SECTION 1
INTRODUCTION

Independently reviewed, analyzed and exercised judgment in making the determination, by the Planning Commission on _____, pursuant to Section 21082 of the California Environmental Quality Act (CEQA).

CEQA requires the preparation of an Initial Study when a proposal must obtain discretionary approval from a governmental agency and is not exempt from CEQA. The purpose of the Initial Study is to determine whether or not a proposal, not except from CEQA, qualifies for a Negative Declaration (ND) or whether or not an Environmental Impact Report (EIR) must be prepared.

1. Project Title: Riverside & Randall Gas Station

2. Lead Agency Name: City of Rialto
Planning Division
150 South Palm Avenue
Rialto, CA 92376

3. Contact Person: Daniel Casey, Senior Planner
Phone Number: (909) 820-2535

4. Project Location: West side of Riverside Avenue between Randall Avenue and San Bernardino Avenue in the City of Rialto

5. Geographic Coordinates of Project Site: 34° 05' 4.34" N; 117° 22' 15.33" W

6: USGS Topographic Map: San Bernardino South 7.5-minute USGS Topographic Quadrangle

7: Public Land Survey System: Township 1 South, Range 5 West, Section 14

8. Thomas Guide Location: Page 605, Grid G3 & H3, 2013, San Bernardino & Riverside Counties

9. Assessor Parcel Number: 0132-031-21, 0132-031-03

10. General Plan and Zoning Designations: Neighborhood Commercial

11. Description of Project: Beyond International, LLC (Applicant) is requesting the approval of a Conditional Development Permit and a Precise Plan of Design to construct and operate a 10-fuel dispenser fueling station, a 7,250 square-foot convenience store with an attached drive-thru for food pick-up, and an attached 1,750 square-foot automated carwash. The Project also includes an 1,800 square-foot "QSR-A" drive-thru restaurant. The fueling station would be composed of five (5) fueling islands to include

ten (10) fueling dispensers, and two underground storage tanks (USTs) including a 30,000-gallon UST for unleaded fuel, and a 22,000-gallon split tank that would store 12,000 gallons of premium, and 10,000 gallons of diesel. The Project would be constructed on an approximate 2.07-acre site located on the southwest corner of Randall and Riverside avenues (see Figure 1 Regional Map and Figure 2 Vicinity Map) in the City of Rialto (APN: 0132-031-21 and 0132-031-03). Access to the site would be provided by a 40-foot driveway at Randall Avenue and a 40-foot driveway at Riverside Avenue. The Project would include 17,790 square-feet (12.91% lot coverage) of landscaping, and a total of 53 parking spaces including three accessible spaces. The maximum height of the convenience store, carwash and drive-thru food pick-up would not exceed 29 feet (See Figure 3 Site Plan).

According to the City of Rialto's General Plan Land Use Map and Zoning Map, the Project Site is designated Residential 21 and is currently zoned Neighborhood Commercial (C-1). The Project Site is currently developed with existing residential and commercial structures and a parking lot that would be demolished to allow for the proposed development. The Project Site is bordered by a chain-link fence on the north and wood fencing on the west and south sides. Surrounding land uses include existing residential to the north, south, east, and west.

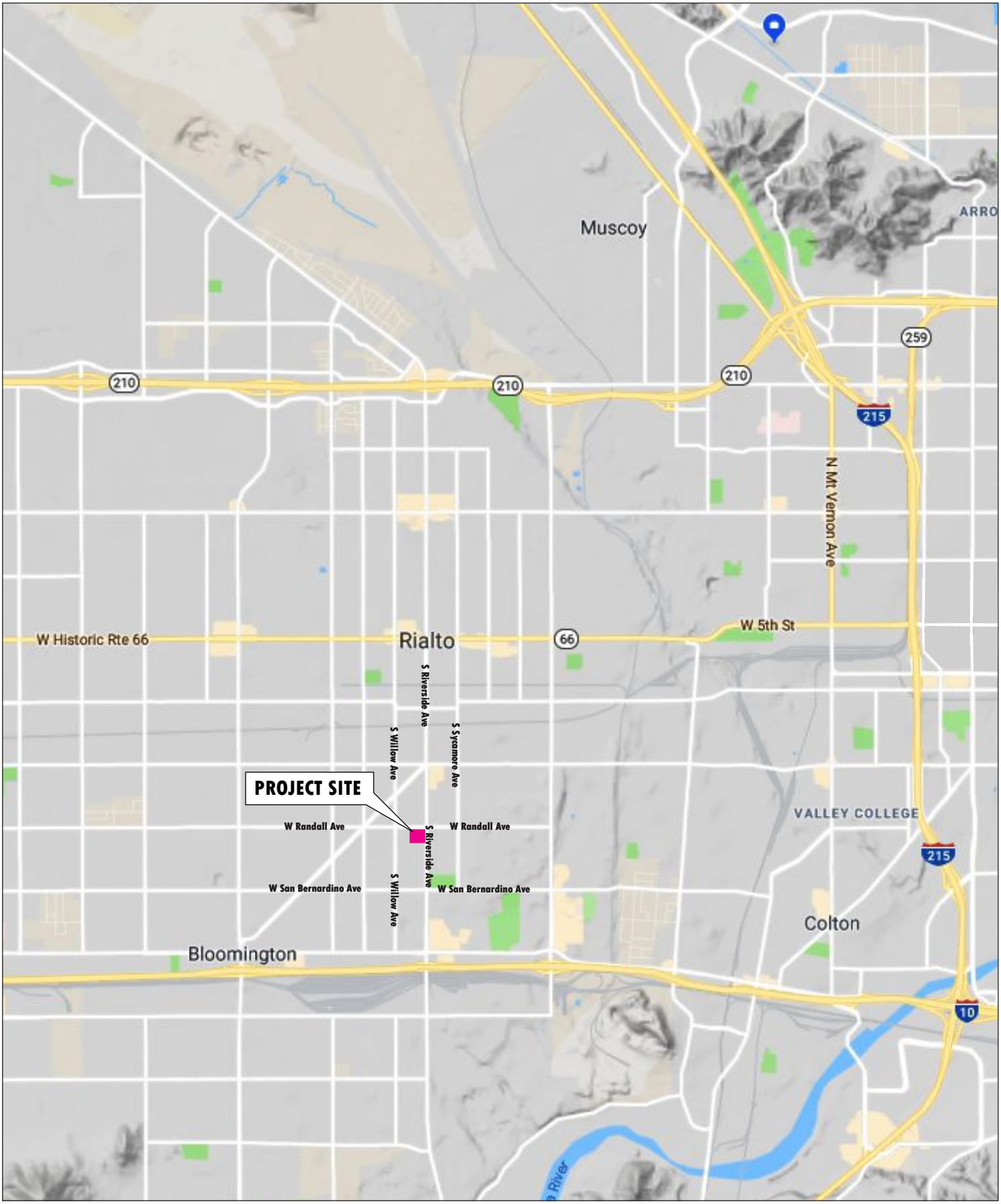
This Initial Study addresses the potential impacts of the proposed gas station and convenience store/carwash ("Proposed Project"), including the associated discretionary actions and approvals required to implement the Proposed Project, as well as all subsequent construction and operation activities.

12. Surrounding Land Uses and Setting:

	ZONING	**EXISTING LAND USE**
PROJECT SITE	Neighborhood Commercial	Restaurant, Single-Family Residential
NORTH	Residential 6	Single-Family Residential
EAST	Residential 21	Multi-Family Residential
SOUTH	Residential 12	Single Family Residential
WEST	Residential 6	Single-Family Residential

13. Other agencies whose approval is required (e.g., permits, finance approval, or participation agreement):

- California Regional Water Quality Control Board, Santa Ana Region (RWQCB – Santa Ana Region, General Construction Permit, Storm Water Pollution Prevention Plan (SWPPP) and National Pollutant Discharge Elimination System (NPDES)



N

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Mile

Source: Lilburn Corp., May, 2019.

LILBURN CORPORATION

REGIONAL LOCATION

Beyond Convenience Store

City of Rialto, California

FIGURE 1

N

0 170

Feet

Source: Lilburn Corp., May, 2019.

LILBURN CORPORATION

PROJECT VICINITY

Beyond Convenience Store

City of Rialto, California

FIGURE 2

LILBURN
CORPORATION

SITE PLAN
Beyond Convenience Store
City of Rialto, California

FIGURE 3

Reference Notes

42	(N) LOCATION FOR BUS STOP, SEE CIVIL PLAN.	32	RELOCATE (E) WATER METER, SEE CIVIL PLAN.	22	(N) 28 FT WIDE FIRE LANE
43	(N) BUS SHELTER BY OTHERS.	33	RELOCATE (E) WATER ASSEMBLY.	23	(N) 25 FT WIDE COLOR CONC PAVING.
44	(N) CLARIFIER TANK TRAFFIC RATED.	34	RELOCATE (E) SIGN.	24	(N) MENU BD
45	(N) GREASE INTERCEPTOR 1500 GAL. TRAFFIC RATED.	35	REMOVE & DISPOSE (E) SITE LIGHT POLE.	25	RELOCATE (E) BUS STOP & SIGN.
46	12'-0"H. WALL MOUNTED LIGHT FIXTURE.	36	STREET DEDICATION AREA.	26	RELOCATE (E) SCE EASEMENT.
47	20'-0"H. POLE MOUNTED LIGHT FIXTURE.	37	PROPOSED PROPERTY LINE.	27	RELOCATE (E) UTILITY EQUIPMENT.
48	4'-0" W. PEDESTRIAN WALKWAY.	38	(N) 6'-0" HT. SPLIT FACE CMU FENCE WALL.	28	REMOVE & DISPOSE (E) DRIVEWAY APPROACH.
		39	(N) AIR/WATER TOWER.	29	(E) TRAFFIC SIGNAL BOX.
		40	(N) TRASH RECEPTACLE.	30	(N) EXIT DOOR.
		41	REMOVE & DISPOSE (E) CURB & GUTTER.	31	RELOCATE (E) POWER POLE & GUY WIRE, SEE CIVIL PLAN.

12	(N) TRANSFORMER PAD	1	(E) PROPERTY LINES		
13	(N) TRASH ENCLOSURE	2	(E) RIGHT OF WAY		
14	(N) LOADING/UNLOADING	3	(N) RIGHT OF WAY		
15	(N) MONU. SIGN	4	(E) SEWER EASEMENT		
16	(N) HCP PARKING	5	(N) CURB AND GUTTER		
17	(N) HCP RAMP	6	(E) CONCRETE CURB & GUTTER		
18	(N) VACUUM @ 3 LOCS.	7	(E) CONC. SIDEWALK		
19	(N) 4 FT WIDE HCP PATH OF TRAVEL, PER CODE STD.	8	(N) 35'X140' CANOPY		
20	(N) CONC. SIDEWALK	9	(N) UNDER GROUND STORAGE TANKS		
21	(N) BIKE RACK PER CITY'S STANDARD	10	(N) LANDSCAPE		
		11	(N) HEALY TANK W/SPLITFACE CMU ENCLOSURE		

Proposed Site Plan

SCALE: 1" = 30'-0"

NORTH

ARCHITECTURE DESIGN PATENTED, TRADE ADDRESSED, AND OWNED BY BEYOND FOOD MART.

Project Directory

OWNER:
SATER BROS
TOM LAU, A.I.A.
4300 EDISON AVE.,
CHINO, CA 91710
TEL: (909) 465-4101
FAX: (909) 606-8839

ARCHITECT & CIVIL ENGINEER:
TOM LAU, A.I.A.
W&W LAND DESIGN CONSULTANTS
2335 W. FOOTHILL BLVD., SUITE I,
UPLAND, CA 91786
TEL: (909) 608-7118
FAX: (909) 946-1137

Legal Description

APN#
PARCEL 1: 0132-031-21-0000 (1.822±AC. GROSS)
PARCEL 2: 0132-031-03-0000 (0.235±AC. GROSS)

Vicinity Map

N. T. S.

Project Data

PROJECT ADDRESS: SW CORNER OF RANDALL AVENUE & RIVERSIDE AVENUE, RIALTO, CA

APN#
PARCEL 1: 0132-031-21-0000 (1.822±AC. GROSS)
PARCEL 2: 0132-031-03-0000 (0.235±AC. GROSS)

ZONING: COMMERCIAL

BUILDING TYPE: V-A
OCCUPANCY: A-2, B & M
FIRE SPRINKLER: YES, (NFPA 72)
FIRE ALARM: YES, (NFPA 13)
LOT SIZE (GROSS): 90,030 SF
LOT SIZE (NET) AFTER DEDICATION: 84,179 SF
DEDICATED AREA: 5,851 SF
BUILDING AREA: 8,920 SF

BUILDING -1
A) GAS STATION WITH C-STORE, DRIVE THRU AND CAR WASH: 7,250 SF
C-STORE 1,750 SF
CARWASH TUNNEL (INCL ELEC/EQUIP. ROOM) 5,500 SF
TOTAL AREA 9,000 SF

BUILDING -2
B) QSR-A: 1,800 SF
QSR

HEIGHT OF BUILDING: 29'-0" (APPROX)

SETBACK REQUIREMENTS:
FRONT YARD 15'-0"
INTERIOR SIDE NONE

PARKING REQUIRED:		PARKING REQUIRED
A) C-STORE, 1/250 SQ.FT. 7,250 SQ.FT./ 250	29.0	29 (INCL. 2 HCP)
B) QSR-A (1/75 QSR-B (1/75 1800/75=24	24.0	24 (INCL. 1 HCP)
TOTAL REQUIRED:	53.0	53
PARKING PROVIDED:		53 (INCL. 3 HCP PARKING, PLUS 6 DRIVE-THRU CREDIT
TOTAL PROVIDED		59 CARS - 3(VAC.)= 56 OK
		PLUS 20 UNDER CANOPY,
		PLUS 1 LOADING/UNLOADING
LOADING/UNLOADING PROVIDED:	1	
COVERAGE:	10,800 SF/83,859 SF = 12.91%	
LANDSCAPE AREA:	17,709 SF	

Scope Of Work

NEW CONSTRUCTION OF A SERVICE STATION WITH C-STORE, CANOPY, UNDERGROUND STORAGE TANKS, A GAS STATION WITH THRU DRIVE AND CARWASH; PLUS A QSR.

Legal Description

APN#
PARCEL 1: 0132-031-21-0000 (1.822±AC. GROSS)
PARCEL 2: 0132-031-03-0000 (0.235±AC. GROSS)

Legend

STREET DEDICATION AREA

26'-0" WIDE FIRE LANE

W&W LAND DESIGN CONSULTANTS INC.
ARCHITECTURE, CIVIL ENGINEERING & INTERIOR
2335 W. FOOTHILL BLVD., STE I, UPLAND, CA 91786
PHONE: (909) 608-7118 FAX: (909) 946-1137

PROJECT: SERVICE STATION WITH C-STORE AND DRIVE THRU & CAR WASH, AND 1-QSR

ADDRESS: SWC OF RANDALL AVE., & RIVERSIDE AVE., RIALTO, CA

CLIENT: SATER BROS.
4300 EDISON AVE.,
CHINO, CA 91710

SHEET TITLE:
PROJECT DIRECTORY & DATA
LEGAL DESCRIPTION, SHEET INDEX, VICINITY MAP, NOTES & SCOPE OF WORK

KEY MAP

SEAL/STAMP

REVISIONS		
	PLANNING SUBMITTAL	07/25/2019
A	ORDER REVIEW	08/08/2019
	PERMIT SET	
	BID SET	
	PLAN CHECK	

JOB NO.	1810.A01
DRAWN BY:	TL
SUPERVISED BY:	TL
CHECKED BY:	TL

SHEET NO: A1.01

SHEETS OF SHEET

1.1 EVALUATION FORMAT

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. This format of the study is presented as follows. The Project is evaluated based upon its effect on eighteen (18) major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the Project on each element of the overall factor. The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the Project on the factor and its elements. The effect of the Project is categorized into one of the following four categories of possible determinations:

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

Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

1. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
2. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
3. Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List mitigation measures).
4. Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are: (List the impacts requiring analysis within the EIR).

At the end of the analysis the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

1.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

1.3 ENVIRONMENTAL DETERMINATION

On the basis of this Initial Study, the City of Rialto Environmental Review Committee finds:

☐ I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the Proposed Project would have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the Proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.

_____ _____

Signature Date

_____ _____

Printed Name For

SECTION 2
PROJECT DESCRIPTION

2.1 PURPOSE OF THIS DOCUMENT

The purpose of this Initial Study is to identify potential environmental impacts associated with the approval of a Beyond Convenience Store and Gas Station. The property is located on the southwest corner of the Riverside Avenue and Randall Avenue in the City of Rialto. This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.

Pursuant to Section 15367 of the State CEQA Guidelines, the City of Rialto is the Lead Agency in the preparation of this Initial Study. The City has primary responsibility for approval or denial of this project. The intended use of this Initial Study is to provide adequate environmental analysis related to project construction and operation activities of the Proposed Project.

2.2 PROJECT LOCATION

The Project Site is located on the southwest corner of the Riverside Avenue and Randall Avenue in the City of Rialto. The I-10 Freeway is south of the Project Site, the City of Fontana to the west, the City of San Bernardino to the east, and the unincorporated Community of Muscoy to the north. Figure 1, Regional Location map, depicts the location of the Project Site in context to its regional setting. Figure 2 shows the Project Site Vicinity map, which consists of an approximately 2.07-acre developed site. The Project Site is located in the SE ¼, of Section 14, Township 1 South, Range 5 West on the San Bernardino South USGS 7.5-minute Quadrangle Map. The Project Site consists of two parcels including APNs: 0132-031-21 and 0132-031-03.

2.3 PROJECT DESCRIPTION

The Applicant is requesting the approval of a Conditional Development Permit and a Precise Plan of Design to construct and operate a fueling station and convenience store with an attached drive-thru for food pick-up, and an attached automated carwash. The Project also includes a "QSR-A" drive-thru restaurant. The fueling station would be composed of five fueling islands to include ten fueling dispensers, and two USTs. Access to the site would be provided at Randall Avenue and at Riverside Avenue. The Project would include landscaping and a total of 53 parking spaces including three accessible spaces.

2.4 EXISTING CONDITIONS AND SURROUNDING LAND USES

The Project Site is located within the southern portion of the City. The Project Site is zoned Neighborhood Commercial which allows for up to 0.50 floor ratio. Within this designation, development may consist of general retail, commercial services, restaurants, lodging, commercial recreation, professional offices, and medical and financial institutions. The Proposed Project is conditionally permitted within this zone.

During a site visit conducted on December 18, 2018, the Project Site was bordered by a chain-link fence on the north, no fencing on the east side, and wood fencing along the south and west borders as well as throughout the site. The Project Site currently has abandoned boarded structures with some debris and a parking lot. Existing residential uses are located on adjacent properties to the north, south, east, and west. The site has been disturbed due to past human activities and currently supports non-native grasses and shrubs.

2.5 INTENDED USE OF THIS DOCUMENT

This Initial Study addresses the potential impacts of the Proposed Project, as well as those of the associated discretionary actions and approvals required to implement the Proposed Project, and those of subsequent construction and operational activities.

SECTION 3
ENVIRONMENTAL CHECKLIST FORM

I. AESTHETICS – Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

a) **Less Than Significant Impact.** The City of Rialto's General Plan considers the views of the San Gabriel and San Bernardino Mountains as backdrops for creating scenic vistas throughout the City. General Plan policy states that views of the mountains should be protected by ensuring that building heights are consistent with the scale of surrounding, existing development (Policy 2-14.1), and by ensuring that building materials do not produce glare, such as polished metals or reflective windows (Policy 2-14.3). The San Bernardino Mountains are located to the northeast of the Project Site and the San Gabriel Mountains are located to the northwest. Generally, single-family residential units and multi-family residential units have heights between 10 feet and 30 feet. The Proposed Project would have a maximum height of 29 feet as compared to the existing residential uses around Project Site. The implementation of the Proposed Project would not disturb a scenic vista. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

b) **No Impact.** There are no scenic resources in the immediate vicinity of the Project Site. Riverside Avenue borders the Project Site on the east and is not considered a scenic route by the City of Rialto, the County of San Bernardino, or the State of California. The Project Site is not adjacent to or in the vicinity of a State scenic highway. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

c) **Less Than Significant Impact.** The Project Site is currently developed with eight existing residential and commercial structures and a parking lot. The Proposed Project is surrounded by a residential zoned area and is currently zoned for neighborhood commercial use. Implementation of the Project would provide retail uses for the benefit

of the surrounding residential community. The Project's proposed materials list is a mix of neutral colors that would contribute to the existing visual character of the surrounding area and the Project Site. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

d) **Less than Significant Impact.** The Proposed Project would not generate a significant amount of light and glare when compared to the surrounding area which includes existing lighting from urban development including streetlights and residential land uses. The design and placement of light fixtures within the future commercial development would be reviewed for consistency with City standards and subject to City approval. Standards require shielding, diffusing, or indirect lighting to avoid glare. Lighting would be consistent with City standards and would be directed away from neighboring properties and lanes of vehicular travel. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

II. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?	☐	☐	☐	☒

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
d) Result in loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

a) **No Impact**. The Department of Conservation, Division of Land Resource Protection Farmland Mapping and Monitoring Program, identifies the Project Site as "Urban and Built-Up Land" in its San Bernardino County Important Farmland 2014 Sheet 2 of 2 maps. As stated on the map legend, urban and built-up land is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately six structures to a 10-acre parcel. No prime farmland, unique farmland, or farmland of statewide importance occurs at the Project Site or in its immediate vicinity. Development of the Project Site would not convert farmland to a non-agricultural use. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

b) **No Impact.** The Project Site is not under a Williamson Act Contract as identified in the current map prepared by the California Department of Conservation, Division of Land Resource Protection. The City of Rialto's General Plan does not designate any of the land within the Project Site or in its immediate vicinity for agricultural use. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

c) **No Impact.** The Project Site occurs within the Neighborhood Commercial (C-1) and is within a region identified as being "Urban and Built-Up" as referred to in response "a". Forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production *(as defined by Government Code section 51104(g))* would not be impacted by the Proposed Project as no rezoning from timberland to a non-timberland designation would result. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

d, e) **No impact.** The Project Site does not support forest land nor does the Project Site support farmland. Implementation of the Proposed Project would not convert forest land to non-forest use or farmland to non-agricultural use. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

III. AIR QUALITY

	Potentially Significant Impact	Less than Significant with Mitigation.	Less than Significant	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) 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 (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

a) **Less than Significant Impact.** The Project Site is located in the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) has jurisdiction over air quality issues and regulations within the SCAB. The Air Quality Management Plan (AQMP) for the basin establishes a program of rules and regulations administered by SCAQMD to obtain attainment of the state and federal air quality standards. The most recent AQMP (AQMP 2016) was adopted by the SCAQMD on March 3, 2017. The 2016 AQMP incorporates the latest scientific and technological information and planning assumptions, including transportation control measures developed by the Southern California Association of Governments (SCAG) from the 2016 Regional Transportation Plan/Sustainable Communities Strategy, and updated emission inventory methodologies for various source categories.

The Proposed Project is located within the Neighborhood Commercial (C-1) zone of the City of Rialto as shown by the Official City Zoning Map (updated July 8, 2013). As demonstrated in Section 18.28.020, Permitted Uses, of the City of Rialto Municipal Code, the Proposed Project is a conditionally permitted use within the C-1 zone and the site was previously developed with commercial uses. Therefore, the emissions associated

with the Proposed Project have already been accounted for in the AQMP and approval of the Proposed Project would not conflict with the AQMP. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

b) **Less than Significant Impact.** The Proposed Project's construction and operational emissions were screened using California Emissions Estimator Model (CalEEMod) version 2016.3.2 prepared by the SCAQMD (available at the City offices for review). CalEEMod was utilized to estimate the on-site and off-site construction emissions. The emissions incorporate Rule 402 and 403 by default as required during construction. The criteria pollutants screened for include: reactive organic gases (ROG), nitrous oxides (NOx), carbon monoxide (CO), sulfur dioxide (SO_2), and particulates (PM_{10} and $PM_{2.5}$). Two of the analyzed pollutants, ROG and NO_x, are ozone precursors. Both summer and winter season emission levels were estimated.

Construction Emissions

Construction emissions are considered short-term, temporary emissions and were modeled with the following construction parameters: site preparation, site grading (fine and mass grading), building construction, paving, and architectural coating. Construction is anticipated to begin in early 2020 and be completed in early 2021. The resulting emissions generated by construction of the Proposed Project are shown in Table 1 and Table 2, which represent summer and winter construction emissions, respectively.

Table 1
Summer Construction Emissions
(Pounds per Day)

Source/Phase	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Demolition	2.2	22.1	15.4	0.03	1.8	1.2
Site Preparation	1.7	19.9	11.6	0.03	1.6	0.8
Grading	2.0	21.4	10.4	0.02	4.1	2.5
Building Construction	2.3	17.5	15.0	0.03	1.0	0.9
Paving	1.2	11.6	12.5	0.02	0.8	0.7
Architectural Coating	4.9	1.7	1.8	0.00	0.1	0.1
Highest Value (lbs/day)	**4.9**	**22.1**	**15.4**	**0.03**	**4.1**	**2.5**
SCAQMD Threshold	75	100	550	150	150	55
Significant	**No**	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod.2016.3.2 Summer Emissions.
Phases do not overlap and represent the highest concentration.

Table 2
Winter Construction Emissions
(Pounds per Day)

Source/Phase	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Site Preparation	2.2	22.1	15.3	0.03	1.8	1.2
Grading	1.7	19.9	11.6	0.03	1.6	0.8
Building Construction	2.0	21.4	10.3	0.02	4.1	2.5
Paving	2.3	17.5	15.0	0.03	1.0	0.9
Architectural Coating	5.0	1.7	1.8	0.00	0.1	0.1
Highest Value (lbs/day)	**5.0**	**22.1**	**15.3**	**0.03**	**4.1**	**2.5**
SCAQMD Threshold	75	100	550	150	150	55
Significant	**No**	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod.2016.3.2 Winter Emissions.
Phases do not overlap and represent the highest concentration.

As shown in Table 1 and Table 2, construction emissions during either summer or winter seasonal conditions would not exceed SCAQMD thresholds. Impacts would be less than significant, and no mitigation measures would be required.

Compliance with SCAQMD Rules 402 and 403

Although the Proposed Project does not exceed SCAQMD thresholds for construction emissions, the Project Proponent would be required to comply with all applicable SCAQMD rules and regulations as the SCAB is in non-attainment status for ozone and suspended particulates (PM_{10} and $PM_{2.5}$).

The Project Proponent would be required to comply with Rules 402 nuisance, and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACMs) for each fugitive dust source, and the AQMP, which identifies Best Available Control Technologies (BACTs) for area sources and point sources. The BACMs and BACTs would include, but not be limited to the following:

1. The Project Proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.

   (a) The Project Proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading activity on the site. Portions of the site that are actively being graded shall be watered regularly (2x daily) to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.

   (b) The Project Proponent shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.

   (c) The Project Proponent shall ensure that landscaped areas are installed as soon as possible to reduce the potential for wind erosion.

(d) The Project Proponent shall ensure that all grading activities are suspended during first and second stage ozone episodes or when winds exceed 25 miles per hour.

During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NO_X and PM_{10} levels in the area. Although the Proposed Project does not exceed SCAQMD thresholds during construction, the Applicant/Contractor would be required to implement the following conditions as required by SCAQMD:

2. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.

3. The Project Proponent shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site power generation during construction.

4. The Project Proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.

5. All buildings on the Project Site shall conform to energy use guidelines in Title 24 of the California Administrative Code.

6. The operator shall maintain and effectively utilize and schedule on-site equipment in order to minimize exhaust emissions from truck idling.

7. The operator shall comply with all existing and future California Air Resources Board (CARB) and SCAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.

Operational Emissions

The operational mobile source emissions were calculated using the Revised Traffic Impact Analysis prepared by Kunzman Associates, Inc. in January 2019. The Revised Traffic Impact Analysis determined that the Proposed Project would generate approximately 4,039 total daily trips. Emissions associated with the Proposed Project's estimated total daily trips were modeled and are listed in Table 3 and Table 4, and represent summer and winter operational emissions, respectively.

Table 3
Summer Operational Emissions Summary
(Pounds per Day)

Source	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Area	0.1	0.0	0.0	0.0	0.0	0.0
Energy	0.0	0.2	0.1	0.0	0.0	0.0
Mobile	6.5	36.5	35.4	0.1	6.0	1.6
Totals (lbs/day)	**6.6**	**36.7**	**35.5**	**0.1**	**6.0**	**1.7**
SCAQMD Threshold	55	55	550	150	150	55
Significance	**No**	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod.2016.3.2 Summer Emissions.

Table 4
Winter Operational Emissions Summary
(Pounds per Day)

Source	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Area	0.1	0.0	0.0	0.0	0.0	0.0
Energy	0.0	0.2	0.1	0.0	0.0	0.0
Mobile	5.5	35.7	35.7	0.1	6.0	1.6
Totals (lbs/day)	**5.6**	**35.8**	**35.8**	**0.1**	**6.0**	**1.7**
SCAQMD Threshold	55	55	550	150	150	55
Significance	**No**	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod.2016.3.2 Winter Emissions.

As shown, both summer and winter season operational emissions are below SCAQMD thresholds. Impacts are anticipated to be less than significant, and no mitigation measures would be required.

The Proposed Project does not exceed applicable SCAQMD regional thresholds either during construction or operational activities. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

c) **Less than Significant Impact.** The Proposed Project would not exceed any SCAQMD thresholds for criteria pollutants during construction (see Tables 1 and 2). Operational emissions are less than significant and would not result in a cumulatively considerable net increase of any criteria pollutant (see Tables 3 and 4). Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

d) **Less than Significant Impact.**

Localized Significance Threshold

SCAQMD has developed a methodology to assess the localized impacts of emissions from a proposed project as outlined within the Final Localized Significance Threshold (LST) Methodology report; completed in June 2003 and revised in July 2008. The use of

LSTs is voluntary, to be implemented at the discretion of local public agencies acting as a lead agency pursuant to CEQA. LSTs apply to projects that must undergo CEQA or the National Environmental Policy Act (NEPA) and are five acres or less. LST methodology is incorporated to represent worst-case scenario emissions thresholds. CalEEMod version 2016.3.2 was used to estimate the on-site and off-site construction emissions. The LSTs were developed to analyze the significance of potential air quality impacts of proposed projects to sensitive receptors (i.e. schools, single family residences, etc.) and provide screening tables for small projects (one, two, or five acres). Projects are evaluated based on geographic location and distance from the sensitive receptor (25, 50, 100, 200, or 500 meters from the site).

For the purposes of a CEQA analysis, the SCAQMD considers a sensitive receptor to be a receptor such as a residence, hospital, convalescent facility or anywhere that it is possible for an individual to remain for 24 hours. Additionally, schools, playgrounds, child care centers, and athletic facilities can also be considered as sensitive receptors. Commercial and industrial facilities are not included in the definition of sensitive receptor because employees do not typically remain on-site for a full 24 hours, but are usually present for shorter periods of time, such as eight hours.

The Project Site is approximately 2.07 acres and therefore the "two-acre" LSTs were utilized for analysis. Nearby sensitive receptors includes the residential developments located immediately to the north, east, south, and west of the Project Site. The nearest sensitive receptor is a residential unit located approximately 115 feet from the proposed fueling area and therefore LSTs are conservatively based on an 82-foot (25-meter) distance. The Proposed Project's construction and operational emissions with the appropriate LST are presented in Table 5.

Table 5
Localized Significance Thresholds
(Pounds per Day)

Source	NOx	CO	PM10		PM2.5	
Construction Emissions (Max. from Table 1 and Table 2)	22.1	15.4	4.1		2.5	
Operational Emissions (Max. Total from Table 3 and Table 4)[1]	3.8	3.7	0.6		0.2	
Highest Value (lbs/day)	**22.1**	**15.4**	**4.1**	**0.6**	**2.5**	**0.2**
LST	170	972	7*	2†	4*	1†
Greater Than Threshold	**No**	**No**	**No**	**No**	**No**	**No**

Sources: CalEEMod.2016.3.2 Summer and Winter Emissions; SCAQMD Final Localized Significance Threshold Methodology; SCAQMD Mass Rate Look-up Tables for 2-acre site in SRA No. 34, distance of 25 meters.

Note: PM10 and PM2.5 emissions are separated into construction and operational thresholds in accordance with the SCAQMD Mass Rate LST Look-up Tables.

* Construction emissions LST

† Operational emissions LST

[1] Per LST Methodology, mobile source emissions do not need to be included except for land use emissions and on-site vehicle emissions. It is estimated that approximately 10 percent of mobile emissions will occur on the Project Site.

As shown in Table 5, the Proposed Project's emissions are not anticipated to exceed the thresholds for LSTs. Therefore, the Proposed Project is not anticipated to expose sensitive receptors to substantial pollutant concentrations. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Health Risk Assessment

In February 2019, Urban Crossroads prepared a Focused Health Risk Assessment (HRA) for the Proposed Project in accordance with SCAQMD requirements for projects that include gasoline dispensing facilities. The purpose of the HRA is to address potential impacts to sensitive receptors from benzene, which is a toxic air contaminant that may be emitted during gasoline refueling operations. It should be noted that standard regulatory controls such as the SCAQMD's Rule 461 (Gasoline Transfer and Dispensing) would apply to the Proposed Project in addition to any permits required that demonstrate appropriate operational controls. Furthermore, prior to issuance of a Permit to Operate, each individual gasoline dispensing station would be required to obtain the necessary permits from SCAQMD which would identify the maximum annual throughput allowed based on specific fuel storage and dispensing equipment that is proposed by the operator.

As stated in the HRA, the nearest sensitive receptor is a residential unit located approximately 115 feet from the proposed fueling area and the nearest worker receptor is located immediately adjacent to the proposed fueling area. Based on the established SCAQMD procedure outlined in the SCAQMD Permit Application Package "N" it is estimated that the maximum risk attributable to the proposed gasoline dispensing facilities would be 8.7 in one million for the nearest sensitive receptor and the maximum risk to workers would be 0.96 in one million, both of which are below the threshold of 10 in one million.

As such, the HRA concludes that the maximum cancer risk estimate at any sensitive land use in the vicinity of the Proposed Project would be 8.7 in one million and therefore the Proposed Project would not generate emissions that would cause or result in an exceedance of the applicable SCAQMD cancer threshold. Therefore, the Proposed Project would not have a significant impact with respect to health risks from the gasoline dispensing stations. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

e) **Less than Significant Impact.** The Proposed Project does not contain land uses typically associated with the emission of objectionable odors. Potential odor sources associated with the Proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities; and the temporary storage of domestic solid waste (refuse) associated with the Proposed Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts resulting from construction activity. It should be noted that any construction odor emissions generated would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction activity. It is expected that Project-generated refuse would be stored in covered containers and

removed at regular intervals in compliance with the City of Rialto's solid waste regulations. The Project would be also required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc…) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒

a) **Less than Significant with Mitigation Incorporated.** A General Biological survey was conducted on December 6, 2018 by RCA Associates, Inc. During the survey, plant and

animal species data was collected on the 2.07-acre Project Site. Research and data collection included a 5-acre study area of species potentially present in the vicinity. The Project Site was also evaluated for the presence of habitats which might support sensitive species.

The Project Site has been heavily disturbed by existing development on-site. The Project Site is currently landscaped with ornamental urban species and supports little native vegetation. The dominant annuals include brome grasses (*Bromus sp*.), annual bursage (*Ambrosia acanthicarpa*), and schismus (*Schismus Barbatus*). Eucalyptus (*Eucalyptus*) and evergreen species which make up the over-story of vegetation. The Project Site would be expected to support a variety of wildlife species, according to the General Biological Survey; however, only a few species were observed during the field surveys. Mammals observed on-site or that are expected to inhabit the site include cottontails (*Sylvilagus auduboni*) and California ground squirrel (*Otospermophilus beecheyi*). Coyotes (*Canis Latrans*), which are very common in the region, also utilize the site during hunting activities. Reptiles common in the region which are expected to inhabit the site include alligator lizard (*Elharia sp.*), side-blotched lizard (*Uta stansburiana*), and western whiptail lizard (*Cnemidophorus tigris*).

The Project Site contains some suitable nesting habitat for avian species. Nesting birds are protected under section 3503 of the California Department of Fish and Game Code and/or the Migratory Bird Treaty Act (MBTA). A few common birds were observed within the Project area during the surveys with ravens (*Corvus Corax*), northern mockingbird (*Mimus Polyglottos*), Anna's Hummingbird (*Calypte anna*), house finch (*Carpodacus mexicanus*), and mourning dove (*Zenaida macroura*). There is potential for various nesting birds to utilize the shrubs within the Project Site.

The Project Site possesses Delhi fine sand which is habitat for the Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*) (DSF). A habitat assessment for the DSF was conducted in December 2018 by Osborne Biological Consulting. The report concluded that the Project Site does not support DSF, due to the absence of habitat necessary to support the DSF. Therefore, no further surveys were recommended.

As part of RCA Associates, Inc.'s December 2018 site survey, a Phase I Habitat Assessment was conducted for the burrowing owl in conjunction with the general biological surveys to determine if the site supports suitable habitat for the species. Following completion of the habitat assessment, it was determined that the site does not support suitable habitat for the burrowing owl. As per California Department of Fish and Wildlife (CDFW) protocol, the burrowing owl survey results are valid for 30 days; therefore, CDFW may require a 30-day pre-construction survey be performed prior to clearing/grading activities to determine if owls have moved on to the site since December 2018 survey. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are:

BIO-1: Pre-construction surveys for burrowing owls and nesting birds under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Game Code shall be conducted prior to the commencement of Project-related ground disturbance. Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. In the event that listed species are encountered, authorization from the USFWS and CDFW must be obtained. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the Project, as well as a reasonable buffer around these areas.

b) **No impact.** Aerial photography was reviewed prior to conducting the field surveys on December 6, 2018. The aerial photographs were used to locate and inspect any potential natural drainage features and water bodies that may be considered riparian/riverine habitat or which may be under the jurisdiction of the U.S. Army Corps of Engineers (USACE) and/or CDFW. According to RCA Associates Inc. the Project Site does not support riparian habitat or a sensitive natural community. The Project Site is not identified in local plans, policies, and regulations of the CDFW or the U.S. Fish and Wildlife Service (USFWS). Development of the Project Site as proposed would not result in impacts to riparian vegetation or to a sensitive natural community because these resources do not occur on the Project Site. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

c) **No Impact.** No wetlands occur on or near the Project Site. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

d) **No Impact.** The Project Site is surrounded by urban development and existing development on-site. Wildlife movement can be local or regional in scale; the function of wildlife corridors may vary temporally and spatially based on conditions and species present. Wildlife corridors represent areas where wildlife movement is concentrated due to natural or anthropogenic constraints. Local corridors provide access to resources such as food, water, and shelter. Animals use these corridors, which are often hillsides or riparian areas, to move between different habitats. Regional corridors provide these functions and link two or more large habitat areas. They provide avenues for wildlife dispersal, migration, and contact between otherwise distinct populations. The Project Site is not located within a designated wildlife corridor or linkage. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

e) **No Impact.** As identified in the City of Rialto's General Plan, the City is mostly developed, and the majority of local biological resources are associated with Lytle Creek Wash, located approximately nine miles northeast of the Project Site. The City of Rialto does not have a policy for the protection of trees. Removal of ruderal vegetation on-site would not conflict with any local policies or ordinances protecting biological resources. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

f) **No Impact.** Portions of Rialto provide a key natural habitat for the DFS, which is an endemic insect restricted to the semi-arid sand dunes in Southern California's San Bernardino and Riverside counties. The DSF was placed on the Endangered Species list in 1993 by the USFWS. A Recovery Plan was executed in 1997 to down-list the DSF from Endangered to Threatened status. Areas known to be inhabited by the DSF or areas that contain restorable habitat for the species have been grouped into three Recovery Units based on geographic proximity, similarity of habitat, and potential genetic exchange. Each Recovery Unit includes occupied habitat containing one or more populations of the DSF and/or restorable habitat for at least one population. The occupied and restorable habitat in the Recovery Units includes only those areas that contain Delhi sand series soil. The Recovery Units do not include residential and commercial development, nor areas that have otherwise been permanently altered by human actions.

The small portion of the Proposed Project's study area that is mapped with Delhi fine sand soil has long been developed with residential uses and with associated constant disturbances and landscaping and is therefore considered not suitable for supporting DSF. The DSF is not expected to occur on any portion of the five-acre study area. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

V. CULTURAL RECOURCES

Would the project	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

a, b) **Less Than Significant with Mitigation Incorporated.** A search of the California Historical Resources Information System (CHRIS) at the South Central Coastal Information Center (SCCIC) located at the California State University, Fullerton, was completed on October 4, 2018 and again on April 30, 2019 to expand the original 0.5-

mile radius search to a 1.0-mile radius search, by Rincon Consultants, Inc. The search was performed to identify all previously conducted cultural resources studies and identified cultural resources studies within the Project Site and a 0.5-mile radius surrounding it. The CHRIS search included a review of the National Register of Historic Places (NRHR), the California Register of Historical Resources (CRHR), the Office of Historic Preservation Historic Properties Directory or Historic Resources Inventory (HRI), The California Inventory of Historic Resources, and the Archaeological Determinations of Eligibility List.

The SCCIC records search identified five cultural resources studies that have been performed within a 0.5-mile radius of the Project Site and 22 cultural resource studies that have been performed within a 1.0-mile radius. However, none of the cultural resource studies have been completed within or adjacent to the Project Site.

Additionally, three historic built-environment cultural resources were identified within the 0.5-mile radius search for the Project Site. All three have been evaluated for the NRHP and have been determined ineligible. None of these cultural resource studies have been completed or are located within or adjacent to the Project Site. No other previously recorded cultural resources have been documented within 0.5-mile radius of the Project Site. In the broadened 1.0-mile radius search, a total of eight previously recorded cultural resources were identified. These included five historic built-environment cultural resources (P-36-017644, P-36-025456) and two pre-historic isolated artifacts (P-36-060240 and P-36-060241). However, none of these resources are located on or within a 0.5-mile radius of the Project Site.

The criteria for listing resources in the CRHR were expressly developed to be in accordance with previously established criteria developed for listing in the NRHP, enumerated below:

Criterion 1: It is associated with events that have made a significant contribution to the broad patterns of our history;

Criterion 2: It is associated with the lives of persons who are significant in our past;

Criterion 3: It embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; and/or

Criterion 4: It has yielded, or may be likely to yield, information important in prehistory or history.

All buildings constructed over 50 years ago and that possess architectural or historical significance may be considered potential historic resources. The structures on the Project Site were built over 50 years ago; however, they are not eligible for listing in the CRHR under any significance criteria (i.e., they are not associated with any important events or

persons significant in our past {Criteria 1 and 2]). Additionally, the buildings are relatively ordinary examples of residential and commercial structures and do not embody the distinctive characteristics of a type, period, or method of construction, represent the work of a master, or possess high artistic value (Criterion 3). There is no reason to believe that the structures may yield important information about prehistory or history (Criterion 4). Finally, the Project Site is also not eligible as a contributor to any existing or potential historic districts.

A field survey was conducted by Rincon Consultants, Inc., on October 9 and 18, 2018. No archaeological resources were identified during the pedestrian field survey. However, possibility of unearthing an archaeological resource is possible during ground-disturbing activities that would take place for project construction. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are:

CR-1: In the event buried cultural materials or prehistoric artifacts are discovered inadvertently during any earth-moving operations, the Project Proponent shall cease all work within a 60-foot radius of the discovery, until a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. If, at any time, resources are identified, the archaeologist shall make recommendations to the City of Rialto for appropriate mitigation measures in compliance with the guidelines of the California Environmental Quality Act. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

CR-2: If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

c) **Less Than Significant Impact.** Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. Paleontological sites generally occur as small outcroppings visible on the surface or sites encountered during grading. Generally, it is geologic formations that contain fossils. Potentially sensitive areas for the presence of paleontological resources are based on the underlying geologic formation.

The Project area consists primarily of younger alluvium derived from the San Gabriel Mountains and the Lytle Creek drainage. These deposits are relatively deep and not known to be associated with fossil specimens. The Project Site has been disturbed by past human activity and does not occur within or adjacent to a known unique paleontological resource or site or unique geologic feature identified in the City of Rialto's General Plan. According to McLeod (2016), the nearest fossil finds relative to the Project Site have been identified in the Jurupa Valley area, near Norco and Mira Loma (approximately 8.9 miles southwest), suggesting the potential of fossils occurring in Rialto is very low. To ensure potential impacts are reduced to less than significant, the following mitigation measure shall be implemented:

CR-3: The Project Site shall be monitored for paleontological resources for any excavations that exceed the relative depths of the younger alluvium and impact the older alluvium, as identified in the Geotechnical Investigation approved by the City. The extent and duration of any monitoring program shall be at the discretion of the City and in concurrence with the grading plan.

d) **Less Than Significant with Mitigation Incorporated.** During the field survey conducted by Rincon Consultants, Inc., no human remains were encountered. The discovery of human remains is always a possibility during ground-disturbing activities. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level of less than significant:

CR-4:If human remains of any kind are found during earthwork activities, all activities (within a 100-foot buffer of the find) shall cease immediately and the San Bernardino County Coroner and a qualified archaeologist must be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.. The Coroner would examine the remains and determine the next appropriate action based on his or her findings. If the coroner determines the remains to be of Native American origin, he or she would notify the Native American Heritage Commission. The Native American Heritage Commission would then identify the most likely descendants to be consulted regarding treatment and/or reburial of the remains. If a most likely descendant cannot be identified, or the most likely descendant fails to make a recommendation regarding the treatment of the remains within 48 hours after gaining access to them, the contractor shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.

VI. GEOLOGY AND SOILS

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv. Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 181-B of the California Building Code (2001) creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

a)

i) **Less than Significant Impact**. The Project Site is not located within an Alquist-Priolo Earthquake Fault Zone as identified in Exhibit 5.1 of the City of Rialto's

General Plan. The San Jacinto Fault occurs approximately 4.25 miles north of the Project Site and the San Andreas Fault occurs over nine miles north of the site. The San Jacinto Fault is approximately 130 linear miles and is significantly more active than the San Andreas Fault in the Rialto area. The Project Site occurs within close proximity to the Rialto-Colton Fault, approximately 940 feet north of the Project Site, however, it is outside of any Alquist-Priolo Earthquake Fault Zone. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

ii) **Less than Significant Impact.** The Project Site is located in a seismically active region with the San Jacinto Fault located approximately 4.25 miles north of the Project Site, the Fontana Seismic Trend located approximately three miles northwest, and the Rialto-Colton Fault located approximately 940 feet to the north. The San Jacinto Fault is considered to be the most important fault with regards to the hazard of seismic shaking and ground rupture for the area. The Project Site is located in an area of high seismicity and during the Project's design life, moderate to strong ground seismic shaking may occur. Construction of all structures would be required to comply with requirements of the Uniform Building Code to ensure that potential impacts from seismic events are reduced to the extent possible. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

iii) **No Impact.** Liquefaction is a phenomenon in which cohesion-less, saturated, fine-grained sand and silt soils lose shear strength due to ground shaking. The Project Site does not occur within or near a region identified as susceptible to liquefaction according to Exhibit 5.1 of the City of Rialto's General Plan. Based on the Department of Water Resources "Water Data Library Station Map", the nearest well measurement (located 1.14 miles to the NE, State Well Number 01S05W12L001S), depth to groundwater in the vicinity, since 2019, is 270 feet below ground surface. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

iv) **No Impact.** The Project Site is not located within an area known for landslide susceptibility as shown in the City of Rialto's General Plan Exhibit 5.1. The Project Site and immediate vicinity are relatively flat with no prominent geologic features. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

b) **Less Than Significant Impact.** The Project Site consists of Delhi fine sand (Db) and Tujunga loamy sand (TuB) according to the Natural Resources Conservation Service (NRCS) Soil Survey. Both soils characteristically have a high level hazard of soil blowing if the soils are left unprotected. The hazard only pertains to soils that are bare. The Project Site is a developed lot with existing buildings and parking lot. The hazard of soil erosion would be reduced after grading and construction of the Proposed Project. Implementation of the Best Management Practices (BMPs) as discussed further in Section IX of this Initial Study, would ensure potential impacts are reduced to a less than

significant level. Development of the Project Site includes hardscaping and landscaping, including a paved parking lot. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

c) **No Impact.** The Project Site is located outside of any geologic hazard zone as identified in the City of Rialto's General Plan, Exhibit 5.1. The Project Site is on a relatively flat parcel and there are no hills or prominent landforms in the immediate vicinity. Implementation of the Proposed Project would not result in soil that would become unstable or cause off-site landslide, lateral spreading, subsidence, liquefaction or collapse. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

d) **Less Than Significant Impact.** Expansive soils (shrink-swell) are fine grained clay soils generally found in historical floodplains and lakes. Expansive soils are subject to swelling and shrinkage in relation to the amount of moisture present in the soil. Structures built on expansive soils may incur damage due to differential settlement of the soil as expansion and contraction takes place. Information about shrink-swell classes and linear extensibility is available in the NRCS soil survey reports. The shrink-swell classifications indicate the relative change in volume that may be expected with changes in moisture content that is the extent to which the soils shrink as it dries out or swells when it gets wet. The extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. A high shrink-swell potential indicates a hazard to maintenance of structures built in/on/or with material having this rating. Moderate to low ratings lessen the hazard. The soil class at the Project Site is identified as Tujunga loamy sand (TuB) and Delhi fine sand (Db). The NRCS identifies the shrink-swell potential for this soil type as low; therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

e) **No Impact.** The Proposed Project would not require the use of septic tanks or alternative wastewater disposal. City sewer collection lines used for the prior development are available at the Project Site. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

VII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	☐	☐	☒	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing the emissions of greenhouse gases.	☐	☐	☒	☐

a) **Less than Significant Impact.** Emissions were estimated using the CalEEMod version 2016.3.2. Construction is anticipated to begin in early 2020 and be completed in early 2021. Other parameters which are used to estimate construction emissions, such as the worker and vendor trips and trip lengths, utilized the CalEEMod defaults. The operational mobile source emissions were calculated using the Traffic Impact Analysis prepared by Kunzman Associates, Inc., in January 2019. The Traffic Impact Analysis determined that the Proposed Project would generate approximately 4,039 total daily trips. Since then, the scope of the Proposed Project has changed to no longer include a fast-food drive-thru restaurant and therefore, the number of daily trips used to analyze this section provides a more conservative measure.

Many gases make up the group of pollutants which contribute to global climate change. However, three gases are currently evaluated and represent the highest concentration of GHG: Carbon dioxide (CO_2), Methane (CH_4), and Nitrous oxide (N_2O). SCAQMD provides guidance methods and/or Emission Factors that are used for evaluating a project's emissions in relation to the thresholds. A threshold of 3,000 $MTCO_2E$ per year has been adopted by SCAQMD for all non-industrial uses. The modeled emissions anticipated from the Proposed Project compared to the SCAQMD threshold are shown below in Table 6 and Table 7.

Table 6
Greenhouse Gas Construction Emissions
(Metric Tons per Year)

Source/Phase	CO_2	CH_4	N_20
Demolition	25.7	0.0	0.0
Site Preparation	3.3	0.0	0.0
Grading	5.7	0.0	0.0
Building Construction	233.3	0.0	0.0
Paving	8.5	0.0	0.0
Architectural Coating	0.9	0.0	0.0
Total MTCO2e	**278.8**		
SCAQMD Threshold	3,000		
Significant	**No**		

Source: CalEEMod.2016.3.2 Annual Emissions.

Table 7
Greenhouse Gas Operational Emissions
(Metric Tons per Year)

Source/Phase	CO_2	CH_4	N_20
Area	0.0	0.0	0.0
Energy	78.6	0.0	0.0
Mobile	1,889.2	0.2	0.0
Waste	5.3	0.3	0.0
Water	4.6	0.0	0.0
Total MTCO2e	**1,991.3**		
SCAQMD Threshold	3,000		
Significant	**No**		

Source: CalEEMod.2016.3.2 Annual Emissions.

As shown in Table 6 and Table 7, the Proposed Project's emissions would not exceed the SCAQMD's 3,000 $MTCO_2e$ threshold of significance. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

b) **Less than Significant Impact.** There are no existing GHG plans, policies, or regulations that have been adopted by CARB or SCAQMD that would apply to this type of emissions source. However, the Project Proponent shall comply with CARB and SCAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.

It is possible that CARB may develop performance standards for project-related activities prior to construction of the Proposed Project. In this event, these performance standards would be implemented and adhered to, and there would be no conflict with any applicable plan, policy, or regulations. The Proposed Project is consistent with CARB scoping measures and therefore does not conflict with local or regional greenhouse gas plans. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
a) Create a significant hazard to the public or the Environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

a, b) **Less Than Significant Impact.** Components of the Project that may involve potential impacts from hazardous materials include a fueling station, two underground storage tanks (USTs), and one healy tank (clean air separator) with a split face enclosure. One of the USTs would be exclusively for 30,000 gallons of unleaded fuel, and the other would be a split tank designed to hold 12,000 gallons of premium unleaded fuel and 10,000 gallons of diesel fuel.

The Project Proponent would be required to prepare a Spill Contingency Plan with the County of San Bernardino Hazardous Materials Department and all operations of the fueling station and related USTs would be required to comply with all federal, state, and local laws regulating the management and use of hazardous materials. Therefore, impacts associated with long-term operation would not result in significant impacts.

The fueling station would be directly connected to a fuel spill holding tank which would discharge to an underground basin for water quality purposes. An underground basin is proposed to provide water quality treatment of site runoff. Runoff from the Project Site would enter the basin before being released off-site. As part of project operations and in according with the Proposed Project's Water Quality Management Plan (WQMP), the basin would be inspected annually per manufacturer's specifications. Accumulated debris and gross pollutants or sediment would be removed and the basin cleaned as needed.

Development of the Proposed Project would disturb approximately 2.07 acres, and therefore would be subject to the National Pollutant Discharge Elimination System

(NPDES) permit requirements. Requirements of the permit would include development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would include Best Management Practices (BMPs) to control and abate pollutants. Implementation of Mitigation Measure WQ-1 as provided in Section IX of this Initial Study, would ensure that potential impacts associated with the release of hazardous materials to the environment are reduced to a less than significant level. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

c) **Less Than Significant Impact.** The nearest schools to the Project Site include Milor High School located at 266 West Randall Avenue approximately 0.19 miles west of the Project Site, and Rocking Horse Preschool located at 815 South Willow Avenue approximately 0.21 miles west of the Project Site. The Proposed Project would include a fueling station, two USTs, and one healy tank with a split face enclosure. All operations of the fuel station including the storage tanks would be required to comply with all federal, state, and local laws regulating the management and use of hazardous materials. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

d) **Less than Significant Impact.** The Project Site is not a known hazardous material site as identified in Exhibit 5.4 of the City of Rialto's General Plan. The Project Site is not included on a list of hazardous material sites as compiled pursuant to Government Code Section 65962.5 and reported in the Department of Toxic Substances Control EnviroStor database (August 17, 2018). In the event that hazardous materials are identified on the Project Site during construction, standard reporting and remediation regulations would apply. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

e) **No Impact.** The Project Site is located approximately four miles southeast of the former Rialto Municipal Airport. The airport was officially closed in September 2014. As of 2018, some of the airport infrastructure including portions of the runway remain; however, airport operations are no longer conducted. Implementation of the Proposed Project would not result in a safety hazard related to airport land uses for people residing or working in the area. Therefore, no significant impacts are identified or anticipated and no mitigation measures are required.

f) **No Impact.** There are no private airfields or airstrips in the vicinity of the Project Site. Therefore, no significant impacts are identified or anticipated and no mitigation measures are required.

g) **No Impact.** The Project Site does not contain any emergency facilities and does not occur adjacent to an emergency evacuation route. During construction the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the City. Project operations would not interfere with an adopted emergency response or evacuation plan. Access provided via Randall Avenue would be maintained

for ingress/egress at all times. Therefore, no significant impacts are identified or anticipated and no mitigation measures are required.

h) **No Impact.** As shown in Exhibit 5.3 of the City of Rialto's General Plan, the Project Site is not identified in an area of wildland fire risks. The Project Site is located in a largely developed area and no wildlands are located on or adjacent to the Project Site. The Proposed Project would not expose people or structures to significant risk or loss, injury, or death involving wildland fires. Therefore, no significant impacts are identified or anticipated and no mitigation measures are required.

IX. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☒	☐	☐

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☒	☐
h) Place within a 100-year flood hazard area structure that would impede or redirect flood flows?	☐	☐	☒	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

a, f) **Less than significant with Mitigation Incorporated.** The Proposed Project would disturb a 2.07-acre site and therefore would be subject to the NPDES permit requirements. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include removal of vegetation, grading, excavating, or any other activities that causes the disturbance of 1 acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement an SWPPP. The SWPPP must include BMPs to prevent project-related pollutants from impacting surface waters and include but are not limited to street sweeping of paved roads around the Project Site during construction, and the use of hay bales or sand bags to control erosion during the rainy season. BMPs may also include or require:

- The contractor to avoid applying materials during periods of rainfall and protect freshly applied materials from runoff until dry.
- All waste to be disposed of in accordance with local, state and federal regulations. The contractor to contract with a local waste hauler or ensure that waste containers are emptied weekly. Waste containers cannot be washed out on-site.
- All equipment and vehicles to be serviced off-site.

The NPDES also requires a WQMP. In July 2018, a Preliminary WQMP was prepared by W&W Land Design Consultants, Inc. for the Project. The WQMP includes mandatory compliance of BMPs as well as compliance with NPDES Permit requirements. Review and approval of the WQMP by the City of Rialto would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site. To ensure potential impacts are reduced to less than significant, the following mitigation measure shall be implemented:

WQ-1: The Project Proponent shall implement all Non-Structural Source Control Best Management Practices and Structural Source BMPs as listed in the final WQMP as approved by the City.

b) **No Impact.** The Proposed Project is not anticipated to substantially impact groundwater supplies or to substantially interfere with groundwater recharge. The Proposed Project does not include groundwater wells that would impact the production rate of any nearby pre-existing wells. Additionally, the Proposed Project includes a water detention/water quality basin that would allow for continued groundwater recharge. Therefore, no significant impacts are identified or anticipated and no mitigation measures are required.

c, d) **Less than Significant Impact**. As described in the WQMP, the Proposed Project would not alter a drainage pattern. The Project Site is currently developed and no substantial change in the existing flows on- or off-site would occur with the implementation Proposed Project. The WQMP requires an Erosion Control Plan and necessary actions to avoid excessive run-off in the event of rainfall. Implementation of WQ-1 would ensure impacts to erosion and surface runoff is reduced to a less than significant level. Therefore, no significant adverse impacts are identified or anticipated and no additional mitigation measures are required.

e) **No Impact.** The Proposed Project would include a Cultec Chamber System that would retain drainage on-site. According to the WQMP prepared for the Proposed Project, construction of the detention basin would result in on-site water runoff and volume from the Project Site to be equal to or less than existing conditions. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

g, h) **Less than Significant Impact.** The Project Site is outside of the 500-year floodplain as identified in Exhibit 5.2 of the City of Rialto's General Plan. The Federal Emergency Management Agency Flood Insurance Rate Map Panel (Map Number 06071C8678J) shows the Project Site within Flood Zone X (shaded). Zone X is defined as areas of 0.2% annual chance flood; areas of one percent annual chance flood with average depths of less than one-foot or with drainage areas less than one square-mile; and areas protected by levees from one percent annual chance flood. Through proposed improvements on-site (i.e. detention basin) storm flows are not anticipated to impact neighboring properties. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

i) **No Impact.** According to the City of Rialto's General Plan Exhibit 5.2, the Project Site is located outside of the 500-year floodplain area and is not located within a potential dam inundation area. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

j) **No Impact.** Due to the inland distance from the Pacific Ocean and any other significant body of water, tsunamis and seiches are not potential hazards at the Project Site. The Project Site and vicinity is within relatively flat terrain and there are no nearby hillsides

that would result in mudflows. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

X. LAND USE AND PLANNING

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
Would the project:				
a) Physically divide an established community?	☐	☐	☒	☐
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

a) **Less Than Significant Impact.** The Project Site is currently developed with existing residential and commercial structures and a parking lot. Currently, all existing structures are unoccupied. There is a variety of residential development that occurs in the immediate vicinity of the Project Site. Implementation of the Proposed Project would not conflict with existing zoning for the site and is consistent with the City of Rialto's General Plan for Neighborhood Commercial which intends to implement businesses that are oriented toward meeting the needs of local residents and residents in the surrounding communities. The Proposed Project would not divide an established community or cause displacement of current residences. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

b) **Less Than Significant Impact.** The Proposed Project is an application for a Conditional Development Permit and a Precise Plan of Design to construct and operate a 10-fuel dispenser fueling station, a 7,250 square-foot convenience store with an attached drive-thru for food pick-up, and an attached 1,750 square-foot automated carwash. The Project also includes an 1,800 square-foot "QSR-A" drive-thru restaurant. Currently, the Project Site is developed with residential and commercial structures and a parking lot. The Project Site is zoned, Neighborhood Commercial. The Proposed Project would be consistent with existing zoning for the site and therefore, would not conflict with any applicable land use plan, policy, or regulation of an agency and is not within a specific plan. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

c) **No Impact.** The Project Site is not located within an area zoned for habitat conservation or natural community conservation plan. No conflicts related to approval of this development would occur. The nearest conservation area is the Lytle Creek Wash approximately 7.5 miles northwest of the Project Site. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

XI. MINERAL RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒	☐

a, b) **Less than Significant Impact.** As identified in Exhibit 2.7 of the City of Rialto's General Plan, the Project Site is located in an area identified as Mineral Resource Zone (MRZ-3) by the State Geologist. MRZ-3 designations apply to areas containing known or inferred mineral occurrences of undetermined mineral resource significance. The Project Site is not located in an area designated for Aggregate resources as identified in Exhibit 2.6 of the City of Rialto's General Plan.

According to the City of Rialto's General Plan, the majority of designated aggregate resources occur in the northern part of the City. Two significant aggregate mining operations located within Lytle Creek and north of SR-210 along Alder Avenue have a land use designation of Open Space to protect aggregate resources as long as mining activity is feasible. The Project Site is located in MRZ-3 mineral resource area and is zoned Neighborhood Commercial. The proposed use for the Project Site abides with the City of Rialto's General Plan and under the existing zoning designation would not be permitted for mining. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

XII. NOISE

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

a, c) **Less than Significant with Mitigation Incorporated.** Noise can be measured in the form of a decibel (dB), which is a unit for describing the amplitude of sound. The predominant rating scales for noise in the State of California are the Equivalent-Continuous Sound Level (L_{eq}), and the Community Noise Equivalent Level (CNEL), which are both based on the A-weighted decibel (dBA). The L_{eq} is defined as the total sound energy of time-varying noise over a sample period. The CNEL is defined as time-varying noise over a 24-hour period with a weighted factor of 5 dBA applied to the hourly L_{eq} for noise occurring form 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and 10 dBA applied to events occurring between (10:00 p.m. and 7:00 a.m. defined as sleeping hours). The State of California's Office of Noise Control has established standards and guidelines for acceptable community noise levels based on the CNEL and

L_{dn} rating scales. The purpose of these standards and guidelines is to provide a framework for setting local standards for human exposure to noise.

The State of California defines sensitive receptors as those land uses that require serenity or are otherwise adversely affected by noise events or conditions. Schools, libraries, churches, hospitals, single and multiple- family residential, including transient lodging, motels and hotel uses make up the majority of these areas. Sensitive land uses in the Project vicinity include residential development located to the north, west, and south and approximately 55 feet to the east (across Riverside Avenue). In addition, Milor High School is located approximately 1,000 feet northwest, Rocking Horse Preschool is located approximately 1,100 feet northwest, Morris Elementary School is located approximately 0.73 miles east, and Jehue Middle School is located approximately 0.74 miles east of the Project Site.

A Noise Impact Analysis (NIA) was prepared by Urban Crossroads, Inc., dated March 1, 2019. The study was prepared consistent with applicable City of Rialto noise standards, and significance criteria based on guidance provided by Appendix G of the California Environmental Quality Act (CEQA) Guidelines. In addition, applicable County of San Bernardino standards are used in this noise study where the City does not identify specific, quantitative noise and/or vibration standards. Since the Project Site would potentially impact the surrounding residential land uses, the noise study relies on the more conservative residential noise level standards to identify the severity of the impact from project-related uses to the surrounding sensitive receptors. However, since then, the scope of the Proposed Project has changed to no longer include a Fat Burger restaurant and therefore, the specific operational noise provides a more conservative measure used for analysis in the Noise Impact Analysis. According to the County of San Bernardino, the operational noise level shall not exceed and exterior noise level of 55 dBA L_{eq} during the daytime hours (7:00 a.m. to 10:00 p.m.) and 45 dBA L_{eq} during the nighttime hours (10:00 p.m. to 7:00 a.m.) for both the whole hour, and for not more than 30 minutes in any hour.

Reference noise level measurements were collected to assist in identifying similar noise levels for the Proposed Project land uses (drive-thru speakerphones and vehicle activities, air blowers in a car wash tunnel, commercial parking lot vehicle movements, gas station, and self-serve vacuums). Based upon the reference noise levels, the operational noise levels associated with the Project would exceed the County of San Bernardino exterior noise level standards at all the nearby sensitive receptor locations during the nighttime hours. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level of less than significant:

N-1: The Project Proponent shall ensure that no nighttime car wash activities (tunnel equipment and vacuums) shall occur between the hours of 10:00 p.m. and 7:00 a.m.

b) **Less than Significant Impact.** According to the NIA, it is expected that groundbourne vibration from project construction activities would cause only intermittent, localized intrusion. The Proposed Project's construction activities most likely to cause impacts are:

- Heavy Construction Equipment: although all heavy mobile construction equipment has the potential of causing at least some perceptible vibration while operating close to buildings, the vibration is usually short-term and not of sufficient magnitude to cause building damage.
- Trucks: Trucks hauling building materials to construction sites can be sources of vibration intrusion if the haul routes pass through residential neighborhoods on streets with bumps or potholes. Repairing the bumps and potholes generally eliminates the problem.

Groundbourne vibration levels resulting from construction activities occurring within the Project Site were estimated by data published by the Federal Transit Administration (FTA). Construction activities that would have the potential to generate low levels of groundbourne vibration within the Project Site include grading. At distances ranging from 25 to 143 feet from project construction activity, construction vibration velocity levels are expected to approach 0.09 in/sec peak particle velocity (PPV). Based on the County of San Bernardino vibration standards, the unmitigated project construction vibration levels would satisfy the 0.2 in/sec PPV threshold at all of the nearby sensitive receptor locations. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

d) **Less Than Significant Impact.** The Proposed Project is anticipated to generate short-term construction noise. Construction activities are expected to create temporary and intermittent high-level noise conditions at receptors surrounding the Project Site. Since the City of Rialto and County of San Bernardino general plans and municipal codes do not identify specific construction noise level thresholds, a threshold was identified based on the National Institute for Occupational Safety and Health (NIOSH) limits for construction noise, which is consistent with criteria established by the Federal Transit Administration (FTA). The worst-case project-related short-term construction noise levels are expected to range from 55.0 to 79.5 dBA L_{eq} and would satisfy the 85 dBA L_{eq} threshold identified by NIOSH at all receptor locations, and as such, all nearby sensitive receptor locations would experience less than significant impacts due to temporary project construction noise levels. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

e) **No Impact.** The Project Site is not located within an airport land use plan. The nearby Rialto Municipal Airport closed in September 2014. Therefore, no related excessive noise levels from the airport operations are anticipated. No impacts are identified or anticipated and no mitigation measures are required.

f) **No Impact.** The Project Site is not located near a private airfield and there are no private airfields or airstrips in the vicinity of the Project Site. The Proposed Project would not expose people to excessive noise levels associated with operations at a private airstrip.

Therefore, no impacts are identified or anticipated and no mitigation measures are required.

XIII. POPULATION AND HOUSING

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a) **No Impact.** Construction activities at the Project Site would be short-term and would not attract new employees to the area since there is an existing pool of construction labor in the region. The Proposed Project is expected to include 12 employees that would come from the local community. The Proposed Project is consistent with the City of Rialto's General Plan and Municipal Code and the associated employment is anticipated in the City of Rialto's General Plan. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

b, c) **No Impact.** The Project Site is currently developed with existing vacated residential and commercial structures, and a parking lot. The Proposed Project would replace the existing structures with a 10-fuel dispenser fueling station, a 7,250 square-foot convenience store with an attached drive-thru for food pick-up, and an attached 1,750 square-foot automated carwash. The Project also includes an 1,800 square-foot "QSR-A" drive-thru restaurant. Implementation of the Proposed Project would not necessitate any replacement housing for existing houses. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

XIV. PUBLIC SERVICES

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	☐	☐	☒	☐
Police Protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other Public Facilities?	☐	☐	☒	☐

a)

Fire Protection

Less Than Significant Impact. Fire emergency response at the Proposed Project would be provided by the Rialto Fire Department. The Rialto Fire Department is an all-risk fire agency; services include: fire suppression, emergency medical, technical rescue, hazardous material, and other related emergency services. Firefighting resources in Rialto include four fire stations; emergency response personnel, firefighters/paramedics, and a Hazardous Materials Response Team. The closest station to the Project Site is Fire Station 201 located at 131 South Willow Avenue approximately 1.13 miles north of the Project Site. The Proposed Project is required to provide a minimum of fire safety and support fire suppression activities, including type and building construction, fire sprinklers, and paved fire access. The Proposed Project is in an urbanized area that occurs within the existing fire service area; the Project Site was previously developed and supported residential and commercial uses within the City's fire protection service area. Therefore, implementation of the Proposed Project would not have a significant impact on fire service response times. Developer impact fees are collected at the time of building permit issuance to provide funding for necessary service increases associated with growth and development. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Police Protection

Less Than Significant Impact. Police protection including emergency response at the Project Site would be provided by the City of Rialto Police Department. The closest station to the Project Site is located at 128 North Willow Avenue approximately 1.16 miles north of the Project Site. The City of Rialto Police Department provides a full range of law enforcement and community programs.

To determine a crime rate directly associated with a development proposal would be speculative; the City of Rialto Police Department reviews its needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection throughout the City. However; the Project Site was previously developed and supported residential and commercial uses within the City's police protection service area. Developer impact fees are collected at the time of building permit issuance. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Schools

Less Than Significant Impact. The Rialto Unified School District provides services for the Project Site. Construction and operation of new school facilities would be funded through school impact fees assessed on new developments that occur within the school district. The Proposed Project is not anticipated to increase population growth within the area, as the future employees would likely come from the local area, and therefore would not generate new students. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Parks

Less Than Significant Impact. The City of Rialto has a total of 12 developed parks and four undeveloped planned parks. Rialto Unified School district has 28 locations that are designated open space due to their recreational uses for the public (tennis courts, playgrounds, recreational amenities) within the City. These facilities are included in the City's park inventory due to the joint-use agreement between the City and the Rialto Unified School District. The City has a total of 289.9 acres of parks and recreational areas and seven acres of planned parks. Implementation of the Proposed Project would not induce residential development and would not significantly increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of any facilities would result. Implementation of policies listed in the Open Space and Recreation Section of the City of Rialto's General Plan, and collection of developer impact fees would ensure no significant impacts to parks. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Other Public Facilities

Less Than Significant Impact. The Proposed Project is not expected to have a significant impact on public facilities/services, such as libraries, community recreation centers, and/or animal shelter. The employees for the Proposed Project are anticipated to come from the local community. Implementation of the Proposed Project would not adversely affect other public facilities or require the construction of new or modified facilities. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

XV. RECREATION

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
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?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒

a) **Less than Significant Impact.** The Proposed Project would not induce residential development and would not significantly increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of any facilities would result. Implementation of policies listed in the Open Space and Recreation Section under goals and policies in the City of Rialto's General Plan, and collection of developer impact fees would ensure impacts to recreational facilities are reduced to a less than significant level. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

b) **No impact.** The Proposed Project would not include recreational facilities or require the construction or expansion of recreational facilities The Proposed Project is expected to include 12 employees that would come from the local community. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

XVI. TRANSPORATION/TRAFFIC

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☒	☐	☐

a, b) **Less Than Significant Impact.** A Traffic Impact Analysis was prepared on January 21, 2019, by Urban Crossroads, Inc., to evaluate the potential impacts to traffic and circulation associated with the development of the Proposed Project, and to recommend improvements to mitigate impacts considered significant in comparison to established regulatory thresholds. Since then, the scope of the Proposed Project has changed to no longer include a Fat Burger restaurant and therefore, the number of daily trips used to analyze this section provides a more conservative measure. The TIA has been prepared in

accordance with the County of San Bernardino's Traffic Impact Study Guidelines, and San Bernardino Congestion Management Program (CMP). The Project Site is located on the southwest corner of Riverside Avenue and Randall Avenue. Riverside Avenue is identified by the City of Rialto's General Plan as a Major Arterial roadway which is meant to accommodate larger volumes of through traffic moving at higher speeds than local streets. These facilities carry high traffic volumes and are primary thoroughfares that connect Rialto with adjacent cities and the regional highway system. Major Arterials have at least two lanes of travel in each direction and left-turn lanes. Randall Avenue is identified by the City as a Collector Street which provide a transition between local streets and higher-speed arterial roadways. These roadways typically have one travel lane in each direction and low design speeds. They provide parking along the curb as well. The Project Site would be accessed from Riverside Avenue and Randall Avenue. The proposed driveway at Randall Avenue would provide full access and the proposed driveway at Riverside Avenue would be restricted to right turns in/out only access.

Although it is not required as a mitigation measure, the intersection of Sycamore Avenue/Randall Avenue is forecast to satisfy the peak hour traffic signal warrant for Cumulative Conditions and General Plan Buildout with the Project during the morning peak hour. A fair share contribution toward the cost of the off-site improvement shall be a Condition of Approval for the Project. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

c) **No Impact.** The Project Site is not within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public land use airport. The Project Site is located approximately four miles south of the former Rialto Municipal Airport runway, however, the airport was officially closed in September 2014. As of 2018, some of the airport infrastructure, including portions of the runway remain on the ground; however, airport operations are no longer supported. The nearest airport is the San Bernardino International Airport, located approximately seven miles east of the Project Site. As demonstrated in the San Bernardino County General Plan – Hazard Overlay Map FH30B (San Bernardino South), the Project Site is not within an Airport Safety Review area. Development of the Proposed Project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

d, e) **No Impact.** Access to the Project Site would be provided via a driveway at Randall Avenue and a secondary driveway at Riverside Avenue. The proposed driveway at Randall Avenue would provide full access, whereas access at the proposed driveway at Riverside Avenue would be restricted to right turns in/out only access. Discretionary actions for the Proposed Project by the City of Rialto include approval of a Precise Plan of Design application and a Conditional Development Permit. Upon City approval of the Precise Plan of Design and the Conditional Development Permit, the Proposed Project would not substantially increase hazards due to a design feature or incompatible uses and the would not result in inadequate emergency access. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

f) **Less than Significant with Mitigation Incorporated.** According to Exhibit 4.4 of the City of Rialto's General Plan, Riverside Avenue is a designated Class III Bike Route. A Class III Bike Route shares the right-of-way with a roadway or walkway. It is not indicated by a continuous stripe on the pavement or separated by any type of barrier, but it is defined as a bikeway with signage. Access to the Project Site is currently available from Omnitrans Route 22 which covers north and south Rialto via Riverside Avenue. The nearest transit stops near the Project Site are currently Riverside at Randall (SB) and Riverside at San Bernardino (NB), across the street from the Project Site. Additionally, the Proposed Project will include a bus stop and bus shelter on the eastern boundary on Riverside Avenue per City request. To ensure the safety of alternative transportation appropriate mitigation shall be implemented. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are:

TRA-1: The Project Proponent shall ensure that on-street parking is prohibited within 100 feet of the northbound and southbound approaches of Riverside Avenue (NS) at Randall Avenue (EW) to accommodate a de facto (unofficial) right turn lane.

XVII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
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?				
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?	☐	☒	☐	☐

a)

i, ii) **Less Than Significant Impact.** Rincon Consultants, Inc., on October 3, 2018, contacted the Native American Heritage Commission (NAHC) and requested a search of the Sacred Lands File (SLF) and a list of Native American individuals or tribal organizations that may have knowledge of cultural resources within or near the Project Site. Rincon received a response from the NAHC on October 10, 2018 with negative results for the SLF search. The NAHC also sent a list of nine Native American individuals or tribal organizations. Rincon sent letters to the Native American contacts on October 18, 2018.

As of December 12, 2018, Rincon has received three responses from Native American contacts. Rincon received the first response from the Gabrieleno Band of Mission Indians-Kizh Nation on October 18, 2018 requesting consultation with the lead agency under Assembly Bill 52 (AB 52) if there would be any ground disturbance. A second response was received which included their Mitigation Measures as shown below. Additionally, the San Manuel Band of Mission Indians responded via email on October 22, 2018. The tribe stated that the Project Site is located within Serrano ancestral territory and, therefore, is of interest to the tribe. The tribe's records also indicate that the project area is not culturally sensitive to the tribe. Since the Project Site is fully developed with no intact cultural remains, the San Manuel Band of Mission Indians has no concerns about the Project. However, in a second response on April 15, 2019 to the City viaemail, the San Manuel Band of Mission Indians provided language to be made a part of the project/permit/plan conditions which have been implemented as mitigation measures below.

Finally, Rincon received a letter from the Morongo Band of Mission Indians on October 31, 2018 stating that the project area is in an area of interest to the tribe and that the half-mile radius records search does not meet expectations for the area. The tribe requested expansion of the records search to a one-mile radius before the technical memorandum is submitted to the lead agency. On May 2, 2019 Rincon sent a Cultural Resource Technical Memorandum including the updated findings of the 1.0-mile radius search. No new significant findings were made. The updated findings are provided in Section V. Cultural Resources of this document.

During the field survey conducted by Rincon Consultants, Inc., on October 9 and 18, 2018, no cultural resources were present at the Project Site. Although no tribal cultural resources were encountered, there is a possibility of encountering such resources during ground-disturbing activities.

To ensure potential impacts to Tribal Cultural Resources are reduced to a less than significant level the following mitigation measures shall be made a part of Project Conditions of Approval and include:

San Manuel Band of Mission Indians (SMBMI):

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

TCR-2: Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

Gabrieleno Band of Mission Indians- Kizh Nation:

TCR-3: Retain a Native American Monitor/Consultant: The Project Applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is both approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government and is listed under the NAHC's Tribal Contact list for the area of the project location. This list is provided by the NAHC. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.

TCR-4: Unanticipated Discovery of Tribal Cultural and Archaeological Resources: Upon discovery of any archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal

monitor/consultant approved by the Gabrieleño Band of Mission Indians-Kizh Nation. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians-Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. Work may continue on other parts of the project while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section15064.5 [f]). If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource", time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and

TCR-5: Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin 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, they shall be offered to a local school or historical society in the area for educational purposes.

TCR-6: Unanticipated Discovery of Human Remains and Associated Funerary Objects:
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 PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation 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 that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC) and PRC 5097.98 shall be followed.

TCR-7: Resource Assessment & Continuation of Work Protocol: Upon discovery, the tribal and/or archaeological monitor/consultant/consultant will immediately divert work at minimum of 150 feet and place an exclusion zone around the burial. The monitor/consultant(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner

determines whether the remains are Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD).

TCR-8: Kizh-Gabrieleno Procedures for burials and funerary remains:
If the Gabrieleno Band of Mission Indians – Kizh Nation is designated MLD, the following treatment measures 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 burial of funerary objects with the deceased, and the ceremonial burning of human remains. These remains 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.

TCR-9: Treatment Measures: Prior to the continuation of ground disturbing activities, the land owner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. 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 effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive diagnostics on human remains.

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.

TCR-10: Professional Standards: Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

Based on completion of consultation under AB 52 with interested tribes, additional recommendations may be incorporated into the Project's Conditions of Approval. Implementation of the above mitigation measures and the addition of recommendations from interested tribes as Conditions of Approval, would ensure that potential impacts to tribal cultural resources are reduced to a less than significant level.

XVIII. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

a) **No Impact.** The Project Site would be served by an existing sewer collection system serving the site and vicinity. The City of Rialto Water Resources Division manages the wastewater collection system. All of the wastewater flows from the City are collected by the City's local sewer mains and delivered to the Rialto Wastewater Treatment Plant (WWTP) located on Rancho Avenue for wastewater treatment. The WWTP has a design capacity of approximately 12 MGD. The WWTP is permitted by the State of California under NPDES Permit CA0105295 which allows up to 11.7 MGD discharge of tertiary treated and disinfected water to the Santa Ana River at three points. Implementation of the Proposed Project would result in domestic and commercial wastewater flows as did the previous on-site development and therefore would not exceed wastewater treatment requirements of the Regional Water Quality Control Board, Santa Ana Region. No impacts are identified or anticipated and no mitigation measures are required.

b, e) **No Impact.** The Rialto Wastewater Treatment Plant treats domestic and commercial/industrial wastewater generated within the City of Rialto and portions of the City of Fontana. The facility of the original plant and four independent treatment plants were built successively in 1965, 1981, 1994, and 1998 to accommodate Rialto's growth. The combined total treatment design capacity of the plants is over 12 MGD. The current flows to the treatment facilities are between 7 and 8 MGD. Development of the Proposed Project is not anticipated to substantially increase flows that were previously generated at the Project Site and therefore would not require construction of new water or waste water facilities. No impacts are identified or anticipated, and no mitigation measures are required.

c) **No Impact.** An existing storm drain occurs near the southwest corner of the Project Site. The Proposed Project would be designed to drain to a proposed Cultec chamber system and would also include installation of a fuel spill holding tank near the fueling area to capture fuel from potential spills. Storm flows associated with the Proposed Project would have less impact to the off-site storm drain system than does existing conditions. Implementation of the Proposed Project would not require the construction of new storm water drainage facilities. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

d) **Less than Significant Impact.** The City's primary source of water is City-owned water wells. These wells draw water from four basins including: Lytle Creek Surface Water Basin, Rialto Ground Water Basin, Bunkerhill Ground Water Basin, and Chino Hill Ground Water Basin. The majority of the City's potable water supply is local groundwater. Additionally, the City is contractually entitled to receive 2,500 acre-feet per year of imported water from the San Bernardino Valley Municipal Water District (SBVMWD) through the baseline feeder and an additional 1.5 MGD from the West Valley Water District's (WVWD) Water Filtration Plant.

Currently, the SBVMWD's available groundwater supply is approximately 49,460 acre-feet per year or 16.1 billion gallons per year. SBVMWD is also responsible for long-range water supply management, including importing supplemental water, and is responsible for storage management of most of the groundwater basins within its boundaries and for groundwater extraction. Show below in Table 8 is a comparison of regional water supplies and demands for the entire SBVMWD service area (including the City of Rialto) as provided in the 2015 San Bernardino Valley Regional Urban Water Management Plan, updated in 2017 during a multiple-dry year period. The multiple-dry year period is generally the lowest annual runoff for a three-year or more consecutive period.

Table 8
Water Supply and Demand During Multiple-Dry Year Period
San Bernardino Valley

Year	Totals	2020	2025	2030	2035	2040
First Year	Supply Totals	327,444	335,034	342,227	349,455	356,283
	Demand Totals	251,247	262,042	272,882	284,495	293,105
	Difference (Supply minus Demand)	76,196	72,992	69,345	64,960	63,178
Second Year	Supply Totals	327,444	335,034	342,227	349,455	356,283
	Demand Totals	247,360	257,774	268,112	279,205	287,450
	Difference (Supply minus Demand)	80,083	77,260	74,115	70,250	68,833
Third Year	Supply Totals	327,444	335,034	342,227	349,455	356,283
	Demand Totals	241,881	251,870	261,662	272,191	280,072
	Difference (Supply minus Demand)	85,562	83,163	80,564	77,264	76,211

The table shows adequate regional supplies for the years 2020 to 2040 under multiple-dry year conditions. If the conditions are not met by the natural water supply, including new conservation, the local agencies would be required to implement Contingency Drought Emergency Plans, thereby reducing demands to meet supplies. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

f, g) **Less than Significant Impact.** The City of Rialto contracts with private waste haulers for the collection, transfer, recycling, and disposal of waste. Most refuse is disposed of at the Mid-Valley Sanitary Landfill located within the city limits. The Mid-Valley Sanitary Landfill is owned and operated by the County of San Bernardino Solid Waste

Management Division and is located north of Highland Avenue, between Alder Avenue and Sierra Avenue.

The Mid-Valley Sanitary Landfill is permitted to receive 7,500 tons per day. According to the California Integrated Waste Management Board's estimated solid waste generation rate for commercial development, the Proposed Project would generate approximately 126 pounds of solid waste per day or approximately 0.063 tons per day based on 10.53 pounds per employee The estimated project-generated waste represents approximately 0.000008424 percent of the total permitted waste received daily at this landfill facility. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE:

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

a) **Less Than Significant Impact.** According to the City of Rialto's General Plan, the Project Site does not occur within an area identified as Critical Habitat. The Project Site possesses Delhi fine sand which is habitat for the Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*) (DSF). A habitat assessment for the DSF was conducted in December 2018 by Osborne Biological Consulting. The report concluded that the Project Site does not support DSF, due to the absence of habitat necessary to support the DSF. Therefore, no further surveys were recommended.

As part of RCA Associates, Inc.'s December 2018 site survey, a Phase I Habitat Assessment for the burrowing owl was conducted in conjunction with the general biological surveys to determine if the site supports suitable habitat for the species. Following completion of the habitat assessment, it was determined that the site does not support suitable habitat for the burrowing owl. As per California Department of Fish and Wildlife (CDFW) protocol, the burrowing owl survey results are valid for 30 days; therefore, CDFW may require a 30-day pre-construction survey be performed prior to clearing/grading activities to determine if owls have moved on to the site since December 2018 survey. Therefore, possible significant adverse impacts have been identified or anticipated and mitigation measure BIO-1 is required as a condition of project approval to reduce these impacts to a level below significant.

All cultural resources studies that were performed within a 0.5-mile radius of the Project Site on October 4, 2018, were evaluated and have been determined ineligible of being of significance. The existing structures on the Project Site, although constructed over 50 years ago, have no historical significance. No archaeological resources or significant geologic units were encountered during the field survey conducted on October 9th and 18, 2018. Implementation of Mitigation Measures BIO-1, CR-1 to CR-3, and TRC-1 to TRC-6 as provided in this Initial Study, would ensure impacts to biological and cultural resources are less than significant. Therefore, no significant adverse impacts are identified or anticipated and no additional mitigation measures are required.

b) **Less than Significant Impact.** Cumulative impacts are defined as two or more individual affects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), states:

(a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

Impacts associated with the Proposed Project would not be considered individually adverse or unfavorable, upon implementation of mitigation measure N-1 to reduce the impacts to the nearby sensitive receptors during nighttime operations. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

c) **Less the Significant Impact**. The incorporation of design measures, City of Rialto policies, standards, and guidelines and proposed mitigation measures would ensure that the Proposed Project would have no substantial adverse effects on human beings, either directly or indirectly on an individual or cumulative basis. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

SECTION 4
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