northern property line of the Project site. The relocation of the overhead lines from the center of the property to the southern property line, would not reduce services or require the construction of additional facilities, but would facilitate the development of the site. Therefore, impacts related to the expansion of utilities to serve the Project would be less than significant and no mitigation is required.

Supportive Evidence: Please refer to DEIR pages 4.13-15 through 4.13-18.

Impact 4.13-2: Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Basis of Conclusion: The Project is estimated to result in an average potable water building demand of 37 AFY and a landscape demand of 10 AFY with a total demand of 51 AFY. FWC's available water supplies would be sufficient to meet all present and future water supply requirements of the Project, as well as demands from other planned and potential developments within FWC's service area between now and 2040, including single and multiple dry years. Therefore, impacts related to insufficient water supplies for the Project and reasonably foreseeable future development would be less than significant.

Supportive Evidence: Please refer to DEIR pages 4.13-18 through 4.13-20.

Impact 4.13-3: Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Basis of Conclusion: The Project proposes an approximately 655,878 sf of warehouse buildings with ancillary office spaces on 35.38 acres. The Alternate Project would develop a single fulfilment/E-Commerce building, Building A only (500,648 sf), for fulfillment use with ancillary office space. The Project would produce wastewater at a rate of approximately 29,300 gpd. This rate is equal to 0.2 percent of RP-4's capacity of 14 MGD and 0.07 percent of RF-1's treatment capacity of 44 MGD. As a result, the FWC would have sufficient treatment capacity to serve the Project and its existing customers. Therefore, impacts related to insufficient wastewater treatment capacity would be less than significant impact.

Supportive Evidence: Please refer to DEIR pages 4.13-20.

Impact 4.13-4: Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Basis of Conclusion: The Project and Alternate Project is anticipated to generate solid waste during the temporary, short-term construction phase, as well as the operational phase, but it would not be

anticipated to result in inadequate landfill capacity. According to CalRecycle's Estimated Solid Waste Generation Rates, a warehouse facility similar to the Project is estimated to produce 13.82 pounds of waste per employee per day.[23] The estimated number of employees to operate the facility under the Project (worst-case) would be approximately 1,172 people and approximately 750 under the Alternate Project. The 1,172 employees under the Project equates to approximately 16,197 pounds (8 tons) of waste per day from Project-related activities, which would account for approximately 0.11 percent of the Mid-Valley Sanitary Landfill's maximum daily throughput of 7,500 tons per day. Further, the Project, as with all other development in the City, would be required to adhere to City ordinances with respect to waste reduction and recycling. For these reasons, the Project's solid waste disposal needs during construction and operation could be met by the Mid-Valley Sanitary Landfill. Therefore, impacts related to the generation of excess solid waste would be less than significant.

Supportive Evidence: Please refer to DEIR pages 4.13-20 through 4.13-21.

Impact 4.13-5: Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Basis of Conclusion: The Project and Alternate Project would comply with applicable local, state, and federal regulations regarding solid waste, including those of the City. Rancho Cucamonga Municipal Code Section 8.17 provides policies and regulation regarding solid waste handling by both customers and collectors. In coordination with Burrtec Waste Management, the Project would comply with the City's various programs to increase recycling efforts. In addition, the City implements AB 939 source reduction and recycling measures to reduce solid waste generation and has been found to be compliant with AB 939. Therefore, impacts related to compliance with solid waste reduction statutes and regulations would be less than significant.

Supportive Evidence: Please refer to DEIR pages 4.13-21 through 4.13-22.

[23] CalRecycle. 2020. Estimated Solid Waste Generation Rates. https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates#Industrial. Accessed October 14, 2020.

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Section 5: Environmental Impacts Found to be Less Than Significant with Mitigation Incorporated

Pursuant to PRC § 21081(a) and CEQA Guidelines § 15091(a)(1), based on substantial evidence, the City finds that for each of the impacts discussed below the Project's potentially significant impacts have been avoided, offset or reduced to less than significant levels in consideration of existing regulatory plans and programs (described in the DEIR Section 4 for each applicable impact topic), PDFs (summarized in Findings **Table 1**), and EIR mitigation measures (as listed in Resolution Attachment 5d, Mitigation Monitoring and Reporting Program [MMRP], and summarized below).

Air Quality

Impact 4.1-2: ***Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable state or federal ambient air quality standard?***

Environmental Analysis: Construction associated with the Project would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the Project area include O_3-precursor pollutants (i.e., ROG and NO_X) and PM_{10} and $PM_{2.5}$. Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance.

All criteria pollutant emissions associated with construction of the Project would remain below their respective thresholds. As well, all criteria pollutant emissions associated with construction of the Alternate Project would remain below their respective thresholds. Finally, Construction emissions attributable to the 100 Percent E-Commerce Worst Case Scenario would remain below their respective thresholds. However, operations associated with the Project would exceed the SCAQMD threshold for NO_X. The majority of NO_X emissions are from area and mobile sources. Mitigation measures would be required to reduce emissions to the extent feasible; however, emissions of motor sources are controlled by State and Federal standards and the Project has no jurisdiction over these standards.

Mitigation Measures: Based upon the analysis presented in ***Section 4.1, Air Quality*** of the DEIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM AQ-1: Prior to issuance of occupancy permits for the Project, the Project operator shall prepare and submit a Transportation Demand Management (TDM) program for review and approval of the City of Rancho Cucamonga detailing strategies that would reduce the use of single-occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool and transit.

The TDM shall include, but is not limited to the following:

- Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options;
- Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the project site;
- Provide on-site car share amenities for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day;
- Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service; and
- Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users.
- Provide meal options onsite or shuttles between the facility and nearby meal destinations.

MM AQ-2: For the Project, electrical hookups shall be provided at all loading bays for truckers to plug in any onboard auxiliary equipment and power refrigeration units while their truck is stopped.

MM AQ-3: All truck access gates and loading docks (both interior- and exterior-facing signs) within the Project site shall have a sign posted that states:

- Truck drivers shall turn off engines when not in use.
- Truck drivers shall shut down the engine after five minutes of continuous idling operation. Once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged.
- Telephone numbers of the building facilities manager and CARB to report Violations.

MM AQ-4: The Project will require contractors and building operator(s) (by contract specifications) to utilize on-road heavy-duty diesel trucks with a gross vehicle weight rating greater than 14,000 pounds to meet or exceed 2010 engine emission standards or to be equipped with a particulate matter trap (as available) or to be powered by natural gas, electricity, or other diesel alternative.

MM AQ-5: Prior to the issuance of building permits for the Project, the City of Rancho Cucamonga Building and Safety Department shall confirm that applicable Project plans and specifications indicate that refrigerated space for the Project does not exceed 56,000 square feet.

MM AQ-6: Post signs at every truck exit driveway providing directional information to the truck route~~.~~, so that trucks will not travel on Arrow Route and Foothill Boulevard next to or near sensitive land uses (e.g., residences).

MM AQ-7: The Applicant shall make its tenants aware of the funding opportunities, such as the Carl Moyer Memorial Air Quality Standards Attainment Program (Moyer Program), and other similar funding opportunities, by providing applicable literature available from the California Air Resources Board (CARB).

The Moyer Program On-Road Heavy-Duty Vehicles Voucher Incentive Program (VIP) provides funding to individuals seeking to purchase new or used vehicles with 2013 or later model year engines to replace an existing vehicle that is to be scrapped.

Finding: Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Supportive Evidence: Please refer to DEIR page 4.1-14 through 4.1-23.

Biological Resources

Impact 4.2-1: ***Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?***

Environmental Analysis: The Project would be developed on a previously vacant and disturbed site. Construction activities would include the demolition of existing infrastructure including utilities, road improvements associated with the easement on the west side of the property, and relocation of the overhead utility line. The site is located in an area that is surrounded by developed industrial property with infrastructure including roadways, electrical, and utilities. The Project site is bordered to the west by the East Etiwanda Creek and to the east by San Sevaine Channel. There are no trees on the site, however, the Project site contains ground cover and shrubs that provide suitable habitat for nesting migratory birds. Thus, there is a potential for nesting bird impacts to occur.

The habitat assessment conducted for the Project included focused plant surveys conducted in April, June, and August of 2020. No special-status plants were detected at the Project site and none are expected to occur due to a lack of suitable habitat. The Project would not impact special-status plants due to a lack of suitable habitat for all species and the high level of site disturbance. The Project would result in the loss of habitat that supports or potentially supports one listed special-status species: Swainson's hawk. The Project would also result in the loss of habitat that supports or potentially supports two non-listed special-status species: golden eagle and San Diego black-tailed jackrabbit. With the implementation of Mitigation Measures, potential construction impacts to special-status animals would be less than significant.

Mitigation Measures: Based upon the analysis presented in ***Section 4.2, Biological Resources*** of the DEIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM BIO-1: In accordance with the CDFG Staff Report on Burrowing Owl (2012), a qualified biologist shall conduct a pre-construction presence/absence survey for burrowing owls between 30 and 14 days prior to site disturbance. If burrowing owls are detected on-site, the qualified biologist shall contact California Department of Fish and Wildlife (CDFW) and conduct an impact assessment in accordance with Staff Report on Burrowing Owl Mitigation prior to commencing project activities to determine appropriate

mitigation, including the acquisition and conservation of occupied replacement habitat at no less than a 2:1 ratio and the owls shall be relocated/excluded from the site outside of the breeding season following accepted protocols, and subject to approval by CDFW. A qualified biologist shall prepare and submit a passive relocation program in accordance with Appendix E (i.e., Example Components for Burrowing Owl Artificial Burrow and Exclusion Plans) of the CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) for CDFW review/approval prior to the commencement of disturbance activities onsite. When a qualified biologist determines that burrowing owls are no longer occupying the Project site and passive relocation is complete, construction activities may begin. A final letter report shall be prepared by the qualified biologist documenting the results of the passive relocation. The letter shall be submitted to CDFW.

Prior to passive relocation, suitable replacement burrows site(s) shall be provided within adjacent open space lands and/or other off-site lands, as approved by CDFW at a ratio of 2:1 and permanent conservation and management of burrowing owl habitat such that the habitat acreage, number of burrows and burrowing owl impacts are replaced consistent with the Staff Report on Burrowing Owl Mitigation including its Appendix A within designated adjacent conserved lands identified through coordination with CDFW. A qualified biologist shall confirm the natural or artificial burrows on the conservation lands are suitable for use by the owls. Monitoring and management of the replacement burrow site(s) shall be conducted and a reporting plan shall be prepared. The objective shall be to manage the replacement burrow sites for the benefit of burrowing owls (e.g., minimizing weed cover), with the specific goal of maintaining the functionality of the burrows for a minimum of 2 years.

MM BIO-2: Vegetation clearing should be conducted outside of the nesting season (typically February 1 through August 31). If avoidance of the nesting season cannot be accomplished, then a qualified biologist shall conduct a nesting bird survey in all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures, at the appropriate time of day/night, during appropriate weather conditions within three days prior any disturbance of the site, including disking and grading. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior (e.g., copulation, carrying of food or nest materials, nest building, removal of fecal sacks, flushing suddenly from atypically close range, agitation, aggressive interactions, feigning injury or distraction displays, or other behaviors). If active nests are identified, the biologist shall establish suitable buffers around the nests, and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Typically established buffers are greater for raptors than songbirds and depend upon the species, the nesting stage, and type of construction activity proposed. The buffer should generally be a minimum of 300 feet for raptors and 100 feet for songbirds; unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology of the nesting species.

Finding: Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Supportive Evidence: Please refer to DEIR page 4.-26 through 4.2-28.

Cultural Resources

Impact 4.3-2: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Environmental Analysis: Although the presence of creeks and washes within the Project vicinity suggests the area may have been attractive to prehistoric groups both as a source of water and resource procurement area, the lack of identified prehistoric resources suggests the Project site is not highly sensitive to prehistoric archaeological remains. Further, because the Project site was primarily used for agricultural purposes, it is unlikely to contain significant historic period archaeological deposits. Following completion of construction of the Project and disturbances of the site, the proposed Project would include use for industrial warehousing. These land use operations would not impact any known or unknown historical resources. However, in the event that that a potentially significant archaeological resource is encountered during Project-related ground-disturbing activities, Mitigation Measures would further minimize potential impacts to human remains.

Mitigation Measures: Based upon the analysis presented in *Section 4.3, Cultural Resources* of the DEIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM CUL-1: In the unlikely event that cultural resources are exposed during construction of the Project, all ground disturbing activities within 100-feet of the potential resource(s) shall be suspended. A qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, shall evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find, the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery, may be warranted and shall be submitted to the Development Services Director or his/her designee. If the resource(s) are determined to be Native American in origin, the project archaeologist shall notify the appropriate Native American Tribe(s) from a list provided by the City.

Finding: Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Supportive Evidence: Please refer to DEIR page 4.3-13 through 4.3-14.

Geology and Soils

Impact 4.5-1: Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

ii. Strong seismic ground shaking?

Environmental Analysis: The City is located within 10 miles of two of California's active faults, the San Andreas and San Jacinto Faults which are capable of producing ground shaking motions to the region.

Significant damage to structures may be unavoidable in earthquake conditions. However, the proposed buildings would be designed to resist structural collapse and provide protection from serious injury, catastrophic property damage and loss of life. These design standards would be congruent with the 2019 California Building Code. With implementation of Mitigation Measure GEO-1, all project plans would be reviewed for compliance with applicable building requirements, in order to prevent harmful effects resulting from strong seismic ground shaking. Therefore, impacts regarding strong seismic ground shaking would be less than significant with mitigation incorporated.

Mitigation Measures: Based upon the analysis presented in *Section 4.5, Geology and Soils* of the DEIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM GEO-1: Prior to the issuance of any grading permit or building permit, City Staff shall review all Project plans involving grading, foundation, structural, infrastructure, and all other relevant construction to ensure compliance with the applicable recommendations from the Geotechnical Investigation and other applicable Code requirements. Specific design considerations as outlined in the Geotechnical Investigation included in *Appendix D* shall be implemented to minimize the risk for geological hazards included in the Project construction plans.

Finding: Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Supportive Evidence: Please refer to DEIR page 4.5-15 through 4.5-16.

Impact 4.5-2: Would the proposed Project result in substantial soil erosion or the loss of topsoil?

Environmental Analysis: SoCalGeo performed a subsurface exploration at 10 borings at depths of 15 to 25± feet below the existing site grades. . Artificial fill soils were encountered at the ground surface of most of the boring and trench locations, extending to depths of 1½ to 5½± feet below the existing site grades. SoCalGeo concluded that the existing artificial fill material would be unsuitable to support the proposed structures. Therefore, remedial grading would be utilized within the proposed building areas in order to remove all undocumented fill soils in their entirely including the upper portion of the near-surface native alluvial soils and replaced with compacted structural fill. In addition to the excavation and removal of the fill material, development of the Project would require grading preparation, excavation, site stripping and demolition that could result in soil erosion if exposed to periods of high wind or storm-related events. General dust control measures such as watering would be required to minimize erosion and construction-related dust. Construction contractors would also be required to create a dust control plan in compliance with SCAQMD Rule 403 to further reduce wind erosion. Furthermore, the construction contractor would be required to implement a Storm Water Pollution Prevention Plan (SWPPP) that lists Best Management Practices (BMPs) for reducing the potential for water erosion and runoff during construction. Operation activities for Site Plan A or Site Plan B would not involve procedures which would result in substantial soil erosion. The site would be covered with hardscape and landscaping, which would

include ground cover to reduce erosion or loss of on-site soils post-construction. This would ensure that operations under the Development Scenarios would not result in the loss of topsoil or sedimentation into local drainage facilities and water bodies. In addition, a network of storm drains and gutters would be installed, upgraded if needed, and maintained as necessary throughout the developed site. Therefore, the potential for substantial soil erosion or the loss of topsoil is considered less than significant.

Mitigation Measures: Based upon the analysis presented in *Section 4.5, Geology and Soils* of the DEIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM GEO-1 would be applied.

Finding: Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Supportive Evidence: Please refer to DEIR pages 4.5-17 through 4.5-18.

Impact 4.5-3: Would the proposed Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Environmental Analysis: The Project site is not located within any known fault lines or zones, included those considered Alquist-Priolo fault lines and fault zones. The Project site and the surrounding area is relatively flat and/or developed which indicates that the Project would not be susceptible to landslides nor cause significant erosion that would result in a landslide or lateral spreading. The Project site location is outside of a landslide and liquefaction susceptibility area. This combined with compliance of seismic design parameters recommended by SoCalGeo pursuant to the 2019 CBC, and implementation of Mitigation Measure GEO-1, impacts related to unstable soils, landslide, lateral spreading, subsidence, liquefaction or collapse would be less than significant.

Mitigation Measures: Based upon the analysis presented in *Section 4.5, Geology and Soils* of the DEIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM GEO-1 would be applied.

Finding: Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Supportive Evidence: Please refer to DEIR pages 4.5-18 through 4.5-19.

Impact 4.5-6: Would the proposed Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Environmental Analysis: According to PaleoWest's PRA, shallow excavations in the Project site (approximately nine feet in depth or less) would be unlikely to yield any significant paleontological resources. This determination is based on the fact that younger Quaternary deposits are void of fossils and near-surface alluvium is usually too young to contain fossils, and therefore, possesses low sensitivity. As a result, no effects to paleontological resources would be expected from earth-moving activities at shallow depths at the proposed Project site. However, deeper excavations that may extend down into older Quaternary (Pleistocene) alluvial deposits would be more likely to unearth fossil vertebrate remains (McLeod 2020 listed in the PRA). Older Quaternary deposits underlying the general Project vicinity are considered to have a high paleontological sensitivity because they have proven to yield significant paleontological resources (i.e., identifiable vertebrate fossils) in the past. Generally, ground-disturbing activities exceeding depths beyond Holocene soils and younger Quaternary alluvium would encounter older Quaternary alluvium. In order to reduce impacts to any undiscovered paleontological resource, Mitigation Measure GEO-2 through Mitigation Measure GEO-5 shall be implemented. With the following mitigation measures implemented, impacts on paleontological resources would be less than significant.

Mitigation Measures: Based upon the analysis presented in *Section 4.5, Geology and Soils* of the DEIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM GEO-1 would be applied.

MM GEO-2: Worker's Environmental Awareness Program (WEAP). Prior to the start of the proposed Project activities, all field personnel will receive a worker's environmental awareness training on paleontological resources. The training will provide a description of the laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the Project area, the role of the paleontological monitor, outline steps to follow in the event that a fossil discovery is made, and provide contact information for the Project Paleontologist. The training will be developed by the Project Paleontologist and can be delivered concurrent with other training including cultural, biological, safety, etc.

MM GEO-3: Paleontological Mitigation Monitoring. Prior to the commencement of ground-disturbing activities, a professional paleontologist will be retained to prepare and implement a PRMMP for the proposed Project. The PRMMP will describe the monitoring required during excavations that extend into older Quaternary (Pleistocene) age sediments, and the location of areas deemed to have a high paleontological resource potential. Monitoring will entail the visual inspection of excavated or graded areas and trench sidewalls. If the Project Paleontologist determines full-time monitoring is no longer warranted, based on the geologic conditions at depth, he or she may recommend that monitoring be reduced or cease entirely.

MM GEO-4: Fossil Discoveries. In the event that a paleontological resource is discovered, the monitor will have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and, if appropriate, collected. If the resource is determined to be of scientific significance, the Project Paleontologist shall complete the following:

1. Salvage of Fossils. If fossils are discovered, all work in the immediate vicinity should be halted to allow the paleontological monitor, and/or Project Paleontologist to evaluate the discovery and determine if the fossil may be considered significant. If the fossils are determined to be potentially significant, the Project Paleontologist (or paleontological monitor) should recover them following standard field procedures for collecting paleontological as outlined in the PRMMP prepared for the project. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist should have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.

2. Fossil Preparation and Curation. The PRMMP will identify the museum that has agreed to accept fossils that may be discovered during project-related excavations. Upon completion of fieldwork, all significant fossils collected will be prepared in a properly equipped laboratory to a point ready for curation. Preparation may include the removal of excess matrix from fossil materials and stabilizing or repairing specimens. During preparation and inventory, the fossils specimens will be identified to the lowest taxonomic level practical prior to curation at an accredited museum. The fossil specimens must be delivered to the accredited museum or repository no later than 90 days after all fieldwork is completed. The cost of curation will be assessed by the repository and will be the responsibility of the client.

MM GEO-5: Final Paleontological Mitigation Report. Upon completion of ground-disturbing activity (and curation of fossils if necessary) the Project Paleontologist should prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report should include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.

Finding: Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Supportive Evidence: Please refer to DEIR pages 4.5-20 through 4.5-22.

Greenhouse Gas Emissions

Impact 4.6-1: Would the Project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment?

Environmental Analysis: Development of the Project would result in the generation of approximately 1,410 $MTCO_2e$ over the course of construction. Construction GHG emissions are typically summed and amortized over the lifetime of the Project (assumed to be 30 years), then added to the operational

emissions[24]. The amortized Project construction emissions would be 47 $MTCO_2e$ per year. Once construction is complete, the generation of these GHG emissions would cease. The development of the 100 Percent E-Commerce Worst-Case Scenario would result in the generation of approximately 1,290 $MTCO_2e$ over the course of construction. Construction GHG emissions are typically summed and amortized over the lifetime of the Project (assumed to be 30 years), then added to the operational emissions[25]. The amortized Project construction emissions would be 43 $MTCO_2e$ per year. Once construction is complete, the generation of these GHG emissions would cease.

Operation of the Project would generate approximately 14,394 $MTCO_2e$ annually from both construction and operations of the Project. Project-related GHG emissions would exceed the SCAQMD's 10,000 $MTCO_2e$ per year threshold for industrial uses without mitigation. Approximately 56 percent of the GHG emissions would be from energy consumption and approximately 37 percent of the emissions would be from mobile sources. Mitigation measures have been identified to reduce emissions. It should be noted that emissions of motor vehicles are controlled by State and Federal standards and the City and Project have no control over these standards. Mitigated GHG emissions associated with the Project would not exceed the 10,000 $MTCO_2e$ per year threshold. Furthermore, GHG emissions from the 100 Percent E-Commerce Worst Case Scenario would not exceed the SCAQMD's 10,000 $MTCO_2e$ per year threshold.

Mitigation Measures: Based upon the analysis presented in ***Section 4.6, Greenhouse Gas Emissions*** of the DEIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM: Refer to MMs AQ-1 through AQ-7 for the Project and MMAQ-1 for the 100 Percent E-Commerce Worst-Case Scenario. No additional mitigation is required.

Finding: Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Supportive Evidence: Please refer to DEIR pages 4.6-13 through 4.6-21.

Hazards and Hazardous Materials

Impact 4.7-1: ***Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

Environmental Analysis: The routine transport, use, and disposal of hazardous materials must adhere to federal, state, and local regulations for transport, handling, storage, and disposal of hazardous substances. Compliance with the regulatory framework would ensure Project construction would not create a

[24] The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, *Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #13,* August 26, 2009).
[25] Ibid.

significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials during construction.

The proposed facilities would be expected to use limited hazardous materials and substances which would include cleaners, paints, solvents, and fertilizers and pesticides for site landscaping. The Project would not create a significant impact through the transport, use, or disposal of hazardous materials since the facilities are required to comply with all applicable Federal, State, and regional regulations. Although not anticipated, mitigation measures are proposed in order to ensure that the Project does not exceed threshold quantity of a regulated substance greater than as specified by the applicable health and safety code. With implementation of Mitigation Measures and compliance with all applicable Federal, State, and regional regulations regarding hazardous material generation and usage on the site, potential impacts related to transport, use, or disposal of hazardous materials would be reduced to less than significant levels.

Mitigation Measures: Based upon the analysis presented in *Section 4.7, Hazards and Hazardous Materials* of the DEIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM HAZ-1: If a proposed use at the Project has a threshold quantity of a regulated substance greater than as specified by the applicable health and safety code, the user shall prepare and implement a Hazardous Materials Risk Management Plan for facilities that store, handle, or use regulated substances as defined in the California Health and Safety Code 25532 (g) in excess of threshold quantities. This plan shall be reviewed and approved by the San Bernardino County Department of Environmental Health through the Certified Unified Program Agencies (CUPA) process prior to implementation as required by the California Accidental Release Prevention (CalARP) Program.

Finding: Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Supportive Evidence: Please refer to DEIR pages 4.6-19 through 4.6-20.

Impact 4.7-2: ***Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?***

Environmental Analysis: The Phase I ESA identified one REC associated with the Project site. Subsequently, a Phase II investigation was conducted to evaluate the potential for soil or groundwater contamination in association with the REC on the Project site. The Phase II investigation did not result in significant soil impairments associated with the past and present use of the proposed Project site. However, if site development plans involve net export of soil from the Project site, then a Soil Management Plan (SMP) is warranted to manage off-site reuse or disposal options based on the presence of anthropogenic chemicals in the soil.

Project operations would involve typical hazardous materials/chemicals associated with warehousing uses such cleaners, paints, solvents, and fertilizers and pesticides for site landscaping. Any routine transport, use, and disposal of these materials during Project operations must adhere to federal, state, and local regulations for transport, handling, storage, and disposal of hazardous substances. Furthermore, hazardous materials/chemicals such as cleaners, paints, solvents and fertilizers in low quantities do not pose a significant threat related to the release of hazardous materials into the environment.

Mitigation Measures: Based upon the analysis presented in *Section 4.7, Hazards and Hazardous Materials* of the DEIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM HAZ-2: If site development plans involve net export of soil from the Project site, a Soil Management Plan shall be prepared to manage off-site reuse or disposal options based on the presence of anthropogenic chemicals in the soil. The Plan would be submitted to the City for review and approval.

Finding: Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Supportive Evidence: Please refer to DEIR pages 4.6-20 through 4.6-21.

Tribal Cultural Resources

Impact 4.12-1: ***Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC 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:***

iii. Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k) or

iv. 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 PRC Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe?

Environmental Analysis: Paleo West contacted the NAHC, as part of the cultural resource assessment, on April 24, 2020, for a review of the Sacred Lands File Search (SLF). The NAHC responded on April 29, 2020, stating that the SLF was completed with negative results; however, the NAHC requested that 13 individuals representing 12 Native American tribal groups be contacted to elicit information regarding cultural resource issues related to the proposed Project.

Paleo West sent outreach letters to the 13 recommended individuals on May 7, 2020. These letters were followed up by phone calls and emails on May 28, 2020. As of September 2020, four responses have been

received. Jill McCormick, Historic Preservation Officer for the Quechan Indian Tribe, responded on May 11, 2020 and stated that the tribe did not wish to provide comments on the Project and would defer to more local tribes. On May 13, 2020, Alexandra McCleary, Tribal Archaeologist for the San Manuel Band of Mission Indians, emailed and stated that the proposed Project is within the Serrano ancestral territory and is of interest to the tribe. Ms. McCleary further noted that the Project area is not located within the immediate vicinity of any sacred sites, but it is located near Etiwanda Creek, which the tribe considers to be sensitive for cultural resources. Donna Yocum, Chairwoman of the San Fernando Band of Mission Indians, emailed on May 28, 2020 and stated that the tribe would defer this Project to the San Manual Band of Mission Indians. Finally, Patricia Garcia-Plotkin, Tribal Historic Preservation Office for the Agua Caliente Band of Cahuilla Indians, called and stated that the Project area is outside of the tribe's ancestral territory and had no information on cultural resources located within the Project vicinity.

The City sent letters on August 24, 2020 to all tribes in conformance with SB 18 and on December 23, 2020 to all tribes inviting consultation in conformance with AB 52. An email response was received on January 13, 2021 from the San Manuel Band of Mission Indians (SMBMI) that indicated that Project was within the Serrano ancestral territory and, therefore, was of interest to the Tribe. A phone consultation was received in January 2021 from the San Gabriel Band of Mission Indians to the City with a request to include an archeologist and/or Native American Monitor during ground disturbance. No additional consultation requests were received. The cultural resources assessment did not identify any archaeological or tribal cultural resources on the Project site. Mitigation Measures will ensure the protection of any unknown or inadvertently discovered archaeological resources and human remains, or other tribal cultural significant resources. With implementation of these measures, impacts to tribal cultural resources would be less than significant.

Mitigation Measures: Based upon the analysis presented in *Section 4.12, Tribal Cultural Resource* of the DEIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

MM TCR-1: **Tribal Cultural Resources Discovery:** The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in TCR-2, of any pre-contact cultural resources discovered during Project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource Monitoring and Treatment Plan shall be created by the Project archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the Project, should SMBMI elect to place a monitor on-site.

MM TCR-2: Archeological/Cultural Documents: 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 SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the Project.

MM TCR-3: Retain an Archeologist and/or Native American Monitor/Consultant: The Project Applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.

Finding: Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

Supportive Evidence: Please refer to DEIR pages 4.12-6 through 4.12-8.

Section 6: Alternatives to the Proposed Project

CEQA requires that an EIR describe a range of reasonable alternatives to the project, or to the location of the project, that could feasibly attain the basic objectives of the project, and to evaluate the comparative merits of the alternatives (14 CCR 15126.6[a]). The CEQA Guidelines direct that the selection of alternatives be governed by "a rule of reason" (14 CCR 15126.6[a], [f]). As defined by the CEQA Guidelines, "The range of alternatives required in an EIR is governed by a 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR needs to examine in detail only the ones that the Lead Agency determines could feasibly attain most of the basic objectives of the project" (14 CCR 15126.6[f]). The Project objectives are set forth in DEIR Section 6.3. The Project's unavoidable significant impacts are set forth in DEIR Section 6.4.

The Alternative Project and 100% E-Commerce Worst Case Scenario Projects referenced above were not analyzed in the EIR as Project alternatives for purposes of CEQA Guidelines Section 15126.6. Instead, they were analyzed at a project-level of detail in conjunction with the Project to provide the applicant and decision-makers additional information and analysis of alternative project site plans.

Alternatives Rejected from Further Consideration

The CEQA Guidelines provide that this EIR should "identify any alternatives that were considered by the Lead Agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the Lead Agency's determination" (14 CCR 15126.6[c]). The following is a discussion of the proposed project alternatives developed during the scoping and planning process and the reasons they were not selected for detailed analysis in this EIR.

With respect to the feasibility of potential alternatives to the proposed project, CEQA Guidelines § 15126.6(t)(l) states, "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries . . . and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site."

In determining an appropriate range of project alternatives to be evaluated in this EIR, a number of possible alternatives were initially considered and then rejected. Project alternatives were rejected because they could not accomplish the basic objectives of the proposed Project; they would not have resulted in a reduction of significant adverse environmental impacts; or they were considered infeasible to construct or operate.

The following alternative has been rejected from further consideration:

Alternative Sites

In the case of the proposed Project, an alternative site is not considered applicable or feasible, as the Project Applicant does not control other undeveloped property of similar size within the City or in the

immediate area. Additionally, there are very few remaining developable sites in the City that are approximately commensurate in size to the Project. Further, due to the lack of significant environmental impacts identified during Project analysis, an alternative site would not be likely to substantially reduce any potential impact created by Project implementation. For the above reasons, the Alternative Site Alternative was rejected from further consideration.

Alternatives Selected for Further Analysis

The following alternatives were addressed in the DEIR:

1. The No Project Alternative
2. The No Annexation Alternative
3. The Reduced Footprint Alternative

Alternative 1: "No Project" Alternative

Description: Consistent with CEQA Guidelines Section 15126.6, the No Project Alternative assumes that the existing land uses and condition of the Project sites at the time the NOP was published (September 3, 2020) would continue to exist without the Project. The No Project Alternative assumes the Project would not be implemented and land uses and other improvements would not be constructed. This Alternative serves as the baseline against which the effects of the Project and other Project alternatives are evaluated. Under this Alternative, none of the proposed improvements would occur. However, development allowed by right under the existing Industrial Employment District, Regional Industrial and General Industrial (I-G) General Plan designation within each jurisdiction, could occur. The existing zoning would allow for industrial development, but the parcels would remain within multiple jurisdictional boundaries. Access to the site is from Napa Street, currently a County of San Bernardino road.

Finding: The City finds that specific economic, legal, social, technological, or other considerations make this alternative infeasible. Although the No Project Alternative would generate lower amounts of environmental impacts, this alternative would meet none of the Project's objectives.

Supporting Evidence – Please see DEIR Pages 6-6 through 6-11.

Alternative 2: "No Annexation" Alternative

Description: Alternative 2 was developed to eliminate the need for the annexation (and associated Pre-zone and GPA) of a portion of Assessor Parcel Number (APN) 0229-291-23 (not a part of the development project and not analyzed in this EIR) and the whole of APN 0229-291-46, each located in unincorporated San Bernardino County along the southern Project boundary. This Alternative, inclusive of the Project and Alternate Project, would develop APN 0229-291-54 in accordance with the existing Industrial Employment (IE) land use zoning classification and Industrial Employment District General Plan land use designation. This Alternative would develop the new public street constructed east of Etiwanda Creek along the west property line. The public street would be constructed per City standards and dedicated to the City. Alternative 2 would be subject to the same development standards as the Project including parking,

setback, and landscape requirements. The development of parcel APN 0229-291-46 for parking, site improvements, landscaping, driveways and roadways would occur within the County of San Bernardino to support the Project.

Finding: The City finds that specific economic, legal, social, technological, or other considerations make this alternative infeasible. The No Annexation Alternative would generate equal amounts of environmental impacts. As well, this alternative would meet all of the Project's objectives. However, implementation of this alternative would not include the consistent establishment of land use designation/zoning classifications and jurisdictional boundaries and would require review of the project by both the County and the City. This could delay the anticipated rate of development and make development of the site inconsistent as the development standards within each boundary would be based on development criteria unique to each jurisdiction.

Supporting Evidence – Please see DEIR Pages 6-11 through 6-19.

Alternative 3: "Reduced Footprint" Alternative

Description: This Alternative would reduce the overall development footprint within the Project site by 50 percent. Building A would be approximately 250,324 sf and Building B would be approximately 77,615 sf. This Alternative would result in smaller warehouse buildings and associated parking and landscaped areas and would concentrate development on the southerly/easterly end of the Project site, avoiding the areas not presently disturbed by Auto Club Speedway overflow parking. This Alternative would reduce overall impacts to the site.

Finding: The City finds that specific economic, legal, social, technological, or other considerations make this alternative infeasible. The Reduced Footprint Alternative would generate overall lower amounts of environmental impacts. As well, this alternative would meet most of the Project's objectives. Specifically, this Alternative with a smaller warehouse would not meet Project objective (2) Implement the City's desire to create revenue-generating uses.

Supporting Evidence – Please see DEIR Pages 6-19 through 6-24.

Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines requires that an environmentally superior alternative be designated and states that if the environmentally superior Alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. Based on the summary of information presented in Section 6 of the DEIR, the environmentally superior Alternative is Alternative 1: No Project Alternative. Because Alternative 1 would leave the Project site essentially unchanged and would not have the operational effects that would be associated with any of the alternatives, this Alternative has fewer environmental impacts than the Project or any of the other alternatives.

Section 15126.6(e)(2) of the State CEQA Guidelines states that if the "No Project" alternative is found to be environmentally superior, "the EIR shall also identify an environmentally superior alternative among

the other alternatives." Aside from the No Project Alternative, Alternative 3: Reduced Footprint Alternative would have the least environmental impacts because it would develop less of the Project area, result in a reduction of vehicle trips and would incrementally reduce impacts to resource areas; such as air quality, greenhouse gas emissions, noise, and traffic.

Section 7: Additional CEQA Considerations

Significant and Irreversible Environmental Changes (DEIR Section 5.1)

The Project would consume limited, slowly renewable, and non-renewable resources. Fossil fuels would be used by construction vehicles and heavy equipment during the construction period and by vehicles and equipment used during Project operations. Though the Project would endeavor to utilize fossil fuels efficiently, their use would be vital for construction and operations activities, making their nonuse unlikely. However, the Project would not require the continued use of fossil fuels after at the end of its operational life. The Project would also require the commitment of land on which the Project would be developed for industrial use. None of the proposed improvements are incapable of removal or nonuse after the end of the Project. Although changes to the Project parcels are designed to remain for the life of the Project and beyond, these changes may be amendable by future uses beyond the life of the proposed Project.

The majority of identified impacts were anticipated to create a less than significant impact or no impact. The Project's potential impacts, though, would not commit future generations to similar uses. Although the Project would be developed in a HI land use zone, the Project does not actually propose uses beyond warehousing and office uses. The land on which the Project would be constructed would be graded and developed for large-scale buildings. However, the development activities would not affect the land in such a way that other structures could not be developed there in the future. The industrial warehousing, or E-Commerce, nature of the Project is unlikely to lead to impacts that would relegate future generations and developments to similar uses. The Project would also comply with any relevant environmental policy regarding the storage and disposal of hazardous materials. Through this compliance the Project would minimize the potential for any environmental impacts due to accidental discharges. Mitigation measures have also been proposed to further prepare for potential environmental hazards. With the addition of mitigation and compliance with federal, state, and regional regulations and laws, the Project is not expected to produce accidents that would pose an irreversible risk to the surrounding environment. The Project was also determined to produce a less than significant impact to public services such as police and fire protection.

Growth Inducing Impacts (DEIR Section 5.2)

The Project is intended to develop a warehousing facility. In regard to economic growth, the Project will not directly create significant economic growth within the City. However, the Project site may cause an indirect economic growth due to its development. While the Project site would generate revenue to the City through taxes on its revenue, comparative to the City overall it is a relatively small increase. Construction of the Project site would generate employment consistent with other similar construction activities, and only temporarily until construction activities are complete. Most construction workers would be anticipated to come from within the City or from the nearby region, which already has a population of substantial size to supply the needed workers.

It was concluded that the Project would potentially generate approximately 1,172 employees and the Alternate Project would generate approximately 750 employees. This would be less than the City's

10,600-person unemployed population as estimated by the EDD. The Project would, therefore, not necessarily spur a boost in population since the employees could be found within the City's existing unemployment numbers. As well, the Project is not expected to directly affect the housing availability within the City since no new housing units or renovations to existing housing units are included as objectives. Indirectly, the Project could affect housing stock due to the expansion of the City's economic potential.

The Project would request a GPA to designate the area north of Napa Street, west of the San Sevaine Channel to East Etiwanda Creek and within the County of San Bernardino to Industrial Employment District Land Use designation consistent with the Industrial Employment District land use designation to the north within the City of Rancho Cucamonga limits. The existing and proposed land use and zoning designations do not allow for the development of residential development. The obstacle to population growth under existing conditions is due to the existing zoning/land use designation, and this obstacle would remain with the proposed GPA and Pre-zone; therefore, the Project would not remove obstacles to population growth.

The proposed Project would include new infrastructure improvements to allow for the use of resources such as electricity and water, and potentially natural gas. The environmental impacts associated with the facility improvements associated with the proposed Project have been analyzed in DEIR *Section 4.1, Air Quality* through *Section 4.13, Utilities and Service Systems.* As concluded in those sections, no significant unavoidable impacts were discovered through the development of the Project. In the presence of potentially significant impacts which were not minimized by the Project Design Features, mitigation measures have been proposed which, when implemented, would further reduce potential impacts stemming from the proposed Project's development to less than significant levels. Further, the Project would not require the expansion of utility facilities such as water treatment plants or landfills. Adequate capacity was concluded for each of those facilities. As well, no cumulative impacts were discovered during the analysis of the Project.

Mandatory Findings of Significance (DEIR Section 5.3)

In regard to habitats and wildlife, it was concluded that the Project site had a low capability to harbor special status plants and animals. Nevertheless, mitigation was proposed in the section to further reduce the risk to special status species. Regarding impacts to cultural and historical resources, no recorded historic or prehistoric resources were identified within the Project site. Further, mitigation proposed within the section would include the retainment of a professional archaeologist and paleontologist to further minimize potential effects to the City's historical and prehistorical resources, in the unlikely event that cultural or paleontological resources are exposed during construction of the Project.

The Project would not achieve short term environmental goals to the detriment of long term environmental goals. The Project and Alternate Project would occupy an area previously undeveloped and vacant. This area would then be developed and used. This would assist the short term goal of the Project by providing an area for the development of warehousing and the associated parking and landscaping improvements and facilitating the usage of the Project site by the Applicant. The Project area is in an area of the City designated for industrial land uses. As a warehousing project proposed at a scale that is

considered regionally significant according to CEQA Guidelines Section 15206(b), the uses incorporated in the Project would align with the intended uses for the Project area and with the City's long-term goals as outlined in the Rancho Cucamonga GP Land Use Element. In addition, no significant and unavoidable impacts would occur from the Project that would result in a long-term impact on the environment.

Regarding cumulatively considerable impacts, the DEIR provides a cumulative impact analysis for all thresholds that result in a less than significant impact, a potentially significant impact unless mitigated, or a significant and unavoidable impact. Cumulative impacts are addressed for each of the environmental topics listed above and are provided in DEIR Sections 4.1 through 4.13. Where the Project may result in cumulatively considerable impacts that are significant and unavoidable, these are summarized in the respective DEIR section. No significant and unavoidable impacts were identified.

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Section 8: General CEQA Findings

The City hereby finds as follows:

1) The foregoing statements are true and correct;

2) The City is the "Lead Agency" for the Project evaluated in the CEQA Documents and independently reviewed and analyzed in the DEIR and FEIR for the Project;

3) The Notice of Preparation of the DEIR was circulated for public review. It requested that responsible agencies respond as to the scope and content of the environmental information germane to that agency's specific responsibilities;

4) The public review period for the DEIR was for 45 days between June 29, 2021 and August 13, 2021. The DEIR and appendices were available for public review during that time. A Notice of Completion and copies of the DEIR were sent to the State Clearinghouse, and notices of availability of the DEIR were published by the City. The DEIR was available for review on the City's website. Physical copies of the environmental documents are available at the City of Rancho Cucamonga Planning Department.

5) The CEQA Documents were completed in compliance with CEQA;

6) The CEQA Documents reflect the City's independent judgment;

7) The City evaluated comments on environmental issues received from persons who reviewed the DEIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The FEIR provided adequate, good faith and reasoned responses to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information to the DEIR regarding adverse environmental impacts. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the FEIR.

8) The City finds that the CEQA Documents, as amended, provide objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit all comments made during the public review period;

9) The CEQA Documents evaluated the following impacts: (1) air quality; (2) biological resources; (3) cultural resources; (4) energy; (5) geology and soils; (6) greenhouse gas emissions; (7) hazards and hazardous materials; (8) hydrology and water quality; (9) land use and planning; (10) noise; (11) transportation; (12) tribal cultural resources; and (13) utilities and service systems. Additionally, the CEQA Documents considered, in separate sections, any potential significant irreversible environmental changes and growth-inducing impacts of the Project, as well as effects found not to be significant and a reasonable range of project

alternatives. All of the significant environmental impacts of the Project were identified in the CEQA Documents;

10) The MMRP includes all of the mitigation measures identified in the CEQA Documents and has been designed to ensure compliance during implementation of the Project. The MMRP provides the steps necessary to ensure that the mitigation measures are fully enforceable;

11) The MMRP designates responsibility and anticipated timing for the implementation of mitigation; the City's Community Development Director will serve as the MMRP Coordinator;

12) In determining whether the Project may have a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of CEQA, the City has complied with CEQA Sections 21081.5 and 21082.2;

13) The impacts of the Project have been analyzed to the extent feasible at the time of certification of the CEQA Documents;

14) The City made no decisions related to approval of the Project prior to the initial recommendation of certification of the CEQA Documents. The City also did not commit to a definite course of action with respect to the Project prior to the initial consideration of the CEQA Documents.

15) Copies of all the documents incorporated by reference in the CEQA Documents are and have been available upon request at all times at the offices of the City of Rancho Cucamonga Planning Department, the custodian of record for such documents or other materials;

16) The responses to the comments on the DEIR, which are contained in the FEIR, clarify and amplify the analysis in the DEIR;

17) Having reviewed the information contained in the CEQA Documents and in the administrative record, the City finds that there is no new significant information regarding adverse environmental impacts of the Project in the FEIR; and

18) Having received, reviewed and considered all information and documents in the CEQA Documents, as well as all other information in the record of proceedings on this matter, these Findings are hereby adopted by the City in its capacity as the CEQA Lead Agency.

Section 9: Findings Regarding Recirculation

The City finds that the DEIR does not require recirculation under CEQA (PRC § 21092.1 and CEQA Guidelines § 15088.5). CEQA Guidelines § 15088.5 requires recirculation of an EIR prior to certification of the FEIR when "significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review." As described in CEQA Guidelines § 15088.5:

New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;

2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;

3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it;

4. The DEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

In addition, CEQA Guidelines § 15088.5(b) provides that "recirculation is not required where the new information added to the EIR merely clarifies and amplifies or makes insignificant modifications in an adequate EIR." Recirculation also is not required simply because new information is added to the EIR — indeed, new information is oftentimes added given CEQA's public/agency comment and response process and CEQA's post-DEIR circulation requirement of proposed responses to comments submitted by public agencies. In short, recirculation is "intended to be an exception rather than the general rule." (Laurel Heights Improvement Assn. v. Regents of University of California (1993) 6 Cal.4th 1112, 1132).

As such, the City makes the following Findings:

1. None of the public comments submitted to the City regarding the DEIR present any significant new information that would require the DEIR to be recirculated for public review.

2. No new or modified mitigation measures are proposed that would have the potential to create new significant environmental impacts.

3. The DEIR adequately analyzed project alternatives and there are no feasible project alternatives or mitigation measures considerably different from others previously analyzed that would clearly lessen the significant environmental impacts of the project.

4. The DEIR was not fundamentally and basically inadequate and conclusory in nature and did not preclude meaningful public review and comment.

In this legal context, the City finds that recirculation of the DEIR prior to certification is not required. In addition to providing responses to comments, the FEIR includes revisions to expand upon information presented in the DEIR (FEIR, Responses to Comments, Section 3, Errata, Appendices); explain or enhance the evidentiary basis for the DEIR's findings; update information; and to make clarifications, amplifications, updates, or helpful revisions to the DEIR. The FEIR's revisions, clarifications and/or updates do not result in any new significant impacts or increase the severity of a previously identified significant impact.

In sum, the FEIR demonstrates that the proposed Project would not result in any new significant impacts or increase the severity of a significant impact, as compared to the analysis presented in the DEIR. The changes reflected in the FEIR also do not indicate that meaningful public review of the DEIR was precluded in the first instance. Accordingly, recirculation of the EIR is not required as revisions to the EIR are not significant as defined in § 15088.5 of the CEQA Guidelines.

Section 10: Legal Effects of Findings

To the extent that these Findings conclude that the proposed mitigation measures outlined in herein are feasible and have not been modified, superseded, or withdrawn, the City hereby commits to implementing these measures. These Findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the City approves the proposed Project.

The mitigation measures that are referenced herein and adopted concurrently with these Findings will be effectuated through the process of construction and implementation of the proposed Project.

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