

**FINAL INITIAL STUDY AND NOTICE OF INTENT TO ADOPT
A MITIGATED NEGATIVE DECLARATION
FOR THE 4200 N. UNIVERSITY PARKWAY PROJECT**

PREPARED FOR:

City of San Bernardino
290 North D Street
San Bernardino, CA 92401

PROJECT APPLICANT:

PCG South Shores, LLC
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January 2023

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1.0 INTRODUCTION

1.1 OVERVIEW

This document includes an Initial Study (IS) and Proposed Mitigated Negative Declaration (MND), prepared pursuant to the California Environmental Quality Act (CEQA) for the 4200 N. University Parkway Project (Project). In accordance with Section 15070(a) of the CEQA Guidelines, a proposed MND may be prepared for a project when an IS shows that there is no substantial evidence, in light of the whole record before the agency conducting the environmental review, that the project may have a significant effect on the environment. This ND has been prepared in accordance with CEQA, (Public Resources Code [PRC] §21000 et seq.), and the CEQA Guidelines (Title 14, California Code of Regulations, §15000 et seq.).

The City of San Bernardino (City) uses the Environmental Checklist Form in Appendix G of the CEQA Guidelines. Based on the information and analysis provided in the Initial Study, the City has determined the Project will not have a significant effect on the environment.

1.2 LEAD AGENCY

The Lead Agency is the public agency with primary responsibility over a proposed project. In accordance with CEQA Guidelines Section 15051(b)(1), “the Lead Agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose.” Based on these criteria, the City is the Lead Agency.

1.3 ORGANIZATION OF THE INITIAL STUDY AND PROPOSED MITIGATED NEGATIVE DECLARATION

This Initial Study and ND document contains the following sections and supporting studies:

- **Section 1.0: Introduction** identifies the purpose and scope of the IS/ND and the terminology used in the report.
- **Section 2.0: Project Information** provides an overview of the Project and the environmental determination.
- **Section 3.0: Project Description** identifies the location, background, and planning objectives of the proposed Project in detail.
- **Section 4.0: Environmental Checklist and Evaluation** presents information, analysis, and evaluation for each topic in the environmental checklist form.
- **Section 5.0: References** identifies all printed references and individuals cited in this IS/ND.

2.0 PROJECT INFORMATION

1. PROJECT TITLE	4200 N. University Parkway Project
2. LEAD AGENCY NAME AND ADDRESS:	City of San Bernardino 290 North D Street San Bernardino, CA 92401
3. CONTACT PERSON AND PHONE NUMBER:	Travis Martin 909-384-5313
4. PROJECT LOCATION	APN: 0266-291-08
5. PROJECT SPONSOR'S NAME AND ADDRESS	PCG South Shores, LLC 133 Penn Street El Segundo, CA 90245
6. GENERAL PLAN DESIGNATION	General-Commercial (GC)
7. ZONING	Commercial General (CG-1)
8. DESCRIPTION OF PROJECT	A request to allow the subdivision of the 6.46-acre property comprised of three (3) parcels into four (4) parcels containing 2.53 acres (parcel 1), 1.39 acres (parcel 2), 1.09 acres (parcel 3), and 1.39 acres (parcel 4); and allow the development establishment, and operation of a commercial center consisting of three (3) restaurants with drive-thrus and an express car wash. More specifically, the proposed development is comprised of a 4,761 square foot drive-thru restaurant (parcel 1), 3,610 square foot drive-thru restaurant (parcel 2), 950 square foot drive-thru restaurant (parcel 3), and 5,137 square foot drive-thru express car wash (parcel 4).
9. SURROUNDING LAND USES AND SETTING:	The Project site is surrounded by a mix of commercial - general and commercial - heavy uses to the south, multi-family residential uses to the east and west, single-family residential uses to the north and east.
10. OTHER PUBLIC AGENCIES WHOSE APPROVAL MAY BE REQUIRED (E.G., PERMITS, FINANCING APPROVAL, OR PARTICIPATION AGREEMENT):	N/A
11. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:	The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "potentially significant impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages:

2.0 Project Information

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

12. DETERMINATION

(TO BE COMPLETED BY THE LEAD AGENCY)

On the basis of this initial evaluation:

- 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 could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find 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 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 earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

PRINTED NAME

TITLE

SIGNATURE

DATE

3.0 PROJECT DESCRIPTION

3.1 Project Overview

PCG South Shores, LLC, (Applicant) is requesting to allow the subdivision of the 6.46-acre property (refer to **Figure 3.1: Project Site Location**) comprised of three (3) parcels into four (4) parcels containing 2.53 acres (parcel 1), 1.39 acres (parcel 2), 1.09 acres (parcel 3), and 1.39 acres (parcel 4); and allow the development establishment and operation of a commercial center consisting of three (3) restaurants with drive-thrus and an express car wash (refer to **Figure 3.2: Site Plan**). More specifically, the proposed development is comprised of a 4,761 square foot drive-thru restaurant (parcel 1), 3,610 square foot drive-thru restaurant (parcel 2), 950 square foot drive-thru restaurant (parcel 3); and 5,137 square foot drive-thru express car wash (parcel 4).

3.2 Project Features

The Proposed project includes the development of 14,458 square feet of commercial retail uses on an approximately 6.46-acre property. Parcel 1 would include a 4,761 square foot Chick-fil-A drive-thru restaurant consisting of 110 parking stalls on a 2.53-acre lot. Parcel 2 would include a 3,610 square foot drive-thru restaurant consisting of 63 parking stalls on a 1.39-acre lot. Parcel 3 would include a 950 square foot Dutch Brothers Coffee drive-thru restaurant consisting of 10 parking stalls on a 1.09-acre lot. Parcel 4 would include a 5,137 square foot drive-thru express car wash consisting of 32 parking stalls on a 1.39-acre lot.

The Chick-fil-A would provide storage for 75 vehicles without encroaching into the internal drive aisles. The drive-thru storage would exceed the minimum corporate standard of 15 vehicles, which allows the store to achieve their average services of 45-seconds per vehicle. Therefore, adequate storage is provided, and vehicles are not anticipated to queue back to Varsity Avenue and/or University Parkway.

The fast-foot restaurant with drive-thru would provide storage for up to 12 vehicles without encroaching into the internal drive aisles and also includes an additional outside storage lane for approximately eight (8) more vehicles. Given the trip generation demand forecasted during the peak hours, adequate storage is provided, and vehicles are not anticipated to interfere with internal circulation.

The Dutch Brothers Coffee shop would provide storage for up to 33 vehicles without encroaching into the internal drive aisles. Given the trip generation demand forecasted during the peak hours, adequate storage is provided, and vehicles are not anticipated to interfere with internal circulation.

The express car wash would have the capacity to stack 21 vehicles from the pay station without encroaching into the internal drive aisles. The express car wash would process up to 120 vehicles per hour. Given the trip generation demand forecasted during the peak hours and the processing rate, minimal queuing is anticipated.

3.3 General Plan and Zoning

Based on the City's General Plan, the Project site is designated as General-Commercial (GC) and zoned Commercial General (CG-1). The CG-1 designation is intended to provide for the continued use, enhancement, and new development of retail, personal service, entertainment, office and related commercial uses along major transportation corridors and intersections to service the needs of the residents; reinforcing existing commercial corridors and centers and establishing new locations as residential growth occurs. The CG-1 zone has a minimum net lot area¹ of 10,000 square feet, maximum floor ratio of 0.5 (50 percent lot coverage) and a maximum structure height of 2 stories (30 feet).

3.4 Construction and Phasing

Project construction is assumed to occur over an approximately 10-month period between April 2023 through February 2024. Construction activities involve four (4) phases, including: (1) grading; (2) building construction; (3) paving; and (4) architectural coating. Approximately 25,867 square feet of building material were previously demolished in July 2022 and approximately 7,600 cubic yards of soil would be imported during the grading phase.

3.5 Operational Characteristics

Access to the Project site would be provided via two (2) full access unsignalized driveways located along Varsity Avenue (referred to as Project Driveways No. 1 and No. 2) and via one right-turn in/right-turn out only unsignalized driveway located along University Parkway (i.e. Project Driveway No. 3). Pedestrian circulation will be provided via the existing public sidewalk along University Parkway within the vicinity of the Project frontage, which will connect to the Project's internal walkways. The Project would construct a sidewalk along the Project frontage on Varsity Avenue, which will connect the existing sidewalk on Varsity Avenue to the east.

3.6 Discretionary Approvals, Permits, and Studies

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

- Site Plan Review and associated improvements;
- Subdivision application for consideration of approval by the Planning Commission to allow the proposed Tentative Parcel Map;
- Conditional Use Permit application for consideration of approval by the Planning Commission to allow the proposed development of the commercial center;
- Adoption of this Mitigated Negative Declaration; and
- Approvals and permits necessary to execute the proposed Project, including but not limited to, demolition permit, grading permit, building permit, etc.

¹ This standard is only required for new commercial and industrial subdivisions.

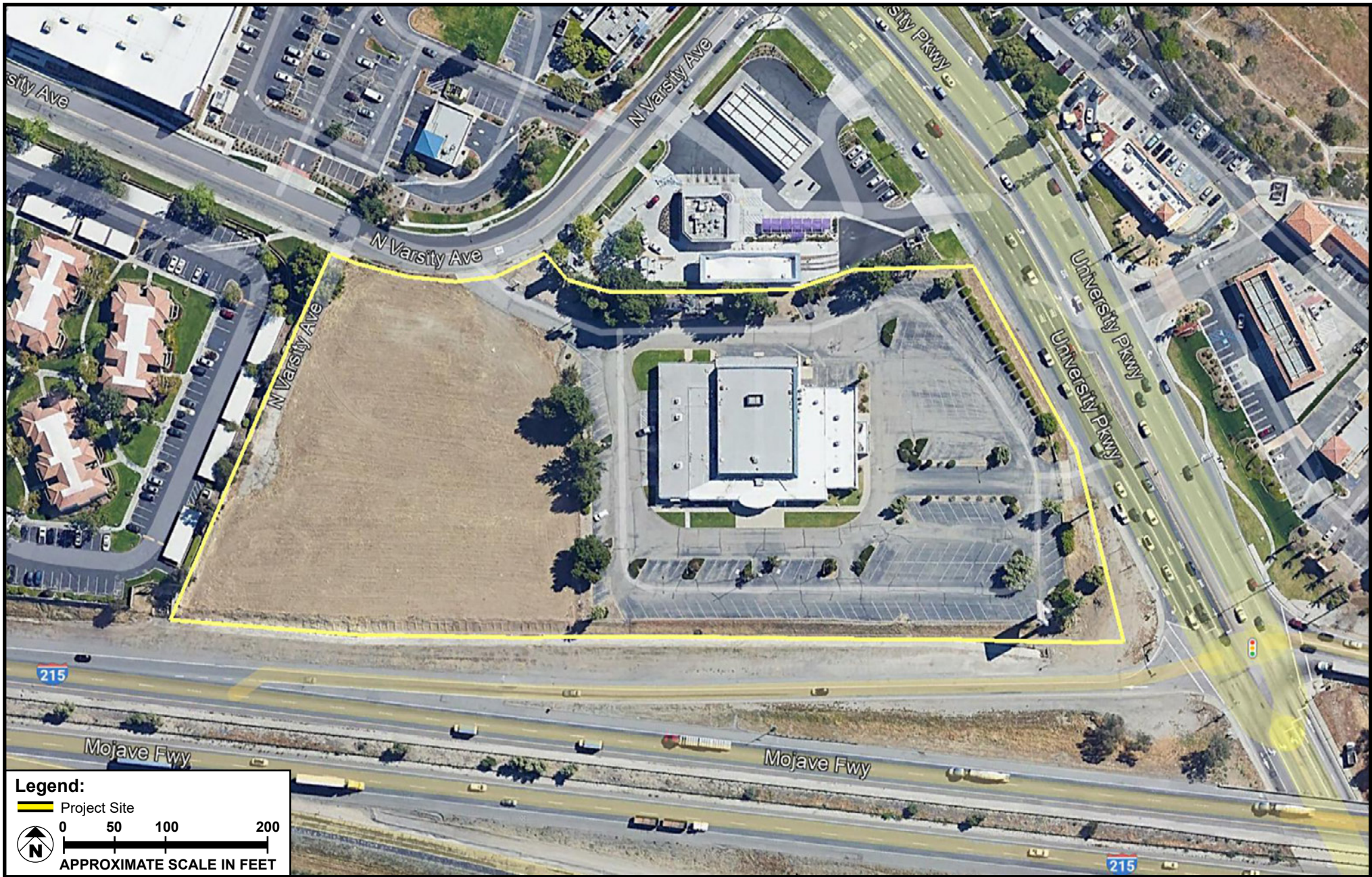
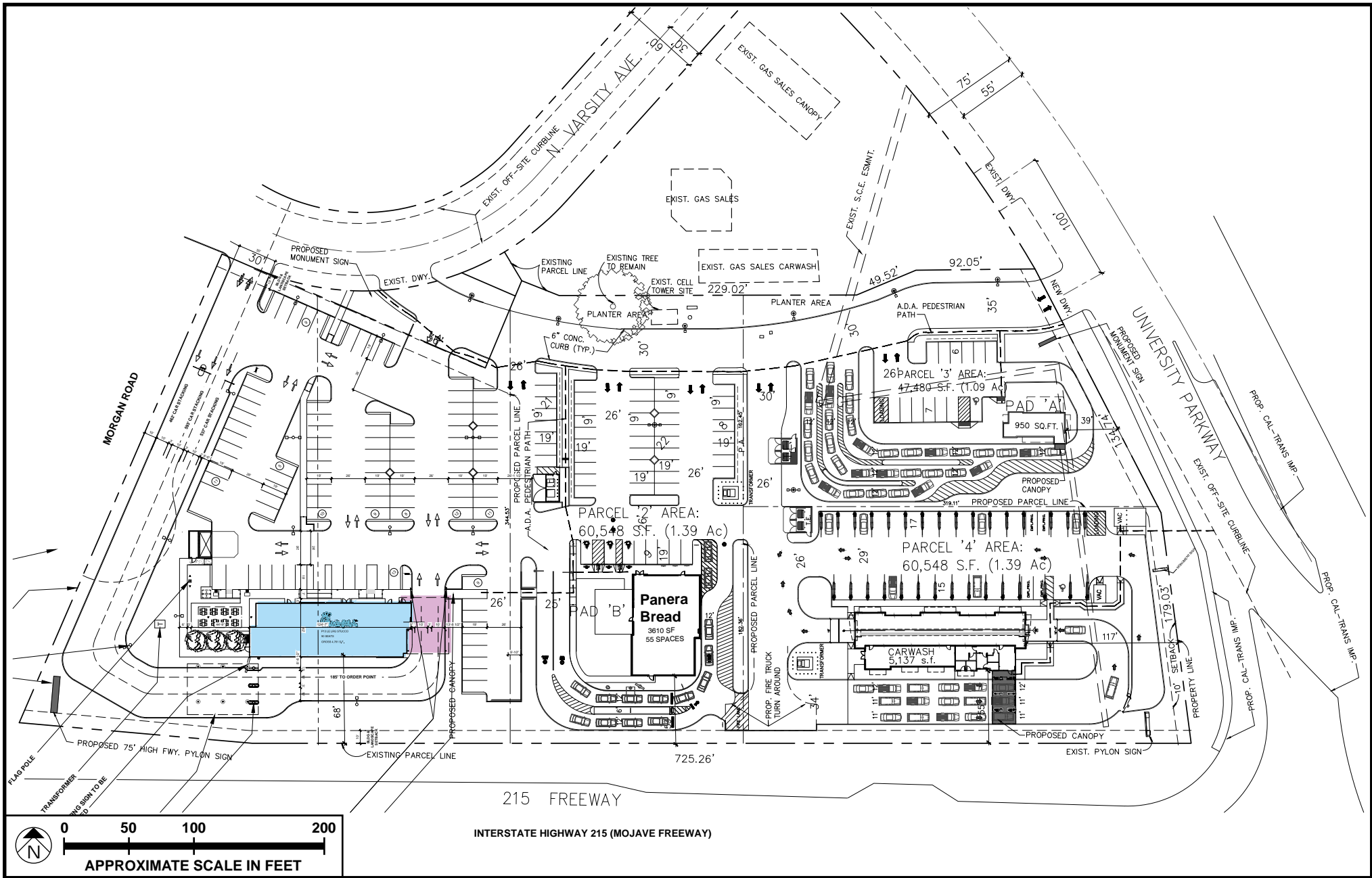


FIGURE 1



SOURCE: NADEL STUDIO ONE< INC. - 12-5-22

FIGURE 3.2

4.0 ENVIRONMENTAL CHECKLIST AND EVALUATION

4.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
AESTHETICS - Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the site's existing visual character or quality of public views and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a. *Have a substantial adverse effect on a scenic vista?*

No Impact. A significant impact regarding a scenic vista could occur if the Project were to introduce incompatible visual elements within a field of view containing a scenic vista or substantially blocked views of a scenic vista.

Under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. The City is located approximately 60 miles east of the City of Los Angeles in the upper Santa Ana River Valley. This valley is framed by the San Bernardino Mountains on the northeast and east, the Blue Mountains and the Box Springs Mountains abutting the Cities of Loma Linda and Redlands to the south, and the San Gabriel Mountains and the Jurupa Hills to the northwest and southwest, respectively. Areas that could benefit from sensitive treatment of the land include: Kendall Hills, San Bernardino Mountains, the hillsides adjacent to Arrowhead Springs, Lytle Creek

Wash, East Twin Creeks Wash, the Santa Ana River, Badger Canyon, Bailey Canyon, and Waterman Canyon.²

The Project site consists of vacant and disturbed land to the northwest with a parking lot on the south portion of the site and previously included a 25,867 square foot building that has been demolished and removed. The Project proposes the development of 14,458 square feet of commercial retail uses on an approximately 6.46-acre property. The Project area is surrounded by existing urban development as well as the Interstate-215 (I-215) to the west of the site. Scenic vistas within the Project vicinity include partial eastern views of the San Bernardino Mountains to the north. Development of the proposed Project would not affect existing views as the construction of the three drive-thru restaurants and express car wash would comply with current zoning requirements restricting height up to two-stories.³ No scenic vistas would be compromised as a result of the Project. As such, no impact would occur and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

No Impact. A significant impact would occur only if scenic resources would be damaged or removed by a project, such as a tree, rock outcropping, or historic building within a designated scenic highway. The San Bernardino General Plan identifies two roadways within the City that have been nominated for official Scenic Highway status. The portions of State Route 30 (SR-30), south of State Route 330 (SR-330), and SR-330 that pass through the City are designated as Eligible Scenic Highways.⁴ SR-330 is located approximately 8.25 miles east of the Project site. Interstate 210 (I-210) provides local east-west service between Interstate 215 (I-215) and (SR-330). As of 2005, this freeway was under construction and was also known as SR-30 and will be classified as I-210. This freeway is located approximately 1.6 miles to the south of the Project site. Interstate 215 (I-215) that runs adjacent to the Project site is not designated as an Eligible Scenic Highway. Therefore, no impacts related to scenic highways would occur and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

² City of San Bernardino General Plan, Chapter 1: Introduction, accessed July 2022, https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf.

³ City of San Bernardino Municipal Code, Chapter 19, Section 19.08.030.

⁴ City of San Bernardino General Plan, Chapter 6: Circulation, accessed July 2022, https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf.

- c. ***In non-urbanized areas, substantially degrade the site's existing visual character or quality of public views and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?***

No Impact. A significant impact would occur if the proposed Project would substantially degrade the existing visual character or quality of the site and its surroundings. Significant impacts to the visual character of the site and its surroundings are generally based on the removal of features with aesthetic value, the introduction of contrasting urban features into a local area, and the degree to which the elements of the proposed project detract from the visual character of an area. The project will not change the visual character of its surroundings.

The Project site consists of a largely vacant parcel with an abandoned vacant building and associated parking lot located south of an existing residential development, east of the I-215, west of an existing operational car wash, and north of University Parkway. The Project site is zoned CG-1 and permits “retail commercial” and “parking lot” uses proposed by the Project. Additionally, the CG-1 zone has a maximum structure height of 2 stories (30 feet), which would also be adhered to by the Project design. The Project would also comply with Section 19.22.070 (C)(4), Section 19.22.070 (B)(6), Section 19.22.070 (A), and Section 19.22.070 (C)(1) pursuant to the City’s signage requirements for Industrial zones.

The Project site is also designated as a “City Gateway.”⁵ As such, the Project would be subject to the goals and policies of the Community Design Element of the General Plan to ensure that the Project meets policies relating to site design and architectural quality. No impacts would occur and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

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

Less than Significant Impact. A significant impact would occur if light and glare substantially altered the character of off-site areas surrounding the site or interfered with the performance of an off-site activity. Light impacts are typically associated with the use of artificial light during the evening and night-time hours. Glare may be a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass and reflective cladding materials, and may interfere with the safe operation of a motor vehicle on adjacent streets. Daytime glare is common in urban areas and is typically associated with mid- to high-rise buildings with exterior façades largely or

⁵ City of San Bernardino General Plan, Chapter 5: Community Design, accessed July 2022, https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf.

4.0 Environmental Checklist and Evaluation

entirely comprised of highly reflective glass or mirror-like materials. Nighttime glare is primarily associated with bright point-source lighting that contrasts with existing low ambient light conditions. Due to the urbanized nature of the area, a moderate level of ambient nighttime light already exists. Nighttime lighting sources include streetlights, vehicle headlights, and interior and exterior building illumination. Currently, the Project site consists of vacant and disturbed land to the northwest with associated parking lot on the south portion of the site. The previous 25,867 square foot building has been demolished and removed from the Project site.

The City's Development Code Chapter 19.20 establishes lighting standards for the design, placement, and operation of outdoor lighting.⁶ Adherence to the Development Code requires that all exterior lighting shall direct glare and reflections within the boundaries of the parcel and shall be directed downward and away from adjoining properties and public-right away. One foot-candle of illumination should also be evenly distributed across the parking lot at minimum with entrances and loading areas at up to two foot-candles. As per the code, no glare incidental to any use shall be visible beyond any boundary line of the parcel.⁷ The proposed Project would be constructed to meet the City's development standards and guidelines per the City's General Plan and Development Code. As such, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

⁶ City of San Bernardino, *Development Code Chapter 19.20 Property Development Standards*, accessed August 2022, https://www.sbcity.org/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Development%20Code/19.20%20Property%20Development%20Standards.pdf

⁷ City's Municipal Code, Article III, Chapter 19.20, Section 19.20.030 (12).

4.2 AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
AGRICULTURE AND FORESTRY RESOURCES - 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 nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forestland or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature could result in conversion of Farmland, to nonagricultural use or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- 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 nonagricultural use?***

No Impact. A significant impact would occur if the proposed Project would convert valued farmland to non-agricultural uses. The Project site was previously developed with a commercial use that has been since demolished. No agricultural uses or operations occur on-site or in the vicinity of the Project site. The Project site is currently designated as General-Commercial (GC) and zoned Commercial General (CG-1). The Project site and surrounding area are not located within an area designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.⁸ The Project would not convert Prime

⁸ California Department of Conservation, California Important Farmland Finder, <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed July 2022.

Farmland, Unique Farmland, or Farmland of Statewide Importance to another use. No impacts would occur.

Mitigation Measures: No mitigation measures are required.

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

No Impact. A significant impact would occur if the proposed Project conflicted with existing agricultural zoning or agricultural parcels enrolled under the Williamson Act. As mentioned previously, the Project site is currently designated as General-Commercial (GC) and zoned Commercial General (CG-1). No portion of the Project site and surrounding uses includes any agricultural zoning or uses, nor are any proposed for the site. Additionally, the Project site is currently not under a Williamson Act contract. The Project would therefore not conflict with any existing agricultural zoning designations, nor affect any existing Williamson Act Contracts. No impacts would occur.

Mitigation Measures: No mitigation measures are required.

c. *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

No Impact. A significant impact would occur if the proposed Project conflicted with existing zoning or caused rezoning of forest land or timberland, or resulted in the loss of forest land, or in the conversion of forest land to non-forest use. As mentioned previously, the Project site is located on a previously developed parcel designated as General-Commercial (GC) and zoned Commercial General (CG-1). The Project site does not include any forest land or timberland. Therefore, the Project would not conflict with the existing zoning of the site for forestland, nor would it cause the rezoning of forest land, timberland, or timberland zoned “Timberland Production.” No impacts would occur.

Mitigation Measures: No mitigation measures are required.

d. *Result in the loss of forestland or conversion of forestland to non-forest use?*

No Impact. A significant impact would occur if the proposed Project resulted in the loss of forest land or in the conversion of forest land to non-forest use. The Project site is located on a previously developed parcel and does not include any forest land or timberland. Therefore, the Project would not result in the loss or conversion of forest land to non-forest use. No impacts would occur.

Mitigation Measures: No mitigation measures are required.

- e. ***Involve other changes in the existing environment which, due to their location or nature could result in conversion of Farmland, to nonagricultural use or conversion of forestland to non-forest use?***

No Impact. A significant impact would occur if the proposed Project caused the conversion of farmland to non-agricultural use. The Project site is located on a previously developed parcel and no identified agricultural uses, designated Farmland, or forest land uses occur at the Project site or within the surrounding area. As such, the Project would not result in the conversion of farmland to nonagricultural uses. No impacts would occur.

Mitigation Measures: No mitigation measures are required.

4.3 AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
AIR QUALITY - 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

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

Less than Significant Impact. A significant impact would occur if the proposed Project is deemed inconsistent with air quality plans such as if it would result in population and/or employment growth that exceeds growth estimates in the Air Quality Management Plan (AQMP).

The Project site is located within the South Coast Air Basin (SCAB) and is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD and the Southern California Association of Governments (SCAG) are responsible for preparing the AQMP, which addresses federal and state Clean Air Act (CAA) requirements.

The SCAQMD CEQA Air Quality Handbook describes two criteria indicators used for purposes of analyzing consistency with the AQMP. Consistency Criterion No. 1 states if a proposed project would result in growth that is substantially greater than what was anticipated, then the proposed project would conflict with the AQMP. On the other hand, if a project’s density is within the anticipated growth of a jurisdiction, its emissions would be consistent with the assumptions in the AQMP, and the project would not conflict with SCAQMD’s attainment plans. Consistency Criterion No. 2 states that a project is consistent with the AQMP if the project would not result in an increase in the frequency or severity of existing air quality violations or cause a new violation.

The SCAB is currently designated as nonattainment for federal ozone standards and State and federal particulate matter standards. SCAQMD developed regional emissions thresholds to determine whether a

project would contribute to air pollutant violations. If a project exceeds the regional air pollutant thresholds, then it would significantly contribute to air quality violations in the Air Basin. As discussed further in **Table 4.3-1** below, temporary emissions associated with construction of the Project would not exceed regional construction thresholds. Additionally, as discussed further in **Table 4.3-2** below, long-term emissions associated with operation would not exceed regional operational thresholds. As such, the Project is consistent with the growth assumptions in the regional air plan, would not contribute to air quality violations in the Air Basin and would be consistent with the AQMP for the first criterion.

SCAG has the responsibility for preparing and approving the portion of the AQMP relating to regional demographic projections and integrated regional land use, housing, employment, and transportation programs, measures, and strategies. With respect to determination of consistency with AQMP growth assumptions, the projections in the AQMP for achieving air quality goals are based on assumptions in SCAG's Connect SoCal RTP/SCS regarding population, housing, and growth trends. With regard to air quality planning, SCAG has prepared and adopted Connect SoCal 2020-2045 RTP/SCS. Determining whether or not a project exceeds SCAG's growth forecasts involves the evaluation of the following: (1) consistency with applicable population, housing, and employment growth projections; (2) project mitigation measures; and (3) appropriate incorporation of AQMP land use planning strategies. As discussed in **Section 4.11: Land Use and Planning**, the Project would conform to objectives outlined in the City of Bernardino General Plan. The 2020 - 2045 RTP/SCS provides socioeconomic forecast projections of regional population growth. These growth forecasts are based on local plans and policies applicable to the specific area. As discussed in **Section 4.14: Population and Housing**, the Project would generate the need for approximately 25 employees which represents less than 0.1 percent of the estimated employment growth between 2016 and 2045. The Project would be consistent with the AQMP for the second criterion and would not exceed the growth assumptions in the AQMP. As such, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?

Less than Significant Impact. A significant impact could occur if the Project would add a considerable cumulative contribution to federal or State nonattainment pollutants. As discussed previously, the Basin is currently designated as nonattainment for federal ozone standards and State and federal particulate matter standards.

In regard to determining the significance of the Project contribution, the SCAQMD neither recommends quantified analyses of construction and/or operational emissions from multiple related projects nor provides methodologies or thresholds of significance to be used to assess the cumulative emissions generated by multiple cumulative projects. Instead, the SCAQMD recommends that a project's potential

contribution to cumulative impacts be assessed utilizing the same significance criteria as those for project-specific impacts. Furthermore, SCAQMD states that “projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant.”⁹ Therefore, if a project generates less than significant construction or operational emissions, then the project would not generate a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment.

Construction

With respect to the Project’s construction-period air quality emissions and cumulative Basin-wide conditions, the SCAQMD has developed strategies (e.g., SCAQMD Rule 403) to reduce criteria pollutant emissions outlined in the AQMP pursuant to National Ambient Air Quality Standards (NAAQS). As such, the Project would comply with SCAQMD Rule 403 requirements and implement all feasible mitigation measures to reduce potential impacts related to particulate matter and fugitive dust. In addition, the Project would comply with adopted AQMP emissions control measures as described below. Per SCAQMD rules and mandates, as well as the CEQA requirement that significant impacts be mitigated to the extent feasible, these same requirements (i.e., SCAQMD Rule 403 compliance, the implementation of all feasible mitigation measures, and compliance with adopted AQMP emissions control measures) would also be imposed on construction projects Basin-wide, where applicable.

According to the SCAQMD, individual construction projects that exceed the SCAQMD’s recommended daily thresholds for project-specific impacts would cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment. Construction of the Project has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers to and from the Project Site. In addition, fugitive dust emissions would result from construction activities. NO_x emissions would result from the use of offroad construction equipment. Paving and the application of architectural coatings (e.g. paints) would potentially release VOCs.

Construction emissions were estimated according to the SCAQMD CEQA Air Quality Handbook and construction emission factors contained in the California Emissions Estimator Model (CalEEMod). It is important to note, the California Air Pollution Control Officers Association (CAPCOA) released Version 2022.1 of the CalEEMod model in April 2022, which takes into account the latest Title 24 building and energy standards. However, this latest update is considered a soft release and has not been officially adopted by lead agencies, as the web-based platform continues to be updated. Therefore, Version 2020.40 was used for purposes of this analysis to assume a worst-case assessment as the model takes into account previous building and energy standards. The emission calculations assume the use of standard construction practices, such as compliance with SCAQMD Rule 403–Fugitive Dust, which requires all unpaved demolition and construction areas to be wetted at least three times a day during excavation

⁹ South Coast Air Quality Management District (SCAQMD), White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution (2003), Appendix A.

and construction to minimize the generation of fugitive dust. In addition, SCAQMD Rule 1403 - Asbestos emissions from demolition/renovation activities, specifies work practice requirements to limit asbestos emissions from building demolition and renovation activities.

Construction would occur over four (4) phases: (1) grading, (2) building construction, (3) paving, and (4) architectural coating. Each phase of construction would result in varying levels of intensity and a number of construction personnel. The construction workforce would consist of approximately 10 worker trips per day and 950 total hauling trips (7,600 cubic yards of import) during grading, 42 worker trips per day and 16 vendor trips per day during building construction, 15 worker trips per day during paving, and 8 worker trips per day during architectural coating. **Table 4.3-1: Maximum Construction Emissions** identifies maximum daily emissions that are estimated for peak construction days for each construction year. As shown, construction emissions associated with the Project would not exceed SCAQMD regional thresholds. As such, impacts related construction would be less than significant.

TABLE 4.3-1 MAXIMUM CONSTRUCTION EMISSIONS						
Source	VOC	NO _x	CO	SO _x	PM10	PM2.5
	pounds/day					
Maximum	19	33	30	<0.01	11	5
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold exceeded?	No	No	No	No	No	No

Source: CalEEMod.

Notes:

CO = carbon monoxide; NO_x = nitrogen oxides; PM10 = particulate matter less than 10 microns; PM2.5 = particulate matter less than 2.5 microns; SO_x = sulfur oxides; VOC = volatile organic compounds.

Refer to **Appendix 4.3** for CalEEMod Output Sheets.

Operation

Operational activities associated with the Project would result in long-term emissions from area, energy, and mobile sources. Area-source emissions are based on natural gas (building heating and water heaters), landscaping equipment, and consumer product (including paint) usage rates provided in CalEEMod. Natural gas usage factors in CalEEMod are based on the California Energy Commission (CEC)'s California Commercial End Use Survey data set, which provides energy demand by building type and climate zone. Mobile source emissions are derived primarily from vehicle trips generated by the Project. The Project would add up to 5,196 gross daily trips. Vehicles traveling on paved roads would be a source of fugitive emissions due to the generation of road dust inclusive of tire wear particulates. The emission estimates for travel on paved roads were calculated using the CalEEMod model. The results presented in **Table 4.3-2: Maximum Operational Emissions** are compared to the SCAQMD-established operational significance thresholds. As shown, the operational emissions would not exceed SCAQMD's regional thresholds and would therefore not result in a cumulatively considerable net increase of any criteria pollutant. As such, operational impacts would be less than significant.

**TABLE 4.3-2
MAXIMUM OPERATIONAL EMISSIONS**

Source	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
	pounds/day					
Area	<1	<1	<1	<1	<1	<1
Energy	<1	1	1	<1	<1	<1
Mobile	12	13	82	<1	15	4
Total	13	14	83	<1	15	4
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold exceeded?	No	No	No	No	No	No

Source: CalEEMod.

Notes: CO = carbon monoxide; NO_x = nitrogen oxides; PM₁₀ = particulate matter less than 10 microns; PM_{2.5} = particulate matter less than 2.5 microns; SO_x = sulfur oxides; VOC = volatile organic compounds.

Refer to Appendix 4.3 for CalEEMod Output Sheets.

Mitigation Measures: No mitigation measures are required.

c. Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. The SCAQMD devised the Localized Significance Threshold (LST) methodology¹⁰ to assess the potential air quality impacts would result in the vicinity of the Project. Receptors sensitive to air pollution include, but are not limited to, residences, schools, hospitals, and convalescent facilities. The nearest sensitive receptors in the vicinity of the Project site include the following:

- Multi-family residential uses to the northwest along Varsity Avenue
- Motel use to the southeast on the corner of University Parkway and I-215 Freeway on-ramp
- Multi-family residential uses to the north along University Parkway
- Single-family residential uses to the northeast along State Street

The LST methodology considers emissions generated from on-site sources and excludes emissions from off-site vehicular traffic. The SCAQMD provides mass rate lookup tables as a screening tool to determine the likelihood of localized impacts from Project construction and operation. Ambient conditions for Central San Bernardino Valley, as recorded in SRA 34 by the SCAQMD, were used for ambient conditions in determining appropriate threshold levels.

The results of the construction LST analysis is provided in **Table 4.3-3: Localized Construction and Operational Emissions**. It is important to note, construction would be required to comply with the

¹⁰ South Coast Air Quality Management District, Final Localized Threshold Methodology, July 2008, accessed July 2022, <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf>.

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SCAQMD’s Rule 403 (Fugitive Dust), which requires watering of the Project Site during dust-generating construction activities, stabilizing disturbed areas with water or chemical stabilizers, and preventing track- out dust from construction vehicles, thus further reducing construction-related emissions. Additionally, these estimates assume the maximum area that would be disturbed during construction on any given day during Project buildout. Local emissions from Project operation would include area and energy sources. Area-source emissions are based on natural gas (building heating and water heaters), landscaping equipment, and consumer product (including paint) usage rates provided in CalEEMod. Natural gas usage factors in CalEEMod are based on the CEC’s California Commercial End Use Survey data set, which provides energy demand by building type and climate zone. As shown in **Table 4.3-3**, emissions would not exceed localized significance thresholds for construction and operation.

The City follows SCAQMD’s guidance for air quality analysis and relies on SCAQMD thresholds. SCAQMD’s CEQA guidelines for evaluating construction impacts do not specify a requirement for a Health Risk Assessment (HRA) to evaluate construction impacts. For construction, SCAQMD provides daily mass emissions thresholds and localized significance thresholds. As shown in **Table 4.3-1**, daily mass emissions would not exceed SCAQMD’s thresholds for construction. Additionally, as shown in **Table 4.3-3**, localized daily emissions would not exceed SCAQMD thresholds for construction. Therefore, the Project would have a less than significant impact based on methodologies derived by SCAQMD for the project type.

SCAQMD requires HRA’s for compliance with AB2588, SCAQMD Rule 1401 and Rule 1402, which regulate stationary emission sources. SCAQMD has also adopted guidance on the use of HRA’s for analyzing mobile source emissions. However, this guidance refers to emissions associated with facilities such as truck stops and distribution centers that feature long term presence of diesel emission sources. The Project would not consist of the land use type that would emit substantial diesel particulate matter; therefore, no cancer risk assessment is required under the SCAQMD guidance.

As such, impacts related to localized emissions would be less than significant.

TABLE 4.3-3 LOCALIZED CONSTRUCTION AND OPERATIONAL EMISSIONS				
Source	NO _x	CO	PM ₁₀	PM _{2.5}
	On-Site Emissions (pounds/day)			
Construction				
Total maximum emissions	15	14	8	4
LST threshold	270	1,746	14	8
Threshold Exceeded?	No	No	No	No
Operational				
Project area/energy emissions	1	1	<1	<1
LST threshold	270	1,746	4	2
Threshold Exceeded?	No	No	No	No

Notes:

Totals in table may not appear to add exactly due to rounding in the computer model calculations.

CO = carbon monoxide; NO_x = nitrogen oxide; PM₁₀ = particulate matter less than 10 microns; PM_{2.5} = particulate matter less than 2.5 microns.

Refer to **Appendix 4.3** for CalEEMod Output Sheets.

Mitigation Measures: No mitigation measures are required.

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

Less than Significant Impact. According to the SCAQMD, “while almost any source may emit objectionable odors, some land uses will be more likely to produce odors... because of their operation.”¹¹ Land uses that are more likely to produce objectionable odors, including agriculture, chemical plants, composting operations, dairies, fiberglass molding, landfills, refineries, rendering plants, rail yards, and wastewater treatment plants.

During construction, activities associated with the operation of construction equipment, the application of asphalt, and the application of architectural coatings and other interior and exterior finishes may produce discernible odors typical of most construction sites. Although these odors could be a source of nuisance to adjacent residences, they are temporary and intermittent in nature. As construction-related emissions dissipate, the odors associated with these emissions would also decrease, dilute, and become unnoticeable. Operation of the Project includes commercial retail uses and would not contain any active manufacturing activities. Good housekeeping practices, such as the use of trash receptacles, would be sufficient to prevent nuisance odors. As such, impacts related to construction and operation would be less than significant.

Mitigation Measures: No mitigation measures are required.

¹¹ South Coast Air Quality Management District, Guidance Document for Addressing Air Quality issues in General Plans and Local Planning, May 2005, 2-2.

4.4 BIOLOGICAL RESOURCES

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

Discussion

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

Less than Significant with Mitigation Incorporated. A project would have a significant biological impact through the loss or destruction of individuals of a species or through the degradation of sensitive habitat.

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“Special Animals” or “special status species” is a broad term used to refer to all the animal taxa tracked by the CDFW California Natural Diversity Database (CNDDDB), regardless of their legal or protection status.¹² Special-status species include those listed as endangered or threatened under the federal ESA or CESA, species otherwise given certain designations by the CDFW, and plant species listed as rare by the CNPS.

The City of San Bernardino General Plan describes the local habitat consisting of sensitive species that are closely associated with the aquatic and woodland communities of the San Bernardino Mountains and the Santa Ana River and its tributaries.¹³ Large mammals such as coyote, bobcat, deer, and occasionally mountain lion and bear also descend from the mountains along canyon corridors. Given the urbanized nature of the Project area and the existing vacant and previously disturbed land within the Project site, the likelihood of the presence of any sensitive biological resources is considered low. Also, the Project site is not located within an area designated as “Potential Habitat for Sensitive Wildlife” or a “Biological Resource Area.”¹⁴

A CNDDDB search was conducted to determine if sensitive species have been identified within the Project site. The search determined that the Project is not within the boundaries of any species listed by the CNDDDB which includes those listed as endangered, threatened, or candidate.¹⁵ Furthermore, there are no protected trees on site. However, the Project site contains trees and shrubs that can be utilized by nesting birds and raptors during the nesting bird seasons of February 1 through September 15. Therefore, the proposed Project has the potential to impact active bird nests if vegetation and trees are removed during the nesting season. Nesting birds are protected under the Federal Migratory Bird Treaty Act (MBTA) (Title 33, US Code, Section 703 et seq., see also Title 50, Code of Federal Regulation, Part 10) and Section 3503 of the CDFW Code. Implementation of Mitigation Measure MM BIO-1 would ensure MBTA compliance and would require a nesting bird survey to be conducted prior to the commencement of construction during nesting season. Therefore, the Project would not have any adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the CDFW or USFWS. Impacts would be less than significant with mitigation incorporated.

12 California Department of Fish and Wildlife. Special Animals List (April 2021). <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406&inline>. Accessed July 2022.

13 City of San Bernardino General Plan, Natural Resources and Conservation, accessed July 2022, https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf.

14 City of San Bernardino General Plan, Natural Resources and Conservation, Figure NRC-1 and Figure NRC-2, accessed July 2022, https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf.

15 California Department of Fish and Wildlife, BIOS Viewer, accessed July 2022, <https://apps.wildlife.ca.gov/bios/>.

Mitigation Measures: The following measure would reduce potential impacts related to nesting birds to less than significant:

MM BIO-1 Nesting Bird Survey. Project construction and grading plans shall state that ground-disturbing and vegetation-clearing activities should occur outside of the nesting bird season (generally between February 1 and September 15). If ground-disturbing and vegetation-clearing activities cannot be avoided during the nesting bird seasons, the construction grading plans and City permitting for the Project shall state that nesting bird surveys will be conducted by a qualified biologist(s) within three days of vegetation removal. If active nests are observed, a qualified biologist will determine appropriate minimum disturbance buffers and other adaptive mitigation techniques (e.g., biological monitoring of active nests during construction-related activities, staggered schedules, etc.) to ensure that impacts to nesting birds are avoided until the nest is no longer active. At a minimum, construction activities will stay outside of a 300-foot buffer around the active nests. For raptor species, the buffer is to be expanded to 500 feet. The approved buffer zone shall be marked in the field with construction fencing, with which no vegetation clearing or ground disturbance shall commence until the qualified biologist and City of San Bernardino Planning Division verify that the nests are no longer occupied, and the juvenile birds can survive independently from the nests. Once the qualified biologist(s) have determined that the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities may occur.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

No Impact. A significant impact would occur if any riparian habitat or natural community would be lost or destroyed as a result of urban development. Riparian habitats line the banks of rivers, streams, creeks, and ponds and consist of a variety of vegetation types. These habitats preserve water quality by filtering sediment and some pollutants from runoff before it enters the water body, protect stream banks from erosion, provide food and habitat for fish and wildlife, and preserve open space and aesthetic values.

The location of the Project site is within the City boundaries where mainly developed areas exist and there are no natural lakes or river. There are no riparian habitats or corridors within the Project site or

within the vicinity.¹⁶ Additionally, the Project site has not been identified as a location within the extent of any species listed as candidate, sensitive, or special status by a local or regional plan, policy, or regulation.¹⁷ As such, no impacts would occur to any riparian habitat or other sensitive natural community.

Mitigation Measures: No mitigation measures are required.

c. Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. A significant impact would occur if federally protected wetlands would be modified or removed by a Project. There are three key agencies that regulate activities within inland streams, wetlands, and riparian areas in California. The Corps Regulatory Branch regulates discharge of dredge or fill materials into “waters of the United States” pursuant to Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Of the State agencies, the CDFW regulates alterations to streambed and bank under Fish and Wildlife Code Sections 1600 et seq., and the Regional Board regulates discharges into surface waters pursuant to Section 401 of the CWA and the California Porter-Cologne Water Quality Control Act.

The USFWS National Wetlands Mapper was reviewed to determine if any blue-line streams or riverine resources have been documented within or immediately surrounding the Project site. The Project site is located approximately 1.8 miles east from the nearest riverine (Cajon Wash), separated by existing development and roadways.¹⁸ However, the riverine resource identified does not show any seasonally wet areas, federally protected streams or wetlands or other water bodies adjacent to the Project location. Furthermore, no drainages, stream courses, or other natural water features occur on the Project Site. As such, no impacts would occur, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with

16 City of San Bernardino General Plan, Natural Resources and Conservation, Figure NRC-2, accessed July 2022, https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf.

17 California Department of Fish and Wildlife, NCCP Plan Summaries, <https://wildlife.ca.gov/Conservation/Planning/NCCP/Plans>. Accessed July 2022.

18 US Fish and Wildlife, National Wetlands Inventory, accessed July 2022, <https://www.fws.gov/wetlands/data/mapper.html>.

established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

No Impact. A significant impact would occur if the proposed Project would interfere with, or remove access to, a migratory wildlife corridor or impede use of native wildlife nursery sites. No surface water bodies, streams or waterways occur on the Project site.

Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. A corridor can be defined as a linear landscape feature of sufficient width to allow animal movement between two comparatively undisturbed habitat fragments. Adequate cover is essential for a corridor to function as a wildlife movement area. It is possible for a habitat corridor to be adequate for one species yet still inadequate for others. Wildlife corridors are features that allow for the dispersal, seasonal migration, breeding, and foraging of a variety of wildlife species. Additionally, open space can provide a buffer against both human disturbance and natural fluctuations in resources. The California Essential Habitat Connectivity Project identifies remaining intact habitat or natural landscape linkages that must be maintained as wildlife corridors.

The Project site consists of a largely vacant parcel with associated parking lot and all existing uses have been demolished and removed from the Project site. According to the CNDDDB Bios Viewer, the Project site is not located within a California Essential Connectivity Area.¹⁹ Therefore, the proposed Project would not interfere with the movement of any native wildlife species. As such, no impacts would occur, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?

Less Than Significant Impact. A significant impact would occur if the proposed Project would be inconsistent with local regulations pertaining to biological resources. The City's Municipal Code Section 19.28.100 requires a tree removal permit for anyone who wants to remove five or more trees within a 46-month period. The Ordinance mandates the replacement of removed trees on a 1:1 basis. The Project site contains various trees throughout the site and would require a tree removal permit pursuant to Section 19.28.100. Additionally, the proposed Project would include landscaping compliant with Development Code Section 19.28.030 (General Regulations) for tree/shrub sizing as well as drought tolerant species. Landscaping would be provided over a minimum of fifteen (15) percent of the net parking area, exclusive of all required landscaped setbacks. As such, there would be no conflict with

19 California Department of Fish and Wildlife, BIOS Viewer, accessed July 2022, <https://apps.wildlife.ca.gov/bios/>.

local policies or ordinances regarding tree preservation or the protection of biological resources. No impacts would occur, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

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

No Impact. The Project site does not support any habitat or natural community.²⁰ No Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plans apply to the Project site.²¹ The Project site and surrounding vicinity does not lie within the boundaries of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.²² No impacts would occur, and no mitigation measures required.

Mitigation Measures: No mitigation measures are required.

22 California Department of Fish and Wildlife, BIOS Viewer, Conservation Plan Boundaries, HCP and NCCP, <https://apps.wildlife.ca.gov/bios/>. Accessed July 2022.

22 California Department of Fish and Wildlife, BIOS Viewer, Conservation Plan Boundaries, HCP and NCCP, <https://apps.wildlife.ca.gov/bios/>. Accessed July 2022.

22 California Department of Fish and Wildlife, BIOS Viewer, Conservation Plan Boundaries, HCP and NCCP, <https://apps.wildlife.ca.gov/bios/>. Accessed July 2022.

4.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
CULTURAL RESOURCES - Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

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

No Impact. A “historical resource” under CEQA, as defined by PRC Part 5020.1(j) is any object, building, site, area, place, record, or manuscript that is historically or archaeologically significant, or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Guidelines for CEQA further define a “historical resource” as any resource listed in or determined eligible for listing in the California Register of Historical Resources, included in a local register of historical resources, or determined to be historically significant by the Lead Agency. Additionally, a resource would be automatically listed in the California Register if it is listed in the National Register of Historic Places or formally determined eligible by an agency for listing in the National Register. CEQA Guidelines section 15064.5(a) defines a “historical resource” as a resource that meets one or more of the following criteria:

- Listed in, or eligible for listing in, the California Register of Historical Resources (California Register)
- Listed in a local register of historical resources (as defined at Cal. Public Res. Code § 5020.1(k))
- Identified as significant in a historical resource survey meeting the requirements of § 5024.1(g) of the Cal. Public Res. Code
- Determined to be a historical resource by a project's Lead Agency (Cal. Code Regs. tit. 14(3), § 15064.5(a))

The eligibility criteria for the California Register are similar to those of the National Register of Historic Places (National Register), and a resource that meets one of more of the eligibility criteria of the National Register will be eligible for the California Register. Criteria for Designation:

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- Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the U.S.
- Associated with the lives of persons important to local, California or national history.
- Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values.
- Has yielded or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

The existing Project site includes partially vacant land and has been previously developed with one existing structure (which has been demolished and removed) and associated parking lot. The proposed Project would include construction of 14,458 square feet of commercial retail uses on an approximately 6.46-acre property. There are no identified State historic resources²³ or federal resources²⁴ within its boundaries nor the surrounding vicinity of the Project site and has not been determined to be eligible for listing in the National Register of Historic Places. As such, there would be no potential for unearthing any unknown cultural or historic resources. No impacts would occur and not mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?

Less Than Significant with Mitigation Incorporated. A significant impact would occur if a known or unknown archaeological resource would be removed, altered, or destroyed as a result of the Project. Section 15064.5 of the CEQA Guidelines defines significant archaeological resources as resources that meet the criteria for historical resources or resources that constitute unique archaeological resources. CEQA Guidelines Section 15064.5(a)(3)(D) generally defines archaeological resources as any resource that “has yielded, or may be likely to yield, information important in prehistory or history.” Archaeological resources are features, such as tools, utensils, carvings, fabric, building foundations, etc., that document evidence of past human endeavors and that may be historically or culturally important to a significant earlier community.

The Project site is located within an urbanized area of the City and has been subject to grading and development in the past. Therefore, surficial archaeological resources that may have existed at one time have likely been previously disturbed. The depth and extent of grading and excavation would be minimal as construction would include 7,600 cubic yards of import. Although no excavation activities are expected, if an archaeological resource were to be discovered during construction of the Project, work

23 Office of Historic Preservation, California Historical Landmarks by County, https://ohp.parks.ca.gov/?page_id=21387. Accessed July 2022.

24 National Park Service, National Register of Historic Places, <https://www.nps.gov/maps/full.html?mapId=7ad17cc9-b808-4ff8-a2f9-a99909164466>. Accessed July 2022.

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in the area would cease, and deposits would first be evaluated for historic significance in accordance with CEQA Guidelines Section 15064.5. As set forth in CEQA Guidelines Section 15064.5, if the City determines that the archaeological resource is an historical resource, it shall refer to the provisions of Section 21084.1 of the PRC. If an archaeological resource does not meet the criteria for historical resources, but does meet the definition of a unique archaeological resource, construction work in the area would cease and the resource would be treated in accordance with the provisions of Section 21083.2 of the PRC.

If tribal resources are discovered during project construction compliance with State laws, which fall within the jurisdiction of the Native American Heritage Commission (NAHC), relating to the disposition of Native American resources will be adhered to with implementation of **Mitigation Measure MM CUL-1** and **MM CUL-2** as requested by the Yuhaaviatam of San Manuel Nation (YSMN). As such, with the implementation of regulatory requirements and **MM CUL-1** and **MM CUL-2**, impacts to archaeological resources would be less than significant with mitigation incorporated.

Mitigation Measures: The YSMN requests that the following language be made a part of the project/permit/plan conditions:

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

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

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

Less than Significant with Mitigation Incorporated. A significant impact would occur if previously interred human remains would be disturbed during excavation of the Project site. As discussed above, the Project site is located within an urbanized area and has been subject to previous grading and development. No excavation activities are expected to occur; thus, the finding of human remains would

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be minimal. While no formal cemeteries, other places of human interment, or burial grounds or sites are known to occur within the Project area, there is always a possibility that human remains can be encountered during construction. In addition, if human remains were discovered during construction, work in the immediate vicinity would be halted, the County Coroner, construction manager, and other entities would be notified per California Health and Safety Code Section 7050.5, and disposition of the human remains and any associated grave goods would occur in accordance with PRC Section 5097.91 and 5097.98. If human remains of Native American origin are discovered during project construction, compliance with State laws, which fall within the jurisdiction of the Native American Heritage Commission (NAHC) (PRC Section 5097), relating to the disposition of Native American burials will be adhered to with implementation of **Mitigation Measure MM CUL-3**, as requested by the Yuhaaviatam of San Manuel Nation (YSMN). Therefore, impacts related to human remains would be less than significant with mitigation incorporated.

Mitigation Measures: The YSMN requests that the following language be made a part of the project/permit/plan conditions:

MM CUL-3 If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

4.6 ENERGY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

This section analyzes the proposed Project's potential impacts on energy resources, focusing on three energy resources: electricity, natural gas, and transportation-related energy (petroleum-based fuels). This analysis addresses both construction and operational impacts associated with the consumption of energy resources. This section evaluates the demand for energy resources attributable to the Project and determines whether the current and planned electrical, natural gas, and petroleum-based fuel supplies and distribution systems are adequate to meet the Project's forecasted energy consumption. The information presented herein is based, in part, on the California Emissions Estimator Model (CalEEMod) outputs as calculated for **Section 4.3: Air Quality**, and **Section 4.8: Greenhouse Gas Emissions**, and on the calculations for this section as presented in **Appendix 4.6: Energy Calculations**.

Discussion

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

Less than Significant Impact. A significant impact would occur if the project would substantially increase demand for energy resources, which exceeds the available supply. The Project would be constructed in accordance with all applicable laws and regulations, including applicable State and federal laws, and building regulations that are intended to promote efficient utilization of resources and minimize environmental impacts.

Construction

During construction, energy would be consumed in the form of electricity associated with the conveyance of water used for dust control, and on a limited basis, powering lights, electronic equipment, or other construction activities necessitating electrical power. Construction activities typically do not involve the consumption of natural gas. Construction would also consume energy in the form of petroleum-based fuels associated with the use of off-road construction vehicles and equipment within the Project site, construction worker travel, haul trips, and delivery trips.

As shown in **Table 4.6-1: Summary of Energy Use During Construction** and additionally discussed below, a total of approximately 176 kilowatt-hours (kWh) of electricity, 43,361 gallons of diesel fuel, and 5,320 gallons of gasoline is estimated to be consumed during construction.

TABLE 4.6-1 SUMMARY OF ENERGY USE DURING CONSTRUCTION	
Fuel Type	Quantity
Electricity	
Water Conveyance	176 kWh
Diesel	
Off-Road Construction Equipment	23,440 gallons
On-Road Motor Vehicles	19,922 gallons
Total	43,361 gallons
Gasoline	
Off-Road Construction Equipment	0 gallons
On-Road Motor Vehicles	5,320 gallons
Total	5,320 gallons

Refer to Appendix 4.6: Energy Calculations

Electricity

Southern California Edison (SCE) provides electricity to the Project area, including residential, commercial, and industrial uses. As shown in **Table 4.6-1**, a total of approximately 176 kWh of electricity is anticipated to be consumed during construction. The electricity demand at any given time would vary throughout the construction period based on the construction activities being performed and would cease upon completion of construction. In 2020, the County consumed 15,968 GWh and SCE consumed 83,532 Gigawatt hours (GWh).²⁵ The Project's increased demand will be adequately served by the existing SCE electrical facilities. Total electricity demand in SCE's service areas is forecast to increase by approximately 23,000 GWh between 2019 and 2035.²⁶ The increase in electricity demand from the Project would represent an insignificant percent increase (i.e., less than a fraction of one percent) compared to overall demand in SCE's service area. Additionally, Title 24 requirements would apply to construction lighting if duration were to exceed 120 days, which includes limits on the wattage allowed per specified area for energy conservation. As such, the demand for electricity during construction would not cause wasteful, inefficient, or unnecessary use of electricity. As a result, the Project would not result in inefficient, or unnecessary consumption of electricity during construction. Accordingly, electricity demand during construction would be less than significant.

²⁵ California Energy Commission, *California Energy Consumption Database*, accessed August 2022, <https://ecdms.energy.ca.gov/>

²⁶ California Energy Commission, *California Energy Demand 2018 - 2030 Revised Forecast - Figure 49: Historical and Projected Baseline Consumption*, SCE Planning Area, accessed August 2022, <https://ecdms.energy.ca.gov/>

Transportation Energy

Project construction would consume energy in the form of petroleum-based fuels associated with use of off-road construction vehicles and equipment on the Project site, construction worker travel to and from the Project site, and delivery and haul truck trips (e.g., for deliveries of construction supplies and materials).

The petroleum-based fuel use summary provided in **Table 4.6-1** represents the amount of transportation energy that could potentially be consumed during construction based on a conservative set of assumptions. As shown, on- and off-road vehicles would consume an estimated 48,681 gallons of petroleum (43,361 gallons of diesel and 5,320 gallons of gasoline fuel) throughout the Project's construction period. For purposes of comparison, the Energy Information Administration (EIA) forecasts a national oil supply of 17.7 million barrels (mb) per day in 2023, which is the first year of construction for the Project.²⁷ This equates to approximately 271,648 million gallons (mg) per year. Construction of the Project would account for less than 0.01 percent of the projected annual oil supply in 2023.

Due to the relatively short duration of the construction process, and the fact that the extent of fuel consumption is inherent to construction projects of this size and nature, fuel consumption impacts would not be considered excessive or substantial with respect to regional fuel supplies. The energy demands during construction would be typical of construction projects of this size and would not necessitate additional energy facilities or distribution infrastructure. The Project will also comply with Sections 2485 in Title 13 of the California Code of Regulations, which requires the idling of all diesel fueled commercial vehicles be limited to five minutes at any location. As a result, the Project would not result in inefficient, or unnecessary consumption of transportation resources during construction. Accordingly, transportation resource demands during construction would be less than significant.

Operation

During operation of the Project, energy would be consumed for multiple purposes associated with the proposed uses, including, but not limited to, heating/ventilating/air conditioning (HVAC); refrigeration; lighting; and the use of electronics, equipment, and machinery. Energy would also be consumed during operation of the Project in the form of water usage, solid waste disposal, and vehicle trips, among others. As shown in **Table 4.6-2: Summary of Annual Energy Use During Operation**, the Project's energy demand would be approximately 757,744 kWh of electricity per year, 3,942,120 kBtu of natural gas per year, and 277,302 gallons of transportation fuel per year.

27 U.S. Energy Information Administration, Annual Energy Outlook 2020: Table 11. Petroleum and Other Liquids Supply and Disposition, <https://www.eia.gov/outlooks/aeo/data/browser/#/?id=11-AEO2020&cases=ref2020&sourcekey=0>, accessed July 2022.

**TABLE 4.6-2
SUMMARY OF ANNUAL ENERGY USE DURING OPERATION**

Source	Units	Quantity
Electricity		
Commercial	kWh/yr	667,381
Parking	kWh/yr	30,100
Water	kWh/yr	60,263
Total Electricity	kWh/yr	757,744
Natural Gas		
Commercial	kBTU/yr	3,942,120
Total Natural gas	kBTU/yr	3,942,120
Transportation Energy		
Diesel	Gallons/yr	74,76
Gasoline	Gallons/yr	202,534
Total Fuel	Gallons/yr	277,302

Notes: kWh/yr = kilowatt-hours per year; kBTU/yr = thousand British Thermal Units per year. Electricity and Natural Gas for the Project is total yearly operational usage. Mobile gasoline and diesel usage were calculated using CalEEMod output data. Refer to Appendix 4.6: Energy Calculations.

Electricity

As shown in Table 4.6-2, the Project would result in a demand for electricity totaling 757,744 kWh (0.8 GWh) per year. SCE estimates that electricity consumption within its planning area will be approximately 120,000 GWh annually by 2025, when the Project would be fully built out.²⁸ The Project would account for less than 0.01 percent of the 2025 annual consumption in SCE's planning area. As such, the Project would account for a negligible portion of the projected annual consumption in SCE's planning area.

Natural Gas

Natural gas service would be provided to the Project site by Southern California Gas Company (SoCalGas). As shown in Table 4.6-2 above, buildout of the Project is projected to generate an on-site demand for natural gas totaling 3,942,120 kBTU or 3.9 million cubic feet (MMcf) per year. Based on the 2020 California Gas Report, the California Energy and Electric Utilities estimates natural gas supply within SoCalGas' planning area will be approximately 1,253,775 million cubic feet (MMcf) per year in 2025.²⁹ The proposed Project would account for less than 0.01 percent of the 2025 annual forecasted supply in SoCalGas' planning area. Accordingly, natural gas demand during operation would be less than significant.

28 CEC, Demand Analysis Office, California Energy Demand 2018-2030 Revised Forecast, <https://efiling.energy.ca.gov/getdocument.aspx?tn=223244>. Accessed July 2022.

29 California Gas and Electric Utilities, 2020 California Gas Report, https://www.socalgas.com/sites/default/files/2020-10/2020_California_Gas_Report_Joint_Utility_Biennial_Comprehensive_Filing.pdf. Accessed July 2022.

Transportation Energy

As shown in **Table 4.6-2** above, buildout of the Project is projected to generate a demand of 277,302 gallons of transportation fuel. Based on fuel consumption obtained from CARB's California Emissions Factor Mode, Version 2021 (EMFAC2021), approximately 321.6 million gallons of diesel and approximately 915.5 million gallons of gasoline will be consumed from vehicle trips in San Bernardino County in 2022. Operation of the Project would account for less than 0.01 percent of the projected annual oil supply in 2025. The Project would not result in inefficient, or unnecessary consumption of energy resources for transportation during operation and the impact of the Project would be less than significant.

Based on the analysis presented above and the calculations provided in **Appendix 4.6** of this Initial Study, the Project would not result in the wasteful, inefficient, or unnecessary consumption of energy and thus would not generate significant impacts with regard to energy use and consumption.

Mitigation Measures: No mitigation measures are required.

b. *Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?*

Less than Significant Impact. The California Title 24 Building Energy Efficiency Standards are designed to ensure new and existing buildings achieve energy efficiency and preserve outdoor and indoor environmental quality. These measures (Title 24, Part 6) are listed in California Code of Regulations. The California Energy Commission is responsible for adopting, implementing, and updating building energy efficiency. Local city and county enforcement agencies have the authority to verify compliance with applicable building codes, including energy efficiency. The Project must comply with the California Title 24 Building Energy Efficiency Standards. As such, the Project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Mitigation Measures: No mitigation measures are required.

4.7 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
GEOLOGY AND SOILS - 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? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**
- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

Less than Significant Impact. A significant impact would occur if the proposed Project would cause personal injury or death or result in property damage as a result of a fault rupture occurring on the Project site and if the Project site is located within a State-designated Alquist-Priolo Zone or other designated fault zone. Fault rupture occurs when movement on a fault deep within the earth breaks through to the surface. Based on criteria established by the California Geological Survey (CGS), faults can be classified as active, potentially active, or inactive. Active faults are those having historically produced earthquakes or shown evidence of movement within the past 11,000 years (during the Holocene Epoch). Potentially active faults have demonstrated displacement within the last 1.6 million years (during the Pleistocene Epoch) while not displacing Holocene Strata. Inactive faults do not exhibit displacement younger than 1.6 million years before the present. In addition, there are buried thrust faults, which are faults with no surface exposure. Due to their buried nature, the existence of buried thrust faults is usually not known until they produce an earthquake.

The CGS establishes regulatory zones around active faults, called Alquist-Priolo Earthquake Fault Zones (previously called Special Study Zones). These zones, which extend from 200 to 500 feet on each side of the known fault, identify areas where a potential surface fault rupture could prove hazardous for buildings used for human occupancy. Development projects located within an Alquist-Priolo Earthquake Fault Zone are required to prepare special geotechnical studies to characterize hazards from any potential surface ruptures.

Earthquakes are a common occurrence within the City as with the rest of the State. According to the California Earthquake Hazards Zone Map and the City's General Plan, the Glen Helen Fault is located approximately 1.4 miles southwest of the proposed Project site, the San Jacinto Fault System is located approximately 1.5 miles southeast of the Project site, and the San Andreas Fault is located approximately 2.0 miles north of the Project site.^{30,31} The Project site is not located within an Alquist-Priolo Earthquake Fault Rupture Zone, as delineated by the California Geological Survey. Additionally, the

³⁰ California Geological Survey, Earthquake Zones of Required Investigation, <https://maps.conservation.ca.gov/cgs/EQZApp/app/>. Accessed July 2022.

³¹ City of San Bernardino General Plan, Figure S-3 Alquist-Priolo Study Zones.

Project would not exacerbate or increase the likelihood or rupture of existing faults. As such, impacts would be less than significant, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

ii. Strong seismic ground shaking?

Less than Significant Impact. A significant impact would occur if the proposed Project would cause personal injury or death or resulted in property damage as a result of seismic ground shaking. The Project site is located in an area of high regional seismic activity and may experience horizontal ground acceleration during an earthquake along the San Jacinto Fault System, Glen Helen Fault, San Andreas or other fault zones throughout the region. The existing area and Project site has and would continue to be exposed to the potential for strong seismic ground shaking and associate hazards as this is common in Southern California.

The Project would not involve mining operations, deep excavation into the earth, or boring of large areas, which could create unstable seismic conditions like strong seismic ground shaking. Furthermore, structures built in the City are required to be built in compliance with the California Building Code (CBC [California Code of Regulations, Title 24, Part 2]), included in the City's Municipal Code as Chapter 15.04. Compliance with the CBC would ensure earthquake safety based on factors including occupancy type, the types of soils onsite, and the probable strength of the ground motion. Compliance with the CBC would include the incorporation of: 1) seismic safety features to minimize the potential for significant effects as a result of earthquakes; 2) proper building footings and foundations; and 3) construction of the building structures so that it would withstand the effects of strong ground shaking. Therefore, with CBC compliance, the proposed Project would not expose people or structures to potentially substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking more than other developments in Southern California. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

iii. Seismic-related ground failure, including liquefaction?

Less than Significant Impact. A significant impact may occur if a proposed Project site is located within a liquefaction zone. Liquefaction refers to loose, saturated sand or gravel deposits that lose their load-supporting capability when subjected to intense shaking. Liquefaction usually occurs during or shortly after a large earthquake. The movement of saturated soils during seismic events from ground shaking can result in soil instability and possible structural damage.

According to the City's General Plan, the Project site is not within a liquefiable area.³² Thus, the soils underlying the Project site would not be considered at risk for liquefaction. Additionally, all structures built in the City are required to be developed in compliance with the CBC (California Code of Regulations, Title 24, Part 2), which is adopted as Chapter 15.04 of the City Code. Compliance with the CBC is included as a condition of approval and verified by the City's review process. As such, impacts related to liquefaction would be less than significant.

Mitigation Measures: No mitigation measures are required.

iv. Landslides?

No Impact. Landslides are the downslope movement of geologic materials that occur when the underlying geological support on a hillside can no longer maintain the load of material above it, causing a slope failure. General slope stability is determined by a number of factors including slope, vegetative cover, wildfire, bedrock, soil, precipitation, and human alteration. Slopes may be in temporary equilibrium until one of the above factors is modified resulting in an unstable condition and potential failure.

The location of the Project site is relatively flat and is not located within an identified landslide area.³³ Although the Project site is located in an area of high seismic activity, due to the relatively level terrain of the site and the surrounding area, the Project is not at risk for landslide, collapse, or rockfall hazards. Impacts would be less than significant, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

b. Would the project result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact. A significant impact would occur if construction activities or future uses would result in substantial soil erosion or loss of topsoil. Construction of the proposed Project would not result in ground surface disturbance as construction does not include any excavations activities to occur as the project would result in an import of 7,600 cubic yards of soil during the grading phase. As such, there would be no open spaces with exposed topsoil. Additionally, as required by the City's Municipal Code Section 8.80.505, all construction projects which could potentially have an adverse impact on the City's storm water drainage system or waters of the state shall install and/or implement appropriate construction and post-construction BMPs, as listed in their SWQMP or the *California Storm Water Best Management Practice Handbook* to reduce pollutants to the maximum extent practicable or the extent required by law. Through adherence of the City's Municipal Code, impacts related to erosion and loss of topsoil would be less than significant.

³² City of San Bernardino General Plan, Safety, Figure S-5, accessed July 2022, https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf.

³³ California Geological Survey, Map Data Layer Viewer, <https://maps.conservation.ca.gov/cgs/DataViewer/>. Accessed July 2022.

Mitigation Measures: No mitigation measures are required.

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

Less than Significant Impact. A significant impact may occur if a project is built in an unstable area without proper site preparation or design features to provide adequate foundations, thus posing a hazard to life and property. Construction activities associated with the Project must comply with the CBC, which is designed to assure safe construction including building foundation requirements appropriate to site conditions.

As previously discussed, the Project site is located in an area that is seismically active, but not located near any identified liquefaction zones. The Project site is not at risk for landslide, collapse, or rockfall due to the relatively flat terrain of the site and surrounding developed properties. The Project site is not located near slopes or geologic features that would result in on- or off-site landsliding or lateral spreading. As such, the Project would not exacerbate existing conditions, such as unstable geologic units or unstable soil.

Furthermore, there is no evidence of natural or manmade voids or low-density soils that could lead to ground subsidence or collapse. As such, impacts would be less than significant, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

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

Less than Significant Impact. A significant impact would occur if the proposed Project would be built on expansive soils without proper site preparation or design features to provide adequate foundations for project buildings, thus, posing a hazard to life and property. Expansive soils contain significant amounts of clay particles that have the ability to give up water (shrink) or take on water (swell). When these soils swell, the change in volume can exert pressures that are placed on them, and structural distress and damage to buildings could occur.

Soils within the Project site consist of Hanford coarse sandy loam and Tujunga loamy sand, which are less susceptible to expansion.³⁴ The Project site does not consist of a majority of clay soil which has the potential to expand and contract substantially. Standard procedures used in the construction of concrete footings as required by the CBC to reduce the potential impacts associated with unstable or expansive

³⁴ United States Department of Agriculture, WebSoil Survey, accessed July 2022, <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>.

soils. Therefore, implementation of the proposed Project would have a less than significant impact on the creation of substantial direct or indirect risks to life or property due to construction located on expansive soils and no mitigation measures would be required.

Mitigation Measures: No mitigation measures are required.

- e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?***

Less Than Significant Impact. A Project would cause a significant impact if adequate wastewater disposal is not available. The Project site is located within a community served by existing wastewater infrastructure. The Project's wastewater demand would be accommodated by connections to the existing wastewater infrastructure. The Project would not require the use of septic tanks or alternative wastewater disposal systems. Therefore, the Project would have no impact related to the ability of soils to support septic tanks or alternative wastewater disposal systems, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant with Mitigation Incorporated. A significant impact would occur if excavation or construction activities associated with the proposed Project would disturb paleontological or unique geological features. Paleontological resources are the fossilized remains of organisms that have lived in a region in the geologic past and whose remains are found in the accompanying geologic strata. This type of fossil record represents the primary source of information on ancient life forms since the majority of species that have existed on earth from this era are extinct. PRC Section 5097.5 specifies that any unauthorized removal of paleontological remains is a misdemeanor. Furthermore, California Penal Code Section 622.5 includes penalties for damage or removal of paleontological resources.

The site is underlain by Young Alluvial Valley Deposits that date back to the Late Holocene age.³⁵ Considering the Project site as a whole has been previously disturbed, the potential for finding paleontological resources would be low. Pursuant to the California Health and Safety Code Section 7050.5 and PRC Section 5097.98, Mitigation Measure **MM GEO-1** is included in the event that any prehistoric subsurface cultural resources are encountered at the Project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, at which time the Applicant shall notify the City and consult with a qualified paleontologist to assess the significance of the find. In the case of discovery of paleontological resources, the assessment shall be done in accordance with the

³⁵ California Department of Conservation, Compilation of Quaternary Surficial Deposits, accessed July 2022, <https://maps.conservation.ca.gov/cgs/QSD/>.

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Society of Vertebrate Paleontology standards. If any find is determined to be significant, Mitigation Measure **MM GEO-2** would include appropriate avoidance measures recommended by the consultant and approved by the City to be followed unless avoidance is determined to be unnecessary or infeasible by the City. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted.

Therefore, with compliance with the California Health and Safety Code Section 7050.5 and PRC Section 5097.98, the Project's impact on paleontological resources would be less than significant, and no mitigation measures are required.

Mitigation Measures: The following measures would reduce potential impacts related to inadvertent finds to less than significant:

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

MM GEO-2 Paleontological Resource Impact Mitigation Program. If paleontological resources of any sort are discovered during grading and earthmoving activities, a paleontologist must be retained to develop a Paleontological Resource Impact Mitigation Program (PRIMP) consistent with the provisions of CEQA and those of the guidelines of the Society of Vertebrate Paleontology.

4.8 GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
GREENHOUSE GAS EMISSIONS - Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

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

Less Than Significant Impact. Greenhouse Gas (GHG) emissions refer to a group of emissions that are believed to affect global climate conditions. These gases trap heat in the atmosphere, and the major concern is that increases in GHG emissions are causing global climate change. Global climate change is a change in the average weather on earth that can be measured by wind patterns, storms, precipitation, and temperature.

There are no federal, State, or local adopted thresholds of significance for addressing an infrastructure project's GHG emissions. SCAQMD has released draft guidance regarding interim CEQA GHG significance thresholds. In October 2008, SCAQMD proposed the use of a percent emission reduction target to determine significance for commercial/residential projects that emit greater than 3,000 metric tons of CO₂e per year. On December 5, 2008, the SCAQMD Governing Board adopted the staff proposal for an interim GHG significance threshold for stationary source/industrial projects where SCAQMD is lead agency. However, SCAQMD has yet to formally adopt a GHG significance threshold for land use development projects (e.g., residential/commercial projects) and has formed a GHG Significance Threshold Working Group to further evaluate potential GHG significance thresholds.

Pursuant to CEQA Guidelines Section 15064.4, the methods suitable for analysis of GHG emissions are:

1. Use a model or methodology to quantify greenhouse gas emissions resulting from a project. The Lead Agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The Lead Agency should explain the limitation of the particular model or methodology selected for use.
2. Rely on a qualitative analysis or performance-based standards.

4.0 Environmental Checklist and Evaluation

The total GHG emissions from the Proposed Project were quantified to determine the level of the Project's estimated annual GHG emissions. As with the Air Quality section calculations, construction emissions were estimated using CalEEMod by assuming a conservative estimate of construction activities (i.e., assuming all construction occurs at the earliest feasible date) and applying the mobile-source emissions factors. The modeling used the same input values as previously discussed under the methodology section for air quality. SCAQMD's *Draft Guidance Document—Interim CEQA Greenhouse Gas (GHG) Significance Threshold*³⁶ recognizes that construction-related GHG emissions from projects occur over a relatively short-term period of time and contributes a relatively small portion of a project's overall lifetime GHG emissions. The guidance recommends that a project's construction-related GHG emissions be amortized over a 30-year project lifetime so that GHG reduction measures will address construction GHG emissions as part of the operation GHG reduction strategies.

CalEEMod was also used to estimate operational GHG emissions from electricity, natural gas, solid waste, water and wastewater, fireplaces, and landscaping equipment. CalEEMod calculates energy use from systems covered by Title 24 (e.g., heating, ventilation, and air conditioning [HVAC] system, water heating system, and lighting system); energy use from lighting; and energy use from office equipment, appliances, plug-ins, and other sources not covered by Title 24 or lighting. Mobile-source emissions were estimated based on the CARB EMFAC model. For mobile sources, CalEEMod was used to generate the vehicle miles traveled from the Proposed Project uses based on the Project trip generation rate.

With regard to energy demand, the consumption of fossil fuels to generate electricity and to provide heating and hot water generates GHG emissions. Energy demand rates were estimated based on square footage as well as predicted water supply needs for this use. Energy demand (off-site electricity generation and on-site natural gas consumption) for the Project was calculated within CalEEMod using the CEC's CEUS data set, which provides energy demand by building type and climate zone.

Emissions of GHGs from solid waste disposal were also calculated using CalEEMod software. The emissions are based on the waste disposal rate for the land uses, the waste diversion rate, and the GHG emission factors for solid waste decomposition. The GHG emission factors, particularly for methane, depend on characteristics of the landfill, such as the presence of a landfill gas capture system and subsequent flaring or energy recovery. The default values, as provided in CalEEMod, for landfill gas capture (e.g., no capture, flaring, energy recovery), which are Statewide averages, were used in this assessment.

Emissions of GHGs from water and wastewater result from the required energy to supply and distribute the water and treat the wastewater. Wastewater also results in emissions of GHGs from wastewater treatment systems. Emissions are calculated using CalEEMod and are based on the water usage rate for the restaurant use; the electrical intensity factors for water supply, treatment, and distribution and for

36 SCAQMD, *Draft Guidance Document—Interim CEQA Greenhouse Gas (GHG) Significance Threshold* (October 2008).

wastewater treatment; the GHG emission factors for the electricity utility provider; and the emission factors for the wastewater treatment process.

The forecasting of construction-related GHG emissions requires assumptions regarding the timing of construction as the emission factors for some of the Proposed Project’s construction-related GHG emission sources decline over time. As shown in **Table 4.8-1: Construction GHG Emissions**, total construction emissions would be 344 metric tons of CO₂e (MTCO₂e). One-time, short-term emissions are converted to average annual emissions by amortizing them over the service life of a building. For buildings in general, it is reasonable to look at a 30-year time frame because this is a typical interval before a new building requires its first major renovation.³⁷ As shown in **Table 4.8-1**, when amortized over an average 30-year Project lifetime, average annual construction emissions from the Proposed Project would be 11 MTCO₂e per year.

TABLE 4.8-1 CONSTRUCTION GHG EMISSIONS	
Construction Phase	MTCO ₂ e/Year
2023	292
2024	52
Overall Total	344
30-Year Annual Amortized Rate	11

Refer to **Appendix 4.8: Proposed (Annual)**, Section 2.1 for overall construction emissions.

Notes: GHG = greenhouse gas; MTCO₂e = metric tons of carbon dioxide equivalent.

Operation of the Proposed Project has the potential to generate GHG emissions through vehicle trips traveling to and from the Project site. In addition, emissions would result from area sources on site, such as natural gas combustion, landscaping equipment, and use of consumer products. Emissions from mobile and area sources and indirect emissions from energy and water use, wastewater, as well as waste management would occur every year after full development of the uses allowed by the Proposed Project. Operational Project emissions from area sources, energy sources, mobile sources, solid waste, and water and wastewater conveyance are shown in **Table 4.8-2: Operational GHG Emissions** below. As shown in **Table 4.8-2**, annual operational emissions from the Proposed Project would be 2,488 MTCO₂e per year and would be below the SCAQMD screening threshold of 3,000 MTCO₂e per year.

37 International Energy Agency (IEA), Energy Efficiency Requirements in Building Codes, Energy Efficiency Policies for New Buildings, IEA Information Paper (2008).

**TABLE 4.8-2
OPERATIONAL GHG EMISSIONS**

Source	Unmitigated MTCO ₂ e per year
Construction (amortized)	11
Area	<1
Energy	380
Mobile	1,992
Waste	84
Water	21
Total	2,488

Refer to *Appendix 4.8: Proposed (Annual)*, Section 2.2 for maximum annual operation emissions.
Abbreviation: MTCO₂e = metric tons of carbon dioxide emissions.

Mitigation Measures: No mitigation measures are required.

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

Less than Significant Impact. A significant impact would occur if the proposed Project conflicted with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of GHGs. Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006, focuses on reducing GHG emissions in California.³⁸ GHGs, as defined under AB 32, include carbon dioxide (CO₂), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. AB 32 requires that GHGs emitted in California be reduced to 1990 levels by the year 2020. In November 2017, CARB adopted an updated Climate Change Scoping Plan, which details strategies to meet that goal. The Climate Change Scoping Plan³⁹ also recommends energy-efficiency measures in buildings such as maximizing the use of energy efficient appliances and solar water heating, as well as complying with green building standards that result in decreased energy consumption compared to Title 24 building codes.⁴⁰ In addition, the Climate Change Scoping Plan encourages the use of solar photovoltaic panels and other renewable sources of energy to provide clean energy and reduce fossil fuel-based energy.

38 California Air Resources Board (CARB), "Assembly Bill 32 Overview" (last reviewed August 4, 2014), <http://www.arb.ca.gov/cc/ab32/ab32.htm>. Accessed July 2022.

39 CARB, "AB 32 Scoping Plan" (last reviewed January 8, 2019), <http://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>. Accessed July 2022.

40 California Building Standards Commission, "California Building Standards Code."

4.0 Environmental Checklist and Evaluation

The Project is subject to the following Municipal Code requirements, which will assist in meeting compliance with the State's GHG emission reduction goals consistent with applicable plans, policies, or regulations adopted to reduce the emissions of greenhouse gases:

- **Energy Efficiency**: The Applicant shall submit plans showing the Project will be constructed in compliance with the California Energy Code as defined in Section 15.04.020.
- **Green Buildings**: The Applicant shall submit plans showing the Project will be constructed in compliance with the California Green Building Standards Code as defined in Section 15.05.020.
- **Water Conservation**: The Applicant shall submit plans showing the Project will comply with Water Efficient Landscaping Standards as defined in Section 19.28.120.
- **Solid Waste Reduction**: The Applicant shall submit plans showing the Project would implement a construction waste management plan to reduce the amount of construction waste transported to landfills as defined in Section 4.408.

As mentioned previously, a project is consistent with the AQMP, in part, if is consistent with the population, housing and employment assumptions that were used in the development of the AQMP. As discussed in **Section 4.11: Land Use and Planning**, the Project would conform to objectives outlined in the City of Bernardino General Plan. Additionally, the 2020 - 2045 RTP/SCS provides socioeconomic forecast projections of regional population growth. These growth forecasts are based on local plans and policies applicable to the specific area. As discussed in **Section 4.14: Population and Housing**, the Project would generate the need for approximately 25 employees which represents less than 0.1 percent of the estimated employment growth between 2016 and 2045.

For the reasons described above, the Proposed Project would not conflict with State-applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

4.9 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to <i>Government Code</i> Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

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

Less than Significant Impact. A significant impact would occur if the proposed Project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The types and amounts of hazardous materials to be used for the Project would be typical of those used during construction activities and those typically used in the operation of commercial and retail facilities, as discussed in the following analysis.

Construction

The Project would not involve the routine transport of hazardous materials to and from the Project site during construction. Additionally, hazardous materials such as fuel and oils associated with construction equipment, as well as coatings, paints, adhesives, and caustic or acidic cleaners could be routinely used on the Project site through the duration of construction. While some hazardous materials used during construction could require disposal, such activity would occur only for the duration of construction and would cease upon completion of the Project. As such, construction of the Project would not involve the routine disposal of hazardous materials. Notwithstanding, all potentially hazardous materials used during construction of the Project would be used and disposed of in accordance with manufacturers' specifications and instructions, thereby reducing the risk of hazardous materials use. In addition, existing regulations are aimed at establishing specific guidelines regarding risk planning and accident prevention, protection from exposure to specific chemicals, and the proper storage of hazardous materials. The Project would comply with all applicable federal, State, and local requirements concerning the use, storage, and management of hazardous materials. Consequently, Project construction activities would not create a significant hazard to the public or the environment through the use of hazardous materials during construction, and development of the Project on the Project site would not exacerbate the current environmental conditions so as to create a significant hazard to the public or the environment. Therefore, impacts related to the routine transport, use, or disposal of hazardous materials during construction would be less than significant, and no mitigation measures are required.

Operation

Operations of the Project would involve the routine use of small quantities of potentially hazardous materials typical of those used for commercial uses, including cleaning products, paints, and those used for maintenance of landscaping. Maintenance and upkeep of facilities on-site, including the proposed car wash, parking areas, and restaurant areas, would occasionally require the use of various solvents, cleaners, paints, oils/fuels, and pesticides/herbicides. Operation of the proposed car wash would also involve the use of cleaning solutions for daily operation. The remnants of these and other products are disposed of as household hazardous waste (HHW) that includes used dead batteries, electronic wastes, and other wastes that are prohibited or discouraged from being disposed of at local landfills. Accidents may occur during the transport, storage, use, or disposal of hazardous materials, including spills or leaks.

These hazardous materials would be used, stored, and disposed of in accordance with applicable regulations and standards (such as CFR, Title 49, Chapter I; CCR, Title 8; CFR, Title 40, Part 263) that are enforced by the USEPA, USDOT, CalEPA, CalOSHA, DTSC, and County of San Bernardino Environmental Health Services. As such, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Therefore, significant impacts would not occur during the operation of the proposed Project.

Mitigation Measures: No mitigation measures are required.

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

Less than Significant Impact. A project would normally have a significant impact from hazards and hazardous materials if: (a) the project involved a risk of accidental explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation); or (b) the project is involved in the creation of any health hazard or potential health hazard.

Construction

Accidental conditions during construction of the project could occur as a result of any of the following: direct dermal contact with hazardous materials; incidental ingestion of hazardous materials, or inhalation of airborne dust released from dried hazardous materials. The transportation of hazardous materials could result in accidental spills, leaks, toxic releases, fire, or explosion.

Compliance with federal, state, and local laws, regulations, and Cal/OSHA training programs would minimize or avoid potential impacts associated with the routine transport, use, or disposal of hazardous materials during construction. Appropriate documentation for all hazardous waste that is transported, stored, or used in connection with specific project-site activities would be provided as required for compliance with existing hazardous materials regulations codified in the CCR.

Construction activities on the project site would be required to comply with federal and state laws to eliminate or reduce the consequence of hazardous materials accidents. For example, employees who would work around hazardous materials would be required to wear appropriate protective equipment, and safety equipment is routinely available in all areas where hazardous materials are used. Adherence to the federal, state, and local regulations governing the transportation, use, and disposal of hazardous waste would reduce impacts associated with reasonably foreseeable upset and accident conditions during construction to less than significant.

Operation

As stated previously, maintenance and upkeep of the proposed facilities on the Project site, including the proposed car wash, parking areas, and restaurant areas, would occasionally require the use of various solvents, cleaners, paints, oils/fuels, and pesticides/herbicides with the car wash requiring additional use of cleaning solutions for daily operation. The hazardous materials would be used, stored, and disposed of in accordance with applicable regulations and standards (such as CFR, Title 49, Chapter I; CCR, Title 8; CFR, Title 40, Part 263) that are enforced by the USEPA, USDOT, CalEPA, CalOSHA, DTSC, and County of San Bernardino Environmental Health Services. As such, the Project would not create a significant hazard to the public or the environment through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Therefore,

impacts related to hazardous materials being released into the environment would be less than significant.

Mitigation Measures: No mitigation measures are required.

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

Less than Significant Impact. The nearest schools to the Project site include Kendall Elementary School, Carmack Elementary School, and Yvonne Harmon Elementary School located approximately 0.32 miles northeast of the Project site. construction of the Project would involve the use of those hazardous materials that are typically necessary for construction of a mixed-use building containing residential and commercial uses. As such, the transport, use, and disposal of construction-related hazardous materials would occur in conformance with all applicable local, State, and federal regulations governing such activities. The removal of any asbestos-containing materials would be required to comply with all applicable existing rules and regulations, including SCAQMD Rule 1403 (Asbestos Demolition and Renovation Activities) and Cal/OSHA regulations regarding lead-based paint. As mentioned previously, the Project site is currently vacant as the previous building has been demolished and removed. Thus, construction activities associated with the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing school. As such, impacts would be less than significant and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

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?*

Less than Significant Impact. A significant impact would occur if the Project site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would create a significant hazard to the public or the environment.

California Government Code Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop and update annually the Cortese List, which is a “list” of hazardous waste sites and other contaminated sites. While California Government Code Section 65962.5 makes reference to the preparation of a “list,” many changes have occurred related to web-based information access since 1992 and information regarding the Cortese List is now compiled on the websites of the DTSC, the State Water Board, and CalEPA. Based on a review of these databases, the Project site is not located on a list of hazardous material sites compiled pursuant to Section 65962.5.

A geographical search for hazardous materials sites, as defined in Government Code Section 65962.5, utilizing the online environmental database GeoTracker produced three locations within one half-mile of the Project site. The closest location, known as McLane Company (4471 North Georgia Boulevard, San Bernardino, CA 92794) is approximately 0.5 miles west of the Project site and identified as a Leaking Underground Storage Tank (LUST) Cleanup Site. The status history for the site states that the case has been completed and closed as of July 8, 1998.⁴¹ Additionally, another location known as Glen Helen Rehabilitation Center (1800 Institutional Road, San Bernardino, CA 92407), is approximately 0.5 miles north of the Project site and is identified as a LUST. The status history for the site states that the case has been completed and closed as of October 8, 1999. As such, the Project site is not located within an area with existing hazardous materials sites and existing sites in the vicinity would not be affected by the implementation of the Project. Therefore, the Project would not create a significant hazard to the public or environment. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

- 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?***

No Impact. A significant impact may occur if a project is located within a public airport land use plan area, or within two miles of a public airport, and subject to a safety hazard. The closest airport to the Project site is the San Bernardino International Airport approximately 6.5 miles southeast. Given the distance between the Project site and the Airport, the Project would not have the potential to exacerbate current environmental conditions that would result in a safety hazard or excessive noise. Therefore, no impacts would not occur.

Mitigation Measures: No mitigation measures are required.

- f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

No Impact. A significant impact may occur if a project were to interfere with roadway operations used in conjunction with an emergency response plan or emergency evacuation plan or would generate traffic congestion that would interfere with the execution of such a plan. The Emergency Management Plan (EMP) was adopted by the City of San Bernardino to identify evacuation routes, emergency facilities, and City personnel and equipment available to effectively handle emergency situations or evacuations. There will be no revisions to the adopted EMP as a result of the proposed Project as the proposed Project does

41 GEOTracker, State Water Resources Control Board, accessed July 2022, <https://geotracker.waterboards.ca.gov/>.

not contain any emergency facilities, nor does it serve as an emergency evacuation route. In addition, the San Bernardino County Consolidated Fire District (SBCFD) will be responsible for planning emergency response for the City, operating the City's Emergency Operations Center, and maintaining the emergency operations plan (EOP).⁴² In the event of an unusual emergency situations, highways and arterial streets that connect to the major freeways would serve as potential evacuation routes. The Project would not interfere with either the EMP or EOP adopted by the County. No impacts would occur.

Mitigation Measures: No mitigation measures are required.

g. *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?*

Less than Significant. A significant impact would occur if the proposed Project exposed people and structures to high risk of wildfire. According to the City's General Plan Safety Element, the Project site is not located within a high, moderate or extreme fire hazard area. Additionally, the Project site is also not located in a State Responsibility Area of land.⁴³ The Project site is not in or near an SRA or LRA or lands classified as high fire hazard severity zones. Therefore, implementation of the proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires and impacts would be less than significant.

⁴² County of San Bernardino, Emergency Operations Plan (EOP), accessed July 2022, https://www.sbcounty.gov/uploads/SBCFire/documents/OES/2018_EOP_Update.pdf.

⁴³ California Fire, State Responsibility Area (SRA) Viewer, <https://bof.fire.ca.gov/projects-and-programs/state-responsibility-area-viewer>. Accessed July 2022.

4.10 HYDROLOGY AND WATER QUALITY

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

Discussion

- a. ***Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?***

Less than Significant Impact.

A significant impact would occur if the proposed Project discharges water that does not meet the quality standards of agencies which regulate surface water quality and water discharge into storm water

drainage systems, or does not comply with all applicable regulations as governed by the San Bernardino Valley Water Management District (SBVWMD).

Construction

During Project construction activities, stormwater runoff from the Project site could cause erosion and/or transport sediment off site and into municipal storm drain systems. Thus, pollutant discharges associated with storage, handling, use, and disposal of chemicals, adhesives, coatings, lubricants, and fuel could result in adverse impacts to water quality. The Project would be required to implement a Stormwater Pollution Prevention Plan (SWPPP) under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit (Order No. 2009-0009-DWQ, as well as its subsequent amendments 2010-0014-DWQ and 2012-0006-DWQ). The SWPPP would set forth Best Management Practices (BMPs) for stormwater and non-stormwater discharges, including, but not limited to, sandbags, storm drain inlets protection, stabilized construction entrance/exit, wind erosion control, and stockpile management, to minimize the discharge of pollutants in stormwater runoff during construction. The SWPPP would be carried out in compliance with State Water Resources Control Board requirements and would also be subject to review by the City for compliance.

With compliance with these existing regulatory requirements, impacts to water quality and waste discharge requirements during construction would be less than significant, and no mitigation measures would be required.

Operation

Operation of the Project would introduce sources of potential water pollution that are typical of commercial developments (e.g., cleaning solvents, pesticides for landscaping, and petroleum products associated with circulation areas). Stormwater runoff from precipitation events could also potentially carry urban pollutants into municipal storm drains. However, in accordance with Title 8 of the City's Municipal Code, best management practices (BMPs) would be implemented on-site adhering to NPDES and MS4 stormwater runoff requirements to address City and State water quality requirements. Therefore, impacts to surface water quality would be less than significant and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

- b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede substantial groundwater management of the basin?***

Less than Significant Impact. A significant impact would occur if the proposed Project would substantially deplete groundwater or interferes with groundwater recharge. Implementation of the

proposed Project would not result in a substantial change in the amount of pervious and impervious surface across the Project site nor would it impede sustainable groundwater management of the basin.

The Project site would be served with potable water by the City of San Bernardino Municipal Water Department (SBMWD) which obtains 100 percent of its water from the Bunker Hill Groundwater Basin (Basin).⁴⁴ Similar to existing conditions, redevelopment of the Project site would result in a negligible amount of on-site groundwater recharge opportunities and would not impact groundwater wells, change the rate or direction of flow of groundwater, impact groundwater recharge areas, or impede sustainable groundwater management of the basin. As explained above, no excavation activities are expected to occur, therefore activities are not likely to interfere with the groundwater table. The proposed Project would install an onsite storm drain system that would convey runoff to a pre-treatment unit then to an underground infiltration/detention system that would capture, filter, and infiltrate runoff. In addition, the Project includes required landscaping that would infiltrate stormwater onsite. As a result, the proposed Project would not decrease groundwater supplies or interfere substantially with groundwater recharge; and the Project would not impede sustainable groundwater management of the basin. Thus, the proposed Project would have a less than significant impact. As such, impacts would be less than significant, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

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

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

Less than Significant Impact. A significant impact would occur if the proposed Project would substantially alter the drainage pattern of an existing stream or river such that flooding would result. The Project site is located in a highly urbanized area. There are no natural watercourses on the Project site or in the vicinity. As discussed above, the Project is developed with paved surfaces, and current stormwater runoff flows to the local storm drain system. Additionally, according to Title 8 of the City of San Bernardino Municipal Code, a Water Quality Management Plan (WQMP) is required for managing the quality of storm water or urban runoff that flows from a developed site after construction is completed and the facilities or structures are occupied and/or operational.⁴⁵ A Water Quality Management Plan describes the Best Management Practices (BMPs) that will be implemented and maintained throughout the life of a project to prevent and minimize water pollution that can be caused by storm water or urban runoff. As such, the proposed Project would not result in a substantial alteration to the existing drainage

⁴⁴ San Bernardino Municipal Water Department, 2020 Integrated Regional Urban Water Management Plan, accessed July 2022, <https://www.sbmwd.com/home/showpublisheddocument/9248/637614632170000000>.

⁴⁵ City of San Bernardino Municipal Code, Title 8, Section 8.80.501 Storm Water Quality Management Plan (SWQMP).

pattern or to any drainage course; no erosion or siltation impacts related to such alteration would occur. Impacts would be less than significant, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

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

Less than Significant Impact. A significant impact would occur if the Project would substantially alter the drainage pattern of an existing stream or river such that flooding would result. There are no streams or rivers within or immediately surrounding the Project site. However, the Project would alter site drainage through the addition of impervious surfaces, which can increase stormwater runoff volume and flow. Compliance with the County's LID ordinance and the San Bernardino County MS4 permit requires capture and treatment of the 85th percentile, 24-hour storm event. As part of the project's final design review, the project would be required to submit a WQMP demonstrating adequate stormwater retention using infiltration basins, bioretention areas, capture and controlled release tanks, or another BMP. Such BMPs would slow the velocity of water and allow sediment and debris to settle out of the water column, thereby minimizing the potential for downstream flooding, erosion/siltation, or exceedances of stormwater drainage system capacity. Given that the project would implement BMPs to capture and retain stormwater on-site, as described above for compliance with the County's LID ordinance and MS4 permit requirements, potential impacts related to the alteration of the site's drainage pattern would not substantially increase the rate or amount of surface runoff. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

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

Less than Significant Impact. A significant impact would occur if runoff water would exceed the capacity of existing or planned storm drain systems serving the Project site, or if the proposed Project would substantially add sources of polluted runoff. As described previously, the Project would be required to implement a SWPPP and a WQMP which provides BMPs that will be implemented and maintained throughout the life of a project to prevent and minimize water pollution that can be caused by storm water or urban runoff. The City's Stormwater and Urban Runoff Pollution Control Regulations contain requirements for construction activities and operation of development to integrate low impact development practices and standards for stormwater and other related requirements. Such regulations and practices are designed in consideration of existing and planned stormwater drainage systems. Conformance would be ensured during the permitting process with the Department of Building & Safety and impacts would remain less than significant and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

iv. *impede or redirect flood flows?*

No Impact. A significant impact would occur if the Project would be located within a 100-year or 500-year floodplain or would impede or redirect flows. The Project site is not located within a 100-year or 500-year flood hazard area as mapped by the Federal Emergency Management Agency (FEMA).⁴⁶ As such, the Project would not impede or redirect floodwater flows. No impacts would occur, and no mitigation measures would be required.

Mitigation Measures: No mitigation measures are required.

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

No Impact. A significant impact would occur if the Project would be located within an area susceptible to inundation by seiche, tsunami, or mudflow. As discussed above, the Project is not located within a 100-year flood hazard areas as mapped by FEMA. The Project Site is not located near the ocean or any large enclosed or semi-enclosed bodies of water, the Project would not be located within designated tsunami or seiche zones. Debris and mudflows are typically a hazard experienced in the floodplains of streams that drain very steep hillsides within the watershed. Since the Project site is located on relatively flat terrain and the surrounding vicinity has a similar grade, debris and mudflows would not be expected. Therefore, no risk of loss, injury, or death involving inundation by flood, tsunami, or seiche would occur. No impacts would occur, and no mitigation measures would be required.

Mitigation Measures: No mitigation measures are required.

e. *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Less than Significant Impact. Under the California Water Code, the State of California is divided into nine regional water quality control boards (RWQCBs), which govern the implementation and enforcement of the California Water Code and the Clean Water Act. As previously stated, the Project site is located within SARWQCB region. The Water Quality Control Plan (Basin Plan) for the Santa Ana River Basin describes the goals and policies, descriptions of conditions, discussion of solutions as well as regulatory programs to maintain standards for the basin.⁴⁷ Specifically, the Basin Plan (i) designates beneficial uses for surface and ground waters, (ii) sets narrative and numerical objectives that must be attained or

46 FEMA Flood Map Service Center, accessed December 2022, <https://msc.fema.gov/portal/search?AddressQuery=4200%20University%20Parkway%2C%20San%20Bernardino#searchresultsanchor>

47 Santa Ana Regional Water Quality Control Board, Water Quality Control Plan, accessed July 2022, https://www.waterboards.ca.gov/santaana/water_issues/programs/basin_plan/.

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maintained to protect the designated beneficial uses and conform to the State's antidegradation policy, and (iii) describes implementation programs to protect all waters in the Region. In addition, the Basin Plan incorporates all applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations.

Under the NPDES permit enforced by the SARWQCB, all existing and future municipal and industrial discharges to surface waters within the City are subject to applicable local, State and/or federal regulations. The Project would comply with all provisions of the NPDES program and other applicable waste discharge requirements (WDRs), as enforced by the SARWQCB. The Project would comply with and not obstruct implementation of the SARWQCB's Basin Plan. As such, impacts would be less than significant, and no mitigation measures would be required.

Mitigation Measures: No mitigation measures are required.

4.11 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
LAND USE AND PLANNING - Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a. *Physically divide an established community?*

Less than Significant Impact. A significant impact would occur if the proposed Project would be sufficiently large or configured in such a way so as to create a physical barrier within an established community. The Project site consists of a largely vacant parcel and an abandoned vacant building and associated parking lot. The Project site is located in a highly urbanized area surrounded by a mix of multi-family residential uses to the east and west, single-family residential uses to the north and east, commercial - general and commercial - heavy uses to the south. There is no existing residential use on the Project site or a residential use that would be physically separated or otherwise disrupted by the Project because the proposed development would remain within the boundary of the existing Project site. There are no vacant or undeveloped areas around the Project site, such that development of the Project could possibly divide an established community or result in a separation of uses or disruption of access between land uses around the Project site. Implementation of the Project would result in further infill of an already developed community. The Project would not disrupt, divide, or isolate an existing neighborhood or community directly or indirectly, as all proposed improvements would occur within the limits of the Project site. Lastly, the Project does not propose a freeway or other large infrastructure or barrier that would divide a community. Therefore, the Project would not physically divide, disrupt, or isolate an established community. Therefore, the impact would be less than significant.

Mitigation Measures: No mitigation measures are required.

b. *Conflict with 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?

Less than Significant Impact. A significant impact may occur if a project is inconsistent with the General Plan or zoning designations currently applicable to the Project site, and would cause adverse environmental effects, which the General Plan and zoning ordinance are designed to avoid or mitigate. Based on the City’s General Plan, the Project site is designated as General-Commercial (GC-1) and zoned Commercial General (CG-1). CG-1 designation is intended to provide for the continued use, enhancement, and new development of retail, personal service, entertainment, office and related commercial uses along major transportation corridors and intersections to service the needs of the residents; reinforcing existing commercial corridors and centers and establishing new locations as residential growth occurs.

Drive-thru restaurants are permitted within the Commercial-General (CG) designation with approval of a Conditional Use Permit. The Municipal Code defines “Restaurant” as a bona fide eating place whose predominant function is the service of food and where on-site sale of alcoholic beverages is incidental or secondary.⁴⁸

General Plan Consistency

A detailed analysis of the Project’s consistency with the policies of the various elements of the City’s General Plan and related to topics of environmental concern is provided in **Table 4.11-1: City of San Bernardino General Plan Consistency Analysis**. The analysis contained in **Table 4.11-1** concludes that the proposed Project would be consistent with the City’s General Plan because due to the commercial center would be located within a General - Commercial designated area, which is suitable for the proposed use. Therefore, implementation of the proposed Project would not result in significant land use impacts due to inconsistency with the City’s General Plan. Accordingly, impacts would be less than significant.

⁴⁸ City of San Bernardino, Development Code, Chapter 19.06 Commercial Zones

**TABLE 4.11-1
CITY OF SAN BERNARDINO GENERAL PLAN CONSISTENCY ANALYSIS**

Applicable General Plan Goal	Project Consistency
2.2 Promote development that integrates with and minimizes impacts on surrounding land uses	Consistent. The Project would be required adhere to the standards and regulations in the Development Code and policies and guidelines in the Community Design Element.
2.3 Create and enhance dynamic, recognizable places for San Bernardino’s residents, employees, and visitors.	Consistent. The Project site is surrounded by a mix of multi-family residential uses to the east and west, single-family residential uses to the north and east, commercial - general and commercial - heavy uses to the south.
2.4 Enhance the quality of life and economic vitality in San Bernardino by strategic infill of new development and revitalization of existing development.	Consistent. The Project promotes economic vitality in San Bernardino by providing jobs and revenue to the City. The Project would replace the abandoned vacant building and would aesthetically enhance and improve the area.
2.5 Enhance the aesthetic quality of land uses and structures in San Bernardino	Consistent. The Project would replace the abandoned vacant building with a new commercial retail center that would be aesthetically pleasing for visitors. Drought-tolerant ornamental landscaping would be provided along the Project boundary, along with fencing, security lighting, and sidewalks.

Regional Transportation Plan/Sustainable Communities Strategy Consistency

The Project would be required to comply with the goals and policies of SCAG’s Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). As shown in **Table 4.11-2: SCAG RTP/SCS Consistency Analysis**, the proposed Project would be consistent with the goals and policies of the plan. As such, no impacts related to regional plan inconsistency would occur.

TABLE 4.11-2
SCAG RTP/SCS CONSISTENCY ANALYSIS

	RTP/SCS Policy	Project Consistency
G1	Encourage regional economic prosperity and global competitiveness.	Consistent. The Project would include a commercial development that would benefit regional economics by providing increased employment and providing additional goods and services.
G2	Improve mobility, accessibility, reliability, and travel safety for people and goods.	Consistent. As an individual development, the project is limited in its ability to maximize mobility and access for people and goods in the SCAG region. However, the Project would not create substantial traffic impediments that would affect the accessibility of goods in the region and it would provide added mobility in the immediate vicinity of the Project through the incorporation of sidewalks.
G3	Ensure the preservation, security, and resilience of the regional transportation system.	Not Applicable. As an individual development, the Project is limited in its ability to ensure security and resilience of the regional transportation system. There are no components of the Project that would result in the deterioration of the transportation system.
G4	Increase person and goods movement and travel choices within the transportation system.	Not Applicable. As an individual development, the Project is limited in its ability to maximize the goods movement and travel choices within the SCAG region. However, the Project would not create substantial traffic impediments and would not affect the accessibility of goods to the surrounding area.
G5	Reduce greenhouse gas emissions and improve air quality.	Consistent. While the Project would not improve air quality or reduce greenhouse gas emissions, it would not prevent SCAG from implementing actions that would improve air quality within the region and the Project would incorporate various measures related to building design, landscaping, and energy systems to promote the efficient use of energy, pursuant to Title 24 CALGreen Code and Building Energy Efficiency Standards and Consistent with Policy NR-1.9.
G6	Support healthy and equitable communities	Consistent. The Project would comply with Citywide goal and policies to support healthy and equitable communities. Additionally, the Project would construct improvements, including sidewalks, which would encourage walking in the Project area.
G7	Adapt to a changing climate and support an integrated regional development pattern and transportation network.	Consistent. This policy would be implemented by cities and the counties within the SCAG region as part of their overall planning efforts; the Project however is consistent with commercial use planned for the area.
G8	Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	Not Applicable. This policy would be implemented by cities and the counties within the SCAG region as part of the overall planning and maintenance of the regional transportation system. The Project would not conflict with this goal.
G9	Encourage development of diverse housing types in areas that are supported by multiple transportation options.	Not Applicable. The proposed Project would develop a truck terminal in an area that is designated and zoned for industrial development.
G10	Promote conservation of natural and agricultural lands and restoration habitats.	Consistent. The proposed Project would be consistent with goals and policies of the City's General Plan and would not cause significant environmental impacts to agricultural lands (refer to discussion in Section 4.2) or biological resources (refer to discussion Section 4.4).

Municipal Code Consistency

The following provisions in **Table 4.11-3: Municipal Code Development Standards Consistency Analysis** are relevant to the proposed Project. As shown, the proposed Project would be consistent with the Development Standards for Commercial Land Use Districts as stated in Section 19.06.030. As such, the proposed Project is consistent with the applicable regulation governing development standards and impacts would be less than significant.

TABLE 4.11-3 MUNICIPAL CODE DEVELOPMENT STANDARDS CONSISTENCY ANALYSIS		
Commercial-General (CG-1) Development Standards		Project Consistency
Minimum Net Lot Area ¹	10,000	Consistent. The Project would adhere to these Development Standards Section 19.06.030.
Minimum Front Setback	10	Consistent. The Project would adhere to these Development Standards Section 19.06.030.
Minimum Rear Setback	0 ²	Consistent. The Project would adhere to these Development Standards Section 19.06.030.
Minimum Side Setback (Each)	0 ²	Consistent. The Project would adhere to these Development Standards Section 19.06.030.
Minimum Side Setback (Street Side)	10	Consistent. The Project would adhere to these Development Standards Section 19.06.030.
Lot Coverage (Maximum %)	50	Consistent. The Project would adhere to these Development Standards Section 19.06.030.
Structure Height (Maximum)/Feet	2 st. ³ /30	Consistent. The Project would adhere to these Development Standards Section 19.06.030.

Note:

¹ This standard is only required for new commercial and industrial subdivisions.

² Except if adjacent to any Residential Land Use District, where the minimum side or rear setback shall be 10 feet.

³ May exceed this height with a Conditional Use Permit, pursuant to Section 19.36. In CG-1, the site must abut a freeway (MC 1381 12/19/12)

Mitigation Measures: No mitigation measures are required.

4.12 MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
MINERAL RESOURCES - Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a. *Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?*

No Impact. A significant impact would occur if the Project would result in the loss of availability of known mineral resources of regional value or locally-imported mineral resource recovery site. The Project site is located in an urbanized portion of the City and is not used for mineral resource extraction. The Project site is located within an area of the City that is classified as Mineral Resource Zone (MRZ-2). MRZ-2 areas indicate the existence of a construction aggregate deposit that meets certain State criteria for value and marketability based solely on geologic factors. However, the classification of MRZs does not consider the existing land uses as criteria, and the General Plan accounted for the fact that areas already developed are “unsuitable for mineral production.” The Project site has a classification of General-Commercial (CG) and zoned Commercial General (CG-1) and is planned for commercial retail uses. Furthermore, the Project site is was previously developed with a commercial use and has not been used for mineral extractions. Therefore, the proposed Project would not result in the loss of availability of a known mineral resource of value to the region and State. No impacts would occur and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

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?*

No Impact. A significant impact would occur if the Project would result in the loss of availability of known mineral resources of regional value or locally-imported mineral resource recovery site. No mineral extraction operations occur on the Project site. There are no known locally important mineral resource recovery sites identified on the Project site in the City’s General Plan or in a specific plan or other land

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use plan. Therefore, the Project would not result in the loss of availability of a mineral resource or a mineral resource recovery site. No impacts would occur, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

4.13 NOISE

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
NOISE - Would the project:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

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

Less than Significant Impact. A significant impact would occur if exposure of persons to or generation of noise levels are in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Short-term noise monitoring was conducted at five (5) locations to measure the ambient sound environment in the Project vicinity. Measurements were taken over 15-minute intervals at each location and provided in **Table 4.13-1: Ambient Noise Measurements**. **Figure 4.13-1: Noise Monitoring Locations**, depicts where the ambient noise measurements were conducted. As shown in **Table 4.13-1**, ambient noise levels ranged from a low 56.6 dBA (Leq-15minute) at the multi-family residential units to

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the northwest along Varsity Avenue (Site 2) to a high of 69.7 dBA (Leq-15minute) at the motel located on the southeast corner of University Parkway and the I-215 Freeway on-ramp (Site 5).

**TABLE 4.13-1
AMBIENT NOISE MEASUREMENTS**

Location Number/Description	Nearest Use	Time Period	Noise Source	dBA Leq-15-minute
1 Located on the Project Site	Project Site	11:21 AM-11:36 AM	Vehicle traffic along Varsity Avenue	66.2
2 Located at the Castlepark Apartment Homes to the north along Varsity Avenue	Residential	10:16 AM-10:31 AM	Pedestrian and parking lot activity	56.6
3 Corner of State Street and Morgan Road	Residential	10:59 AM-11:14 AM	Vehicle traffic along State Street	63.5
4 Located along University Parkway between College Avenue and State Street	Residential	10:38 AM-10:53 AM	Vehicle and pedestrian activity along University Parkway	58.5
5 Corner of University Parkway and I-215 Freeway on-ramp	Motel	11:42 AM-11:57 AM	Vehicle traffic along University Parkway and I-215 Freeway On Ramp	69.7

Source: Refer to **Appendix 4.13** for noise monitoring data sheets.

Notes: dBA = A-weighted decibels; Leq = average equivalent sound level.



North



West



South



East



SOURCE: Google Earth - 2022

FIGURE 4.13-1(a)



North



West



South



East



SOURCE: Google Earth - 2022

FIGURE 4.13-1(b)



North



West



South



East



SOURCE: Google Earth - 2022

FIGURE 4.13-1(c)



North



West



South



East



SOURCE: Google Earth - 2022

FIGURE 4.13-1(d)



North



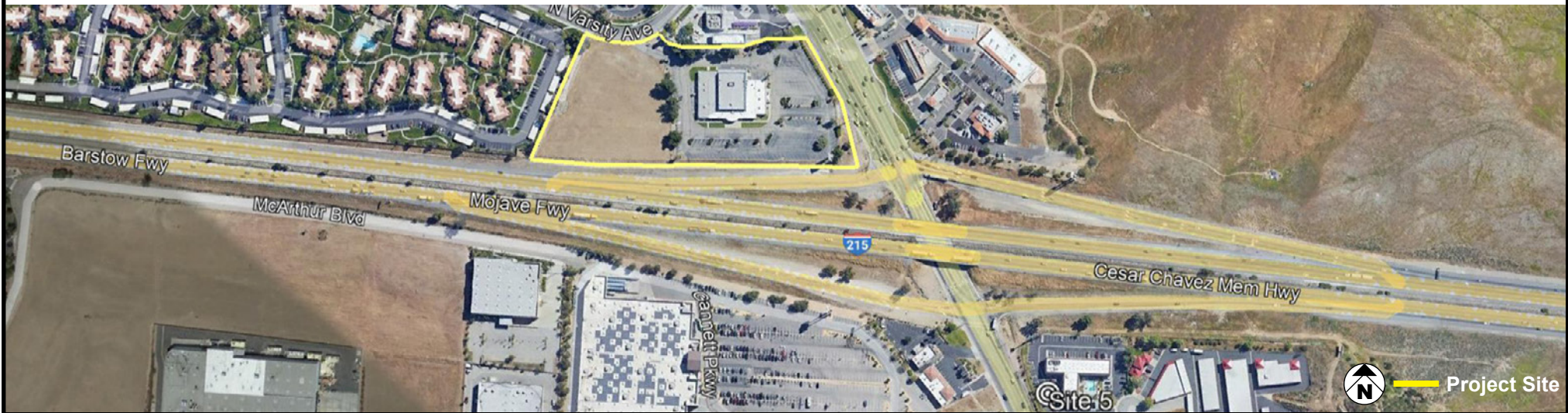
West



South



East



SOURCE: Google Earth - 2022

FIGURE 4.13-1(e)

Construction

The City's General Plan and Municipal Code do not establish numeric acceptable source noise levels or noise level increases at potentially affected receivers. Section 8.54.070 of the City's Municipal Code regulates construction noise and specifies restrictions from work occurring within the hours of 7:00 AM and 8:00 PM. To evaluate whether the Project will generate a substantial periodic increase in short-term noise levels at off-site sensitive receiver locations, a construction-related noise level threshold is adopted from the Criteria for Recommended Standard: Occupational Noise Exposure prepared by the National Institute for Occupational Safety and Health (NIOSH). A division of the U.S. Department of Health and Human Services, NIOSH identifies a noise level threshold based on the duration of exposure to the source. The construction related noise level threshold starts at 85 dBA for more than eight hours per day, and for every 3 dBA increase, the exposure time is cut in half. This results in noise level thresholds of 88 dBA for more than four hours per day, 92 dBA for more than one hour per day, 96 dBA for more than 30 minutes per day, and up to 100 dBA for more than 15 minutes per day. For the purposes of this analysis, the lowest, more conservative construction noise level threshold of 85 dBA Leq is used as an acceptable threshold for construction noise at the nearby sensitive receiver locations. Since this construction-related noise level threshold represents the energy average of the noise source over a given time period, they are expressed as Leq noise levels. Therefore, the noise level threshold of 85 dBA Leq over a period of eight hours or more is used to evaluate the potential Project-related construction noise level impacts at the nearby sensitive receiver locations.

Noise from Project construction activities would be affected by the amount of construction equipment, the location of this equipment, the timing and duration of construction activities, and the relative distance to noise-sensitive receptors. Construction activities that would occur during the construction phases would generate both steady-state and episodic noise that would be heard both on and off the Project site. Each construction phase involves the use of different types of construction equipment and, therefore, has its own distinct noise characteristics. The Project would be constructed using typical construction techniques; no blasting or impact pile driving would be required.

In order to calculate construction noise levels, hourly activity or utilization factors (i.e., the percentage of normal construction activity that would occur, or construction equipment that would be active, during each hour of the day) are estimated based on the temporal characteristics of other previous and current construction projects. The hourly activity factors express the percentage of time that construction activities would emit average noise levels. Typical noise levels for each type of construction equipment were obtained from the FHWA Roadway Construction Noise Model.⁴⁹

An inventory of construction equipment, including the number and types of equipment, which would be operating simultaneously within the Project Site was identified for each phase/component of

⁴⁹U.S. Department of Transportation, FHWA Roadway Construction Noise Model Final Report, January 2006, accessed July 2022, https://www.fhwa.dot.gov/environment/noise/construction_noise/rcnm/rcnm.pdf.

construction and are provided in **Appendix 4.13**. It is highly unlikely that all pieces of construction equipment identified would operate simultaneously in any specific location during construction because equipment is generally operated only when needed and space constraints limit the equipment that can be used at any one time in a specific location. Therefore, this modeling is considered a conservative approach to calculate the maximum noise levels that would be generated.

Table 4.13-2: Maximum Noise Impacts Associated with On-Site Construction Activities presents the maximum noise impacts that are forecasted to occur at each of the noise monitoring sites. As shown in **Table 4.13-2**, construction noise levels would range from a low of 43.1 dBA (Leq-1hour) during the architectural coating phase at Site 3 to a high of 75.4 dBA (Leq-1hour) during the building construction phase at Site 2. Noise levels due to construction would not exceed the 85 dBA significance threshold. As such, construction noise impacts would be less than significant.

TABLE 4.13-2 CONSTRUCTION MAXIMUM NOISE ESTIMATES						
Noise Monitoring Site	Calculated Noise Level (Leq-1hour) by Construction Phase				Significance Threshold	Maximum Noise Increase over Significance Threshold
	Grading	Building Construction	Paving	Architectural Coating		
Site 2	74.8	75.4	72.5	62.7	85	--
Site 3	55.3	55.9	52.9	43.1	85	--
Site 4	57.3	57.9	55.0	45.2	85	--
Site 5	61.4	62.0	59.0	49.2	85	--

Source: Refer to **Appendix 4.13** for construction noise worksheets.

Operation

Roadway Noise

The process of assessing potential road traffic noise impacts that would be generated by implementation of the Project requires that estimates of current road traffic noise levels be prepared to establish existing conditions as a baseline for noise impact analyses. The traffic turning movement counts during the AM and PM peak hours collected by Linscott Law & Greenspan (LLG) were used to calculate estimates of average daily trip (ADT) volumes on six roadway segments. The maximum ADT volume for the PM peak hour were used to calculate for 24-hour CNEL, which provide a conservative worst-case assessment assuming the maximum PM peak trips occur throughout the entire 24-hour period. However, this is considered unlikely as traffic volumes decrease before and after peak hours thus resulting in lower 24-hour CNEL values.

Traffic noise levels were modeled using the Federal Highway Administration Traffic Noise Model (FHWA TNM). The FHWA TNM calculates noise associated with a specific line source and the results characterize noise generated by motor vehicle travel along a specific roadway segment. The traffic noise impact

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analysis incorporates traffic volumes, vehicle mix, posted speed limits, roadway geometry, and site conditions. The modeled noise levels for each of the scenarios listed below is the maximum CNEL⁵⁰ calculated for the PM peak periods by the model for sensitive receptors assumed to be located adjacent to the street. These values represent the maximum potential noise levels to which sensitive receptors could be exposed to from roadway traffic. Roadway noise levels were evaluated with respect to the following traffic scenarios:

- Existing conditions;
- Existing plus Project conditions;
- Year 2024 Without Project conditions;
- Year 2024 With Project conditions;
- Buildout Year Without Project conditions; and
- Buildout Year With Project Conditions.

Noise impacts due to off-site motor vehicle travel were analyzed by comparing the projected increase in traffic noise levels from Existing without Project conditions to both Existing plus proposed Project and cumulative plus proposed Project to the applicable significance criteria. Cumulative noise impacts due to off-site motor vehicle travel were analyzed by comparing the projected increase in traffic noise levels from Existing without Project conditions to Cumulative plus Project conditions to the applicable significance criteria. Cumulative plus Project conditions include traffic volumes from future ambient growth, related projects, and the proposed Project.

The City has not adopted thresholds of significance for analysis of impacts from increases in operational noise. However, an increase in noise level of 3 dBA is generally regarded as an increase in noise that is barely perceivable and an increase in noise level of 5 dBA is generally regarded as an increase in noise that is readily perceptible.⁵¹ For this reason, increases of less than 3 dBA would have no physical effect on the environment and would not be considered significant. As such, for purposes of this analysis, if the proposed Project causes the ambient noise level measured at the property line of affected uses to increase by 3 dBA in CNEL to or within the “normally unacceptable” or “clearly unacceptable” category, or any 5 dBA CNEL or greater noise increase would be considered significant.

Existing plus Project

Table 4.13-3: Existing plus Project Roadway Noise Levels illustrates the change in noise levels from traffic volumes and from traffic generated by the Project. The difference in traffic noise between existing

⁵⁰ Community Noise Equivalent Level (CNEL) is a weighted average of noise level over time. It is used to compare the noisiness of neighborhoods. CNEL is frequently used in regulations of airport noise impact on the surrounding community. A CNEL exceeding 65db is generally considered unacceptable for a residential neighborhood.

⁵¹ California Department of Transportation, *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, September 2013, accessed September 2022, <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tens-sep2013-a11y.pdf>

conditions and existing plus Project conditions represents the increase in noise attributable to Project-related traffic. As shown in **Table 4.13-3**, the maximum noise level increase along the analyzed roadways would be 0.2 dBA CNEL along University Parkway between the I-215 Ramps to Varsity Avenue/State Street. Accordingly, Project-related traffic would not cause noise levels along the analyzed roadways to increase by more than 3.0 dBA. Thus, the proposed Project would not result in a permanent increase in noise levels above ambient levels in the vicinity of the Project Site. Vehicular related noise impacts under the Existing plus Project scenario would be less than significant.

Intersection No.	Roadway Segment	Existing	Existing plus Project dBA CNEL	Difference
<i>University Parkway</i>				
1-2	Northpark Boulevard to Kendall Drive	71.6	71.7	+0.1
2-4	Kendall Drive to College Avenue	72.7	72.8	+0.1
4-6	College Avenue to Varsity Avenue/State Street	72.8	72.9	+0.1
6-7	Varsity Avenue/State Street to I-215 Ramps	74.2	74.3	+0.1
8-9	I-215 Ramps to Varsity Avenue/State Street	71.4	71.6	+0.2

Source: Refer to **Appendix 4.13** for roadway noise worksheets.

Year 2024 plus Project

Table 4.13-4: Year 2024 plus Project Roadway Noise Levels illustrates the change in noise levels from traffic volumes and from traffic generated by the Project. The difference in traffic noise between Future Year 2024 conditions and Future Year 2024 plus Project conditions represents the increase in noise attributable to Project-related traffic. As shown in **Table 4.13-4**, the maximum noise level increase along the analyzed roadways would be 0.2 dBA CNEL along several roadway segments including between Varsity Avenue/State Street to I-215 Ramps and between I-215 Ramps to Varsity Avenue/State Street. Accordingly, Project-related traffic would not cause noise levels along the analyzed roadways to increase by more than 3.0 dBA. Thus, the proposed Project would not result in a permanent increase in noise levels above ambient levels in the vicinity of the Project Site. Vehicular related noise impacts under the Future Year 2024 plus Project scenario would be less than significant.

**TABLE 4.13-4
YEAR 2024 PLUS PROJECT ROADWAY NOISE LEVELS**

Intersection No.	Roadway Segment	Year 2024	Year 2024 plus Project	Difference
		dBA CNEL		
University Parkway				
1-2	Northpark Boulevard to Kendall Drive	71.9	71.9	0.0
2-4	Kendall Drive to College Avenue	73.2	73.3	+0.1
4-6	College Avenue to Varsity Avenue/State Street	73.2	73.3	+0.1
6-7	Varsity Avenue/State Street to I-215 Ramps	74.5	74.7	+0.2
8-9	I-215 Ramps to Varsity Avenue/State Street	71.8	72.0	+0.2

Source: Refer to Appendix 4.13 for roadway noise worksheets.

Buildout plus Project

Table 4.13-5: Buildout plus Project Roadway Noise Levels illustrates the change in noise levels from traffic volumes and from traffic generated by the Project. The difference in traffic noise between Buildout conditions and Buildout plus Project conditions represents the increase in noise attributable to Project-related traffic. As shown in **Table 4.13-5**, the maximum noise level increase along the analyzed roadways would be 0.2 dBA CNEL between Varsity Avenue/State Street to I-215 Ramps. Accordingly, Project-related traffic would not cause noise levels along the analyzed roadways to increase by more than 3.0 dBA. Thus, the proposed Project would not result in a permanent increase in noise levels above ambient levels in the vicinity of the Project Site. Vehicular related noise impacts under the Buildout plus Project scenario would be less than significant.

**TABLE 4.13-5
BUILDOUT PLUS PROJECT ROADWAY NOISE LEVELS**

Intersection No.	Roadway Segment	Buildout	Buildout plus Project	Difference
		dBA CNEL		
University Parkway				
1-2	Northpark Boulevard to Kendall Drive	72.4	72.5	+0.1
2-4	Kendall Drive to College Avenue	73.2	73.3	+0.1
4-6	College Avenue to Varsity Avenue/State Street	73.4	73.5	+0.1
6-7	Varsity Avenue/State Street to I-215 Ramps	74.6	74.8	+0.2
8-9	I-215 Ramps to Varsity Avenue/State Street	72.7	72.8	+0.1

Source: Refer to Appendix 4.13 for roadway noise worksheets.

Project Site

Section 19.20.030.15 of the City's Municipal Code specifies the maximum acceptable levels of noise for residential uses in the City. These standards indicate that exterior noise levels at residential locations should not exceed a CNEL of 65 dBA while interior levels shall not exceed an annual CNEL of 45 dBA in any habitable room.

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Noise-level calculations at the location of noise-sensitive land uses in the Project vicinity were assessed using the SoundPLAN noise model. The SoundPLAN model depicts noise contours at varying distances and accounts for various inputs to analyze topography, vegetation, propagation from buildings, and existing- and proposed-noise sources and barriers. The SoundPLAN model takes into account the varying slant distances between the helicopter and the receiver. The software uses various inputs to analyze the topography, vegetation, vehicle traffic, existing- and proposed-noise sources, and existing- and proposed-barriers to depict noise contours at varying distances. The software utilizes algorithms (based on the inverse square law) to calculate noise level projections. Accuracy has been validated in published studies to be +/- 2.7 dBA with an 85 percent confidence level. The software allows the user to input specific noise sources, spectral content, sound barriers, building placement, topography, and sensitive receptor locations.

As mentioned previously, the proposed development would consist of three (3) restaurants with drive-thrus (parcel 1, 2, and 4) and an express car wash (parcel 3).

Automated car wash equipment and facilities have several potential noise generating sources associated with their general operations including pumps, compressors, high-pressure applicators and spray nozzles, scrubbers, and dryers. The car wash mechanical equipment (pumps, compressors, etc.) can generate a substantial amount of noise, however, the majority of the mechanical equipment is proposed to be enclosed within a mechanical equipment room, inside the car wash tunnel. Potential noise sources within the equipment room would include the high-pressure applicators and spray nozzle manifolds; noise from the friction of the scrubber, wrap and brush wash systems; and noise generated from the dryer system. To quantify this event, point sources were modeled at the entry and exit of the tunnel with a sound power level (LWA)⁵² of 84.6 dB, as referenced in the SoundPLAN noise library for typical noise emissions for opened gate washing activities. To quantify events related to the vacuum stalls at the car wash, 30 point sources were modeled with a LWA of 82.8 dB, as referenced in the SoundPLAN noise library as vacuum cleaner. To quantify events related to cars entering and exiting the car wash line at Parcel 3 and the Drive Thrus at Parcel 1, 2, and 4, a line source was modeled with a LWA of 51.0 dB/m, m² as referenced in the SoundPLAN noise library for car driving on an open ramp.

As shown in **Table 4.13-6: Modeled Operational Noise Levels**, exterior noise levels (24-hour CNEL) at the surrounding sensitive uses would range from 28 dBA CNEL at the motel use on the corner of University Parkway and the I-215 Freeway On-ramp (Site 5) to 33 dBA CNEL at the multi-family residential uses at the Castepark Apartment Homes to the north along Varsity Avenue. Operational noise levels from the proposed development would not exceed the residential standard of 65 dBA CNEL. Based upon a worst-case assessment, the proposed Project does not result in significant impacts to surrounding land uses from noise. As such impacts would be less than significant.

⁵² The Sound Power Level represents the total sound energy produced by the source under the specified operating conditions. Sound Power Levels cannot be measured directly; instead, they are computed from reference sound pressure level measurements.

**TABLE 4.13-6
MODELED OPERATIONAL NOISE LEVELS**

	Location Number/Description	Modeled dBA CNEL	Threshold	Exceeds Threshold?
2	Multi-family residential uses at the Castlepark Apartment Homes to the north along Varsity Avenue	33	65	No
3	Single-family residential uses at the corner of State Street and Morgan Road	29	65	No
4	Multi-family residential uses along University Parkway between College Avenue and State Street	29	65	No
5	Motel use at the corner of University Parkway and I-215 Freeway On-ramp	28	65	No

Note: Source: SoundPLAN version 8.2

Refer to Attachment 4.13 for SoundPLAN Output Sheets.

Mitigation Measures: No mitigation measures are required.

b. Generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant Impact. The City has not adopted a significance threshold to assess vibration impacts during construction. Thus, the Caltrans *Transportation and Construction Vibration Guidance Manual*⁵³ is used as a screening tool to assess the potential for adverse vibration effects related to structural damage and human annoyance. As such, impacts related to vibration would be considered significant if construction activities cause ground-borne vibration levels related to building damage to exceed 0.5 PPV at the nearest off-site sensitive use and related to human annoyance exceed 78 VdB at the nearest off-site sensitive use. **Table 4.13-7: On-Site Construction Vibration Impacts - Building Damage** presents the construction vibration impacts associated with on-site construction in terms of building damage. As shown in **Table 4.13-7**, the forecasted vibration levels due to on-site construction activities would not exceed the building damage significance threshold of 0.5 PPV ips for all sites surrounding the Project area during construction.

53 Caltrans, Transportation and Construction Vibration Guidance Manual (September 2018), accessed July 2022, http://www.dot.ca.gov/hq/env/noise/pub/TCVGM_Sep13_FINAL.pdf.

TABLE 4.13-7 ON-SITE CONSTRUCTION VIBRATION IMPACTS - BUILDING DAMAGE								
Nearest Off-Site Building Structures	Estimated Vibration Velocity Levels at the Nearest Off-Site Structures from the Project Construction Equipment						Significance Threshold (PPV ips)	Exceeds Threshold?
	Vibratory Roller	Large Bulldozer	Caisson Drilling	Loaded Trucks	Jack-hammer	Small bulldozer		
<i>FTA Reference Vibration Levels at 25 feet</i>								
	0.210	0.089	0.089	0.076	0.035	0.003	–	
Site 2 (100 feet)	0.026	0.011	0.011	0.010	0.004	0.000	0.5	No
Site 3 (950 feet)	0.001	0.000	0.000	0.000	0.000	0.000	0.5	No
Site 4 (750 feet)	0.001	0.001	0.001	0.000	0.000	0.000	0.5	No
Site 5 (835 feet)	0.001	0.000	0.000	0.000	0.000	0.000	0.5	No

Source: US Department of Transportation, Federal Transportation Authority, Transit Noise and Vibration Impact Assessment.
 Note: Refer to Appendix 4.13 for construction vibration worksheets.

Table 4.13-8: On-Site Construction Vibration Impacts - Human Annoyance presents the construction vibration impacts associated with on-site construction in terms of human annoyance. As shown in **Table 4.13-8**, the forecasted vibration levels due to on-site construction activities would not exceed the human annoyance significance threshold of 78 VdB for all sites surrounding the Project area during construction.

TABLE 4.13-8 ON-SITE CONSTRUCTION VIBRATION IMPACTS - HUMAN ANNOYANCE								
Nearest Off-Site Building Structures	Estimated Vibration Velocity Levels at the Nearest Off-Site Structures from the Project Construction Equipment						Significance Threshold (VdB)	Exceeds Threshold?
	Vibratory Roller	Large Bulldozer	Caisson Drilling	Loaded Trucks	Jack-hammer	Small bulldozer		
<i>FTA Reference Vibration Levels at 25 feet</i>								
	94	87	87	86	79	58	–	
Site 2 (100 feet)	76	69	69	68	61	39	78	No
Site 3 (950 feet)	47	40	40	38	31	10	78	No
Site 4 (750 feet)	50	43	43	41	35	13	78	No
Site 5 (835 feet)	49	41	41	40	33	12	78	No

Source: US Department of Transportation, Federal Transportation Authority, Transit Noise and Vibration Impact Assessment.
 Note: Refer to Appendix 4.13 for construction vibration worksheets.

Due to the distance of the Project-identified sensitive receptors, changes in elevations, and intervening structures, such as buildings and walls, on-site construction vibration would not result in a significant vibration impact with regard to building damage. Impacts related to building damage and human annoyance from on-site construction vibration would be less than significant.

Mitigation Measures: No mitigation measures are required.

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

No Impact. The nearest airport is the San Bernardino International Airport that is located approximately 6.4 miles to the southeast. The Project site is located outside of the 60 dBA CNEL noise contours of San Bernardino International Airport. Therefore, the proposed Project would not expose people residing or working in the Project area to excessive noise levels from airports. No impacts would occur.

Mitigation Measures: No mitigation measures are required.

4.14 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
POPULATION AND HOUSING - 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- 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)?***

No Impact. A significant impact may occur if a project would locate new development such as homes, businesses, or infrastructure, with the effect of substantially inducing growth in the proposed area that would otherwise not have occurred as rapidly or in as great a magnitude. The proposed Project involves construction of a commercial retail center and related improvements on a previously developed parcel.

The State of California requires that cities plan for changes in population and attend to housing and employment needs; if growth is projected, each city must accommodate a share of the region's anticipated growth. These projections are provided to the City by SCAG. The City must then demonstrate that it has accommodated, or created the "capacity" for, these projected levels of population, housing, and employment through its Community Plans. SCAG forecasts population and job growth of the city and counties in the six county Southern California Region. SCAG estimates an employment growth of 24,300 between the years 2016 and 2045.⁵⁴

The Project would include approximately 14,458 square feet of commercial and community spaces generating on-site employment. The Project would generate the need for approximately 25 employees which represents less than 0.1 percent of the estimated employment growth between 2016 and 2045. In addition, the employees that would fill the jobs generated by the Project are anticipated to come from the region, as the unemployment rate of the City of San Bernardino in October 2022 was 3.9 percent.⁵⁵

⁵⁴ SCAG, Connect SoCal Demographics and Growth Forecast, Table 14 - Jurisdiction-Level Growth Forecast, accessed July 2022, https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf.

⁵⁵ U.S. Bureau of Labor Statistics, Riverside-San Bernardino-Ontario, CA, accessed December 2022, https://www.bls.gov/eag/eag.ca_riverside_msa.htm

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Due to these levels of unemployment, it is anticipated that new employees at the Project site would already reside within commuting distance and would not generate needs for any housing. As such, no additional housing would be required as a result of the proposed Project. No impacts would occur.

Mitigation Measures: No mitigation measures are required.

b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. A significant impact would occur if the Project would displace a substantial quantity of existing residences or a substantial number of people. The proposed Project involves construction of a commercial retail center and related improvements on a previously developed parcel. Therefore, the proposed Project would not displace any existing housing, necessitating the construction or replacement housing elsewhere. No impacts would occur.

Mitigation Measures: No mitigation measures are required.

4.15 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
PUBLIC SERVICES				
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:				
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

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:

a. Fire Protection?

Less than Significant Impact. A significant impact would occur if the local fire department could not adequately serve the proposed Project, necessitating a new or physically altered station. The San Bernardino County Fire Department is designated within the City and would be the first responder in the event of an emergency to the Project site. The nearest fire station to the Project site is Fire Station No. 75 located approximately 1.27 miles south at 2852 North Macy Street. The proposed Project includes construction of three new drive thru restaurants, an express car wash, and related improvements. Development of the Project would impact fire protection services by placing additional demand on existing fire protection resources should its resources not be augmented. To offset the increased demand for fire protection services, the Project would be conditioned by the City to provide a minimum of fire safety and support fire suppression activities, including compliance with State and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes.

As part of the permitting process, the Project plans would be reviewed by the San Bernardino County Consolidated Fire District and the Building Department to ensure that the Project plans meet the fire protection requirements. Additionally, the proposed facility would be required to comply with City fire

suppression standards including current CBC and would provide adequate fire access. The increase in fire service demands from the Project would not require construction of a new or physically altered fire station that could cause environmental impacts. Additionally, the City of San Bernardino Municipal Code, Chapter 3.27, requires a fee payment that the City applies to the funding of public facilities, including law enforcement facilities, vehicles, and equipment, to offset the incremental increase in the demand for fire protection services that the Project would create.⁵⁶ As such, the development of the Project site would not increase demand on the existing fire protection services. Therefore, impacts would be less than significant, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

b. Police Protection?

Less than Significant Impact. A significant impact would occur if the local police department could not adequately serve the proposed Project, necessitating a new or physically altered station. The Project site is within the Northern District (Area B) service area and their office is located at 941 W. Kendall Drive, approximately 1.70 miles east of the Project site.⁵⁷ Construction sites, if not properly managed, have the potential to attract criminal activity (such as trespassing, theft, and vandalism) and can become a distraction for local law enforcement from more pressing matters that require their attention. Consistent with existing operations, the Project site would be gated and locked when not in use during both construction and operation of the proposed Project. Thus, the proposed Project would not need permanent security or additional measures to minimize local law enforcement services to the Project site. Additionally, the City of San Bernardino Municipal Code, Chapter 3.27, requires a fee payment that the City applies to the funding of public facilities, including law enforcement facilities, vehicles, and equipment, to offset the incremental increase in the demand for police protection services that the Project would create. The Project is not expected to result in the need for new or physically altered police facilities to maintain acceptable service ratios, response times, or other performance objectives. Impacts would be less than significant, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

c. Schools?

No Impact. A significant impact would occur if the proposed Project would include substantial employment or population growth, which could generate a demand for school facilities that would exceed the capacity of the school district. The Project does not propose construction of new residential uses. As such, no housing would be constructed or replaced due to the Project. The Project would not directly or

⁵⁶ City of San Bernardino Municipal Code, Chapter 3.27, Section 3.27.040.

⁵⁷ City of San Bernardino General Plan, Public Facilities and Services, accessed July 2022, https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf.

indirectly induce population which would also directly or indirectly induce school enrollment. Additionally, pursuant to Government Code Section 65995 et seq., the need for additional school facilities is addressed through compliance with school impact fee assessment. SB 50 (Chapter 407 of Statutes of 1998) sets forth a state school facilities construction program that includes restrictions on a local jurisdiction's ability to condition a project on mitigation of a project's impacts on school facilities in excess of fees set forth in the Government Code. The Project would be required to contribute fees to the San Bernardino City Unified School District in accordance with the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50). Pursuant to Senate Bill 50, payment of school impact fees constitutes complete mitigation under CEQA for Project-related impacts to school services. As such, no impacts would occur.

Mitigation Measures: No mitigation measures are required.

d. Parks?

No Impact. A significant impact would occur if the proposed Project would exceed the capacity or capability of the local park system to serve the proposed Project. The Project site does not include a park or any recreational facility such as a trail. Implementation of the Project would not impact parks within the vicinity of the Project, as construction and operation would occur within the Project site. Furthermore, the payment of development impact fees per Municipal Code Chapter 3.27 would further reduce any Project impacts related to parks. As such, no impacts would occur.

Mitigation Measures: No mitigation measures are required.

e. Other Public Facilities?

No Impact. A significant impact would occur if the proposed Project would result in substantial employment or population growth that could generate a demand for other public facilities, including libraries, which exceed the capacity available to serve the Project site, necessitating new or physically altered public facilities. As previously discussed, development of the Project would not result in a direct increase in the population of the Project area and would not increase the demand for public services, including public health services and library services which would require the construction of new or expanded public facilities. Employees needed to operate the proposed Project are anticipated to come from the Project region and substantial usage of other public facilities is not anticipated to occur. Therefore, impacts related to other public services would be less than significant. In addition, the Project would be required to comply with the provisions of Municipal Code Chapter 3.27 which requires payment of Development Impact Fees to assist the City in providing public services. No impacts would occur and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

4.16 RECREATION

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
RECREATION - Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. *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?***

No Impact. A significant impact may occur if a project would include substantial employment or population growth which could generate an increased demand for public park facilities that exceeds the capacities of existing parks and causes premature deterioration of the park facilities. The Project proposes construction of a commercial retail center and does not propose development of residential uses which could create a demand on nearby parks and/or recreational facilities. Additionally, the employees needed to operate the Project are anticipated to come from the existing labor force in the region. The closest park to the Project site is the Lionel E. Hudson Park located approximately 0.38 miles to the northeast. Additionally, Blair Park is located approximately 1.1 miles to the southeast. Project employees may use the park for breaks or recreation; however, the use of the park by Project employees would not lead to a physical deterioration of the park. As such, the Project would not substantially increase the demand for off-site public parks and recreational facilities, such that substantial physical deterioration of those facilities would occur or be accelerated. No impacts to parks and recreational facilities would occur.

Mitigation Measures: No mitigation measures are required.

- b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?***

No Impact. The Project would not include the development of public recreational facilities or require the expansion of recreational facilities. As mentioned previously, the Project includes construction of a commercial retail center on a previously developed parcel. The implementation of the proposed Project would not directly or indirectly result in growth in the proposed Project area, and therefore would not require the construction or expansion of recreational facilities. Therefore, no growth-related impacts to recreational resources would occur.

Mitigation Measures: No mitigation measures are required.

4.17 TRANSPORTATION AND TRAFFIC

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact	
TRANSPORTATION/TRAFFIC - Would the project:					
a.	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The following section summarizes and incorporates by reference information from the Transportation Impact Analysis (TIA) report prepared by Linscott, Law & Greenspan (LLG) dated December 5, 2022 on behalf of the Applicant. The TIA is included as **Appendix 4.17** of this MND.

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

Less than Significant Impact. A significant impact may occur if the Project conflicts with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. The Project proposes the development of a commercial retail area including three drive-thru restaurants and express car wash. As shown in **Table 4.17-1: Project Trip Generation**, the Project would generate approximately 3,896 total net trips.

TABLE 4.17-1
PROJECT TRIP GENERATION

Land Use	Daily 2-Way	Enter	Exit	Total	Enter	Exit	Total
Chick-fil-A (4,761 sq. ft.)	1,669	54	52	106	37	34	71
Automated Car Wash (1 Wash Tunnel)	581	29	29	58	29	29	58
Dutch Brothers (950 sq. ft.)	380	21	20	41	14	14	28
Fast Food Restaurant with Drive Through (3,610 sq. ft.)	1,266	41	39	80	28	26	54
Total Net Proposed Project Trip Generation Forecast	3,896	145	140	285	108	103	211

Source: Refer to Appendix 4.17 for Traffic Impact Assessment.

According to the City’s General Plan, University Parkway is designated as a “Major Arterial”.⁵⁸ Major Arterials can accommodate six or eight travel lanes and may have raised medians. These roadways can carry high traffic volumes and are the primary thoroughfares linking the City with adjacent cities and the regional highway system.

An accessible path of travel would be provided from the public way to the building entrance. All pathways would be paved and provide a minimum clear width of 4 feet. Access to the Project site would be provided via two (2) full access unsignalized driveways located along Varsity Avenue (referred to as Project Driveways No. 1 and No.2) and via one right-turn in/right-turn out only unsignalized driveway located along University Parkway (i.e. Project Driveway No. 3). Continuous concrete curbing at least 6 inches high and 6 inches wide would be provided at least 3 feet from any wall, fence, property line, walkway, or structure where parking and/or drive aisles are located adjacent thereto.

The Project does not anticipate any change in ridership for buses or other forms of public transportation. Additionally, the Project does not plan to construct any additional bike or pedestrian facilities. Likewise, the Project would not remove or obstruct any bicycle or pedestrian facilities. As such, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system. The Project does not anticipate any operation-related transportation impacts seeing as the Project would not induce substantial population growth. Therefore, impacts would be less than significant, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

58 City of San Bernardino General Plan, Chapter 6: Circulation, accessed July 2022, https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf.

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

Less than Significant Impact. CEQA Guidelines Section 15064.3, subdivision (b), focuses on newly adopted criteria (VMT) adopted pursuant to SB 743 for determining the significance of transportation impacts. Pursuant to SB743, the focus of transportation analysis changes from vehicle delay to VMT.

The City of San Bernardino TIA Guidelines were consulted to determine whether a VMT analysis would be required for the Project. The City's TIA Guidelines provide criteria for projects using the San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool, that would be considered to have a less-than significant impact on VMT and therefore could be screened out from further analysis. If a project meets one of the following criteria, then the VMT impact of the project is considered less-than significant and no further analysis of VMT would be required: (1) the project is located within a Transit Priority Area (TPA); (2) the project is located in a low VMT generating area; or (3) the project is a local-serving retail project (including restaurants) less than 50,000 square feet or generates less than 110 daily vehicle trips. Based on the SBCTA screening tool, the Project site is not located within a TPA and therefore the Step 1 Screening is not satisfied. A low VMT area is defined as an individual traffic analysis zone (TAZ) where total daily Origin/Destination VMT per service population is lower than the City average total daily Origin/Destination VMT per service population. The Project site is located within TAZ #53771301. Per the SBCTA screening tool, the TAZ VMT/service population is 26.3 VMT per service population and the City average VMT per service population is 31.6 VMT. Comparison of the two VMT values indicates that the Project TAZ VMT is lower than the City VMT average. Therefore, Project Screening Step 2 is satisfied. Additionally, the Project would meet Project Screening Step 3 as the proposed development includes three (3) restaurants with drive-thrus and an express car wash, totaling to less than 50,000 square feet. As such, the Project is screened from a VMT analysis. Based on the City's guidelines, the Project would be screened from a VMT analysis and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. A significant impact could occur if a project includes a new roadway design or introduces a new land use or features into an area with specific transportation requirements and characteristics that have not been previously experienced in that area, or if Project site access or other features were designed in such a way as to create hazard conditions. The Project would not include unusual or hazardous design features and the proposed Project is compatible with existing uses. The Project proposes a land use that complements the surrounding urban development and utilizes the existing roadway network. As mentioned previously, an accessible path of travel would be provided from the public way to the building entrance. All pathways would be paved and provide a minimum clear width of 4 feet. Access to the Project site would be provided via two (2) full access unsignalized driveways

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located along Varsity Avenue (referred to as Project Driveways No. 1 and No.2) and via one right-turn in/right-turn out only unsignalized driveway located along University parkway (i.e. Project Driveway No. 3). Continuous concrete curbing at least 6 inches high and 6 inches wide would be provided at least 3 feet from any wall, fence, property line, walkway, or structure where parking and/or drive aisles are located adjacent thereto.

The Project's driveways would conform to the City's design standards and would provide adequate sight distance, sidewalks, and pedestrian movement controls meeting the City's requirements to protect pedestrian safety. As such, impacts would be less than significant and no mitigation would be required.

Mitigation Measures: No mitigation measures are required.

d. Result in inadequate emergency access?

Less than Significant Impact. A significant impact could occur if the Project design would not provide emergency access meeting the requirements of the local fire department, or in any other way threatened the ability of emergency vehicles to access and serve the Project site or adjacent uses. Access to the proposed Project would be provided via two (2) full access unsignalized driveways located along Varsity Avenue (referred to as Project Driveways No. 1 and No.2) and via one right-turn in/right-turn out only unsignalized driveway located along University parkway (i.e. Project Driveway No. 3). No emergency routes have been documented within the vicinity of the Project site.⁵⁹ All construction of the Project would be conducted on-site and would be temporary in nature. Although unknown at this time, any potential temporary closures of lanes would be required to ensure emergency access in accordance with Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), which would be ensured through the City's permitting process. The operation of the Project would not result in inadequate emergency access because the site would not alter existing roadway alignments nor does the operation take place in existing roadways. Therefore, operation-related impacts would be less than significant, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

59 City of San Bernardino General Plan, accessed July 2022, https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf.

4.18 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
Tribal Cultural Resources - Would the project:				
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 © of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivisi©(c) of Public Resource Code Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- 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**

Less than Significant with Mitigation Incorporated. As discussed in Section 4.5: Cultural Resources, the Project site does not include any identified State historic resources within its boundaries nor does the surrounding vicinity of the Project site. There are also no identified TCRs on or within one mile of the Project site as delineated by the National Register of Historic Places.⁶⁰

In addition, the City conducted a Historic Resources Reconnaissance Survey in 1991, which is considered a local register of historic resources under state law. A “local register of historic resources” is broadly defined in §5020.1 (k) as “a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.” Local registers of historic properties come essentially in two forms: (1) surveys of historic resources conducted by a local agency in accordance with Office of Historic Preservation procedures and standards, adopted by the local agency and maintained as current, and (2) landmarks designated under local ordinances or resolutions. (Public Resources Code §§ 5024.1, 21804.1, 15064.5). The Historic Resources Reconnaissance Survey provides for the most complete overview of historically significant properties and neighborhoods within the City that were considered historically sensitive at the time of its adoption. It forms the single most important resource to the City for historic preservation planning. The property is not identified as a historic resource based on the survey.

However, there is the possibility that sub-surface tribal cultural resources 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) may be encountered at deeper levels during grading. If such sub-surface tribal cultural resources are encountered during the project's earthmoving operations, **Mitigation Measures MM TCR-1 and MM TCR-2** shall apply. Therefore, no impacts would occur to TCRs during the implementation of the proposed Project.

Mitigation Measures: The YSMN requests that the following language be made a part of the project/permit/plan conditions:

MM TCR-1 The Yuhaaviatam of San Manuel Nation Cultural Resource Department (YSMN) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended,

60 National Park Service, National Register of Historic Places, <https://www.nps.gov/maps/full.html?mapId=7ad17cc9-b808-4ff8-a2f9-a99909164466>. Accessed June 2021.

2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.

MM 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 YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.

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 subsection (c) of Public Resource Code Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.

Less than Significant With Mitigation Incorporated. Assembly Bill (AB) 52 created a process for consultation with California Native American Tribes in the CEQA process. Tribal Governments can request consultation with a lead agency and give input into potential impacts to tribal cultural resources before the agency decides what kind of environmental assessment is appropriate for a proposed project. Approved by Governor Jerry Brown on September 25, 2014, AB 52 establishes a formal consultation process for California Native American Tribes to identify potential significant impacts to Tribal Cultural Resources, as defined in PRC Section 21074, as part of CEQA. Effective July 1, 2015, AB 52 applies to projects that file a Notice of Preparation or Notice of Mitigated Negative Declaration on or after July 1, 2015. As specified in AB 52, lead agencies must provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed Project if the tribe has submitted a written request to be notified. The tribe must respond to the Lead Agency within 30 days of receipt of the notification if it wishes to engage in consultation on the Project, and the Lead Agency must begin the consultation process within 30 days of receiving the request for consultation.

The Native American Heritage Commission (NAHC) provides a list of Native American groups and individuals who might have knowledge of the religious and/or cultural significance of resources that may be in and near the Project site. A notice was sent on August 18, 2022 to Tribes known to have resources in this area, describing the project and requesting any information regarding resources that may exist on or near the Project site.

The Yuhaaviatam of San Manuel Nation (YSMN) responded on September 1, 2022 pursuant to AB52, indicating the area exists within the Serrano ancestral territory and, therefore, is of interest to the Tribe.

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However, due to the nature and location of the proposed Project, and given the CRM Department's present state of knowledge, YSMN does not have any concerns with the project's implementation, as planned, at this time. As a result, YSMN has requested **Mitigation Measure MM TR-1** and **MM TR-2** be made a part of the project/permit/plan conditions.

The Gabrieleño Band of Mission Indians - Kizh Nation responded pursuant to AB52. They provided a written request for consultation regarding the project as the project lies within their ancestral tribal territory, meaning belonging to or inherited from, which is a higher degree of kinship than traditional or cultural affiliation. AB 52 mandates that the lead agency begin consultation within thirty days of the formal request to consult. The Kizh Nation established a date of November 3, 2022 to have a discussion to consult. However, on November 3, 2022, the Tribe determined that the language set by the San Manuel tribe would suffice, and asked to defer the project to San Manuel Band of Mission Indians.

In compliance with AB 52, the City will notify all applicable tribes and the Project will participate in any requested consultations. As such, impacts would be less than significant with mitigation incorporated.

Mitigation Measures: With implementation of **Mitigation Measure MM TR-1** and **MM TR-2**, impacts would be less than significant.

4.19 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Project Mitigation	Less Than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS - Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water, drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonable foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

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

Less Than Significant Impact. A significant impact may occur if a project would increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the Project site would be exceeded. The Project applicant would redevelop the Project site, which is currently served by SBMWD's water infrastructure and would install new water infrastructure at the Project site that would connect to existing water infrastructure along North Varsity Avenue. The new onsite water system would convey water supplies to the proposed drive thru restaurants, express car wash and landscaping through plumbing/landscaping fixtures that are compliant with the CalGreen

Plumbing Code for efficient use of water. The proposed Project would continue to receive water supplies through the existing water lines located adjacent to North Varsity Avenue. This connection would have the capacity to provide the increased water supplies needed to serve the proposed Project, and no expansions of the water pipelines that convey water to the Project site would be required.

The Project includes installation of onsite sewer lines that would connect to the existing sewer lines within Varsity Avenue. The existing sewer lines would accommodate development of the Project site and would not require expansion to serve the proposed Project. The necessary onsite installation of wastewater infrastructure is included as part of the proposed Project and would not result in any significant impacts to wastewater.

The proposed Project would require additional drainage on-site to navigate stormwater away from the Project area towards existing City storm drains. According to the City's Sewer Master Plan, the existing sewer system capacity within the vicinity of the Project site would be able to withstand dry and wet weather events with no flooding.⁶¹ Therefore, implementation of the proposed Project would not require the relocation or construction of new or expanded storm drain facilities.

Electricity for the Project site would be supplied by Southern California Edison (SCE). The Project would not require the construction of new electrical facilities.

The Project would connect to the existing Southern California Gas natural gas distribution facilities that are adjacent to the Project site.⁶² No new or expanded natural gas facilities would be required.

The Project would connect to existing telecommunications facilities within the Project area. Therefore, implementation of the proposed Project would not require the relocation or construction of new or expanded telecommunications facilities.

As such, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

b. Have sufficient water supplies available to serve the project and reasonable foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. SBMWD obtains 100 percent of its water from the Bunker Hill Groundwater Basin. The Bunker Hill Groundwater Basin is a managed basin and can develop additional wells and over-

⁶¹ City of San Bernardino Water Department, Sewer Master Plan (2020), accessed July 2022, <https://www.sbmwd.org/364/2019-Sewer-Master-Plan>.

⁶² SoCal Gas, Gas Transmission Pipeline Map, accessed July 2022, <https://socialgas.maps.arcgis.com/apps/webappviewer/index.html?id=faeed481312f4e5fb056f739ff169e02>.

extract groundwater under specified conditions contained in the stipulated judgment. The wells, in general, have provided a stable source of water supply.

According to the Water Facilities Master Plan for the City, the estimated water demand for the Project site would account for approximately 25,633 gallons per day (gpd) for Commercial General uses.⁶³ The Basin has a capacity to provide 70,000 acre-feet per year of water from groundwater and surface water sources. The basin is replenished by the local precipitation and streamflow from rain and snowmelt from the San Bernardino Mountains. The Project would account for less than one (1) percent of the Basin's capacity for providing water. The Water Supply Reliability Assessment within the SBMWD UWMP concludes that the district has adequate supplies to meet projected demands under multiple dry year scenarios, taking into account the recent prolonged drought.⁶⁴ SBMWD's demands in single dry and multiple dry years are assumed to increase by 10% above normal year demands. The local groundwater basins SBMWD produces water from have storage for use in dry years so SBMWD can produce the volume of water needed to meet 100 percent of demands in single dry years. As such, SBMWD's supplies would be 100% reliable during normal, single dry, and multiple dry years. Therefore, the proposed Project would have sufficient water supplies available to serve the Project site. Impacts to water supplies would be less than significant.

Mitigation Measures: No mitigation measures are required.

- c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?***

Less Than Significant. Wastewater flows from the Project site would be conveyed to SMWD's Water Reclamation Plant (WRP) through existing sewer lines. The permitted treatment capacity of the SBWRP is currently 33 million gallons per day (mgd). As of 2020, the Facility received an average of 21.5 mgd. As such, the WRP has an excess capacity of 11.5 mgd. As stated above, the estimated water demand for the Project would be 25,633 gpd, yielding to less than one (1) percent of the excess capacity. Therefore, the Project would not exceed the wastewater capacity of the WRP. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

⁶³ SBMWD, Water Facilities Master Plan, accessed July 2022, <https://www.sbmwd.org/DocumentCenter/View/682/Section-4-PDF>.

⁶⁴ San Bernardino Municipal Water Department, 2020 Integrated Regional Urban Water Management Plan, accessed July 2022, <https://www.sbvmd.com/home/showpublisheddocument/9248/637614632170000000>.

- d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

Less Than Significant.

Construction

Waste generated during the project's construction phase would primarily consist of discarded materials from the construction of streets, common areas, infrastructure installation, and other Project-related construction activities. The California Green Building Standards Code ("CALGreen") requires all newly constructed buildings to prepare a Waste Management Plan and divert construction waste through recycling and source reduction methods. The City of San Bernardino Building and Safety Division reviews and approves all new construction projects required to submit a Waste Management Plan. Mandatory compliance with CALGreen solid waste requirements will ensure that construction waste impacts are less than significant.

Operation

The nearest landfill to the Project site is the Mid-Valley Landfill, located approximately 5.0 miles west. The Mid-Valley Landfill has a permitted throughput of 7,500 tons per day and a maximum capacity of 101,300,000 cubic yards with an anticipated closure date of 2045.⁶⁵ The Project would generate approximately 12,624 pounds of solid waste per day (lb/day) or 8,519 cubic yards per year⁶⁶ yielding to less than one (1) percent of the maximum capacity for the Mid-Valley Landfill. Therefore, the Mid Valley Sanitary Landfill would be able to accommodate solid waste from operation of the proposed Project, and impacts related to landfill capacity would be less than significant.

Mitigation Measures: No mitigation measures required.

- e. Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?**

Less Than Significant Impact. As under current conditions, solid waste generated on site would be disposed of in accordance with all applicable federal, State, and local regulations related to solid waste. In addition, the Project would be required to comply with the California Integrated Waste Management Act of 1989 (AB 939) which was enacted to reduce, recycle, and reuse solid waste generated in the state to the maximum amount feasible. The proposed Project would result in new development that would

⁶⁵ CalRecycle, SWIS Facility/Site Activity Details, access July 2022, <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1880?siteID=2662>.

⁶⁶ CalRecycle, Estimated Solid Waste Generation Rates, accessed July 2022, <https://www2.calrecycle.ca.gov/wastecharacterization/general/rates>. Commercial Retail rate of 0.046 lb/sq ft/day used to estimate Project solid waste generation.

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generate an increased amount of solid waste. All solid waste-generating activities within the City are subject to the requirements set forth in Section 5.408.1 of the 2019 California Green Building Standards Code that requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste, and AB 341 that requires diversion of a minimum of 75 percent of operational solid waste.

In addition, the proposed Project would be required comply with the City's Municipal Code Section 8.24.100, Construction and Demolition Debris Recycling Program, which requires that developments must meet the minimum diversion requirement. In addition, the proposed Project would be required to comply with all federal, State, and local regulations related to solid waste. Therefore, the proposed Project is anticipated to result in less than significant impacts related to potential conflicts with federal, State, and local management and reduction statutes and regulations pertaining to solid waste.

Mitigation Measures: No mitigation measures are required.

4.20 WILDFIRE

If located in or near State responsibility areas or lands classified as very high fire hazard zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildlife risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a. a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact. Wildland fire protection in California is the responsibility of either the local government, State, or the federal government. State Responsibility Areas (SRA) are the areas in the State where the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. The SRA forms one large area over 31 million acres to which the California Department of Forestry and Fire Protection (CAL FIRE) provides a basic level of wildland fire prevention and protection services. Local responsibility areas (LRA) include incorporated cities, cultivated agriculture lands, and portions of the desert. LRA fire protection is typically provided by city fire departments, fire protection districts, counties, and by CAL FIRE under contract to local government.

According to the City's General Plan Safety Element, the Project site is not located within a high, moderate or extreme fire hazard area. Additionally, the Project site is also not located in a State Responsibility Area of land.⁶⁷ The Project site is not in or near an SRA or LRA or lands classified as FHSZ. The Project site is not in or near an SRA or LRA or lands classified as high fire hazard severity zones. Therefore, no impact would occur, and no mitigation measures are required.

67 California Fire, State Responsibility Area (SRA) Viewer, <https://bof.fire.ca.gov/projects-and-programs/state-responsibility-area-viewer>. Accessed July 2022.

Mitigation Measures: No mitigation measures required.

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

No Impact. As previously stated, the Project site is not or near an SRA or LRA or lands classified as high fire hazard severity zone. The Project is located on relatively flat land and would not change or exacerbate current risks of wildlife or pollutant concentrations from a wildfire to protect occupants. Therefore, no impacts would occur, and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

- c. *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?***

No Impact. As previously stated, the Project site is not in or near an SRA or LRA or lands classified as high fire hazard severity zone. The Project would not require the installation or maintenance of any infrastructure or utility improvements or additions. As such, impacts related to infrastructure modifications increasing fire risk would not result in any impacts and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

- d. *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?***

No Impact. As demonstrated above, the Project site is not in or near an SRA or LRA or lands classified as high fire hazard severity zones. Development of the Project site would not exacerbate wildfire hazards on site. The Project is not located near a potential flooding, landslide area, or would result in potential drainage changes. No impacts would occur and no mitigation measures are required.

Mitigation Measures: No mitigation measures are required.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less than Significant With Mitigation Incorporated. A significant impact could occur only if the Project would have an identified potentially significant impact for any of the environmental topics addressed in this Initial Study. Based on the preceding analysis, the proposed Project would not result in significant impacts related to habitat, wildlife species, and/or plant and animal communities. The proposed Project would not eliminate a plant or animal community, nor would it substantially reduce the number or restrict the range of a rare or endangered plant or animal. However, Mitigation Measure **MM BIO-1** has

been included to comply with the provisions of the MBTA as there are trees and shrubs onsite that can be utilized by nesting birds and raptors during the nesting bird season.

Additionally, the Project site does not contain any buildings or structures that meet any of the California Register of Historic Resources (California Register) criteria or qualify as “historical resources” as defined by CEQA. Therefore, the proposed Project would not cause a substantial adverse change in the significance of a historical resource. However, as a request from YSMN relating to the disposition of Native American resources, Mitigation Measure MM CUL-1, MM CUL-2, MM TCR-1 and MM TCR-2 have been included to require archaeological monitoring of ground disturbing activities to ensure that inadvertent discovery of resources are less than significant.

- b. *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?***

Less than Significant with Mitigation Incorporated. A significant impact may occur if the proposed Project, in conjunction with the related projects, would result in impacts that are less than significant when viewed separately but significant when viewed together. There are no other related projects within the vicinity of the Project site. However, based on the preceding analysis, given the potential Project-related impacts would be mitigated to a less than significant level, implementation of the proposed Project would not result in impacts that are cumulatively considerable when evaluated with impacts of other current projects, or the effects of probable future projects. Therefore, impacts would be less than significant with mitigation incorporated.

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

Less than Significant With Mitigation Incorporated. A significant impact may occur if the proposed Project has the potential to result in significant impacts, as discussed in the preceding sections. Based on the preceding environmental analysis, the Project would not have significant environmental effects on human beings, either directly or indirectly. Upon implementation of the Regulatory Compliance Measures applicable, compliance with existing regulations and mitigation measures, any potentially significant impacts would be reduced to less than significant levels.

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