RESOLUTION NO. XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT SCH. 2021070403, AS RELATED TO A PROPOSED PROJECT CONSISTING OF A GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, THE MERGING OF FOUR (4) PARCELS OF LAND INTO ONE (1) NEW PARCEL OF LAND, AND THE DEVELOPMENT OF A 492,410 SQUARE FOOT INDUSTRIAL WAREHOUSE BUILDING ON SAID PARCEL OF LAND; ADOPT FINDINGS OF FACT RELATED THERETO, AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081(a) AND CEQA GUIDELINES, SECTION 15091; APPROVE A MITIGATION MONITORING AND REPORTING PROGRAM RELATED THERETO, AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081.6 AND CEQA GUIDELINES SECTION 15097; AND ADOPT THE STATEMENT OF OVERRIDING CONSIDERATIONS RELATED THERETO, AS REQUIRED BY PUBLIC RESOURCES CODE SECTION 21081(b) AND CEQA GUIDELINES SECTION 15093.

WHEREAS, the applicant, QR Birtcher Willow Ave Owner, LLC, ("Applicant") proposes to merge four (4) parcels of land (APNs: 0132-181-01, 0132-201-03, 0254-261-14, & 0254-261-17) located at the northwest corner of Valley Boulevard and Willow Avenue ("Site") into one (1) new 20.99 net acre parcel of land and develop and operate a 492,410 square foot industrial warehouse building on said parcel of land ("Project"); and

WHEREAS, the northern three (3) parcels of land within the Site (APNs: 0132-201-03, 0254-261-14, & 0254-261-17) contains a general plan land use designation of Business Park (BP) with a Specific Plan Overlay and a specific plan zoning designation of Industrial Park (I-P) within the Gateway Specific Plan; and

WHEREAS, the southern parcel of land within the Site (APN: 0132-181-01) contains a specific plan zoning designation of General Commercial (GC) with a Specific Plan Overlay and a specific plan zoning designation of Freeway Commercial (F-C) within the Gateway Specific Plan; and

WHEREAS, in conjunction with the Project, the applicant has submitted General Plan Amendment No. 2020-0001 to change the general plan land use designation of approximately 8.46 acres of land (APN: 0132-181-01) within the Site, as described in the legal description attached as Exhibit A, from General Commercial (GC) with a Specific Plan Overlay to Business Park (BP) with a Specific Plan Overlay ("GPA No. 2020-0001"); and

WHEREAS, in conjunction with the Project, the applicant has submitted Specific Plan Amendment No. 2020-0001 to change the specific plan zoning designation of approximately 8.46 acres of land (APN: 0132-181-01) within the Site, as described in the legal description attached as Exhibit A, from a Freeway Commercial (F-C) within the Gateway Specific Plan to Industrial Park (I-P) within the Gateway Specific Plan ("SPA No. 2020-0001"); and

WHEREAS, in conjunction with the Project, the applicant has submitted Lot Line Adjustment No. 2021-0002 to merge the four (4) parcels of land within the Site into one (1) 20.99 net acre parcel of land ("LLA No. 2021-0002"); and

WHEREAS, in conjunction with the Project, the applicant has submitted Variance No. 2020-0001 to allow an increase in the maximum allowable height for the proposed warehouse building from 35 feet to 49 feet ("VAR No. 2020-0001"); and

WHEREAS, in conjunction with the Project, the applicant has submitted Conditional Development Permit No. 2020-0006 to facilitate the development and operation of a 492,410 square foot industrial warehouse building on the Site ("CDP No. 2020-0006"); and

WHEREAS, in conjunction with the Project, the applicant has submitted Precise Plan of Design No. 2020-0012 to facilitate the development of a 492,410 square foot industrial warehouse building on the Site ("PPD No. 2020-0012"); and

WHEREAS, the City of Rialto ("City") has undertaken review under the California Environmental Quality Act ("CEQA"), Public Resources Code Sections 21000, *et seq*. and California Code of Regulations ("CEQA Guidelines") Title 14, Sections 15000, *et seq*.; and

WHEREAS, the Applicant retained T&B Planning, Inc., an environmental consulting firm, to prepare an environmental impact report ("EIR") for the Project; and

WHEREAS, the City retained EcoTierra Consultants, an environmental consulting firm, to conduct a peer review of the EIR prepared for the Project by T&B Planning, Inc.; and

WHEREAS, on July 23, 2021, the City distributed a Notice of Preparation for Draft Environmental Impact Report SCH. 2021070403, for the Project, pursuant to CEQA Guidelines Section 15082 and Public Resources Code Section 21080.4, providing a 30-day period during which responsible agencies, trustee agencies, and members of the general public could provide comments to the City regarding the scope of the proposed EIR; and

WHEREAS, pursuant to the authority and criteria contained in CEQA and the City of Rialto environmental guidelines, the City, as the Lead Agency, analyzed the Project and directed the Applicant to prepare a Draft Environmental Impact Report ("DEIR"), and determined that the proposed Project would have significant impacts related to air quality, greenhouse gas emissions, and transportation/traffic from Project construction and operations; and

WHEREAS, consistent with the requirements of CEQA Guidelines Section 15085, upon completing the DEIR dated March 2022, the City filed a Notice of Completion on March 15, 2022 with the Office of Planning and Research; and

WHEREAS, on March 22, 2022 consistent with the requirements of the Public Resources Code Section 21092 and CEQA Guidelines Section 15087, the City published a Notice of Availability of the DEIR in the San Bernardino Sun newspaper, and, on March 22, 2022, posted the Notice of Availability at City Hall and mailed a Notice of Availability to all responsible and trustee agencies, all organizations and individuals who had requested notice, and all property owners located within a 1,000 foot radius of the Site; and

WHEREAS, the Notice of Availability and Notice of Completion noticed all agencies, organizations, and the public that they had 45 days to provide comments on the contents of the DEIR, which was available in hard copy for in-person review at City Hall – the Community Development Building - and available for download on the City of Rialto website, throughout the comment period; and

WHEREAS, at the conclusion of the 45-day public review and comment period related to the DEIR, the City directed the preparation of the Final Environmental Impact Report dated July

2022 ("FEIR") pursuant to CEQA Guidelines Sections 15088, 15089 and 15132, which included the DEIR, responses to public comments on the DEI, and a Mitigation Monitoring and Reporting Program; and

WHEREAS, pursuant to CEQA Guidelines Section 15132, the FEIR is required to be completed in compliance with CEQA, and pursuant to Section 21092.5 of CEQA, on July 15, 2022, the City sent via email and overnight mail the FEIR, including written responses to comments, to all agencies, organizations, and persons that commented on the DEIR; and

WHEREAS, on July 17, 2022, the City published a Notice of Public Hearing that the Planning Commission would consider certification of the FEIR and approval of the Project at its July 27, 2022 meeting in the San Bernardino Sun newspaper, posted the notice at City Hall, and mailed said notice to all property owners within a 1,000 foot radius of the Site as well as all to all organizations and individuals who had requested notice; and

WHEREAS, on July 27, 2022, the Planning Commission conducted a public hearing, and considered the record of proceedings for the FEIR, which includes, but is not limited to, the following:

(1) The Notice of Preparation for the Project (the "NOP"), and all other public notices issued by the City in connection with the Project;

(2) The FEIR dated July 2022;

(3) All written comments submitted by agencies or members of the public during any public review comment period on the DEIR;

(4) All written and verbal public testimony presented during a noticed public hearing for the Project at which such testimony was taken, including without limitation, the Staff Report to the Planning Commission, including all attachments, any and all presentations by City staff, the City's consultants, the Applicant and the Applicant's consultants, the public, and any other interested party;

(5) The Mitigation Monitoring and Reporting Program for the Project (the "MMRP");

(6) The reports, studies and technical memoranda included and/or referenced in the DEIR and the FEIR and or their appendices;

(7) All documents, studies, or other materials incorporated by reference in the DEIR and the FEIR;

(8) All Ordinances and Resolutions presented to and/or to be adopted by the City in connection with the Project; and all documents incorporated by reference therein, specifically including, but not limited to, this Resolution and its exhibit;

(9) Matters of common knowledge to the City, including but not limited, to federal, state, and local laws and regulations, adopted City plans, policies (including but not limited to the 2010 Rialto General Plan and the Gateway Specific Plan), and the professional qualifications of City staff members and consultants;

(10) Any documents expressly cited in this Resolution and its exhibit, the Staff Report to the Planning Commission, the FEIR which includes the DEIR; and

(11) Any other relevant materials required to be in the record of proceedings under Section 21167.6(e) of the Public Resources Code; and

WHEREAS, on July 27, 2022, following the public hearing, the Planning Commission considered and discussed the adequacy of the proposed FEIR as an informational document and applied their own independent judgment and analysis to review said FEIR, and hereby desire to take action to recommend that the City Council certify the FEIR, as having been completed in compliance with CEQA, based on the findings found herein; and

WHEREAS, at its July 27, 2022 meeting, following the public hearing, the Planning Commission also considered and decided whether to approve or reject the Project at this time; and

WHEREAS, on July 27, 2022, the Planning Commission voted 6-0 (1 vacancy) to recommend denial of the FEIR and the Project to the City Council; and

WHEREAS, on November 15, 2022, the City Council conducted a public hearing, and considered the record of proceedings for the FEIR, which includes, but is not limited to, the following:

(1) The Notice of Preparation for the Project (the "NOP"), and all other public notices issued by the City in connection with the Project;

(2) The FEIR dated July 2022;

(3) All written comments submitted by agencies or members of the public during any public review comment period on the DEIR;

(4) All written and verbal public testimony presented during a noticed public hearing for the Project at which such testimony was taken, including without limitation, the Staff Report to the Planning Commission, including all attachments, any and all presentations by City staff, the City's consultants, the Applicant and the Applicant's consultants, the public, and any other interested party;

(5) The Mitigation Monitoring and Reporting Program for the Project (the "MMRP");

(6) The reports, studies and technical memoranda included and/or referenced in the DEIR and the FEIR and or their appendices;

(7) All documents, studies, or other materials incorporated by reference in the DEIR and the FEIR;

(8) All Ordinances and Resolutions presented to and/or to be adopted by the City in connection with the Project; and all documents incorporated by reference therein, specifically including, but not limited to, this Resolution and its exhibit;

(9) Matters of common knowledge to the City, including but not limited, to federal, state, and local laws and regulations, adopted City plans, policies (including but not limited to the 2010 Rialto General Plan and the Gateway Specific Plan), and the professional qualifications of City staff members and consultants;

(10) Any documents expressly cited in this Resolution and its exhibit, the Staff Report to the Planning Commission, the FEIR which includes the DEIR; and

(11) Any other relevant materials required to be in the record of proceedings under Section 21167.6(e) of the Public Resources Code; and

WHEREAS, the City has not pre-committed to approving the Project or the FEIR, and will not commit to any approval related to the Project until the Planning Commission and City Council consider and certify the FEIR for the Project based upon all evidence presented; and

WHEREAS, on November 15, 2022, following the public hearing, the City Council considered and discussed the adequacy of the proposed FEIR as an informational document and

applied their own independent judgment and analysis to review said FEIR, and hereby desire to take action to recommend that the City Council certify the FEIR, as having been completed in compliance with CEQA, based on the findings found herein; and

WHEREAS, at its November 15, 2022 meeting, following the public hearing, the Planning Commission also considered and decided whether to approve or reject the Project at this time; and

WHEREAS, CEQA requires in Public Resources Section 21081 the following:

"Section 21081. Findings necessary for approval of project. Pursuant to the policy stated in Sections 21002 and 21002.1, no public agency shall approve or carry out a project for which an environmental impact report 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 both of the following occur:

(a) The public agency makes one or more of the following findings with respect to each significant effect:

(1) Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

(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.

(3) Specific economic, legal, social, technological, or other considerations, 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.

(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment."

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council hereby finds, determines, and resolves as follows:

SECTION 1: RECITALS. The City Council hereby specifically finds all of the facts set forth in the recitals above this Resolution are true, correct, and incorporated herein.

SECTION 2: FINDINGS. The FEIR available at the Community Development Department office and provided concurrently with this Resolution, includes the DEIR SCH No. 2021070403 dated March 2022 and all related appendices, the Response to Comments, and all related appendices and attachments to the FEIR. The City Council finds, based upon the substantial evidence in the record of proceedings and the whole record before it, in the exercise of its independent judgment and analysis, that the FEIR is, procedurally and substantively, in compliance with the requirements of CEQA:

a. *Procedural Compliance*: The Final EIR was prepared in procedural compliance with the requirements of CEQA:

1. Notice of Preparation. As described in the Recitals hereto, a Notice of Preparation was prepared in accordance with Section 15082 of CEQA.
2. Public Review. As described in the Recitals hereto, the City held multiple public review periods pursuant to the CEQA Guidelines.
3. Notice of Completion. As described in the Recitals hereto, the City has complied with CEQA Guidelines Sections 15085, 15086, 15087, and 15105 by providing a Notice of Completion of the DEIR to the State Clearinghouse and a Notice of Availability to responsible and trustee agencies and other persons and agencies as required.
4. Written Comments. As described in the Recitals hereto, the City has evaluated and responded to all written comments received during the public review period and included both comments and responses as part of the FEIR pursuant to CEQA Guidelines Section 15088.

b. *Findings Regarding Significant Effects that Can be Mitigated to Less Than Significant.* The FEIR identifies potentially significant effects on the environment that could result if the Project were adopted without changes or alterations in the Project and imposition of mitigation measures and further finds that changes, alterations, and mitigation measures have been incorporated into, or imposed as conditions of approval on, the Project. The City Council adopts the statements and findings in Exhibit B (Section 2.3, titled "Impacts Identified in the EIR as Potentially Significant that Have been Mitigated to a Level of Less than Significant") to this Resolution, which is attached hereto and incorporated herein by this reference. These avoidable significant effects are identified in Exhibit B (Section 2.3) and include potentially significant impacts to air quality, cultural resources, geology and soils, hazards and hazardous materials, and tribal cultural resources. However, mitigation measures can be implemented to reduce these impacts to a level that is less than significant; changes have been required in, or incorporated into, the Project through the imposition of mitigation measures as described in Exhibit B (Section 2.3). These mitigation measures identified in Exhibit B will be imposed pursuant to the MMRP found at Table S-1 in the FEIR. These changes, alterations, and mitigation measures are fully enforceable because they have either resulted in an actual change to the Project as proposed or they have been imposed as conditions of approval on the Project.

c. *Findings Regarding Unavoidable Significant Impacts*. The City Council adopts the statements and findings in Exhibit B (Section 2.4, titled "Impacts Identified in the EIR as being Significant and Unavoidable") to this Resolution, which is attached hereto and incorporated herein by this reference. The Project has significant effects that cannot be mitigated to

a less than significant level through the imposition of mitigation measures. These significant effects are identified in Exhibit B (Section 2.4). Specific economic, legal, social, technological, or other considerations are found to make the Proposed Project acceptable notwithstanding that even with the required mitigation measures, and consideration of project alternatives identified in the FEIR for the significant impacts identified in Exhibit B (Section 2.4) all impacts cannot be reduced to less than significant levels, including those based upon the findings in Exhibit B (Section 2.0) to this resolution, and the findings in Exhibit B (Section 2.7) regarding the proposed alternatives. Therefore, those impacts are found to be significant and unavoidable.

d. *Findings Regarding Less than Significant Impacts*. In the course of the DEIR evaluation, certain environmental impacts of the Project were found not to be significant. Any and all potential significant impacts discussed in the FEIR that are not subject to paragraph 2(b) or 2(c), above, as either an avoidable significant impact, or as an unavoidable significant impact, are insignificant impacts to the environment. There exists no fair argument that the environmental conditions that were found not to be significant in the DEIR will pose a significant environmental impact, due to the inability of a Project of this scope to create such impacts or the absence of Project characteristics producing significant effects of this nature.

SECTION 3: FEIR REVIEWED AND CONSIDERED. The City Council has reviewed and considered the information contained in the FEIR and finds that the FEIR has been completed in compliance with CEQA.

SECTION 4: ALTERNATIVES. The FEIR identified potential environmental impacts of separate project alternatives compared to impacts from the proposed Project. These alternatives were selected based upon their ability to avoid or substantially lessen the significant effects of the

proposed Project, while still achieving the primary Project objectives. Most alternatives are hereby found infeasible due to lack of alternative site availability, failure to meet basic Project objectives, or the fact that some alternatives would still have the same types of significant and unavoidable impacts as the Project. The City Council hereby adopts the Statement of Findings on rejection of Project Alternatives in Exhibit B (Section 2.7, titled "Project Alternatives") to this Resolution, which is attached hereto and incorporated herein by this reference.

SECTION 5: STATEMENT OF OVERRIDING CONSIDERATIONS. The City Council finds, pursuant to CEQA Section 21081(b) and CEQA Guidelines Section 15093, that the specific economic, legal, social, technological and other benefits of the Project outweigh the Project's unavoidable adverse environmental impacts, and therefore, the impacts are acceptable. The City Council hereby adopts the Statement of Overriding Considerations in Exhibit B (Section 3.0, titled "Statement of Overriding Considerations") to this Resolution, which is attached hereto and incorporated herein by this reference. The City Council finds that each of the Significant and Unavoidable Impacts identified in Exhibit B (Section 2.4) may be considered acceptable for the reasons cited.

SECTION 6: MITIGATION MONITORING. The City as lead agency adopts the MMRP for the changes made to the Project that it has adopted in order to mitigate or avoid significant effects on the environment. Pursuant to Public Resources Code Section 21081.6, the MMRP set forth as Table S-1 of the FEIR to this Resolution, which is attached hereto as Exhibit C and incorporated herein by this reference, is hereby adopted to ensure that all mitigation measures adopted for the Project are fully implemented. The City Council hereby adopts the MMRP to ensure compliance with mitigation measures during Project implementation. As required by Public Resources Code Section 21081.6, the MMRP designates responsibility and anticipated timing for the implementation of the mitigation measures recommended in the FEIR. The MMRP will remain available for public review during the compliance period.

SECTION 7: RECOMMENDATION OF CERTIFICATION. Based on the above facts and findings, the City Council hereby certifies the FEIR for the Project as accurate and

adequate. The City Council certifies that the FEIR was completed in compliance with CEQA and the CEQA Guidelines.

SECTION 8: The Mayor shall sign the passage and adoption of this resolution and thereupon the same shall take effect and be in force.

PASSED, APPROVED AND ADOPTED this 15th day of November, 2022.

_____

DEBORAH ROBERTSON, MAYOR

ATTEST:

_____

BARBARA MCGEE, CITY CLERK

APPROVED AS TO FORM:

_____

ERIC S. VAIL, CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF RIALTO)

I, BARBARA MCGEE, City Clerk of the City of Rialto, do hereby certify that the foregoing Resolution No. _____ was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the _____ day of _____, 2022.

Upon motion of Councilmember _____, seconded by Councilmember _____, the foregoing Resolution No. _____ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto this _____ day of _____, 2022.

_____
BARBARA MCGEE, CITY CLERK

EXHIBIT A

LEGAL DESCRIPTION

SPECIFIC PLAN AMENDMENT

LEGAL DESCRIPTION:

FOR APN: 0132-181-01-0-000
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF RIALTO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE EAST ½ OF LOT 208, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, IN THE CITY OF RIALTO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11 PAGE 12 OF MAPS, RECORDS OF SAID COUNTY.

EXCEPTING THEREFROM THE WEST 2.0 FEET OF THE EAST 32.0 FEET THEREOF AS CONVEYED TO THE CITY OF RIALTO BY DEED RECORDED AUGUST 14, 1967 IN BOOK 6872 PAGE 414 OF OFFICIAL RECORDS.

AREAS AND DISTANCE ARE COMPUTED TO CENTER LINES OF ADJOINING STREETS.

EXCEPTING THEREFROM THOSE PORTIONS AS SET FORTH IN THAT CERTAIN FINAL ORDER OF CONDEMNATION RECORDED DECEMBER 7, 1979 IN BOOK 9829 PAGE 1756 OF OFFICIAL RECORDS OF SAID COUNTY.

END OF EXHIBIT A

EXHIBIT B

FINDINGS OF FACT REGARDING THE ENVIRONMENTAL EFFECTS OF THE APPROVAL OF THE BIRTCHER LOGISTICS CENTER RIALTO PROJECT STATE CLEARINGHOUSE NO. 2021070403

[See Following Pages]

Table of Contents

1.0 Introduction

The City Council of the City of Rialto (the "City Council") in approving the Birtcher Logistics Center Rialto Project (the "Project"), makes the Findings presented herein. The Findings are based upon the entire record before the City Council, as described in Subsection 1.3 below, including the Environmental Impact Report ("EIR") prepared for the Project on behalf of the City of Rialto (the "City") acting as Lead Agency under the California Environmental Quality Act ("CEQA").

Hereinafter, the Notice of Preparation, Notice of Availability, Draft EIR, Technical Studies, Final EIR (containing responses to public comments on the Draft EIR and textual revisions to the Draft EIR), and the Mitigation Monitoring and Reporting Program will be referred to collectively herein as the "EIR" unless otherwise specified.

1.1 Project Summary

1.1.1 Site Location

The approximate 21.0-acre Project Site is located in the southeast portion of the City of Rialto, San Bernardino County, California. The City of Rialto is located east of the City of Fontana and the unincorporated community of Bloomington, west of the Cities of San Bernardino and Colton, northwest of the City of Grand Terrace and unincorporated community of Highgrove, and north of the City of Riverside. At the local scale, the Project Site is located at the northwest corner of the intersection of Valley Boulevard and Willow Avenue. The Project Site includes four parcels: Assessor Parcel Numbers (APNs) 0254-261-14, 0264-261-17, 0132-201-03, and 0132-181-01.

1.1.2 Project Description

The Project includes construction of a warehouse distribution building totaling approximately 492,410 s.f. of building floor area, including 482,410 s.f. of warehouse space and 10,000 s.f. of ancillary office space. The Project includes legislative and site development actions. The legislative actions entail a proposed General Plan Amendment (GPA No. 2020-0001) and Specific Plan Amendment (SPA No. 2020-0001). The general intent of the proposed legislative actions is to change the land use designation for the southern portion of the Project Site from a commercial category to an industrial category (the other portions of the Project Site already are designated for industrial land uses and do not require a change). The Project's site development actions entail a proposed Conditional Development Permit (CDP No. 2020-0006), Precise Plan of Design (PPD No. 2020-0012), Variance (VAR No. 2020-0001), and Lot Merger No. 2021-0002 to permit the development and operation of a light industrial building containing indoor storage space and supporting office space.

1.1.3 Project Objectives

The fundamental goal of the Birtcher Logistics Center Rialto Project is to develop a modern warehouse distribution building in the City of Rialto in close proximity to the State highway system, to increase employment opportunities, and improve the City's economic competitiveness. This underlying purpose aligns with various aspects of the Southern California Association of Governments (SCAG) *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*, primarily related to accommodating goods movement industries and balancing job and housing opportunities in

local areas to reduce long commutes from home to work. SCAG identifies the Inland Empire as a housing-rich area and coastal communities as job-rich areas and is striving in their policies to achieve more equal balances locally. The Project would achieve its underlying purpose and goal through the following objectives:

A. To expand economic development, facilitate job creation, and increase the tax base for the City of Rialto by establishing new industrial development adjacent to established and planned industrial areas.

B. To attract employment-generating businesses to the City of Rialto which will reduce the need for members of the local workforce to commute outside the area for employment, thereby improving the jobs-housing balance in the City.

C. To develop a Class A warehouse distribution building that is designed to meet contemporary industry standards and be economically competitive with similar industrial buildings in the local area and region.

D. To attract businesses that can expedite the delivery of essential goods to consumers and businesses in the City of Rialto and beyond.

E. To develop a project that has architectural design and operational characteristics that complement existing nearby land uses.

F. To develop a warehouse distribution building in close proximity to designated truck routes and the State highway system to avoid or shorten truck-trip lengths on other roadways.

G. To redevelop an underutilized property that has access to available infrastructure, including roads and utilities.

1.2 City of Rialto Actions Covered By the EIR

The City of Rialto has primary approval responsibility for the proposed Project. As such, the City serves as the Lead Agency for this EIR pursuant to CEQA Guidelines Section 15050. The role of the Lead Agency was previously described in detail in Sections 1.0 and 3.0 of the EIR. The City's Planning Commission will evaluate this EIR and the proposed discretionary applications (General Plan Amendment, Specific Plan Amendment, Conditional Development Permit, Precise Plan of Design, Variance, and Lot Merger). The Planning Commission will make a recommendation to the City Council whether the Project should be approved and this EIR should be certified. The City Council is the decision-making authority for the Project and will consider the Project along with the Planning Commission's recommendations and will make a final decision to approve, approve with changes, or deny the Project.

1.3 Environmental Review and Public Participation

The City conducted an extensive environmental review of the Project to ensure that the City's decision makers and the public are fully informed about potential significant environmental effects of the Project; to identify ways that environmental damage can be avoided or significantly reduced; to prevent significant, avoidable damage to the environment by requiring changes in the Project through the use of mitigation measures which have been found to be feasible; and to disclose to the public the reasons why the City has initiated the Project in the manner chosen in light of the significant environmental

effects which have been identified in the EIR. In order to do this, the City, acting as lead agency under CEQA, undertook the following:

- Prepared an Initial Study and a Notice of Preparation, which were used as the basis for the determination that an EIR should be prepared for the Project. The Notice of Preparation identified the environmental issues to be analyzed in detail in the Project's EIR as: Aesthetics, Air Quality, Cultural Resources, Energy, Geology & Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology & Water Quality, Land Use & Planning, Noise, Transportation, Tribal Cultural Resources, and Utilities & Service Systems;
- The Initial Study and Notice of Preparation was sent to the Governor's Office of Planning and Research (the "State Clearinghouse"), Responsible Agencies, Trustee Agencies, and other interested parties on July 23, 2021, for a 30-day review period;
- The Notice of Preparation was advertised in the San Bernardino Sun, which is the newspaper of general circulation in the area affected by the Project, on July 23, 2021;
- Mailed the Notice of Preparation to all property owners within a 1,000-foot radius of the Project Site on July 21, 2021;
- Held a publicly noticed EIR Scoping Meeting at Rialto City Hall (City Council Chambers) on August 12, 2021, to solicit comments from the public on the environmental issue areas that should be analyzed in the EIR;
- Submitted a Notice of Completion, Notice of Availability, and Draft EIR to the State Clearinghouse on March 22, 2022;
- Mailed a Notice of Availability to all Responsible Agencies, Trustee Agencies, the Clerk of Board of Supervisors, other interested parties, and organizations and individuals who had previously requested the Notice on March 22, 2022, to inform recipients that the Draft EIR was available for a 45-day review period beginning on March 22, 2022, and ending on May 5, 2022;
- Mailed the Notice of Availability to all property owners within a 1,000-foot radius of the Project Site on March 22, 2022;
- Provided copies of the Draft EIR to 16 public agencies, organizations, and individuals on March 22, 2022;
- Made the Notice of Availability and Draft EIR available to the public on the City's website;
- Published the Notice of Availability in the San Bernardino Sun, which is the newspaper of general circulation in the area affected by the Project, on March 22, 2022;
- Prepared responses to comments on the Draft EIR received during the 45-day comment period on the Draft EIR, which have been included in the Final EIR;
- Sent written responses to comments to all public agencies, organizations, and individuals who submitted comments the Draft EIR on July 15, 2022 (two comment letters were received);
- Published a notice on July 17, 2022, in the San Bernardino Sun, the newspaper of general circulation in the area affected by the Project, that the Planning Commission would hold a

public hearing on July 27, 2022, to consider the Project and EIR for recommendation to the City Council;

- Sent notice of the Planning Commission's hearing to all organizations and individuals who had previously requested notification of anything having to do with the Project on July 14, 2022;
- Published a notice on TBD, in the TBD, the newspaper of general circulation in the area affected by the Project, that the City Council would hold a public hearing on TBD, to consider approval of the Project and certification of the EIR;
- Sent notice of the City Council's hearing to all organizations and individuals who had previously requested notification of anything having to do with the Project on TBD;
- Held a public hearing of the City Council on TBD, and, after full consideration of all comments, written and oral, certified that the Final EIR had been completed in compliance with CEQA and approved the Project.

All of the documents identified above and all of the documents which are required to be part of the administrative record pursuant to Public Resources Code Section 21167.6(e) are on file with the City of Rialto Planning Department, 150 S Palm Avenue, Rialto, CA 92376.

2.0 Environmental Impacts and Findings

2.1 General Findings

2.1.1 Independent Judgment Finding

Finding: The EIR for the Project reflects the City's independent judgment and analysis.

Facts in Support of the Finding: The EIR was prepared by T&B Planning, Inc., an independent, professional consulting firm hired by the Project Applicant, but working under the supervision and direction of the City's Planning Department staff. The City Council, as the City's final decision-making body for the Project, received and reviewed the EIR and the comments, written and oral, provided by public agencies and members of the public prior to certifying that the EIR complied with CEQA. The professional qualifications and reputation of the EIR Consultant, the supervision and direction of the EIR Consultant by City staff and its consultants, the thorough and independent review of the Draft EIR and Final EIR, including comments and responses, by City staff, and the review and careful consideration of the Final EIR by the City Council, including comments and responses, all conclusively show that the Final EIR is the product of and reflects the independent judgment and analysis of the City as the Lead Agency, and of the City Council as the decision-making body for the Project.

2.1.2 Finding of the Absence of any Need to Recirculate the EIR

Finding: The Final EIR does not add significant new information to the Draft EIR that would require recirculation of the Draft EIR.

Facts in Support of the Finding: The City Council recognizes that the Final EIR incorporates information obtained and produced after the Draft EIR was completed and that the Final EIR contains additions, clarifications, and minor modifications to the Draft EIR. The City Council has reviewed and considered the Final EIR and all of the information contained in it and has determined that the new information added to the Final EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, nor a feasible mitigation measure or an alternative considerably different from others previously analyzed that the Project Applicant declined to adopt and that would clearly lessen the significant environmental impacts of the Project. No information provided to the City Council indicates that the Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR.

2.1.3 General Finding on Mitigation Measures

It is the City's intent to adopt and implement all mitigation measures identified in the EIR which are applicable to the Project, which the City finds to consist of all feasible measures that reduce the Project's significant impacts. If a measure has, through error, been omitted from the Conditions of Approval or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Conditions of Approval repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures recommended in the EIR and are found to be equally effective in avoiding or lessening the identified

environmental impact. In each instance, the Conditions of Approval contain the final wording for the mitigation measures.

2.2 Impacts Identified in the Initial Study (IS) or EIR as No Impact or Less than Significant Not Requiring Mitigation

Consistent with Public Resources Code Section 21002.1 and Section 15128 of the CEQA Guidelines, the EIR focused its analysis on potentially significant impacts, and limited discussion of other impacts for which it can be seen with certainty there is no potential for significant adverse environmental impacts. CEQA Guidelines Section 15091 does not require specific findings to address environmental effects that an EIR identifies as "no impact" or a "less than significant" impact. Nevertheless, the City Council hereby finds that the Project would have either no impact or a less than significant impact under the following resource areas:

2.2.1 Aesthetics

A. Would the Project have a substantial adverse effect on a scenic vista? (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: No designated scenic vistas or scenic corridors are located in the vicinity of the Project Site. Distant views of the Jurupa Hills and La Loma Hills are available from the segments of Valley Boulevard and Willow Avenue that abut the site, looking south/southeast; however, the Project would not make any improvements that would encroach within Valley Boulevard and/or Willow Avenue and obstruct south/southeast-facing views. The San Bernardino Mountains are partially visible from the Valley Boulevard segment that abuts the Project Site looking north; however, the mountains are largely obstructed by existing structures and improvements (e.g., signage, power poles) on the Project Site. The visibility – or lack thereof – of the San Bernardino Mountains from public viewing areas along the Project Site would not change substantially with implementation of the Project. Accordingly, given the fact that the Project Site is not a scenic vista, is not located near a designated scenic resource, and unique, prominent and scenic views would not be obscured by the Project, implementation of the Project would not have a substantial adverse effect on a scenic vista. (EIR, pp. 4.1-8 to 4.1-9)

B. Would the Project substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? (Threshold "b")

Finding: No Impact

Facts in Support of Finding: The Project Site does not contain any special or unique scenic attributes, like rock outcroppings, native vegetation, or a substantial number of mature trees. The Project Site is not located within or adjacent to a scenic highway corridor and there are no State-designated or eligible scenic highways within the vicinity of the Project Site. Accordingly, the Project Site is not located within a State scenic highway corridor and implementation of the proposed Project would not have a substantial effect on scenic resources within a State scenic highway corridor. (EIR, p. 4.1-9)

C. *In non-urbanized areas, would the Project 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? (Threshold "c")*

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project Site is located in an area that meets the U.S. Census Bureau's definition of an "urbanized area" and is planned for urban uses by the City General Plan and the Gateway Specific Plan; therefore, for purposes of evaluation herein the Project is considered to be located in an urbanized area. (EIR, p. 4.1-7)

With the exception of the proposed building height for the Project, which is proposed at approximately 49 feet compared to the 35-foot height limit dictated by the Gateway Specific Plan, the Project would be consistent with all applicable development standards and design guidelines within the Gateway Specific Plan and the Rialto Municipal Code related to site design, architecture, and landscaping. The Project Applicant has requested a Variance from the City to allow the proposed warehouse distribution building to exceed the maximum 35-foot height limit within the Gateway Specific Plan "I-P" zone. (Under existing conditions, the Gateway Specific Plan allows the southern portion of the Project Site, abutting Valley Boulevard, to be developed with buildings up to 55 feet tall and the proposed Variance would allow a maximum height that is similar to the Site's existing development rights.) As part of the Variance request, City staff determined that the Project would not substantially degrade the existing visual character or quality of the site and made findings that the requested Variance would not adversely affect neighboring properties or the scenic quality of the Project area (these findings would be deliberated upon and adopted by the Rialto City Council as part of the Project's approval, should the Project be approved). Upon approval of the Variance, the height of the warehouse distribution building would not conflict the applicable zoning and development regulations. Nonetheless, the increased height has no potential to cause an adverse aesthetic effect because the building would be designed to meet all other City requirements and would not block or obscure a scenic view. Furthermore, the Project's height is consistent with the maximum height allowance of up to 75 feet in other industrial zones in the City where warehouse distribution buildings are permitted. Because the Project Site is located in an urbanized area and because the Project would not conflict with applicable regulations governing scenic quality, a less-than-significant impact would occur. (EIR, pp. 4.1-9 to 4.1-10)

D. *Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Threshold "d")*

Finding: Less-than-Significant Impact

Facts in Support of Finding: The City of Rialto Municipal Code Section 18.61.140 includes development regulations for outdoor lighting that apply to all development in the City. The Municipal Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure

adequate lighting for public safety while also minimizing light pollution and glare and precluding public nuisances (e.g., blinking/flashing lights, unusually high intensity or bright lighting). As a condition of approval, the Project would be required to comply with the Rialto Municipal Code, including provisions applicable to outdoor lighting. The City of Rialto would confirm compliance with Municipal Code Section 18.61.140 as part of the building permit review process. Mandatory compliance with the City of Rialto Municipal Code would ensure that the Project does not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. (EIR, pp. 4.1-10 to 4.1-11)

2.2.2 Agriculture and Forestry Resources

A. *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? (Threshold "a")*

Finding: No Impact

Facts in Support of Finding: According to mapping information available from the California Department of Conservation's (CDC) Farmland Mapping and Monitoring Program (FMMP), the Project Site contains "Urban and Built-Up Land." Accordingly, the Project Site does not contain any lands mapped by the FMMP as "Prime Farmland," "Unique Farmland," "Farmland of Statewide Importance" and thus, implementation of the Project would not convert such Farmland to a non-agricultural use. (IS, p. 19 / EIR, p. 5-5)

B. *Would the Project conflict with existing zoning for agricultural use, or a Williamson Act Contract (Threshold "b")*

Finding: No Impact

Facts in Support of Finding: The Project Site is not subject to a land conservation (Williamson Act) contract. In addition, the Project Site is zoned for "Industrial Park (I-P)" and "Freeway Commercial (F-C)" land uses; therefore, implementation of the Project has no potential to conflict with existing zoning for an agricultural use. (IS, p. 20 / EIR, p. 5-5)

C. *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))? (Threshold "c")*

Finding: No Impact

Facts in Support of Finding: The Project Site is not zoned as forest land, timberland, or Timberland Production, nor is it surrounded by forest land, timberland, or Timberland Production land. Therefore, the Project has no potential to conflict with any areas currently zoned as forest, timberland,

or Timberland Production and will not result in the rezoning of any such lands. (IS, p. 20 / EIR, p. 5-5)

D. Would the Project result in the loss of forest land or conversion of forest land to non-forest use? (Threshold "d")

Finding: No Impact

Facts in Support of Finding: The Project Site does not contain a forest and is not designated as forest land; thus, the proposed Project will not result in the loss of forest land or the conversion of forest land to non-forest use. (IS, p. 20 / EIR, p. 5-5)

E. 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? (Threshold "e")

Finding: No Impact

Facts in Support of Finding: "Farmland" is defined in Section II (a) of Appendix G of the CEQA Guidelines as "Prime Farmland," "Unique Farmland" or "Farmland of Statewide Importance" ("Farmland"). As disclosed herein, above, and in the EIR, the Project would not result in the conversion of Farmland, or farmland of local importance (or farmland of any kind)to non-agricultural use. (IS, p. 20 / EIR, p. 5-6)

As discussed herein, above, and in the EIR, the Project would not convert forest land to non-forest use. (IS, p. 20 / EIR, p. 5-6)

2.2.3 Air Quality

A. Would the Project conflict with or obstruct implementation of the applicable air quality plan?

B. Would the Project result in a cumulatively-considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard? (Threshold "b" for Construction Emissions)

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project's construction emissions of volatile organic compounds (VOCs), carbon monoxide (CO), sulfur oxides (SO_X), and particulate matter (PM_{10} and $PM_{2.5}$) would not exceed the applicable South Coast Air Quality Management District (SCAQMD) regional significance thresholds. Accordingly, the Project's construction activities would not conflict with or obstruct implementation of the applicable air quality plan or result in a cumulatively-considerable net increase of these pollutants. (EIR, pp. 4.2-24, 4.2-26)

The Project's operational emissions of VOCs, CO, SO_X, and particulate matter (PM_{10} and $PM_{2.5}$) would not exceed the applicable South Coast Air Quality Management District (SCAQMD)

regional significance thresholds. Accordingly, the Project's operational activities would not conflict with or obstruct implementation of the applicable air quality plan or result in a cumulatively-considerable net increase of these pollutants. (EIR, pp. 4.2-24, 4.2-26 to 4.2-27)

While no significant impacts relating to emissions of particulate matter during construction have been identified that require mitigation to less than significant levels, the Project will be required to implement the following performance measures to further minimize the Project's already less than significant effect. (EIR, pp. 4.2-32 to 4.2-34)

> ***MM 4.2-1.*** *The Project shall comply with the provisions of South Coast Air Quality Management District Rule 403, "Fugitive Dust." Rule 403 requires implementation of best available dust control measures during construction activities that generate fugitive dust, such as earth moving, grading, and equipment travel on unpaved roads. Rule 403 also requires activities defined as "large operations" to notify the SCAQMD by submitting specific forms. The following notes shall be listed on the Project's grading plans, to be confirmed by the City of Rialto prior to grading permit issuance. Project construction contractors shall be required by their contracts to ensure compliance with the notes, submit any required "large operations" forms to the SCAQMD, and permit periodic inspection of the construction site by City of Rialto staff or its designee to confirm compliance.*
>
> *a) During grading and ground-disturbing construction activities, the construction contractor shall ensure that all unpaved roads, active soil stockpiles, and areas undergoing active ground disturbance within the Project Site are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas by water truck, sprinkler system, or other comparable means, shall occur in the mid-morning, afternoon, and after work is done for the day. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site.*
>
> *b) Temporary signs shall be installed on the construction site along all unpaved roads indicating a maximum speed limit of 15 miles per hour (MPH). The signs shall be installed before construction activities commence and remain in place for the duration of construction activities that include vehicle activities on unpaved roads.*
>
> *c) Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.*
>
> *d) Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (e.g., install wheel shakers, wheel washers, limit site access).*
>
> *e) When materials are transported off site, all material shall be covered or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.*

f) All street frontages adjacent to the construction site shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing water trucks (reclaimed water, if available) if visible soil materials are carried to adjacent streets.
g) Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and initiate corrective action to legitimate complaints within 24 hours.

h) Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.

i) Any on-site stock piles of debris, dirt, or other dusty material shall be covered or watered as necessary to minimize fugitive dust pursuant to SCAQMD Rule 403.

j) A high wind response plan shall be formulated and implemented for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.

***MM 4.2-2**. The Project shall comply with the provisions of South Coast Air Quality Management District Rule 1186 "PM10 Emissions from Paved and Unpaved Roads and Livestock Operations" and Rule 1186.1, "Less-Polluting Street Sweepers" by complying with the following requirements. To ensure and enforce compliance with these requirements, prior to grading and building permit issuance, the City of Rialto shall verify that the following notes are included on the grading and building plans and within the construction management plan. Project construction contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by City of Rialto staff or its designee to confirm compliance.*

a) If visible dirt or accumulated dust is carried onto paved roads during construction, the contractor shall remove such dirt and dust at the end of each work day by street cleaning.

b) Street sweepers shall be certified by the South Coast Air Quality Management District as meeting the Rule 1186 sweeper certification procedures and requirements for PM10-efficient sweepers. All street sweepers having a gross vehicle weight of 14,000 pounds or more shall be powered with alternative (non-diesel) fuel or otherwise comply with South Coast Air Quality Management District Rule 1186.1.

C. *Would the Project expose sensitive receptors to substantial pollutant concentrations? (Threshold "c")*

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project's localized NO_X, CO, and particulate matter (PM_{10} and $PM_{2.5}$) emissions would not exceed applicable SCAQMD thresholds during Project construction. Accordingly, Project construction would not expose any sensitive receptors in the vicinity of the Project Site to substantial criteria pollutant concentrations. (EIR, p. 4.2-28)

The Project would not exceed the applicable SCAQMD thresholds for localized NO_X, CO, and particulate matter (PM_{10} and $PM_{2.5}$) emissions during operation. Accordingly, operation of the Project would not expose any sensitive receptors in the vicinity of the Project Site to substantial pollutant concentrations. (EIR, p. 4.2-29)

A Project-specific CO "hot spot" analysis was not performed because CO attainment in the South Coast Air Basin (SCAB) was thoroughly analyzed as part of SCAQMD's *2003 AQMP* and the 1992 Federal Attainment for Carbon Monoxide Plan (1992 CO Plan). As identified in the SCAQMD's *2003 AQMP* and the 1992 CO Plan, peak CO concentrations in the SCAB were the byproduct of unusual meteorological and topographical conditions and were not the result of traffic congestion. Based on the relatively low traffic congestion levels, low existing ambient CO concentrations, and the lack of any unusual meteorological and/or topographical conditions in the Project site vicinity, the Project's operation is not expected to cause or contribute to a CO "hot spot." (EIR, p. 4.2-29)

Based on the typical operations at warehouse distribution facilities and loading bays, which do not include smoke stacks or other stationary point-sources of air pollutant emissions, the Project is not expected to result in stationary emissions of toxic air contaminants. However, construction and operation of the Project would generate/attract diesel-fueled equipment and trucks. Emissions from diesel-powered combustion engines contain diesel particulate matter (DPM), which is a toxic air contaminant and is known to be associated with acute and chronic health hazards – including cancer. (EIR, p. 4.2-29)

At the maximally exposed individual receptor (MEIR), which is a residence located approximately 536 feet west of the Project Site, the maximum incremental cancer risk attributable to the DPM emissions from Project construction is 1.89 in one million and 0.06 in one million during Project operation (based on highly conservative hypothetical conditions / assumptions that ensure the actual risks are over-estimated); neither value exceeds the SCAQMD cancer risk threshold of 10 in one million. The non-cancer health risk index at the MEIR is estimated to be <0.01 under both Project construction and operation conditions, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0. All other residential locations in the vicinity of the Project Site located farther from the Project Site than the MEIR would be exposed to lower concentrations of Project-related DPM emissions due to their increased distance from Project-related diesel-fueled truck operations and, therefore, are at less risk – and would be impacted to a lesser degree – than the MEIR identified herein and in the EIR. (EIR, pp. F-16, 4.2-30 & Appendix B3)

At the maximally exposed individual worker (MEIW), the Steel Unlimited, Inc. facility (located approximately 10 feet west of the Project Site), the maximum incremental cancer risk attributable to the DPM emissions from Project construction is 0.48 in one million and 0.47 in one million during Project operation (again, based on highly conservative hypothetical conditions / assumptions that ensure the actual risks are over-estimated); neither value exceeds the SCAQMD cancer risk threshold of 10 in one million. The non-cancer health risk index at the MEIR is estimated to be <0.01 under both Project construction and operation conditions, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0. Places of business located farther than 10 feet from the Project's activities would be impacted to a lesser degree than the MEIW due to their increased distance from Project diesel-fueled truck operations. (EIR, pp. F-16, 4.2-30 & Appendix B3)

At the maximally exposed individual school child (MEISC), the Joe Baca Middle School (located approximately 846 feet west of the Project Site), the maximum incremental cancer risk attributable to the DPM emissions from Project construction is 0.10 in one million and 0.12 in one million during Project operation (based on highly conservative hypothetical conditions / assumptions that ensure the actual risks are over-estimated), neither value exceeds the SCAQMD cancer risk threshold of 10 in one million. The non-cancer health risk index at the MEISC is estimated to be <0.01 under both Project construction and operation conditions, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0. Schools located farther than 846 feet from the Project's activities would be impacted to a lesser degree than the MEISC due to their increased distance from Project diesel-fueled truck operations. The Project would not directly cause or contribute in a cumulatively-considerable manner to the exposure of school receptors near the Project Site to substantial DPM emissions. (EIR, pp. F-16, 4.2-30 & Appendix B3)

D. Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Threshold "d")

Finding: Less-than-Significant Impact

Facts in Support of Finding: During construction activities on the Project Site, odors could be produced by construction equipment exhaust or from the application of asphalt and/or architectural coatings. However, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, any odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon the completion of the respective phase of construction. In addition, construction activities on the Project Site would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance. (EIR, pp. 4.2-30 to 4.2-31)

During long-term operation, Project would operate as a warehouse distribution facility, which is not typically associated with the emission of objectionable odors. Temporary outdoor refuse storage could be a potential source of odor; however, Project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations, thereby precluding any significant odor impact. Furthermore, the occupant(s) of the proposed warehouse building would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance, during long-term operation. (EIR, p. 4.2-31)

2.2.4 Biological Resources

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

Finding: No Impact

Facts in Support of Finding: The Project Site is completely disturbed and developed under existing conditions and has been so for at least 25 years. The entire Project Site is covered by structures, pavement, gravel, or cleared, packed dirt and is used for parking and equipment/materials storage. No natural habitats or plant communities are present on the Project Site and the Project Site is not adjacent to any natural, undeveloped areas. In addition, proposed off-site public road, water, sewer, and storm drain improvements would be installed in areas that are completely developed and covered with asphalt or concrete under existing conditions and neither contain nor are adjacent to natural habitat areas. Due to the existing conditions of the Project Site and off-site improvement areas, the Project would not 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. (IS, p. 22 / EIR, p. 5-6)

B. *Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service? (Threshold "b")*

Finding: No Impact

Facts in Support of Finding: The Project Site is completely disturbed and developed and does not contain riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service. In addition, proposed off-site public road, water, sewer, and storm drain improvements would be installed in areas that are completely developed and covered with asphalt or concrete under existing conditions, including the concrete-lined drainage channel north of I-10 (which is the connection point for proposed storm drain improvements), and that do not contain riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service. (IS, p. 3-22 / EIR p. 5-6)

C. *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? (Threshold "c")*

Finding: No Impact

Facts in Support of Finding: The Project Site is completely disturbed and developed and does not contain State or federally protected wetlands. In addition, proposed off-site public road, water, sewer, and storm drain improvements would be installed in areas that are completely developed and covered with asphalt or concrete under existing conditions, including the concrete-lined drainage channel north of I-10 (which is the connection point for proposed storm drain improvements), and that do not contain State or federally protected wetlands. Therefore, implementation of the Project would not have a substantial adverse effect on State or federally protected wetlands through direct removal, filing, hydrological interruption, or other means. (IS, pp. 22 to 23 / EIR p. 5-7)

D. Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impeded the use of native wildlife nursery sites? (Threshold "d")

Finding: No Impact

Facts in Support of Finding: The Project Site is disturbed and does not support a diversity of native wildlife. The Project Site is located in an urbanized area – paved roads, fencing, and developed land surrounding the Project Site block terrestrial wildlife movement from all directions – and the Project Site is not located adjacent to open space areas. Accordingly, the Project Site is not expected to serve as a wildlife movement corridor. Furthermore, the Project Site does not support vegetation that could be used by native or migratory birds as a nesting/nursery site. (IS, p. 23 / EIR p. 5-7)

E. Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Threshold "e")

Finding: Less than Significant Impact

Facts in Support of Finding: The City does not have any policies or ordinances protecting biological resources that are applicable to the Project Site. No impact would occur. (IS, p. 23 / EIR p. 5-7)

F. 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? (Threshold "f")

Finding: No Impact

Facts in Support of Finding: The Project Site is not located in an area covered by a Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State habitat conservation plan has been adopted. Accordingly, the Project has no potential to conflict with any such plans. (IS, p. 23 / EIR p. 5-7)

2.2.5 Cultural Resources

A. Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5? (Threshold "a")

Finding: No Impact

Facts in Support of Finding: Implementation of the Project would require the demolition of all structures and site improvements that are located on the Project Site under existing conditions. The Project Site contains several structures and outbuildings, several of which were constructed as early as 1949 but have been heavily altered/modified and/or have been poorly maintained and are in a state of disrepair – no longer exhibiting their original architectural character and integrity – and are now used for storage or offices for business operating on-site. None of the structures or outbuildings located on-

site are associated with any important historic figures or events or contain any unique or distinctive architectural elements and none are identified as previously recorded historic resources. Accordingly, none of the structures meet the threshold for consideration as a potential historical resource. Accordingly, the Project would result in no impact to historical resources as defined by Section 15064.5. (EIR p. 4.3-8)

B. Would the Project disturb any human remains, including those interred outside of formal cemeteries? (Threshold "c")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project Site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. Additionally, no historic cemeteries or hospitals were recorded on the Project Site by historic topographic maps or observed on historic aerial photographs of the Project site. In the remote chance that human remains are unearthed during Project construction, the construction contractor would be required by law to comply with California HSC Section 7050.5 "Disturbance of Human Remains." According to Section 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner is required to contact the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code Section 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials. With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, substantial adverse impacts to human remains, including human remains of Native American ancestry, would be precluded. (EIR pp. 4.3-8 to 4.3-10)

2.2.6 Energy

A. Would the Project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project's construction activities would consume electrical energy and fuel. Project-related construction would represent a "single-event" electric energy and fuel

demand and would not require on-going or permanent commitment of energy or diesel fuel resources for this purpose. There are no unusual characteristics or construction processes for the Project that would result in inefficient, wasteful, or unnecessary consumption of energy. (EIR, p. 4.4-7)

Energy consumption in support of or related to Project operations would include transportation energy demands and facility energy demands. The Project's proposed building would reflect contemporary energy efficient/energy conserving designs and operational programs and would be required to comply with applicable State building and energy codes. Additionally, the Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips. The Project's operational energy consumption would not be inefficient, wasteful, or otherwise unnecessary. (EIR, p. 4.4-8)

B. Would the Project conflict with or obstruct a State or local plan for renewable energy or energy efficiency? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Construction and operation of the Project would not conflict with or obstruct applicable federal, State, and local regulations for renewable energy and energy efficiency, including: Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), Transportation Equity Act for the 21st Century (TEA-21), Integrated Energy Policy Report, State of California Energy Plan, California Assembly Bill 1493 (Fuel Efficiency Standards), CARB Advanced Clean Cars and Advanced Clean Trucks Programs, California Senate Bill 1078 (Renewable Portfolio Standard), California Title 24 Energy Efficiency Standards, and California Building Standards Code (CBSC), including its Green Building and Energy Efficiency components. (EIR pp. 4.4-8 to 4.4-10)

2.2.7 Geology and Soils

A. Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving (Threshold "a"):

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?

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

Finding: Less-than-Significant Impact

Facts in Support of Finding: There are no known active or potentially active faults on or trending toward the Project Site and the Project Site is not located within a mapped Alquist-Priolo Earthquake Fault Zone. Because there are no known faults located on or trending towards the Project Site, the Project would not directly or indirectly expose people or structures to substantial adverse effects related to rupture of a known earthquake fault. (EIR, p. 4.5-9)

The Project Site is located in a seismically active area of southern California and is expected to experience moderate to severe ground shaking during the lifetime of the Project. This risk is not considered substantially different to other similar properties in the southern California area. As a mandatory condition of Project approval, the Project Applicant would be required to construct the proposed building in accordance with the CBSC and the Rialto Building Code, which is based on the CBSC with local amendments (Rialto Municipal Code, Sections 15.08.060 and 15.08.080). The CBSC and Rialto Building Code provide standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures, and have been specifically tailored for California earthquake conditions. In addition, the CBSC (Chapter 18) and the Rialto Municipal Code (Sections 11.12.070 and 17.24.010) require development projects to prepare geologic engineering reports to identify site-specific geologic and seismic conditions and implement the site-specific recommendations contained therein, including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems in order to preclude adverse effects involving unstable soils and strong seismic ground-shaking. The Project Applicant retained a professional geotechnical firm, SCG, to prepare a Geotechnical Investigation for the Project Site, which is included as *Technical Appendix E* to the EIR. The Geotechnical Investigation included recommendations for design, construction, and grading considerations based on the site-specific geological conditions and Project-specific design. The recommendations included seismic design considerations, geotechnical design considerations, site grading recommendations, construction considerations, foundation design and construction, floor slab design and construction, retaining wall design and construction, and pavement design parameters. This Geotechnical Investigation complies with the requirements of Chapter 18 of the CBSC and Sections 11.12.070 and 17.24.010 of the Rialto Municipal Code and the City will condition the Project Applicant to comply with the site-specific ground preparation and construction recommendations contained in the Geotechnical Investigation. With mandatory compliance with building code standards and site-specific design and construction measures, implementation of the Project would not directly or indirectly expose people or structures to substantial adverse effects, including loss, injury, or death, involving seismic ground shaking. (EIR, pp. 4.5-9 to 4.5-10)

Due to the observed soil characteristics on the Project Site and the lack of shallow groundwater beneath the site, liquefaction potential is considered to be low on-site. Regardless, as noted above, the City will require the Project Site be developed in accordance with the latest applicable seismic safety guidelines, including the standard requirements of the CBSC and the Rialto Building Code, to minimize potential liquefaction hazards. In addition, the Project Applicant would be required via conditions of approval to comply with the grading and construction recommendations contained within the Geotechnical Investigation for the Project Site to further reduce the risk of seismic-related ground failure due to liquefaction. Therefore, implementation of the Project would not directly or indirectly expose people or structures to substantial hazards associated with seismic-related ground failure and/or liquefaction hazards. (EIR, p. 4.5-10)

The Project Site is relatively flat, as is the immediately surrounding area. There are no recorded landslides or hillsides or steep slopes on the Project Site or in the immediate vicinity of the site under existing conditions. The Project includes retaining walls and manufactured slopes, which would be

constructed in accordance with the site-specific recommendations contained within the Geotechnical Investigation for the Project Site to ensure their structural soundness. The City would condition the Project to comply with the site-specific design and engineering recommendations contained within Geotechnical Investigation to ensure these measures are implemented. Mandatory compliance with the recommendations contained within the Geotechnical Investigation would ensure that the Project is built to preclude safety hazards to on-site and abutting off-site areas. (EIR, pp. 4.5-10 to 4.5-11)

B. Would the Project result in substantial soil erosion or the loss of topsoil? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. In addition, the Project Applicant would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Program*. Compliance with the NPDES permit and the Santa Ana River Basin Water Quality Control Program involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) that the Project Applicant will be required to implement during construction activities to ensure that waterborne pollution – including erosion/sedimentation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Lastly, the Project Applicant would be required to implement erosion control measures to minimize water- and windborne erosion pursuant to Rialto Municipal Code Section 17.40.010 (and to ensure compliance with SCAQMD Rule 403). Mandatory compliance with the SWPPP and the erosion control measures would ensure that the Project's implementation does not violate any water quality standards or waste discharge requirements during construction activities. (EIR, p. 4.5-11)

Upon Project build-out, and in accordance with Rialto Municipal Code Section 12.60.260, the Project Applicant would be required to prepare and implement a Stormwater Quality Management Plan (SWQMP), which is a site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants. The SWQMP is required to identify an effective combination of erosion control and sediment control measures (i.e., Best Management Practices) to reduce or eliminate sediment discharge to surface water from storm water and non-storm water discharges. A preliminary SWQMP for the Project (provided as *Technical Appendix I2* to the EIR) identifies non-structural source control BMPs (such as vacuum sweeping of parking lots), structural source control BMPs (such as utilizing efficient irrigation systems that minimize overspray), and preventive, low impact development BMPs (such as the use of permeable surfaces across the site, catch basin inserts, and an underground retention system) to minimize erosion. The SWQMP also is required to establish a post-construction implementation and maintenance plan to ensure on-going, long-term erosion protection. Compliance with the SWQMP will be required as a condition of approval

for the Project, as will the long-term maintenance of erosion and sediment control features. (EIR, p. 4.5-12)

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

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project Site is relatively flat; no substantial natural or man-made slopes are located on or adjacent to the Project Site and no landslides have been recorded on the Project Site or in the immediate vicinity. As previously noted herein and in the EIR, the Project includes retaining walls and manufactured slopes that would be engineered for structural soundness and constructed in accordance with the site-specific recommendations contained within the Geotechnical Investigation for the Project Site. (EIR p. 4.5-12)

The Geotechnical Investigation prepared for the Project Site indicates that the site's shrinkage/subsidence and settlement potential can be attenuated through the removal of surface and near surface soils down to competent materials and replacement with properly compacted fill. The City will condition the Project to comply with the site-specific ground preparation and construction recommendations contained in the Project Site's Geotechnical Investigation. (EIR p. 4.5-12)

Lateral spreading is primarily associated with liquefaction hazards. As noted above under the discussion of Threshold "a," based on the Project Site's lack of shallow groundwater, liquefaction on the Project Site is considered to be low. Thus, the potential for lateral spreading is low (SCG, 2021, p. 11). Accordingly, impacts associated with lateral spreading would be less than significant.

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

Finding: No Impact

Facts in Support of Finding: Based on expansion index testing of soil samples, SCG determined that near surface soils on the Project Site are classified as non-expansive. Accordingly, the Project Site does not contain expansive soils and as such, would not create substantial direct or indirect risks to life or property associated with the presence of expansive soils. (EIR p. 4.5-13)

E. Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (Threshold "e")

Finding: No Impact

Facts in Support of Finding: The Project Site is served by existing wastewater infrastructure (installed beneath Willow Avenue). The Project would connect to this existing wastewater

infrastructure and the Project does not propose the use of septic tanks or alternative waste water disposal systems. (EIR p. 4.5-13)

2.2.8 Greenhouse Gas Emissions

A. Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project would not conflict with applicable regulations, policies, plans, and policy goals that would reduce GHG emissions, including the CBSC (Title 24), AB 32, and SB 32. (EIR, pp. 4.6-19 to 4.6-20) The Project Site is zoned/planned for industrial development, and the associated GHG emissions are anticipated in long term planning documents.

2.2.9 Hazards and Hazardous Materials

A. 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? (Threshold "c")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project Site is located approximately 0.13-mile west of Joe Baca Middle School, located at 1640 S. Lilac Avenue. The use of and transport of hazardous substances or materials to-and-from the Project Site during construction and long-term operational activities would be required to comply with applicable federal, State, and local regulations that would preclude substantial public safety hazards. Accordingly, there would be no potential for existing or proposed schools to be exposed to substantial safety hazards associated with emission, handling of, or the routine transport of hazardous substances or materials to-and-from the Project Site. (EIR, p. 4.7-19)

Although the Project would result in less than significant impacts relating to the emission or handling of hazardous materials/substances within one-quarter mile of a school, the Project will be required to implement the following measure to further minimize the Project's less than significant effect.

MM 4.7-3 *Prior to the issuance of any new occupancy permit for a use/user within the Project Site, the use/user shall disclose to the City of Rialto if they will transport and/or store hazardous materials in amounts warranting the preparation of a Hazardous Materials Business Emergency Plan (HMBEP) as required by law. If a HMBEP is required by law, the Project Applicant shall provide a copy of its approved Emergency Response Plan to the Superintendent's Office and Facilities Office of the Colton Joint Unified School District as well as the Principal of Joe Baca Middle School outlining how the building use/user will prevent or respond to spills or leaks of hazardous materials related to its facility/facilities and use of the Project Site. If so requested, the Project Applicant shall also meet with School District and Fire Department officials to discuss emergency response procedures as contained*

in the HMBEP for spills or leaks at the Project Site in relation to the nearby school facilities. This measure shall be implemented under the supervision of the City of Rialto's Planning Division, with input from the Colton Joint Unified School District Superintendent as appropriate. All meetings shall be documented and documentation shall be provided to the City within thirty (30) days of each meeting.

B. *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? (Threshold "d")*

Finding: No Impact

Facts in Support of Finding: The Project Site is not listed on a hazardous materials database regulated by Government Code Section 65962.5. (EIR, pp. 4.7-19 to 4.7-20)

C. *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? (Threshold "e")*

Finding: No Impact

Facts in Support of Finding: The Project Site is neither located within an airport land use plan for an active airport nor within two miles of an active public/public use airport. (EIR, p. 4.7-20)

D. *Would the Project impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Threshold "f")*

Finding: No Impact

Facts in Support of Finding: The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route. All Project construction materials and equipment would be stored/staged on the Project Site and would not interfere with emergency vehicles traveling along Valley Boulevard or Willow Avenue. Project construction activities would occur within the Valley Boulevard and Willow Avenue public rights-of-way; however, for any work within the right-of-way that requires a partial or full closure of a sidewalk or vehicle travel lane, the construction contractor would be required to implement a traffic control plan that complies with the California Manual on Uniform Traffic Control Devices and must be approved by the City of Rialto to ensure that emergency response is not adversely affected. During construction and long-term operation, the proposed Project would be required to maintain adequate emergency access for emergency vehicles. (EIR, p. 4.7-20)

E. *Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Threshold "g")*

Finding: No Impact

Facts in Support of Finding: Neither CalFire nor the City identify the Project Site within an area susceptible to wildland fires and the Project Site and surrounding areas generally consist of commercial, industrial, and/or residential uses, which are generally not associated with wildland fire. (EIR, p. 4.7-20)

2.2.10 Hydrology and Water Quality

A. Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (Threshold "a")

Finding: Less-than-Significant Impact (EIR pp. 4.8-9 to 4.8-11)

Facts in Support of Finding: Pursuant to the requirements of the Santa Ana RWQCB and the City Rialto (Municipal Code Chapter 12.60 et seq.), the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit (NPDES Permit). The NPDES Permit is required for all projects that include construction activities, such as clearing, soil stockpiling, grading, and/or excavation that disturb at least one (1) acre of total land area. The NPDES Permit would be applicable to the Project because the Project would disturb approximately 21 acres. In addition, the Project Applicant would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Program. Compliance with the NPDES Permit and the Santa Ana River Basin Water Quality Control Program involves the preparation and implementation of a Stormwater Pollution Prevention Plan ("SWPPP") for construction-related activities, including grading. The SWPPP will specify the BMPs that the Project Applicant would be required to implement during construction activities to ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Mandatory compliance with the SWPPP would ensure that the Project's construction does not violate any water quality standards or waste discharge requirements. (EIR, pp. 4.8-9 to 4.8-10)

The Project Applicant would be required to prepare and implement a Storm Water Quality Management Plan (SWQMP). A SWQMP is a site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters, under long-term conditions via BMPs. Implementation of the SWQMP ensures on-going, long-term protection of the watershed basin. The Project is designed to include structural source control BMPs (including a hydrodynamic separator, catch basin inserts, and underground infiltration chambers beneath the truck yard) as well as operational source control BMPs (including, but not limited to, the installation of water-efficient landscape irrigation systems, storm drain system stenciling and signage, and implementation of a trash and waste storage areas) to minimize, prevent, and/or otherwise appropriately treat stormwater runoff flows for pollutants of concern before they are discharged into the municipal storm drain system. Additionally, the NPDES program requires certain land uses, including the industrial land uses proposed by the Project, to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program, unless an exemption has been granted. Because the permit is dependent upon a detailed accounting of all operational activities and procedures, and the

Project's building users and their operational characteristics are not known at this time, details of the operational SWPPP (including BMPs) or potential exemption to the SWPPP operational activities requirement cannot be determined with certainty at this time. However, based on the performance requirements of the NPDES Industrial General Permit, the Project's mandatory compliance with all applicable water quality regulations would further reduce potential water quality impacts during long-term operation. Based on the foregoing, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during long-term operation. (EIR, pp. 4.8-10 to 4.8-11)

B. *Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin? (Threshold "b")*

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project would be served with potable water from the municipal water system and the Project Applicant does not propose the use of any wells or other groundwater extraction activities. Therefore, the Project would not directly draw water from the groundwater table. (EIR, p. 4.8-11)

Development of the Project Site would increase impervious surface coverage on the Project Site, which would, in turn, reduce the amount of water percolating down into the underground aquifer that underlies the Project Site and a majority of the City and surrounding areas (i.e., Riverside-Arlington Subbasin). Percolation is just one of several sources of groundwater recharge for the Subbasin. The Project includes design features that would maximize the percolation of on-site stormwater runoff into the Riverside-Arlington Subbasin, such as underground infiltration chambers and permeable landscape areas. Based on the small size of the Project Site in relation to the size of the groundwater basin and the design features proposed by the Project to allow percolation, implementation of the Project is determined to result in incremental changes to local percolation and would not result in substantial adverse effects to local groundwater recharge. (EIR, p. 4.8-11)

The Riverside North portion of the Riverside-Arlington Subbasin is an adjudicated basin; adjudicated basins are exempt from the 2014 SGMA because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of the Subbasin. No component of the Project would obstruct with or prevent implementation of the management plan for the Riverside-Arlington Subbasin. (EIR, p. 4.8-12)

C. *Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would (Threshold "c"):*

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

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

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

iv. Impede or redirect flood flows?

Finding: Less-than-Significant Impact (EIR pp. 4.8-12 to 4.8-15)

Facts in Support of Finding: Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. In addition, the Project would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Program. Compliance with the NPDES Permit and the Santa Ana River Basin Water Quality Control Program involves the preparation and implementation of a SWPPP for construction-related activities. The SWPPP will specify the BMPs that would be required to be implemented during construction activities to ensure that waterborne pollution – including erosion/siltation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Lastly, the Project Applicant would be required to implement an erosion control plan pursuant to Rialto Municipal Code Section 17.40.010 and to ensure compliance with SCAQMD Rule 403 to minimize water- and windborne erosion. Mandatory compliance with the SWPPP and the City-required erosion control plan would ensure that Project construction activities would not result in substantial erosion or sedimentation. (EIR, pp. 4.8-12 and 4.8-14)

Upon Project buildout, the Project Applicant would be required to implement a SWQMP, which is a site-specific post-construction water quality management program that will be implemented to minimize erosion and siltation, pursuant to Rialto Municipal Code Section 12.60.260. The SWQMP is required to identify an effective combination of erosion control and sediment control measures (i.e., BMPs) to reduce or eliminate sediment discharge to surface water from storm water and non-storm water discharges. The SWQMP also is required to establish a post-construction implementation and maintenance plan to ensure on-going, long-term erosion protection. Compliance with the SWQMP will be required as a condition of approval for the Project, as will the long-term maintenance of erosion and sediment control features. The Project is designed to include structural source control BMPs (including a hydrodynamic separator, catch basin inserts, and underground infiltration chambers beneath the truck yard) as well as operational source control BMPs (including, but not limited to, the installation of water-efficient landscape irrigation systems, storm drain system stenciling and signage, and implementation of a trash and waste storage areas) to minimize, prevent, and/or otherwise appropriately treat stormwater runoff flows for pollutants of concern, including sediment, before they are discharged into the municipal storm drain system. (EIR, p. 4.8-14)

The Project's on-site storm drain plan is designed to capture all stormwater runoff originating on the Project Site during peak storm conditions and convey these flows to Willow Avenue, which receives all stormwater runoff discharge from the Project Site under existing conditions. At buildout,

the Project would discharge approximately 52.6 cfs to Willow Avenue during peak storm events (an approximately 34% increase relative to existing conditions). Although the Project would increase peak stormwater runoff from the Project Site, the Project Site is located within the geographic area covered by the Rialto Master Plan of Drainage and the rate and amount of runoff from the Project Site would not conflict with the drainage concept for the Rialto Master Plan of Drainage, which has been designed to capture and convey peak stormwater runoff flows throughout the City. Also, the Project would install a new storm drain line beneath Willow Avenue between the Project Site and the existing concrete-lined, Caltrans-maintained storm drain channel adjacent to I-10. The proposed storm drain line beneath Willow Avenue will be sized to safely convey Project stormwater flows to the Caltrans storm drain channel, which has adequate capacity to accept the peak runoff flows for the Rialto Master Plan of Drainage (and, thus, from the Project) and safely convey these flows downstream. (EIR, p. 4.8-14)

According to FEMA FIRM Nos. 06071C8659H and 06071C8678J, the Project Site is not located within a special flood hazard area. The Project Site is not expected to be inundated by flood flows during the lifetime of the Project and the Project would not impede flood flows. (EIR, p. 4.8-15)

D. Would the Project result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Threshold "d")

Finding: No Impact

Facts in Support of Finding: The Pacific Ocean is located over 45 miles southwest of the Project Site; consequently, there is no potential for the Project Site to be impacted by a tsunami as tsunamis typically only reach up to a few miles inland. The Project Site also is not subject to flooding hazards associated with a seiche because the nearest large bodies of surface water (Lake Arrowhead, Lake Mathews and Lake Perris) are located approximately 16.1 miles northeast, 15.3 miles southwest, and 17.9 miles southeast of the Project Site, respectively, which is too far away from the subject property to impact the property with a seiche. Because the Project Site cannot be affected by a tsunami or seiche, there is no potential for such hazards to inundate the Project Site and cause a release of waterborne pollutants. (EIR, p. 4.8-15)

E. Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Threshold "e")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project Site is located within the Santa Ana River Basin and Project-related construction and operational activities would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Plan by preparing and adhering to a SWPPP and SWQMP. Implementation of the Project would not conflict with or obstruct the Santa Ana River Basin Water Quality Control Plan. (EIR, p. 4.8-15)

The Project Site is located within the portion of the Riverside-Arlington Subbasin that is adjudicated under the 1969 Western-San Bernardino Judgment. Adjudicated basins, like the Riverside-Arlington Subbasin are exempt from the 2014 Sustainable Groundwater Management Act because

such basins already operate under a court-ordered management plan to ensure the long-term sustainability of the Subbasin. No component of the Project would obstruct with or prevent implementation of the management plan for the Riverside-Arlington Subbasin. As such, the Project's construction and operation would not conflict with any sustainable groundwater management plan. (EIR, pp. 4.8-15 to 4.8-16)

2.2.11 Land Use and Planning

A. Would the Project physically divide an established community? (Threshold "a")

Finding: No Impact

Facts in Support of Finding: The Project Site is developed as outdoor storage for trailers, construction equipment, and construction materials, and contains several structures and outbuildings used for offices and storage. No established residential communities are present on or adjacent to the Project Site. The Project Site does not provide access to established communities and development of the Project Site would not isolate any established communities or residences from neighboring communities. Development and operation of the Project would thus not physically disrupt or divide the arrangement of an established community. (EIR p. 4.9-6)

B. Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Implementation of the Project would not result in substantial land use and planning conflicts with the City of Rialto General Plan, Gateway Specific Plan, City of Rialto Municipal Code and Zoning Ordinance, SCAG SoCal Connect, or SCAQMD Air Quality Management Plan. (EIR, pp. 4.9-6 to 4.9-10)

2.2.12 Mineral Resources

A. 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? (Threshold "a")

B. 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? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The majority of the Project Site is located within Mineral Resource Zone 3 (MRZ 3), which is a designation placed upon areas where the significance of mineral deposits is unknown. A sliver of the Project Site abutting Willow Avenue is located within Mineral Resource Zone 2 (MRZ 2), which is a designation placed upon areas where mineral resources are likely present (ibid.). The MRZ-2 classification is applied to a portion of the Project Site due to the likely presence

of Plain Cement Concrete (PCC)-grade aggregate resources (ibid.). Despite the potential presence of PCC-grade aggregate resources on a small portion of the Project Site, the potential deposits on and abutting the Project Site are not classified as a regionally-significant deposit. Thus, implementation of the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California. (IS, p. 33 / EIR p. 5-7)

2.2.13 Noise

A. Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The facts presented below address the Project's potential construction noise levels and operational noise levels, including operational noise that would be generated on site as well as off-site noise on the roadway system that would be generated by the Project's traffic.

Short-Term Noise During Project Construction

Construction activities on the Project Site would proceed in six (6) stages: 1) demolition; 2) site preparation; 3) grading; 4) building construction; 5) paving; and 6) application of architectural coatings. These activities would create temporary periods of noise when heavy construction equipment (i.e., bulldozer, trucks, concrete mixer, portable generators, power tools) is in operation and would cause a short-term increase in ambient noise levels. The Project's daytime construction noise levels are expected to range from 60.2 to 66.6 dBA Leq at nearby receiver locations, which would not exceed the significance threshold utilized in the EIR. (EIR, p. 4.10-16)

There is the potential during the Project's construction phase that concrete pouring could occur during nighttime hours. Any concrete pouring activities would only occur within the building footprint and would comprise pours for the building foundation and/or wall panels. Nighttime construction noise levels would not exceed 52.5 dBA Leq at nearby receiver locations, which would not exceed the applicable and appropriate significance threshold utilized in the EIR, 70 dBA Leq. (EIR, p. 4.10-17)

Concrete crushing is proposed to occur on the Project Site during construction so that existing concrete on the Project Site can be re-used as a base material during Project construction and to minimize the hauling (and consumption) of new, raw construction materials to the Project Site. Concrete crushing equipment would be staged on the eastern portion of the Project Site, adjacent to Willow Avenue. None of the receiver locations located near the Project Site would be exposed to noise levels from concrete crushing that exceed the applicable threshold of significance. (EIR, pp. 4.10-17 and 4.10-18)

Stationary Noise During Project Operation

Stationary (on-site) noise sources associated with long-term Project operation are expected to include idling trucks, delivery truck and automobile parking, delivery truck backup alarms, roof-top air conditioning units, loading and unloading of dry goods, and parking lot vehicle movements. The

Project also is expected to generate noise during the loading and unloading of delivery trailers on site. None of the sensitive receptor locations near the Project Site would be exposed to noise levels that exceed the applicable significance threshold utilized in the EIR. Additionally, Project-related operational noise would generate daytime and nighttime operational noise level increases ranging from 0.0 to 0.3 dBA; these noise levels would not be perceptible and would not exceed the applicable significance thresholds. (EIR, pp. 4.10-18 and 4.10-19)

Transportation Noise During Project Operation

To evaluate off-site noise increases that could result from Project-related traffic, noise levels were modeled for the following scenarios: Existing plus Project (E+P), Existing plus Ambient Growth plus Project (EAP) (2023), Existing plus Ambient Growth plus Project plus Cumulative (EAPC) (2023), and Horizon Year (2040).

Project traffic noise would generate a noise level increase of up to 2.6 dBA CNEL on the study area roadway segments; noise from Project-related operational traffic would not exceed the applicable 5 dBA or 3 dBA or greater noise level increase significance thresholds under the E+P scenario. (EIR, p. 4.10-20)

Project traffic noise would generate a noise level increase of up to 2.6 dBA CNEL on the study area roadway segments; noise from Project-related operational traffic would not exceed the applicable 5 dBA or 3 dBA or greater noise level increase significance thresholds under the EAP (2023) scenario. (EIR, p. 4.10-20)

Project traffic noise would generate a noise level increase of up to 2.1 dBA CNEL on the study area roadway segments; noise from Project-related operational traffic would not exceed the applicable 5 dBA or 3 dBA or greater noise level increase significance thresholds under the EAPC (2023) scenario. (EIR, p. 4.10-21)

Project traffic noise would generate a noise level increase of up to 1.9 dBA CNEL on the study area roadway segments; noise from Project-related operational traffic would not exceed the applicable 5 dBA or 3 dBA or greater noise level increase significance thresholds under the Horizon Year (2040) scenario. (EIR, p. 4.10-21)

B. Would the Project result in generation of excessive groundborne vibration or groundborne noise levels? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Construction activities on the Project Site would utilize equipment that has the potential to generate vibration. None of the receiver locations in the vicinity of the Project Site would be exposed to vibration levels during construction, including concrete crushing, that exceed the applicable significance threshold. (EIR, p. 4.10-22)

Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project Site. Trucks would travel to

and from the Project Site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on paved surfaces are not perceptible beyond the roadway. (EIR, p. 4.10-23)

C. *For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Threshold "c")*

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project Site is neither located within an airport land use plan for an active airport nor within two miles of an active public/public use airport. Accordingly, the Project would not expose people working on the Project Site to excessive noise levels from airport operations. (EIR, p. 4.10-24)

2.2.14 Population and Housing

A. *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)? (Threshold "a")*

Finding: Less-than-Significant Impact

Facts in Support of Finding: The proposed Project would result in development of the Project Site with industrial land uses that would add employment opportunities to the area. It is anticipated that the employment base for both the construction and operational phases of the Project would come from the existing population in the Inland Empire, which comprises western Riverside County and southwestern San Bernardino County. According to the Bureau of Labor Statistics, the Riverside-San Bernardino-Ontario region's civilian labor force contains approximately 2,071,914 persons with approximately 1,908,605 people employed and an unemployment rate of approximately 8% (approximately 163,309 persons). Accordingly, the Project region contains an ample supply of potential employees under existing conditions and the Project's labor demand is not expected to draw substantial numbers of new residents to the area. Furthermore, approximately 92% of City residents commute outside of the City for work; therefore, the Project would provide job opportunities closer to home for existing and future Rialto residents (approximately 542 full-time equivalent jobs and 639 total jobs). (IS, pp. 34-35 / EIR pp. 5-8, 5-9)

There are no components of the Project that would reasonably result in indirect or unplanned population growth because the surrounding area is mostly developed under existing conditions or planned for development by the Gateway Specific Plan. The Project would install new/expanded infrastructure; however, this infrastructure would either be master-planned facilities (meaning the facilities would be installed with or without the Project) or private facilities for the sole use of the Project (meaning they would not be available for general public use). Accordingly, no significant indirect impacts associated with population growth would result from any Project-related improvements because the Project and its required improvements would not induce substantial growth within surrounding areas. (IS, pp. 34-35 / EIR pp. 5-8, 5-9)

B. Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (Threshold "b")

Finding: No Impact

Facts in Support of Finding: Under existing conditions, the Project Site is completely developed as outdoor storage for trailers, construction equipment, and construction materials, and contains several outbuildings used for storage and offices. The removal of these structures would not result in the displacement of substantial numbers of existing people or housing and would not necessitate the construction of replacement housing elsewhere. (IS, p. 35 / EIR p. 5-9)

2.2.15 Public Services

A. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire Protection (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Rialto Fire Department provides fire protection service to the Project area from Station 205, which is located at 1485 S. Willow Avenue – across the street from the Project Site. Based on the Project Site's proximity to Station 205, this station will be able to adequately meet the Project's (relatively limited) demand for fire protection services and implementation of the Project would not result in the need for new, expanded, or unplanned facilities would be required. (IS, pp. 35-36 / EIR, pp. 5-9, 5-10)

The Project is required to comply with the provisions of the City's Development Impact Fee (DIF) Ordinance (Rialto Municipal Code Chapter 3.33), which requires a fee payment that the City applies to the funding of fire protection facilities. The City will collect DIF from the Project Applicant at the time of building permit issuance (based on building square footage). The Project's payment of DIF, as well as increased tax revenues that would result from development of the Project, would be used by the City to help pay for fire protection services and other public services. (IS, pp. 35-36 / EIR, pp. 5-9, 5-10)

The Project would incorporate fire prevention and fire suppression design features to minimize the potential demand placed on the Rialto Fire Department. The proposed warehouse distribution building would be of concrete tilt-up construction. Concrete is non-flammable and concrete tilt-up buildings have a lower fire hazard risk than wood-frame construction. The Project also would install fire hydrants on site and would provide paved primary and secondary emergency access to the Project Site to support the Rialto Fire Department in the event fire suppression activities are needed on site. Lastly, the proposed warehouse distribution building would be equipped with fire sprinklers in accordance with the California and Rialto building codes. Based on its size and scale, the proposed building would likely feature Early Suppression, Fast Response (ESFR) ceiling mounted fire sprinklers

(or a comparable fire suppression system) that exceed the fire protection of traditional sprinkler systems. ESFR high output, high volume systems are located in ceiling spaces as with conventional fire sprinkler systems, but they incorporate large, high-volume, high-pressure heads to provide the necessary fire protection for industrial buildings that may contain high-piled storage. While most other sprinklers are intended to control the growth of a fire, an ESFR sprinkler system is designed to suppress a fire. To suppress a fire does not necessarily mean it will extinguish the fire but rather it is meant to "knock" the fire back down to its source. (IS, pp. 35-36 / EIR, pp. 5-9, 5-10)

B. *Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Police Protection (Threshold "b")*

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Rialto Police Department provides police protection services to the Project area from its station at 128 North Willow Avenue. Implementation of the Project would result in an incremental increase in demand for police protection services relative to existing uses on the Project Site, but the increase is not anticipated to be substantial and would not require or result in the construction of new or physically altered police facilities. The Project Applicant would be required to comply with the provisions of the City's DIF Ordinance (Municipal Code Chapter 3.33). This ordinance requires a fee payment that the City applies to the funding of public facilities, including police protection facilities. The City will collect the Project's DIF share from the Project Applicant at the time of building permit issuance (based on building square footage). The Project's payment of DIF, as well as increased tax revenues that would result from development of the Project, would be used by the City to help pay for police protection services and other public services. (IS, pp. 36-37 / EIR, p. 5-10)

C. *Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Schools (Threshold "c")*

Finding: Less-than-Significant Impact

Facts in Support of Finding: Implementation of the Project would not create a direct demand for public school services, as the Project Site would contain non-residential uses that would not generate any school-aged children requiring public education. Thus, the Project is not expected to draw a substantial number of new residents to the region and would therefore not indirectly generate new school-aged students in the City requiring public education. Although the Project would not create a demand for additional public school services, the Project Applicant would be required to contribute development impact fees to the Colton Joint Unified School District in compliance with California Senate Bill 50 (Greene), which allows school districts to collect fees from new developments to offset

the costs associated with increasing school capacity needs. Mandatory payment of school fees would be required prior to the issuance of a building permit. (IS, pp. 36-37 / EIR, pp. 5-10, 5-11)

D. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Parks (Threshold "d")

Finding: No Impact

Facts in Support of Finding: The Project would not create a demand for public park facilities and would not result in the need to modify existing or construct new park facilities. (IS, p. 37 / EIR, p. 5-11)

E. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Other Public Facilities (Threshold "e")

Finding: No Impact

Facts in Support of Finding: The Project is not expected to result in a demand for other public facilities/services, including libraries, community recreation centers, post offices, and animal shelters. (IS, pp. 37-38 / EIR, p. 5-11)

2.2.16 Recreation

A. Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Threshold "a")

Finding: No Impact

Facts in Support of Finding: The Project does not propose any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. (IS, p. 38 / EIR p. 5-11)

B. Does the Project include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment? (Threshold "b")

Finding: No Impact

Facts in Support of Finding: The Project does not include the construction of any new on- or off-site recreation facilities. The Project would not expand any existing off-site recreational facilities. Therefore, environmental effects related to the construction or expansion of recreational facilities would not occur with implementation of the proposed Project. (IS, p. 38 / EIR p. 5-12)

2.2.17 Transportation

A. Would the Project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (Threshold "a")

Finding: No Impact

Facts in Support of Finding: The Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities applicable to the Project, including SCAG's Connect SoCal and the City of Rialto General Plan Circulation Chapter. (EIR, pp. 4.11-15 to 4.11-27)

B. Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)? (Threshold "c")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The type of traffic generated by the Project (i.e., passenger cars and trucks) would be compatible with the type of existing traffic on Project Study Area roadways, as the surrounding area is already developed – or planned for – industrial and commercial land uses. In addition, all proposed improvements within the public right-of-way, including Project driveways and striping and lane transitions adjacent to Project driveways, would be installed in conformance with City roadway design standards. The proposed modifications to the curb radius at the northwest and northeast corners of the intersection of Valley Boulevard and Willow Avenue would ensure safe turning movements for trucks traveling to and from the Project Site while also providing safe pedestrian travel through the intersection. The City of Rialto Public Works Department reviewed the Project's application materials – including truck template turning movement exhibits for the intersection of Valley Boulevard and Willow Avenue – and determined that no hazardous transportation design features would be introduced by the Project. (EIR pp. 4.11-28, 4.11-29)

C. Would the Project result in inadequate emergency access? (Threshold "d")

Finding: No Impact

Facts in Support of Finding: The City of Rialto reviewed the Project's design and confirmed that the Project's design provides adequate access to-and-from the Project Site for emergency vehicles and also that development of the Project would not interfere with the circulation of emergency vehicles along public streets that abut the Site. The City also confirmed that the Project's design provides

internal paths of travel that are adequate for emergency vehicles. Lastly, the City will review all future Project construction drawings as part of the building permit review and approval process to ensure that adequate emergency access is maintained along abutting public streets during construction activities. Specifically, all Project construction materials and equipment would be stored/staged on the Project Site and would not interfere with emergency vehicles traveling along Valley Boulevard or Willow Avenue. Any Project construction activities that would occur within the Valley Boulevard and Willow Avenue public rights-of-way and requires a partial or full closure of a sidewalk or vehicle travel lane would require a traffic control plan that complies with the California Manual on Uniform Traffic Control Devices and that must be approved by the City of Rialto to ensure that emergency response is not adversely affected. (EIR, p. 4.11-29)

2.2.18 Utilities and Services Systems

A. Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects? (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The facts presented below address the Project's potential to require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities.

Water and Water Treatment Facilities

No existing water lines would be relocated or upsized as part of the proposed Project. The Project's on-site water lines would be connected to an existing 8-inch-diameter water main beneath Valley Boulevard and an existing 10-inch diameter water main beneath Willow Avenue. Construction activities within the public street right of way have the potential to create intermittent and short-term inconvenience hazards for motorists and pedestrians; however, all water utility construction work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the State of California Department of Transportation Construction Manual, published by Caltrans. The construction of the proposed water service connections, which would occur over a few days' time, also has the potential to cause environmental effects associated with short-term air pollutant, noise emissions, and water quality effects that are an inherent part of the Project's construction process. The Project's construction air quality and noise emissions effects are disclosed in the EIR (the construction-level impacts disclosed in the EIR are inclusive of the effects from the construction of water infrastructure). Where significant construction-related impacts have been identified, feasible and enforceable mitigation measures are imposed by the EIR to reduce the Project's impacts to the maximum practical effect. There are no significant environmental impacts specifically related to construction of the Project's water line connection. (EIR, pp. 4.13-13 to 4.13-14)

Wastewater and Wastewater Treatment Facilities

The Project's on-site sewer conveyance lines would connect to an existing 18-inch sewer line located beneath Willow Avenue; the Project would not relocate or expand/upsize any existing sewer lines as the existing lines have adequate capacity to receive wastewater flows from the Project.

Construction activities within the public street right of way have the potential to create intermittent and short-term inconvenience hazards for motorists and pedestrians; however, all wastewater utility construction work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the State of California Department of Transportation Construction Manual, published by Caltrans. The construction of the proposed wastewater service connections, which would occur over a few days' time, also has the potential to cause environmental effects associated with short-term air pollutant, noise emissions, and water quality effects that are an inherent part of the Project's construction process. The Project's construction air quality, noise emissions, and water quality effects are disclosed in the EIR (the construction-level impacts disclosed in the EIR are inclusive of the effects from the construction of wastewater infrastructure). Where significant construction-related impacts have been identified, feasible and enforceable mitigation measures are imposed by the EIR to reduce the Project's impacts to the maximum practical effect. There are no significant environmental impacts specifically related to construction of the Project's wastewater line connection. (EIR, p. 4.13-14)

Stormwater Drainage Facilities

The Project also would involve the construction of an on-site stormwater drain system, including catch basins and underground storm drain pipes to capture and convey storm water runoff from across the Project Site. Stormwater runoff from the Project Site would be discharged to a new public storm drain line within Willow Avenue, adjacent to the southeast corner of the Project Site, to be installed as part of the proposed Project. The proposed public storm drain line would extend south beneath Willow Avenue and connect to an existing concrete channel north of I-10 that is owned and maintained by Caltrans. The proposed storm drain improvements would be consistent with the City of Rialto Master Plan of Drainage. Construction activities within the public street right of way have the potential to create intermittent and short-term inconvenience hazards for motorists and pedestrians; however, all stormwater drainage utility construction work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the State of California Department of Transportation Construction Manual, published by Caltrans. The construction of proposed stormwater drainage facilities also has the potential to cause environmental effects associated with short-term air pollutant, noise emissions, and water quality effects that are an inherent part of the Project's construction process. The Project's construction air quality, noise emissions, and water quality effects are disclosed in the EIR (the construction-level impacts disclosed in the EIR are inclusive of the effects from the construction of stormwater drainage infrastructure). Where significant construction-related impacts are identified in the above-listed sections, feasible and enforceable mitigation measures are imposed by the EIR to reduce the Project's impacts to the maximum practical effect. There are no significant environmental impacts specifically related to construction of the Project's proposed stormwater drainage improvements. (EIR, p. 4.13-15)

Dry Utilities

The Project would involve utility connections to provide electric power and telecommunications services to the Project Site. In addition, existing above-ground power lines located at the Project's site frontage with Valley Boulevard and Willow Avenue would be undergrounded as part of Project construction. The construction of the proposed dry utility improvements has the potential to cause environmental effects associated with short-term air pollutant emissions, noise, water quality effects, and traffic movement disruptions and are an inherent part of the Project's construction

process. All dry utility construction work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the State of California Department of Transportation Construction Manual, published by Caltrans. The Project's construction air quality, noise emissions, and water quality effects are disclosed in the EIR (the construction-level impacts disclosed in the EIR are inclusive of the effects from the construction of dry utility infrastructure). Where significant construction-related impacts have been identified in the above-listed sections, feasible and enforceable mitigation measures are imposed by the EIR to reduce the Project's impacts to the maximum practical effect. There are no significant environmental impacts specifically related to the installation of the proposed dry utility improvements. (EIR, p. 4.13-15 and 4.13-16)

B. *Would sufficient water supplies be available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years? (Threshold "b")*

Finding: Less-than-Significant Impact

Facts in Support of Finding: Project operations are estimated to demand approximately 40,232 gallons of water per day (gpd). Construction activities on the Project Site would utilize water; however, the construction water demand is not expected to exceed the Project's operational demand of 40,232 gpd. The City of Rialto is responsible for supplying potable water to the Project Site and surrounding area. As discussed in the 2015 San Bernardino Valley Regional UWMP, which applies to and was adopted by the City, adequate water supplies are projected to be available to meet the City's estimated water demand through 2040 under normal, historic single-dry and historic multiple-dry year conditions. The City's forecasts for projected water demand rely on the City's adopted General Plan land use designations within its service area. The water use projections utilized in the 2015 San Bernardino Valley Regional UWMP were based on the Site's existing land use designations, where approximately 8.5 acres of the Project Site has a commercial land use designation and approximately 11.6 acres of the Site has an industrial land use designation. The Project would modify the Site's land use designations so that the entire Site has an industrial land use designation. According to the City's estimated water usage rates, commercial land uses demand more water than industrial land uses; therefore, eliminating potential commercial land uses on the Project Site would reduce the overall planned water demand for the Project Site. Because the Project's water demand would be less than projected for the Site's existing land use designation, the determination of the 2015 UWMP remains valid and the City would have sufficient water supplies available to serve the Project from existing entitlements/resources and no new or expanded entitlements are needed. (EIR, p. 4.13-16)

C. *Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Threshold "c")*

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project is calculated to generate 30,150 gpd of wastewater. Construction activities on the Project Site would generate wastewater (via portable toilets); however, the construction wastewater generation is not expected to exceed the Project's operational total of 30,150 gpd. Wastewater generated by the Project would be treated by the RWTP. The RWTP

approximately 3.7 million gallons of excess treatment capacity under existing conditions. The wastewater generated by the Project would only represent approximately 0.8% of the excess treatment capacity of the RWTP; therefore, it is anticipated that RWTP has sufficient treatment capacity to provide service to the Project. (EIR, p. 4.13-17)

D. 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? (Threshold "d")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project would be required to comply with mandatory waste reduction requirements of the California Integrated Waste Management Act (AB 939), the California Solid Waste Reuse and Recycling Act of 1991 (Cal Pub Res. Code Section 42911), and 8.08 (Refuse Collection) of the City of Rialto Municipal Code. Notwithstanding, construction and operation of the Project would result in the generation of solid waste requiring disposal at a landfill. (EIR, p. 4.13-17)

Construction of the Project would generate solid waste requiring landfill disposal in the form of demolition debris, remnants of unused construction materials, and discarded materials and packaging. Approximately 1,068.5 tons of waste is expected to be generated over the course of the Project's construction phase, which correlates to approximately 3.8 tons per day. CALGreen requires that a minimum of 65% of all solid waste be diverted from landfills (by recycling, reusing, and other waste reduction strategies) consistent with the State's solid waste reduction goals and the Project construction contractors would be required to implement a construction waste management plan to comply with CALGreen's requirements; therefore, the Project is estimated to generate a total of approximately 694.5 tons of construction waste requiring landfilling during the construction phase, or approximately 2.5 tons per day. Non-recyclable demolition debris and construction waste generated by the Project would be disposed at the Mid-Valley Landfill. The Mid-Valley Landfill receives well below its maximum permitted daily disposal volume of 7,500 tons per day. The estimated 2.5 tons per day of waste that would be generated during Project construction would represent only 0.03% of the maximum permitted daily disposal volume at the Mid-Valley Landfill; thus, demolition and construction waste generated by the Project is not anticipated to cause the landfill to exceed its maximum permitted daily disposal volume. Furthermore, the Mid-Valley Landfill is not expected to reach its total maximum permitted disposal capacity during the Project's construction period. (EIR, p. 4.13-18)

Long-term operation of the Project would generate approximately 3.5 tons of solid waste per day. A minimum of 50% of all solid waste would be required to be recycled pursuant to AB 939, consistent with the State's solid waste reduction goals; therefore, the Project would generate approximately 1.75 tons per day of solid waste requiring disposal at a landfill. Non-recyclable waste generated by the Project would be disposed at the Mid-Valley Landfill. The Project's long-term generation of this volume of solid waste is not in excess of State or local disposal standards, or in excess of the local infrastructure capacity to handle the waste disposal. The estimated 1.75 tons per day of solid waste that would be generated by Project operations would represent only 0.02% of the

landfill's maximum permitted daily capacity of 7,500 tons per day and only 0.07% of the landfill's existing excess daily disposal capacity. (EIR, pp. 4.13-18 to 4.13-19)

E. Would the Project comply with federal, State, and local management and reduction statutes and regulations related to solid waste? (Threshold "e")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Pursuant to City of Rialto Municipal Code Chapter 8.08, the Project provides separate bins on the southwestern portion of the Project Site (within the truck court) to allow tenants to separate recyclable materials from refuse. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (PRC Section 42911), the Project is required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued. Further, in compliance with AB 341 (Mandatory Commercial Recycling Program), the future occupant(s) of the proposed Project would be required to arrange for recycling services, if the occupant generates four (4) or more cubic yards of solid waste per week. The implementation of these mandatory requirements would reduce the amount of solid waste generated by the Project and diverted to landfills, which in turn will aid in the extension of the life of affected disposal sites. (EIR, p. 4.13-19)

2.2.19 Wildfire

A. Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan? (Threshold "a")

B. 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? (Threshold "b")

C. 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? (Threshold "c")

D. 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? (Threshold "d")

Finding: No Impact

Facts in Support of Finding: The Project Site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; therefore, the Project would not exacerbate existing wildfire hazard risks or expose people or the environment to adverse environmental effects related to wildfires. (IS, p. 42 / EIR p. 5-12)

2.3 Impacts Identified in the EIR as Potentially Significant that Have been Mitigated to a Level of Less than Significant

The City Council hereby finds that feasible mitigation measures have been identified in the EIR that will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level, pursuant to CEQA Guidelines § 15091(a)(1). The potentially significant impacts, and the mitigation measures that will reduce them to a less than significant level, are as follows:

2.3.1 Air Quality

A. *Would the Project conflict with or obstruct implementation of the applicable air quality plan? (Threshold "a")*

B. *Would the Project result in a cumulatively-considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard? (Threshold "b" for Construction Emissions)*

Finding: Less-than-Significant Impact with Mitigation

Facts in Support of Finding: Peak construction emissions of nitrogen oxides (NO_X) would exceed the applicable SCAQMD regional threshold. NO_X is a precursor for ozone, a pollutant for which the SCAB does not attain federal (NAAQS) or State (CAAQS) standards. Accordingly, peak NO_X emissions during Project construction would exceed the applicable SCAQMD regional threshold and would result in a considerable net increase of a criteria pollutant for which the SCAB is in nonattainment which, also, could delay implementation of the AQMP for the SCAQMD. These are considered significant direct and cumulatively considerable impacts. (EIR, pp. 4.2-24, 4.2-26)

To ensure that peak construction NO_X emissions are mitigated to a level of less than significant, the following mitigation measure is required.

> ***MM 4.2-3***. *Project construction contractors shall assure that construction equipment greater than 150 horsepower achieves or is equivalent to Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 3 emissions standards. Also, Project construction contractors shall tune and maintain all construction equipment in accordance with the equipment manufacturer's recommended maintenance schedule and specifications. Maintenance records for all pieces of equipment shall be kept on site for the duration of construction activities and shall be made available for periodic inspection by City of Rialto staff or their designee.*

MM 4.2-3 would require Project contractors to use off-road construction equipment that meet stringent tailpipe emissions standards. With implementation of MM 4.2-3, NO_X emissions during peak Project construction activities would fall below the applicable SCAQMD regional significance threshold which the City has incorporated as its significance threshold based on its independent judgement, and, therefore, would be less than significant. (EIR, p. 4.2-36)

2.3.2 Cultural Resources

A. Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? (Threshold "b")

Finding: Less-than-Significant Impact with Mitigation

Facts in Support of Finding: No known prehistoric archaeological resources are present on the Project Site and the likelihood of uncovering buried prehistoric cultural resources on the Project Site is low due to the magnitude of historic ground disturbance on the Project Site. Nonetheless, the potential exists for Project construction activities to result in a direct and cumulatively-considerable impact to significant subsurface prehistoric archaeological resources should such resources be discovered during Project-related construction activities within previously undisturbed soils. (EIR, p. 4.3-8)

To ensure that Project construction activities do not inadvertently impact significant prehistoric archaeological resources, the following mitigation measures are required.

MM 4.3-1. *Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Rialto that an archaeologist that meets the latest version of the Secretary of the Interior Professional Qualifications Standards (hereafter "Project Archaeologist") has been retained to conduct the training and monitoring activities described in Mitigation Measure 4.3-2 and Mitigation Measure 4.3-3.*

MM 4.3-2. *Prior to the issuance of a grading permit, the Project Applicant or construction contractor shall provide evidence to the City of Rialto that the construction site supervisors and crew members involved with grading and trenching operations have received training by the Project Archaeologist to recognize archaeological resources (historic and prehistoric) should such resources be unearthed during ground-disturbing construction activities. The training will include a brief review of the cultural sensitivity of the area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of archaeological resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new supervisorial construction personnel involved with grading and trenching operations that begin work on the Project Site after the initial training session must take the training prior to beginning work on-site.*

MM 4.3-3. *The Project Archaeologist shall conduct monitoring during all grading, trenching, and excavation activities that occur within previously undisturbed on the Project Site (i.e., soils below the approximately 5.5-foot-thick layer of artificial fill at and immediately below the existing ground surface). The Project Archaeologist shall be equipped to salvage artifacts if they are unearthed to avoid construction delays. Should the Project Archaeologist determine that there are no archaeological resources within the Project's disturbance area or should the archaeological sensitivity be reduced to low during construction activities, archaeological monitoring activities can be reduced to spot-checking or may be allowed to cease.*

MM 4.3-4. *If a suspected significant archaeological resource is found, the construction supervisor shall immediately halt grading operations within a 50-foot radius around the find ("buffer area"), redirect grading operations outside of the buffer area, and seek identification and evaluation of the suspected resource by the Project Archaeologist. This requirement shall be noted on all grading plans and the construction contractor shall be obligated to comply with the note. The Project Archaeologist shall evaluate the suspected resource and make a determination of significance pursuant to CEQA Guidelines Section 15064.5 and California Public Resources Code Section 21083.2. If the resource is significant, Mitigation Measure 4.3-5 shall apply.*

MM 4.3-5. *If a significant archaeological resource is discovered, ground disturbing activities shall be suspended 50 feet around the resource until a treatment plan is implemented. A treatment plan shall be prepared and implemented, subject to approval by the City of Rialto, to protect the identified resource(s) from damage and destruction. The treatment plan shall contain a research design and data recovery program necessary to document the size and content of the discovery such that the resource(s) can be evaluated for significance under CEQA criteria. The research design shall list the sampling procedures appropriate to exhaust the research potential of the archaeological resource(s) in accordance with current professional archaeology standards. In the event the discovered resource(s) is or suspected to be of Native American origin, the treatment plan shall require monitoring by the appropriate Native American Tribe(s) during data recovery and shall require that all recovered artifacts undergo basic field analysis and documentation or laboratory analysis, whichever is appropriate. At the completion of the basic field analysis and documentation or laboratory analysis, any recovered resource(s) shall be processed and curated according to current professional repository standards. The collections and associated records shall be donated to an appropriate curation facility, or, the artifacts may be delivered to the appropriate Native American Tribe(s) if that is recommended by the City of Rialto. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the City of Rialto, the South Central Coastal Information Center at California State University, Fullerton, and the appropriate Native American Tribe(s).*

MM 4.3-1 through MM 4.3-5 provide a program that would ensure the proper identification and subsequent treatment of any significant archaeological resources, if encountered during Project construction activities. With implementation of the required mitigation, the Project's potential impact to significant archaeological resources would be reduced to less-than-significant. (EIR, p. 4.3-11)

2.3.3 Geology and Soils

A. Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Threshold "f")

Finding: Less-than-Significant Impact with Mitigation

Facts in Support of Finding: The eastern portion of the Project Site is underlain with young alluvial fan deposits, which have a low paleontological sensitivity, while the western portion of the

Project Site is underlain with old alluvial fan deposits, which contains a high paleontological sensitivity. In an event that the Project's construction activities encroach into previously undisturbed Pleistocene older alluvium, the Project could result in impacts to important paleontological resources that may exist below the ground surface if they are unearthed and not properly treated. Therefore, the Project's potential to directly or indirectly destroy a unique paleontological resource buried beneath the ground surface is determined to be a significant direct and cumulatively considerable impact and mitigation is required. (EIR, pp. 4.5-13 to 4.5-14)

To ensure that Project construction activities do not inadvertently impact significant prehistoric archaeological resources, the following mitigation measures are required.

MM 4.5-1. *Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Rialto that a qualified paleontologist ("paleontologist") has been retained by the Project Applicant or contractor to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.*

MM 4.5-2. *The paleontologist shall conduct full-time monitoring during grading and excavation operations in undisturbed, Pleistocene older alluvium soils and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by the paleontologist to have a low potential to contain or yield fossil resources.*

MM 4.5-3. *Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into the collections of the Division of Geological Sciences, San Bernardino County Museum, shall be required for discoveries of significance as determined by the paleontological monitor.*

MM 4.5-4. *A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Rialto prior to issuance of the first occupancy permit.*

MM 4.5-1 through MM 4.5-4 provide a program that would ensure the proper identification and subsequent treatment of any significant paleontological resources, if encountered during Project construction activities. With implementation of the required mitigation, the Project's potential impact to significant paleontological resources would be reduced to less-than-significant. (EIR, p. 4.5-15)

2.3.4 Hazards and Hazardous Materials

A. Would the Project create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? (Threshold "a")

B. 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? (Threshold "b")

Finding: Less-than-Significant Impact with Mitigation

Facts in Support of Finding: The Project Site contains soils contaminated with hydrocarbons and volatile organic compounds that, although not expected to pose a substantial risk to the environment or people on the Project Site, could require remediation. (EIR, pp. 4.7-15 and 4.7-16)

To ensure that Project construction activities do not inadvertently release of hazardous materials into the environment, the following mitigation measures are required.

MM 4.7-1. *Prior to the issuance of the first grading or building permit for the 350 West Valley Boulevard property, the Project Applicant shall provide evidence to the City of Rialto that the Department of Toxic Substances Control (DTSC) has issued a "No Further Action" letter (or equivalent) for soils located in the southeast portions of the 350 West Valley Boulevard property where concentrations of hydrocarbons were previously detected in soils, and where PCE was previously detected in soil vapor. In the event that DTSC determines that soil remediation is required, the grading and/or building plans shall incorporate any construction and/or site design features required by the DTSC, which may include utility trench dams, utility conduit seals, sub-slab vents, and sub-slab vapor barriers.*

MM 4.7-2. *Prior to issuance of a grading permit, the City of Rialto shall ensure the note listed in sub-paragraph "a" below is included on grading plans. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by City of Rialto staff or its designee. These notes shall also be specified in bid documents to prospective construction contractors.*

a. In the event that underground storage tanks (USTs), septic systems, asbestos containing materials (ACMs), or lead based paint (LBP) are found on the Project Site during demolition and/or construction activities, these materials shall be remediated and properly disposed of in accordance with applicable federal, State, and San Bernardino County Fire Department, Hazardous Materials Division requirements.

Implementation of MM 4.7-1 through 4.7-2 would ensure that any contaminated soils or other contaminated materials encountered during Project construction that are determined to be hazardous by an applicable government oversight agency are appropriately remediated so that they would not pose a hazard to the public or the environment. As such, implementation of the Project would result in an improved environmental condition by addressing and remediating any existing environmental hazards and ensuring that operations on the Project Site do not contribute to them again in the future. (EIR, pp. 4.7-23 to 4.7-24)

2.3.5 Tribal Cultural Resources

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

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Finding: Less-than-Significant Impact with Mitigation

Facts in Support of Finding: No prehistoric resource sites, features, places, or landscapes were identified on the Project site that are either listed or eligible for listing in the California Register of Historic Places and no prehistoric resource sites or isolates were found on the Project site. As part of the SB 18/AB 52 consultation process required by State law, the City of Rialto sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project area. One tribe, the Gabrieleño Band of Mission Indians – Kizh Nation, requested consultation. During the course of the tribal consultation process, Gabrieleño Band of Mission Indians – Kizh Nation did not provide the City with substantial evidence indicating that tribal cultural resources, as defined in Public Resources Code Section 21074, are present on the Project Site or have been found previously on the Project Site. Notwithstanding, due to the Project Site's location in an area where Native American tribes are known to have a cultural affiliation, the Gabrieleño Band of Mission Indians – Kizh Nation indicated that there is the possibility that prehistoric archaeological resources, including tribal cultural resources, could be encountered during ground-disturbing construction activities. The mitigation considerations requested by the Gabrieleño Band of Mission Indians – Kizh Nation are incorporated into the mitigation measures listed below. (EIR, pp. 4.12-7 to 4.12-9)

MM 4.12-1. *Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities*

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

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

C. On the days the monitor is present, the monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.

D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

E. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

***MM 4.12-2**. Unanticipated Discovery of Human Remains and Associated Funerary Objects*

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

B. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.

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

D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, unless the Kizh determines in its reasonable discretion that resuming construction activities at that distance is not acceptable, and provides an alternative distance or other mitigation measures the Kizh monitor and/or archaeologist deems necessary in their reasonable discretion. (CEQA Guidelines Section 15064.5(f).)

E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

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

MM 4.12-3. *Procedures for Burials and Funerary Remains:*

A. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term "human remains" encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.

B. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.

C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.

D. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every reasonable effort to recommend diverting the project around the immediate area of where the human remains are discovered and keeping the remains in situ and protected, if feasible. If the project cannot be diverted, the burials may be removed.

E. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site in the immediate area of where the human remains are discovered, the landowner shall arrange a designated site location within the footprint of the project, if feasible, for the respectful reburial of the human remains and/or ceremonial objects.

F. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

G. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

Implementation of Mitigation Measures MM 4.12-1 through MM 4.12-3 would ensure the proper identification and subsequent treatment of any significant tribal cultural resources that may be encountered during ground-disturbing activities associated with Project development. With implementation of the required mitigation, the Project's potential impact to significant tribal cultural resources would be reduced to less than significant. (EIR, p. 4.12-9)

2.4 Impacts Identified in the EIR as being Significant and Unavoidable

The City Council hereby finds that, despite the incorporation of mitigation measures outlined herein and in the EIR, the following impacts from the proposed Project and related approvals cannot be fully mitigated to a less than significant level by any feasible mitigation measures pursuant to CEQA Guidelines 15091(a)(2) and (a)(3), which are infeasible as a result of specific economic, legal, social, technological, and other considerations, or are within the responsibility and jurisdiction of another public agency. and a Statement of Overriding Considerations is therefore included herein. For the reasons set forth in the Statement of Overriding Considerations, the City Council finds and declares, in its independent judgment, that the Project's benefits substantially outweigh and justify the following significant and unavoidable impacts:

2.4.1 Air Quality

A. Would the Project conflict with or obstruct implementation of the applicable air quality plan? (Threshold "a")

B. Would the Project result in a cumulatively-considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard? (Threshold "b")

Finding: Significant and Unavoidable Direct and Cumulatively-Considerable Impact

Facts in Support of Finding: The Project's operational emissions of nitrogen oxides (NO_X) would exceed the applicable South Coast Air Quality Management District (SCAQMD) regional significance thresholds. Accordingly, the Project's operational activities would conflict / obstruct implementation of the applicable air quality plan and result in a cumulatively-considerable net increase of NO_X. (EIR, pp. 4.2-24, 4.2-26 to 4.2-27)

The following mitigation measures would reduce the Project's operational-related NO_X emissions and the contributions of this pollutant to the SCAB's non-attainment status for ozone.

MM 4.2-4. *Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use for more than five (5) minutes; and 2) instructions for drivers of diesel trucks to restrict idling to no more than five (5) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged. Prior to the issuance of an occupancy permit, the City of Rialto shall conduct a site inspection to ensure that the signs are in place.*

MM 4.2-5. *Prior to building permit issuance, the City of Rialto shall ensure that the parking lot striping and security gating plan allows for adequate truck stacking at gates to prevent queuing of trucks outside the property.*

MM 4.2-6. *Prior to the issuance of a building permit, the Project Applicant or successor in interest shall provide documentation to the City of Rialto demonstrating that the Project is designed to include the energy efficiency design features listed below at a minimum.*

a) Preferential parking locations for carpool, vanpool, EVs and CNG vehicles;

b) Secure, weather protected bicycle parking;

c) Installation of the minimum number of passenger vehicle EV charging stations required by Title 24 and the installation of conduit at a minimum of five (5) percent of the Project's total number of automobile parking spaces to accommodate the future, optional installation of EV charging infrastructure;

d) The building's roof shall be designed and constructed to accommodate the potential, future construction of maximally-sized photovoltaic (PV) solar arrays taking into consideration limitations imposed by other rooftop equipment, roof warranties, building and fire code requirements, and other physical or legal limitations. The building shall include an electrical system and other infrastructure sufficiently-sized to accommodate the potential installation of maximally-sized PV arrays in the future. The electrical system and infrastructure must be

clearly labeled with noticeable and permanent signage which informs future occupants/owners of the existence of this infrastructure;

e) The building's electrical room shall be sufficiently sized so that additional panels can be added in the future, if needed, to supply power for the future installation of EV truck charging stations on the site.

f) The building's electrical room shall be sufficiently sized so that additional panels can be added in the future, if needed, to supply power to trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods.

g) Outdoor electrical outlets are provided in reasonable locations to maximize the opportunities to use electric-powered landscape maintenance equipment.

h) Use of light-colored paving materials in the passenger vehicle parking areas, drive aisles, and/or truck court;

i) Use of light-colored roofing materials;

j) Use of solar or light-emitting diode (LED) fixtures for outdoor lighting;

k) All heating, cooling, and lighting devices and appliances shall be Energy Star certified; and

l) All fixtures installed in restrooms and employee break areas shall be U.S. EPA Certified WaterSense or equivalent.

MM 4.2-7 Prior to issuance of occupancy permits, the Project Applicant or successor in interest shall provide the City of Rialto with an information packet that will be provided to future building occupants that: 1) provides information regarding the grants available from the Carl Moyer Memorial Air Quality Standards Attainment Program for energy efficiency improvement features – including truck modernization, retrofits, and/or aerodynamic kits and low rolling resistance tires – and the resulting benefits to air quality; 2) recommends the use of electric or alternatively-fueled sweepers with HEPA filters; 3) recommends the use of water-based or low VOC cleaning and 4) for occupants with more than 250 employees, information related to SCAQMD Rule 2202, which requires the establishment of a transportation demand management program to reduce employee commute vehicle emissions.

MM 4.2-8 Prior to the issuance of occupancy permits, the Project Applicant or successor in interest shall provide the City of Rialto with an information packet that will be provided to future building occupants regarding EPA Smartway features that are required to be incorporated into haul trucks, as required by CARB. Also, Project operators shall maintain a daily log of incoming and outgoing haul trucks that are fitted with the combination of aerodynamic kits and low rolling resistance tires to reduce fuel consumption.

MM 4.2-9 Prior to issuance of occupancy permits, the Project Applicant or successor in interest shall establish a Transportation Management Association (TMA) or similar mechanism, or partner with an already established TMA to encourage and coordinate carpooling. The TMA shall advertise its services to the building occupants and offer transit

incentives to employees and provide shuttle service to and from public transit, should a minimum of five employees request and use such service from a transit stop at the same drop-off and/or pickup time. The TMA shall distribute public transformation to its employees and provide electronic message board space for coordination rides.

While application of the mitigation measures provided in the EIR would require the Project to incorporate design features that will reduce the Project's overall demand for energy resources and would reduce the Project's operational NO_X emissions (NO_X is released during the combustion of certain types of energy resources), the required mitigation would not be sufficient to reduce emissions to below the applicable SCAQMD significance threshold, and there are no feasible mitigation measures that would do so. Approximately 97% of the Project's operational NO_X emissions result from tailpipe emissions from heavy duty truck tractors. Tailpipe (mobile source) emissions are regulated by standards imposed by federal and State agencies, not local governments. No other mitigation measures related to vehicle tailpipe emissions are available that are within the City of Rialto's jurisdictional authority and that are feasible for the City to enforce that have a proportional nexus to the Project's level of impact. As such, Project operational emissions of NO_X would exceed SCAQMD air quality standards on a daily basis even after the application of the mitigation measures identified in this EIR. The Project's long-term operational-related emissions of NO_X are concluded to result in a significant and unavoidable impact on both a direct and cumulatively-considerable basis. (EIR, pp. 4.2-36 to 4.2-38)

2.4.2 Greenhouse Gas Emissions

A. Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Threshold "a")

Finding: Significant and Unavoidable Cumulatively-Considerable Impact

Facts in Support of Finding: Implementation of the Project would generate a net total of approximately 14,903.75 metric tons of carbon dioxide equivalent ($MTCO_2e$) emissions per year, which would exceed the significance threshold of 3,000 MTCO2e per year. Project-related GHG emissions are considered to contribute to a cumulatively considerable impact on the environment. (EIR, p. 4.6-18)

The application of MMs 4.2-4 through 4.2-9 previously noted herein would reduce Project-related GHG emissions. These measures are unable to substantially reduce Project mobile source emissions (i.e., emissions from construction equipment, passenger cars, and trucks), which comprise approximately 87% of all Project-related GHG emissions, and there are no feasible mitigation measures that would do so. Mobile source GHG emissions are regulated by State and federal fuel standards and tailpipe emissions standards, and are outside of the control and authority of the City, the Project Applicant, and future Project occupants. CEQA Guidelines Section 15091 provides that mitigation measures must be within the responsibility and jurisdiction of the Lead Agency (i.e., City) in order to be implemented. No other mitigation measures are available that are feasible for the City to enforce that have a proportional nexus to the Project's level of impact. Accordingly, the City finds that the Project's GHG emissions are a significant and unavoidable cumulatively-considerable impact for which no feasible mitigation is available. (EIR, p. 4.6-21)

2.4.3 Transportation

A. Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? (Threshold "b")

Finding: Significant and Unavoidable Direct and Cumulatively-Considerable Impact

Facts in Support of Finding: Senate Bill 743 (SB 743), approved in 2013, changed the way transportation impacts are determined according to CEQA. Updates to the CEQA Guidelines that were approved by the State in December 2018 included the addition of CEQA Guidelines Section 15064.3, of which Subdivision "b" establishes criteria for evaluating a project's transportation impacts based on project type and using automobile vehicle miles traveled (VMT) as the metric. As a component of OPR's revisions to the CEQA Guidelines, lead agencies were required to utilize VMT thresholds of significance by July 1, 2020. Because the City of Rialto is currently in development of City-specific VMT analysis guidelines and impact thresholds, the Project's analysis relies on the City's draft VMT guidelines. (EIR, p. 4.11-27)

The Project's estimated home-based work VMT is calculated to be 15.97 miles per employee, which is approximately 8% below the regional baseline of 17.33 miles. However, the Project's estimated total VMT, which includes VMT from truck trips, is calculated to be 59.89 miles per employee, which is approximately 80% above the regional baseline. The Project's total VMT is considered to be a significant direct and cumulatively considerable impact. (EIR, p. 4.11-28)

The following mitigation measures are required to minimize VMT from the Project:

MM 4.11-1. *Prior to issuance of occupancy permits, the City of Rialto shall confirm that future tenant improvements include end-of-trip facilities (which may include showers and locker rooms) that would promote biking to work.*

MM 4.11-2. *Prior to issuance of occupancy permits, the Project Applicant or successor in interest shall provide the City of Rialto with an information packet that will be provided to future building occupants that: 1) provides information regarding the benefits of trip reduction programs, including pricing workplace parking and employee parking cash-out programs, and how such programs could be administered for future building occupants to consider implementing.*

MM 4.2-9, which requires the creation of a transit and carpooling incentive program, also shall apply (refer to EIR Subsection 4.2, Air Quality).

Under the most favorable circumstances, the mitigation measures provided above can realize a maximum reduction of 45% in home-based work VMT. Under this maximum effectiveness scenario, the Project would realize a VMT reduction of approximately 7 miles per employee trip, which would not be sufficient to reduce the Project's total VMT impact to a less-than-significant level. There is no feasible mitigation to reduce VMT from heavy truck trips, which are more inelastic than home-based work VMT and is driven by requirements for business operations (for example, the fixed distance between a warehouse building site and local ports). Improvements capable of reducing VMT include

the construction of pedestrian network improvements, removal of physical barriers to pedestrian circulation, and provision of design features that encourage people to walk or bike instead of drive. Various design features are included in the Project to encourage pedestrian and bicycle activity (sidewalks and bicycle parking). Further, in compliance with SCAQMD Rule 2202, the Project will be required to establish a transportation demand management program to reduce employee-related vehicle trips. Encouraging businesses to allow telecommuting and alternative work week hours also can reduce VMT, but the City of Rialto neither has the jurisdictional authority to mandate the businesses practices of private enterprises nor is it feasible for the City to monitor these practices. For these reasons, mitigation to further reduce the Project's total VMT is not feasible. (EIR, p. 4.11-31)

2.5 Significant Irreversible Environmental Changes Which Would Be Caused by the Proposed Project Should It Be Implemented

The CEQA Guidelines require EIRs to address any significant irreversible environmental changes that would be involved in the proposed action should it be implemented (CEQA Guidelines Section 15126.2(c)). An environmental change would fall into this category if: a) the project would involve a large commitment of non-renewable resources; b) the primary and secondary impacts of the project would generally commit future generations to similar uses; c) the project involves uses in which irreversible damage could result from any potential environmental accidents; or d) the proposed consumption of resources is not justified (e.g., the project results in the wasteful use of energy).

Natural resources, in the form of construction materials and energy resources, would be used in the construction of the proposed Project. The consumption of these natural resources would represent an irreversible change to the environment. However, development of the Project Site as proposed would have no measurable adverse effect on the availability of such resources, including resources that may be non-renewable (e.g., construction aggregates, fossil fuels). Additionally, the Project is required by law to comply with the California Building Standards Code (CALGreen), which will minimize the Project's demand for energy, including energy produced from non-renewable sources. (EIR, p. 5-2)

The Project is compatible with the existing industrial land uses that are located north, east, and west of the Project Site and also compatible with the use of Valley Boulevard as a City-designated truck route, which abuts the Project Site on the south. Although the Project would result in unavoidable physical impacts to air quality, greenhouse gas emissions, and transportation, these effects are significant due to their effect on the region, not their local impacts to receptors located near the Project Site. Accordingly, the Project and its environmental effects would not compel or commit surrounding properties to land uses other than those that are existing today or those that are planned by the City of Rialto General Plan or the Gateway Specific Plan. For this reason, the Project would not result in a significant, irreversible change to nearby, off-site properties. (EIR, p. 5-2)

Mandatory compliance with federal, State, and local regulations related to hazardous materials handling, storage, and use by all Project construction contractors (near term) and occupants (long-term) would ensure that any hazardous materials used on-site would be safely and appropriately handled to preclude any irreversible damage to the environment that could result if hazardous materials were released from the site. (EIR, p. 5-3)

The Project would not result in a wasteful, inefficient, or unnecessary consumption of energy. (EIR, p. 5-3)

Based on the above, Project construction and operation would require the commitment of limited, slowly renewable and non-renewable resources. However, this commitment of resources would not be substantial and would be consistent with regional and local growth forecasts and development goals for the area. The loss of such resources would not be highly accelerated when compared to existing conditions, and such resources would not be used in an inefficient or wasteful manner. Project construction and operation would adhere to the sustainability requirements of Title 24, Green Building Code, and CALGreen. Therefore, the City Council finds that the Project would not result in the commitment of large quantities of natural resources that would result in significant irreversible environmental changes. Furthermore, as demonstrated by the analysis above, the City Council finds that Project's would result in substantial public benefits, as set forth in the Statement of Overriding Considerations; hence, the limited use of nonrenewable resources or slowly renewable resources by the Project would be justified.

2.6 Growth-Inducing Impacts of the Proposed Project

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, Section 15126.2(d) of the CEQA Guidelines states that EIR's must describe the ways in which proposed Project could foster economic or population growth or the construction of additional housing either directly or indirectly in the surrounding environment.

According to regional population projections included in SCAG's *Connect SoCal*, the City of Rialto's population is projected to grow by 39,800 residents between 2016 and 2045 (approximately 1.4% annual growth). Over this same time period, employment in the City is expected to add 10,000 new jobs (approximately 1.4% annual job growth). The Project's employees (short-term construction and long-term operational) would purchase goods and services in the region, but any secondary increase in employment associated with meeting these goods and services demands is expected to be accommodated by existing goods and service providers and, based on the amount of existing and planned future commercial and retail services available in areas near the Project Site, would be highly unlikely to result in any unanticipated, adverse physical impacts to the environment. In addition, the Project is estimated to create 542 full-time jobs. When accounting for seasonal, part-time, and full-time positions, the Project is estimated to create 639 total jobs, a majority of which would likely be filled by residents of the housing units either already built or planned for development within the City and nearby incorporated and unincorporated areas. (EIR, pp. 5-3 to 5-4)

The Project represents infill, urban redevelopment with land uses in an area of the City that is planned for employment-generating land uses. The Project would not extend roads or infrastructure to an area that is not already served by these facilities. Thus, the Project would not remove obstacles to growth or include improvements that that could induce growth. Furthermore, the area surrounding the Project Site consists of a storm drain channel and industrial development to the north, industrial development to the west, industrial development to the east, and industrial and commercial development to the south. Development of the Project Site is not expected to place short-term

development pressure on abutting properties because these areas are already built-out under existing conditions. (EIR, p. 5-4)

The City finds, based on the foregoing analysis and discussion noted in the EIR, the Project would not directly or indirectly result in substantial, adverse growth-inducing impacts.

2.7 Project Alternatives

The EIR analyzed four alternatives to the Project as proposed and evaluated these alternatives for their ability to avoid or reduce the Project's significant environmental effects while also meeting the majority of the Project's objectives.

2.7.1 Alternatives Considered but not Carried Forward for Detailed Analysis

A. Alternative Sites

CEQA does not require that an analysis of alternative sites be included in an EIR. However, if the surrounding circumstances make it reasonable to consider an alternative site then an alternative sites analysis should be considered and analyzed in the EIR. In making the decision to include or exclude an analysis of an alternative site, the "key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location." (CEQA Guidelines section 15126.6(f)(2))

Historic activities on the Project Site have resulted in pervasive and ongoing disturbance over the last 70+ years. The Project Site does not contain any natural/native habitat and the Project Site is used for the outdoor storage of trailers, construction equipment, and construction materials. The Project Site also contains several structures and outbuildings used for storage and offices for the businesses operating on the Site. Based on review of aerial photography and the City of Rialto General Plan Land Use Map, there are no other properties available for purchase by the Project Applicant in the City of Rialto with similar accessibility to the regional goods movement system, discussed in further detail below, that are large enough to support the proposed Project, and that have fewer developmental and environmental constraints than the Project Site evaluated in this EIR. (EIR, p. 6-4)

Development of the Project in an alternative location would likely result in similar (or greater) environmental impacts as would occur with implementation of the Project at the proposed Project Site. The Project's significant and unavoidable impacts are related to vehicles traveling to/from the Project Site and not related to the presence of sensitive resources on the Project Site or its location near sensitive receptors. Vehicle-related impacts are a direct reflection of the Project's expected operational characteristics as a warehouse distribution facility, regardless of where the Project is located. Because the Project Site abuts a designated truck route (Valley Boulevard) and is located in close proximity to on/off-ramps to I-10, any alternative site that was located farther from major arterial roads that are designated truck routes or regional freeways than the Project Site would increase vehicle miles traveled (and would result in a concomitant increase in the severity of air quality impacts from tailpipe emissions). Further, an alternative site that was not as thoroughly disturbed by existing development as the Project Site may have additional impacts that the Project would not. (EIR, p. 6-4)

For these reasons, the City Council rejects an alternative site for the Project and a more detailed analysis of alternative sites is not warranted.

B. Reversed Building Alternative

The City considered an alternative where the proposed warehouse building is reversed or "flipped" so that the loading docks and truck court would be located on the east side of the building, adjacent to Willow Avenue. This "Reversed Building Alternative" was examined to determine if any environmental benefits could be realized by increasing the minimum distance between on-site heavy truck use areas and existing residential and school receptors located west of the Project Site (abutting Lilac Avenue) from approximately 530 feet under the Project to approximately 880 feet.

The City found the Reversed Building Alternative to be less desirable than the Project for several reasons. First, under the Reversed Building Alternative, no truck access could be provided to the truck court from Valley Boulevard due to the proximity of the truck court to the Willow Avenue/Valley Boulevard intersection. Because no truck access would be available under this alternative from Valley Boulevard, all trucks accessing the site would be required to use the truck entry from Willow Avenue. Only having one truck access point would increase the likelihood that trucks could stack onto City streets during peak operations, which would present safety risks for all motorists. Second, the Reversed Building Alternative would place a truck court that is screened by a 14-foot-tall solid screen wall adjacent to an intersection (Willow Avenue/Valley Boulevard) that the City has identified as a major entry for the Gateway Specific Plan area; placing a truck court – as opposed to a building with high quality architecture and landscaping – in such a highly visible area would not implement the vision of the Gateway Specific Plan. (EIR, p. 6-5)

The primary potential benefit that could be realized by the Reversed Building Alternative is a reduction in the exposure of nearby residents and school children to toxic air contaminant emissions from heavy trucks. However, under the proposed design, the Project's toxic air contaminant emissions would be approximately 99 percent below the applicable residential exposure threshold and 98 percent below the applicable school child exposure threshold. Thus, in regards to potential toxic air contaminant emissions, the Reversed Building Alternative would only incrementally reduce an impact for which the Project's impact was less than significant (and already far below the threshold of significance). All other environmental impacts would be similar or identical to the Project.

The City Council rejects the Reversed Building Alternative because this Alternative would not reduce or avoid any of the Project's significant and unavoidable impacts while resulting in a Project that is less desirable for the City.

2.7.2 Alternatives Selected for Analysis in the EIR

A. No Development Alternative

The No Development Alternative considers no development on the Project Site beyond what occurs on the Site under existing conditions. Under this Alternative, the outdoor storage lot for trailers, construction equipment, and construction materials, and several structures and outbuilding used for storage and offices would remain on the Project Site for the foreseeable future.

The No Development Alternative would result in no physical environmental impacts to the Project Site beyond those that have historically occurred on the Project Site. All significant effects of the Project would be avoided by the selection of this Alternative. (EIR, p. 6-8)

Because the No Development Alternative would not redevelop the Project Site and would not promote local economic development, including through the creation of new jobs and the expansion of the local tax base, the No Development Alternative would fail to meet any of the Project's objectives, and provide no benefits to the City. (EIR, p. 6-8)

The City Council finds that the implementation of the No Development Alternative would reduce potential environmental impacts when compared to the proposed Project. However, this alternative would not meet any of the Project's objectives. The City Council therefore rejects the No Development Alternative. The City Council finds that each of the Project's objectives is individually sufficient to reject the alternative, and on that basis rejects this alternative.

B. Gateway Specific Plan Alternative

The Gateway Specific Plan Alternative considers redevelopment of the Project Site in accordance with the site's existing land use designations under the Gateway Specific Plan. The approximately 8.5 acres of the Site that abut Valley Boulevard would be developed with "F-C" land uses and the approximately 12.5 acres that comprise the northern portion of the Site would be developed with "Industrial Park" land uses. The Gateway Specific Plan allows a variety of commercial land uses developed at a maximum FAR of 0.5 within "F-C" areas. Within "I-P" areas, the Gateway Specific Plan allows a variety of light industrial land uses at a maximum FAR of 1.0. For purposes of analysis, this Alternative would provide for the development of an approximately 150,000 s.f. shopping center offering retail stores, commercial services, and restaurants/cafes on the southern portion of the Project Site. Additionally, an approximately 290,000 s.f. warehouse distribution facility would be constructed on the northern portion of the Site.

The Gateway Specific Plan Alternative would not reduce, but would likely increase, the Project's significant and unavoidable impacts to air quality, GHG emissions, and transportation because the commercial uses would result in significantly increased traffic generation compared to industrial uses, which drive all of these impacts. The Gateway Specific Plan Alternative would increase the Project's less than significant impacts to energy, off-site traffic noise, and utilities and service systems, although impacts are expected to remain less than significant. The Gateway Specific Plan Alternative would result in similar impacts as the Project to aesthetics, cultural resources, hazards and hazardous materials, and tribal cultural resources. The Gateway Specific Plan Alternative would reduce the Project's less-than-significant impacts to land use and planning. (EIR, pp. 6-12 and 6-13)

The Gateway Specific Plan Alternative would potentially meet Objectives "A," "C," "D," and "F", but to a lesser extent than the Project, and therefore provide fewer benefits to the City. The smaller warehouse building proposed by this Alternative would be marketable to a smaller subset of users than the larger warehouse building proposed by the Project. Therefore, this building would be less effective at meeting the market demand for goods movement in the Inland Empire compared to the larger

warehouse proposed by the Project. By redeveloping the Project Site with employment generating land uses the Gateway Specific Plan Alternative would meet Objectives "B," "E" and "G".

The City Council rejects the Gateway Specific Plan Alternative, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) this alternative does not avoid the Project's significant and unavoidable impacts on the environment (which are instead likely increased); and (2) this alternative meets the Project objectives to a lesser extent than the proposed Project. Therefore, the Gateway Specific Plan Alternative is eliminated from further consideration.

C. Reduced Building Area Alternative

The Reduced Building Area Alternative considers a proposal where the Project Site would be redeveloped with two separate uses: a warehouse distribution building and an outdoor industrial storage area. Under this Alternative, an approximately 325,000 s.f. warehouse distribution building would be developed on the southern portion of the Project Site and an approximately seven (7)-acre outdoor industrial storage area would be developed on the northern portion of the Project Site. This Alternative was used to evaluate a scenario that would reduce the total building area on the Project Site but still allow productive industrial use of the entire Project Site.

The Reduced Building Area Alternative would incrementally reduce – but not avoid – the Project's significant and unavoidable air quality and GHG emission impacts. The Reduced Building Alternative would reduce the Project's already less-than-significant impacts to energy and utilities and service systems. All other impacts from the Reduced Building Alternative would be similar to the Project. (EIR, p. 6-17)

The Reduced Building Area Alternative would meet all Project Objectives but would be less effective than the Project at meeting Objectives "A," "B," "C," "D," "F," and "G" due to this Alternative's substantial reduction in the development of an in-demand, employment generating land use on the Project Site, and thus would result in less benefit to the City. (EIR, p. 6-17)

The City Council rejects the Reduced Building Area Alternative, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) this alternative does not avoid any of the Project's significant and unavoidable impacts on the environment; and (2) this alternative meets the Project objectives to a lesser extent than the proposed Project. Therefore, the Reduced Building Area Alternative is eliminated from further consideration.

D. Flex Building Alternative

The Flex Building Alternative considers a proposal where the Project Site would be redeveloped with multiple flexible ("flex") industrial buildings ranging from 10,000 s.f. to 35,000 s.f. Approximately 320,000 s.f. of total building area would be provided on the Project Site under the Flex Building Alternative. Flex buildings allow a wide range of industrial uses, such as small-scale workshops and light manufacturing, that also feature office and warehouse components. Also, flex buildings typically have loading areas comprised of only a few ground-level, roll-up doors in-lieu of numerous dock-high doors found at larger industrial buildings. This Alternative was used to evaluate

a scenario that would develop the Project Site with industrial land uses that are less reliant on heavy truck activity.

The Flex Building Alternative would increase the Project's utilities and service systems impact (although this impact would remain less than significant), and air quality impacts. As described above, all other impacts would be similar to the Project. (EIR, p. 6-20)

The Flex Building Alternative would not meet Project Objectives "C," "D," or "F" because it does not include a warehouse use and, thus, would not provide a use that contributes to the southern California goods movement system, resulting in fewer benefits. The Flex Building Alternative would meet all of the Project's other objectives. (EIR, p. 6-20)

The City Council rejects the Flex Building Alternative, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) this alternative does not avoid any of Project's significant and unavoidable impacts on the environment (and instead increases some impacts); and (2) this alternative fails to meet multiple Project objectives. Therefore, the Reduced Building Area Alternative is eliminated from further consideration.

2.7.3 Environmentally Superior Alternative

Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to a proposed Project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR.

The No Development Alternative would avoid all of the significant effects of the Project. Because the No Development Alternative would avoid all of the Project's significant environmental impacts, it warrants consideration as the "environmentally superior alternative." However, pursuant to CEQA Guidelines section 15126.6(e)(2), if a "no project" alternative is identified as the "environmentally superior alternative" then the EIR shall also identify an environmentally superior alternative among the other alternatives. Accordingly, the Reduced Building Alternative, is identified as the environmentally superior alternative. (EIR, p. 6-21)

As noted above, the City Council rejects the Reduced Building Area Alternative, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) this alternative does not avoid any of the Project's significant and unavoidable impacts on the environment; and (2) this alternative meets the Project objectives to a lesser extent than the proposed Project. Therefore, the Reduced Building Area Alternative is eliminated from further consideration.

3.0 Statement of Overriding Considerations

The City Council hereby declares that it has balanced the benefits of the Project against any unavoidable environmental impacts in determining whether to approve the Project. Pursuant to the CEQA Guidelines Section 15093, if the benefits of the Project outweigh its unavoidable adverse environmental impacts, those impacts may be considered "acceptable."

Having reduced the adverse significant environmental effects of the Project to the extent feasible by adopting the Mitigation Measures contained in the EIR, the Mitigation Monitoring and Reporting Program (MMRP), and herein, having considered the entire administrative record on the Project and Project, and having weighed the benefits of the Project against its unavoidable adverse impacts after implementation of all feasible mitigation, the City Council has determined that each of the following social, economic and environmental benefits of the Project separately and individually outweigh the potential unavoidable adverse impact and render those potential adverse environmental impacts acceptable based upon the following overriding considerations:

A. The Project provides development of a functional, well serviced, and attractive logistics center that is sensitive to its setting and that improves and maximizes economic viability within the City by the orderly transition of underutilized land into a productive industrial use;

B. The Project attracts new employment-generating business to the City of Rialto thereby reducing the need for members of the local workforce to commute outside the area for employment;

C. The Project creates short-term construction jobs that would generate increases in construction employee wages, as well as a multiplier effect of those wages that will create secondary jobs to support Project-related construction activities and the needs of construction workers. The addition of new jobs to the City of Rialto will create direct and indirect economic benefits, such as increased tax income to the City and spending on goods and services;

D. The Project will help to strengthen and diversify the City's economy by adding a building that is in strong demand by logistics companies in the regional, State, and international marketplace;

E. The Project provides adequate and upgraded infrastructure, roadway improvements, utility improvements, and contributions to public services;

F. Implementation of the Project will result in payment of Development Impact Fees, City permitting fees, and increased property taxes, that would benefit the City of Rialto by increasing available funding for needed public services and infrastructure; and

G. The Project will redevelop a former industrial property, thereby eliminating the potential environmental threat from soil contamination that could occur if the property is not reused and which may cause a hazard to the environment.

The City Council hereby declares that the foregoing benefits provided to the public through the approval and implementation of the Project outweigh the identified significant adverse environmental impact of the Project that cannot be mitigated to a less than significant level. The City Council finds that each of the Project's benefits separately and individually outweigh all of the unavoidable adverse environmental effects identified in the EIR and therefore finds those impacts to be acceptable.

4.0 Additional Facts on Record

4.1 Adoption of a Monitoring Plan for Mitigation Measures

Pursuant to Section 21081.6 of the Public Resources Code, the City of Rialto hereby adopts the Mitigation Monitoring and Reporting Program ("MMRP"). The City finds that the MMRP is designed to ensure compliance with the changes (i.e., mitigation measures) imposed on the Project to mitigate or avoid effects on the environment during Project implementation. The MMRP is on file with the City of Rialto Planning Department, 150 S. Palm Avenue, Rialto, CA 92376.

4.2 Custodian of Record

The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Rialto Planning Department, 150 S. Palm Avenue, Rialto, CA 92376. The custodian for these records is Daniel Casey, Senior Planner. This information is provided in compliance with Public Resources Code Section 21081.6.

END OF EXHIBIT B

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
4.1 Aesthetics					
Summary of Impacts					
Threshold a: Less Than Significant Impact. The Project would not substantially affect a scenic vista. The Project Site does not contain any designated scenic vistas or scenic corridors. The Project would not substantially affect views of the San Gabriel Mountains, San Bernardino Mountains, or the Jurupa Hills from nearby public viewing areas; views of these landforms would remain visible from public viewing areas after implementation of the Project	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold b: No Impact. The Project Site is not located within the viewshed of a scenic highway and, therefore, the Project Site does not contain any scenic resources visible from a scenic highway.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold c: Less Than Significant Impact. The Project would not substantially degrade the existing visual character or quality of the site or its surrounding areas during Project construction or operation. Furthermore, the Project proposes a number of site design, architectural, and landscaping elements consistent with the requirements of the City's amended Gateway Specific Plan.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold "d:" Less-than-Significant Impact. Project-related development would not create substantial light or glare. Compliance with Rialto Municipal Code requirements for lighting would ensure less-than-significant impacts associated with light and glare affecting day or nighttime views in the area from on-site lighting elements.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.2 Air Quality					
Summary of Impacts					
Threshold "a:" Significant Direct and Cumulatively-Considerable Impact. The Project would exceed the growth projections contained in SCAQMD's *2016 AQMP* and, also, would emit air pollutants that would	**MM 4.2-1** The Project shall comply with the provisions of South Coast Air Quality Management District Rule 403, "Fugitive Dust." Rule 403 requires implementation of best available dust control measures during construction activities that	Project Applicant; Project Construction Contractors	City of Rialto Building and Safety Division, and Land Development Division	Prior to grading permit issuance and on-going during construction	Less-than-Significant Impact after Mitigation (Construction)

EXHIBIT C

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
contribute to a delay in the attainment of federal and State ozone standards in the SCAB.	generate fugitive dust, such as earth moving, grading, and equipment travel on unpaved roads. Rule 403 also requires activities defined as "large operations" to notify the SCAQMD by submitting specific forms. The following notes shall be listed on the Project's grading plans, to be confirmed by the City of Rialto prior to grading permit issuance. Project construction contractors shall be required by their contracts to ensure compliance with the notes, submit any required "large operations" forms to the SCAQMD, and permit periodic inspection of the construction site by City of Rialto staff or its designee to confirm compliance. a) During grading and ground-disturbing construction activities, the construction contractor shall ensure that all unpaved roads, active soil stockpiles, and areas undergoing active ground disturbance within the Project Site are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas by water truck, sprinkler system, or other comparable means, shall occur in the mid-morning, afternoon, and after work is done for the day. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off-site. b) Temporary signs shall be installed on the construction site along all unpaved roads indicating a maximum speed limit of 15 miles per hour (MPH). The signs shall be installed before construction activities commence and remain in place for the duration of construction activities that include vehicle activities on unpaved roads. c) Gravel pads must be installed at all access points to prevent tracking of mud onto public roads. d) Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (e.g., install wheel shakers, wheel washers, limit site access).				Significant and Unavoidable Direct and Cumulatively-Considerable Impact (Operation)

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	e) When materials are transported off-site, all material shall be covered or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained. f) All street frontages adjacent to the construction site shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing water trucks (reclaimed water, if available) if visible soil materials are carried to adjacent streets. g) Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and initiate corrective action to legitimate complaints within 24 hours. h) Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil. i) Any on-site stock piles of debris, dirt, or other dusty material shall be covered or watered as necessary to minimize fugitive dust pursuant to SCAQMD Rule 403. j) A high wind response plan shall be formulated and implemented for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.				
	MM 4.2-2 The Project shall comply with the provisions of South Coast Air Quality Management District Rule 1186 "PM_{10} Emissions from Paved and Unpaved Roads and Livestock Operations" and Rule 1186.1, "Less-Polluting Street Sweepers" by complying with the following requirements. To ensure and enforce compliance with these requirements, prior to grading and building permit issuance, the City of Rialto shall verify that the following notes are included on the grading and building plans and within the construction management plan. Project construction contractors shall be required to ensure compliance with the	Project Applicant; Project Construction Contractors	City of Rialto Building and Safety Division and Land Development Division	Prior to grading and building permit issuance and on-going during construction	

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	notes and permit periodic inspection of the construction site by City of Rialto staff or its designee to confirm compliance. a) If visible dirt or accumulated dust is carried onto paved roads during construction, the contractor shall remove such dirt and dust at the end of each work day by street cleaning. b) Street sweepers shall be certified by the South Coast Air Quality Management District as meeting the Rule 1186 sweeper certification procedures and requirements for PM10-efficient sweepers. All street sweepers having a gross vehicle weight of 14,000 pounds or more shall be powered with alternative (non-diesel) fuel or otherwise comply with South Coast Air Quality Management District Rule 1186.1.				
	MM 4.2-3 Project construction contractors shall assure that construction equipment greater than 150 horsepower achieves or is equivalent to Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 3 emissions standards. Also, Project construction contractors shall tune and maintain all construction equipment in accordance with the equipment manufacturer's recommended maintenance schedule and specifications. Maintenance records for all pieces of equipment shall be kept on-site for the duration of construction activities and shall be made available for periodic inspection by City of Rialto staff or their designee.	Project Construction Contractors	City of Rialto Building and Safety Division and Land Development Division	Prior to the issuance of a grading permit and on-going during construction	
Threshold "a:" Significant and Unavoidable Direct and Cumulatively-Considerable Impact (Operation): The Project would exceed the growth projections contained in SCAQMD's 2016 AQMP and, also, would emit air pollutants that would contribute to a delay in the attainment of federal and State ozone standards in the SCAB.	**MM 4.2-4** Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use for more than five (5) minutes; and 2) instructions for drivers of diesel trucks to restrict	Project Applicant	City of Rialto Planning Division, Building and Safety Division, and Land Development Division	Prior to the issuance of an occupancy permit	Significant and Unavoidable Direct and Cumulatively-Considerable Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	idling to no more than five (5) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged. Prior to the issuance of an occupancy permit, the City of Rialto shall conduct a site inspection to ensure that the signs are in place.				
	MM 4.2-5 Prior to building permit issuance, the City of Rialto shall ensure that the parking lot striping and security gating plan allows for adequate truck stacking at gates to prevent queuing of trucks outside the property.	Project Applicant	City of Rialto Planning Division, Building and Safety Division, and Land Development Division	Prior to the issuance of a building permit	
	MM 4.2-6 Prior to the issuance of a building permit, the Project Applicant or successor in interest shall provide documentation to the City of Rialto demonstrating that the Project is designed to include the energy efficiency design features listed below at a minimum. a) Preferential parking locations for carpool, vanpool, EVs and CNG vehicles; b) Secure, weather protected bicycle parking; c) Installation of the minimum number of passenger vehicle EV charging stations required by Title 24 and the installation of conduit at a minimum of five (5) percent of the Project's total number of automobile parking spaces to accommodate the future, optional installation of EV charging infrastructure; d) The building's roof shall be designed and constructed to accommodate the potential, future construction of maximally-sized photovoltaic (PV) solar arrays taking into consideration limitations imposed by other rooftop equipment, roof warranties, building and fire code requirements, and other physical or legal limitations. The building shall include an electrical system and other infrastructure sufficiently-sized to accommodate the potential installation of maximally-sized PV arrays in the future. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage which	Project Applicant or successor in interest	City of Rialto Planning Division and Building and Safety Division	Prior to the issuance of a building permit	

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	informs future occupants/owners of the existence of this infrastructure; e) The building's electrical room shall be sufficiently sized so that additional panels can be added in the future, if needed, to supply power for the future installation of EV truck charging stations on the site. f) The building's electrical room shall be sufficiently sized so that additional panels can be added in the future, if needed, to supply power to trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods. g) Outdoor electrical outlets are provided in reasonable locations to maximize the opportunities to use electric-powered landscape maintenance equipment. h) Use of light-colored paving materials in the passenger vehicle parking areas, drive aisles, and/or truck court; i) Use of light-colored roofing materials; j) Use of solar or light-emitting diode (LED) fixtures for outdoor lighting; k) All heating, cooling, and lighting devices and appliances shall be Energy Star certified; and l) All fixtures installed in restrooms and employee break areas shall be U.S. EPA Certified WaterSense or equivalent.				
	MM 4.2-7 Prior to issuance of occupancy permits, the Project Applicant or successor in interest shall provide the City of Rialto with an information packet that will be provided to future building occupants that: 1) provides information regarding the grants available from the Carl Moyer Memorial Air Quality Standards Attainment Program for energy efficiency improvement features – including truck modernization, retrofits, and/or aerodynamic kits and low rolling resistance tires – and the resulting benefits to air quality; 2) recommends the use of electric or alternatively-fueled sweepers with HEPA filters; 3) recommends the use of water-based or low VOC cleaning and 4) for occupants with more than 250 employees, information related	Project site owner or occupant	City of Rialto Planning Division and Building and Safety Division	Prior to issuance of occupancy permit	

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	to SCAQMD Rule 2202, which requires the establishment of a transportation demand management program to reduce employee commute vehicle emissions.				
	MM 4.2-8 Prior to the issuance of occupancy permits, the Project Applicant or successor in interest shall provide the City of Rialto with an information packet that will be provided to future building occupants regarding EPA Smartway features that are required to be incorporated into haul trucks, as required by CARB. Also, Project operators shall maintain a daily log of incoming and outgoing haul trucks that are fitted with the combination of aerodynamic kits and low rolling resistance tires to reduce fuel consumption.	Project site owner or occupant	City of Rialto Planning Division and Building and Safety Division	Prior to issuance of occupancy permit	
	MM 4.2-9 Prior to issuance of occupancy permits, the Project Applicant or successor in interest shall establish a Transportation Management Association (TMA) or similar mechanism, or partner with an already established TMA to encourage and coordinate carpooling. The TMA shall advertise its services to the building occupants and offer transit incentives to employees and provide shuttle service to and from public transit, should a minimum of five employees request and use such service from a transit stop at the same drop-off and/or pickup time. The TMA shall distribute public transformation to its employees and provide electronic message board space for coordination rides.	Project site owner or occupant	City of Rialto Planning Division and Building and Safety Division	Prior to issuance of occupancy permit	
Threshold "b:" Significant and Unavoidable Direct and Cumulatively-Considerable Impact. Project-related activities would exceed the applicable SCAQMD regional thresholds for NO_X emissions during construction and long-term operation. As such, Project-related emissions would violate SCAQMD air quality standards and contribute to the non-attainment of ozone standards in the SCAB, and impacts would be significant.	Refer to MM 4.2-4 through MM 4.2-9, above.				Significant and Unavoidable Direct and Cumulatively-Considerable Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Threshold "c:" Less-than-Significant Impact. Implementation of the Project would not: 1) exceed applicable SCAQMD localized criteria pollution emissions thresholds during construction and operation; 2) would not expose sensitive receptors to toxic air contaminants (i.e., DPM) that exceed the applicable SCAQMD carcinogenic and non-carcinogenic risk thresholds; and 3) would not cause or contribute to the formation of a CO "hot spot."	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold "d:" Less-than-Significant Impact. The Project would not produce air emissions that would lead to unusual or substantial construction-related or operational-related odors. The Project is required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.3 Cultural Resources					
Summary of Impacts					
Threshold "a:" No Impact. No historic resources, as defined by CEQA Guidelines Section 15064.5, are present on the Project Site; therefore, no historic resources could be altered or destroyed by construction or operation of the Project.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "b:" Significant and Unavoidable Direct and Cumulatively-Considerable Impact. No known prehistoric archaeological resources are present on the Project Site and the likelihood of uncovering buried prehistoric cultural resources on the Project Site is low due to the magnitude of historic ground disturbance on the Project Site. Nonetheless, the potential exists for Project construction activities to result in a direct and cumulatively-considerable impact to significant subsurface prehistoric archaeological resources should such resources be discovered during Project-	**MM 4.3-1** Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Rialto that an archaeologist that meets the latest version of the Secretary of the Interior Professional Qualifications Standards (hereafter "Project Archaeologist") has been retained to conduct the training and monitoring activities described in Mitigation Measure 4.3-2 and Mitigation Measure 4.3-3.	Project Developer; Project Archaeologist	City of Rialto Planning Division and Building and Safety Division	Prior to the issuance of a grading permit	Less-than-Significant Impact after Mitigation

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
related construction activities within previously undisturbed soils on-site.	**MM 4.3-2** Prior to the issuance of a grading permit, the Project Applicant or construction contractor shall provide evidence to the City of Rialto that the construction site supervisors and crew members involved with grading and trenching operations have received training by the Project Archaeologist to recognize archaeological resources (historic and prehistoric) should such resources be unearthed during ground-disturbing construction activities. The training will include a brief review of the cultural sensitivity of the area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of archaeological resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new supervisorial construction personnel involved with grading and trenching operations that begin work on the Project Site after the initial training session must take the training prior to beginning work on-site.	Project Developer; Project Construction Contractor	City of Rialto Planning Division and Building and Safety Division	Prior to the issuance of a grading permit	
	MM 4.3-3 The Project Archaeologist shall conduct monitoring during all grading, trenching, and excavation activities that occur within previously undisturbed on the Project Site (i.e., soils below the approximately 5.5-foot-thick layer of artificial fill at and immediately below the existing ground surface). The Project Archaeologist shall be equipped to salvage artifacts if they are unearthed to avoid construction delays. Should the Project Archaeologist determine that there are no archaeological resources within the Project's disturbance area or should the archaeological sensitivity be reduced to low during construction activities, archaeological monitoring activities can be reduced to spot-checking or may be allowed to cease.	Project Developer; Project Archaeologist	City of Rialto Building and Safety Division	Prior to issuance of grading permit and if any suspected archaeological resources are discovered during ground-disturbing activities	

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	MM 4.3-4 If a suspected significant archaeological resource is found, the construction supervisor shall immediately halt grading operations within a 50-foot radius around the find ("buffer area"), redirect grading operations outside of the buffer area, and seek identification and evaluation of the suspected resource by the Project Archaeologist. This requirement shall be noted on all grading plans and the construction contractor shall be obligated to comply with the note. The Project Archaeologist shall evaluate the suspected resource and make a determination of significance pursuant to CEQA Guidelines Section 15064.5 and California Public Resources Code Section 21083.2. If the resource is significant, Mitigation Measure 4.3-5 shall apply.	Project Developer; Project Archaeologist	City of Rialto Building and Safety Division	Prior to issuance of grading permit and if any suspected archaeological resources are discovered during ground-disturbing activities	
	MM 4.3-5 If a significant archaeological resource is discovered, ground disturbing activities shall be suspended 50 feet around the resource until a treatment plan is implemented. A treatment plan shall be prepared and implemented, subject to approval by the City of Rialto, to protect the identified resource(s) from damage and destruction. The treatment plan shall contain a research design and data recovery program necessary to document the size and content of the discovery such that the resource(s) can be evaluated for significance under CEQA criteria. The research design shall list the sampling procedures appropriate to exhaust the research potential of the archaeological resource(s) in accordance with current professional archaeology standards. In the event the discovered resource(s) is or suspected to be of Native American origin, the treatment plan shall require monitoring by the appropriate Native American Tribe(s) during data recovery and shall require that all recovered artifacts undergo basic field analysis and documentation or laboratory analysis, whichever is appropriate. At the completion of the basic field analysis and documentation or laboratory analysis, any recovered resource(s) shall be processed and	Project Developer; Project Archaeologist	City of Rialto Building and Safety Division	Prior to issuance of grading permit and if any suspected archaeological resources are discovered during ground-disturbing activities	

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	curated according to current professional repository standards. The collections and associated records shall be donated to an appropriate curation facility, or, the artifacts may be delivered to the appropriate Native American Tribe(s) if that is recommended by the City of Rialto. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the City of Rialto, the South Central Coastal Information Center at California State University, Fullerton, and the appropriate Native American Tribe(s).				
Threshold "c:" Less-Than-Significant Impact. In the unlikely event that human remains are discovered during Project grading or other ground disturbing activities, the Project Applicant would be required to comply with the applicable provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097 et seq. Mandatory compliance with State law would ensure that human remains, if encountered, are appropriately treated and would preclude the potential for significant impacts to human remains.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.4 Energy					
Summary of Impacts					
Threshold "a:" Less-than-Significant Impact. The amount of energy and fuel consumed by construction and operation of the Project would not be inefficient, wasteful, or unnecessary. Furthermore, the Project would not cause or result in the need for additional energy facilities or energy delivery systems	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold "b:" Less-than-Significant Impact. The Project would not cause or result in the need for additional energy production or transmission facilities. The Project would not conflict with or obstruct the achievement of energy conservation goals within the State of	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
California identified in State and local plans for renewable energy and energy efficiency.					
4.5 Geology and Soils					
Summary of Impacts					
Threshold "a:" Less-than-Significant Impact. Implementation of the Project would not expose people or structures to substantial direct or indirect adverse effects related to liquefaction or fault rupture. The Project Site is subject to seismic ground shaking associated with earthquakes; however, mandatory compliance with local and State regulatory requirements and building codes would ensure that the Project minimizes potential hazards related to seismic ground shaking to less-than-significant levels.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold "b:" Less-than-Significant Impact. Implementation of the Project would not result in substantial soil erosion or loss of topsoil. The Project Applicant would be required to obtain a NPDES permit for construction activities and adhere to a SWPPP, and prepare an erosion control plan to minimize water and wind erosion. Following completion of development, the Project's owner or operator would be required by law to implement a SWQMP during operation, which would preclude substantial erosion impacts in the long-term.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold "c:" Less-than-Significant Impact. There is no potential for the Project's construction or operation to cause, or be impacted by, on- or off-site landslides or lateral spreading. Potential hazards associated with unstable soils would be precluded through mandatory adherence to the recommendations contained in the site-specific Geotechnical Investigation during Project construction.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Threshold "d:" No Impact. The Project Site contains soils with no susceptibility to expansion; therefore, the Project would not create substantial direct or indirect risks to life or property associated with the presence of expansive soils. No impact would occur.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "e:" No Impact. No septic tanks or alternative wastewater disposal systems are proposed to be installed on the Project Site. Accordingly, no impact would occur associated with soil compatibility for wastewater disposal systems.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "f:" Less-than-Significant with Mitigation Incorporated. The Project would not impact any known paleontological resource or unique geological feature. However, a portion of the Project Site may contain Pleistocene older alluvium soils with a high sensitivity for paleontological resources. Accordingly, construction activities on the Project Site have the potential to unearth and adversely impact paleontological resource that may be buried beneath the ground surface.	**MM 4.5-1** Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Rialto that a qualified paleontologist ("paleontologist") has been retained by the Project Applicant or contractor to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.	Project Applicant; Project Paleontologist	City of Rialto Planning Division and Building and Safety Division	Prior to the issuance of a grading permit	Less-than-Significant Impact after Mitigation
	MM 4.5-2 The paleontologist shall conduct full-time monitoring during grading and excavation operations in undisturbed, Pleistocene older alluvium soils and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by the paleontologist to have a low potential to contain or yield fossil resources.	Project Applicant; Project Paleontologist	City of Rialto Planning Division and Building and Safety Division	During monitoring activities	

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	MM 4.5-3 Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into the collections of the Division of Geological Sciences, San Bernardino County Museum, shall be required for discoveries of significance as determined by the paleontological monitor.	Project Applicant; Project Paleontologist	City of Rialto Planning Division and Building and Safety Division	If a significant paleontological resource is discovered on the project site	
	MM 4.5-4 A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Rialto prior to issuance of the first occupancy permit.	Project Applicant; Project Paleontologist	City of Rialto Planning Division and Building and Safety Division	Prior to final building inspection	
4.6 Greenhouse Gas Emissions					
Summary of Impacts					
Threshold "a:" Significant Unavoidable Cumulatively-Considerable Impact. The Project would exceed the SCAQMD significance threshold of 3,000 $MTCO_2e$ per year. As such, the Project would generate substantial, cumulatively-considerable GHG emissions that may have a significant impact on the environment.	Refer to MM 4.2-4 through MM 4.2-9, above.	N/A	N/A	N/A	Significant and Unavoidable Direct and Cumulatively-Considerable Impact
Threshold "b:" Less-than-Significant Impact. The Project would be consistent with or otherwise would not conflict with, applicable regulations, policies, plans, and policy goals that would further reduce GHG emissions.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.7 Hazards and Hazardous Materials					
Summary of Impacts					
Threshold "a" and "b:" Significant Direct Impact. The Project Site contains soils contaminated with hydrocarbons and volatile organic compounds that, although not expected to pose a substantial risk to the	**MM 4.7-1** Prior to the issuance of the first grading or building permit for the 350 West Valley Boulevard property, the Project Applicant shall provide evidence to the City of Rialto that the Department of Toxic Substances Control (DTSC)	Project Applicant/ Project Construction Contractors	City of Rialto Planning Division and Building and Safety Division	Prior to issuance of a grading permit	Less-than-Significant Impact after Mitigation

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
environment or people on the Project Site, could require remediation.	has issued a "No Further Action" letter (or equivalent) for soils located in the southeast portions of the 350 West Valley Boulevard property where concentrations of hydrocarbons were previously detected in soils, and where PCE was previously detected in soil vapor. In the event that DTSC determines that soil remediation is required, the grading and/or building plans shall incorporate any construction and/or site design features required by the DTSC, which may include utility trench dams, utility conduit seals, sub-slab vents, and sub-slab vapor barriers. **MM 4.7-2** Prior to issuance of a grading permit, the City of Rialto shall ensure the note listed in sub-paragraph "a" below is included on grading plans. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by City of Rialto staff or its designee. These notes shall also be specified in bid documents to prospective construction contractors. a. In the event that underground storage tanks (USTs), septic systems, asbestos containing materials (ACMs), or lead based paint (LBP) are found on the Project Site during demolition and/or construction activities, these materials shall be remediated and properly disposed of in accordance with applicable federal, State, and San Bernardino County Fire Department, Hazardous Materials Division requirements.	Project Applicant	City of Rialto Planning Division and Building and Safety Division	Prior to issuance of a grading permit	

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Threshold "c:" Less-than-Significant Impact. The Project Site is located within one-quarter mile of Joe Baca Middle School; however, the Project would comply with applicable federal, State, and local regulations related to the handling, storage, use, and transport of hazardous materials to ensure that students at Joe Baca Middle School are not exposed to substantial hazardous emissions or acutely hazardous materials, substances, or waste.	**MM 4.7-3** Prior to the issuance of any new occupancy permit for a use/user within the Project Site, the use/user shall disclose to the City of Rialto if they will transport and/or store hazardous materials in amounts warranting the preparation of a Hazardous Materials Business Emergency Plan (HMBEP) as required by law. If a HMBEP is required by law, the Project Applicant shall provide a copy of its approved Emergency Response Plan to the Superintendent's Office and Facilities Office of the Colton Joint Unified School District as well as the Principal of Joe Baca Middle School outlining how the building use/user will prevent or respond to spills or leaks of hazardous materials related to its facility/facilities and use of the Project Site. If so requested, the Project Applicant shall also meet with School District and Fire Department officials to discuss emergency response procedures as contained in the HMBEP for spills or leaks at the Project Site in relation to the nearby school facilities. This measure shall be implemented under the supervision of the City of Rialto's Planning Division, with input from the Colton Joint Unified School District Superintendent as appropriate. All meetings shall be documented and documentation shall be provided to the City within thirty (30) days of each meeting.	Project site owner or occupant	City of Rialto Planning Division and Building and Safety Division	Prior to issuance of occupancy permit	Less-than-Significant Impact
Threshold "d:" No Impact. The Project Site is not located on any list of hazardous materials sites complied pursuant to Government Code Section 65962.5.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "e:" Less-than-Significant Impact. The Project Site is not located within a noise or safety hazard area for the Rialto Municipal Airport. As such, the Project would not result in an airport safety hazard for people residing or working in the Project area.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold "f:" Less-than-Significant Impact. The Project Site does not contain any emergency facilities nor does it serve as an	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
emergency evacuation route. During construction and long-term operation, adequate emergency vehicle access is required to be provided. Accordingly, implementation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan.					
Threshold "g:" No Impact. The Project Site is not located in close proximity to wildlands or areas with high fire hazards. Thus, the Project would not expose people or structures to a significant wildfire risk.	No mitigation is required.	N/A	N/A	N/A	No Impact
4.8 Hydrology and Water Quality					
Summary of Impacts					
Threshold "a:" Less-than-Significant Impact. The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Adherence to a SWPPP and WQMP is required as part of the Project's implementation to address construction- and operational-related water quality.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold "b:" Less-than-Significant Impact. The Project would not physically impact any of the major groundwater recharge facilities in the Upper Santa Ana Valley Groundwater Basin. The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede management of the Upper Santa Ana Valley Groundwater Basin.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold "c:" Less-than-Significant Impact. The Project Applicant would be required to comply with applicable water quality regulatory requirements to minimize erosion and siltation. Additionally, the Project would not result in flooding on- or off-site or impede/redirect flood flows. Lastly, the	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Project would not create or contribute to increased flooding risks due to insufficient capacity of existing or planned stormwater drainage systems or and would not provide substantial additional sources of polluted runoff.					
Threshold "d:" No Impact. The Project Site would not be subject to inundation from tsunamis, seiches, or other hazards.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "e:" Less-than-Significant Impact. The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.9 Land Use and Planning					
Summary of Impacts					
Threshold "a:" No Impact. The Project would not physically divide an established community.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "b:" Less-than-Significant Impact. The Project's proposed General Plan Amendment and Specific Plan Amendment would eliminate potential inconsistencies between the proposed on-site land use and the site's existing General Plan and Specific Plan land use designations. In addition, the proposed Variance would eliminate the potential inconsistency between the proposed design and the City's Zoning Ordinance.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.10 Noise					
Summary of Impacts					
Threshold "a:" Less-than-Significant Impact. The Project would generate short-term construction and long-term operational noise but would not generate noise levels during construction and/or operation that exceed the standards established by the FTA, FICON, the City of Rialto, or San Bernardino County Development Code.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Threshold "b:" Less-than-Significant Impact. The Project's construction and operational activities would not result in a perceptible groundborne vibration or noise.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold "c:" Less-than-Significant Impact. The Project Site is not located within an area exposed to high levels of noise from the San Bernardino International Airport. As such, the Project would not expose people to excessive noise levels associated with a public airport or public use airport.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.11 Transportation					
Summary of Impacts					
Threshold "a:" Less-than-Significant Impact. The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system such that the Project would result in a significant impact on the environment. Although the Project would contribute to traffic volumes at three intersections that would operate at a deficient LOS, in potential conflict with General Plan Circulation Chapter Policy 4-1.20, which relates to LOS criteria, SB 743 and the CEQA Guidelines stipulate that LOS is not to be used as a criteria for determining significant effects on the environment. Further, City-required fair share payments would ensure that the Project remains consistent with General Plan Circulation Chapter Policy 4-1.20.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold "b:" Significant Direct and Cumulatively-Considerable Impact. The Project would result in a significant direct and cumulatively considerable VMT impact because, due to the Project Site's location, the Project's employees are calculated to need to travel farther to and from the Project Site than the average daily distance traveled by workers and residents in Rialto. Because no feasible mitigation is available to reduce the VMT for the Project's employees to below the City's calculated average VMT, the Project would	**MM 4.11-1** Prior to issuance of occupancy permits, the City of Rialto shall confirm that future tenant improvements include end-of-trip facilities (which may include showers and locker rooms) that would promote biking to work. **MM 4.11-2** Prior to issuance of occupancy permits, the Project Applicant or successor in interest shall provide the City of Rialto with an information packet that will be provided to future building occupants that: 1) provides information regarding	Project Applicant	City of Rialto Planning Division and Building and Safety Division	Prior to issuance of occupancy permit	Significant and Unavoidable Direct and Cumulatively-Considerable Impact

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
result in a significant and unavoidable direct and cumulatively considerable impact under Threshold "b."	the benefits of trip reduction programs, including pricing workplace parking and employee parking cash-out programs, and how such programs could be administered for future building occupants to consider implementing.				
Threshold "c:" No Impact. No significant transportation safety hazards would be introduced as a result of the proposed Project.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold "d:" No Impact. Adequate emergency access would be provided to the Project Site during construction and long-term operation. The Project would not result in inadequate emergency access to the site or surrounding properties.	No mitigation is required.	N/A	N/A	N/A	No Impact
4.12 Tribal Cultural Resources					
Summary of Impacts					
Threshold a: Significant Direct and Cumulatively-Considerable Impact. The Project Site does not contain any recorded, significant tribal cultural resource sites; therefore, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or a local register of historical resources. Nonetheless, Project construction activities have the potential to unearth and adversely impact tribal cultural resources that may be buried at the Project Site. Implementation of MMs 4.3-1 through 4.3-5 would ensure the proper identification and subsequent treatment of any significant tribal cultural resources that may be encountered during ground-disturbing activities associated with Project development. With implementation of the required mitigation, the Project's potential impact to significant tribal cultural resources would be reduced to less-than-significant.	**MM 4.12-1** Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.	Project Developer; Project Archaeologist	City of Rialto Planning Division and Building and Safety Division	Prior to grading permit issuance and ongoing during construction.	Less-than-Significant Impact after Mitigation

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	C. On the days the monitor is present, the monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe. D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs. E. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.				

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	MM 4.12-2 Unanticipated Discovery of Human Remains and Associated Funerary Objects A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute. B. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed. C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, unless the Kizh determines in its reasonable discretion that resuming construction activities at that distance is not acceptable, and provides an alternative distance or other mitigation measures the Kizh monitor and/or archaeologist deems necessary in their reasonable discretion. (CEQA Guidelines Section 15064.5(f).) E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a				

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes. F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.				
	MM 4.12-3 Procedures for Burials and Funerary Remains: A. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term "human remains" encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. B. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created. C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials. D. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If				

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every reasonable effort to recommend diverting the project around the immediate area of where the human remains are discovered and keeping the remains in situ and protected, if feasible. If the project cannot be diverted, the burials may be removed. E. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site in the immediate area of where the human remains are discovered, the landowner shall arrange a designated site location within the footprint of the project, if feasible, for the respectful reburial of the human remains and/or ceremonial objects. F. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered. G. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The				

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.				
4.13 Utilities and Service Systems					
Summary of Impacts					
Threshold "a:" Less-than-Significant Impact. The Project would not result in substantial adverse effects to the environment during the construction of water, wastewater, stormwater drainage, and electric power infrastructure.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold "b:" Less-than-Significant Impact. The City of Rialto is expected to have sufficient water supplies to service the Project. The Project would not exceed the City's available supply of water during normal years, single-dry years, or multiple-dry years.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold "c:" Less-than-Significant Impact. The City of Rialto would provide wastewater treatment services to the Project Site via the RWTP, which has adequate capacity to service the Project and no new or expanded facilities would be needed.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold "d:" Less-than-Significant Impact. There is adequate capacity available at the Mid-Valley Landfill to accept the Project's solid waste during both construction and long-term operation. The Project would not generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure to handle the waste.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold "e:" Less-than-Significant Impact. The Project would comply with all applicable federal, State, and local statutes and regulations related to the management and reduction of solid waste and pertaining to waste disposal, reduction, and recycling.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

END OF EXHIBIT C