Attachment B.2

CHINO 2045 GENERAL PLAN UPDATE
PROGRAM ENVIRONMENTAL IMPACT REPORT
(SCH #2024090833)

CANDIDATE CEQA FINDINGS OF FACT

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I. INTRODUCTION

A. California Environmental Quality Act

The California Environmental Quality Act (CEQA; Public Resources Code Section 21000, et seq.) and the State CEQA Guidelines (CEQA Guidelines; 14 California Code of Regulations Section 15000, et seq.) promulgated thereunder, require that the environmental impacts of a project or program be examined before a project is approved. In addition, once significant impacts have been identified, CEQA and the State CEQA Guidelines require that certain findings be made before project approval. While staff of a decision-making body can assist in recommending adoption of findings to proceed on a project subject to a certified Environmental Impact Report (EIR), only the decision-making body has the authority to make such findings. Specifically, State CEQA Guidelines Section 15091 (a) states that no public agency shall approve or carry out a project or program for which an EIR has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless such public agency makes one or more of the following findings for each potentially significant effect:

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

(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can or should be, adopted by that other agency; or

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

CEQA also requires that the findings made pursuant to Section 15091 of the CEQA Guidelines be supported by substantial evidence in the record (Section 15091(b) of the CEQA Guidelines). Under CEQA, substantial evidence means enough relevant information has been provided (and reasonable inferences from this information may be made) that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Substantial evidence must include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts (Section 15384 of the CEQA Guidelines).

When making the findings required in CEQA Guidelines Section 15091 (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

The following Candidate Findings of Fact (Findings) have been submitted to the City Council of the City of Chino (City), as the decision-making body, to be approved for the Chino 2045 General Plan Update (project) pursuant to CEQA. The project, as detailed below, would result in significant and unavoidable impacts. Therefore, a Statement of Overriding Considerations is included herein (Section XI), as part of the project's Findings.

Having received, reviewed, and considered the Final Program Environmental Impact Report (PEIR) for the project, State Clearinghouse Number 2024090833, as well as all other information in the Record of Proceedings (as defined below) on this matter, the following Findings are hereby adopted by the City in its capacity as the CEQA lead agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the program.

B. Project Background

The City has prepared a PEIR as defined in Section 15168 of the State CEQA Guidelines. A PEIR is the appropriate environmental document under CEQA for a series of actions that are characterized as one large project through reasons of geography, similar rules or regulations, or where individual activities will occur under the same regulatory process with similar environmental impacts that can be mitigated in similar ways. Because the project consists of a long-term plan that would be implemented as a policy document guiding future development activities, and this PEIR includes a mitigation framework that would ensure mitigation would be implemented by future projects, a program approach is appropriate. The Final PEIR may serve as the environmental document for subsequent activities or implementing actions. If, in examining future actions for development within the City, the City finds no new effects could occur or no new mitigation measures would be required other than those analyzed and/or required in this Final PEIR, the City can approve the activity as being within the scope covered by the Final PEIR and no new environmental documentation would be required. If additional analysis is required, it can be streamlined by tiering from the Final PEIR pursuant to State CEQA Guidelines Sections 15152, 15153, 15168, and 15183 (e.g., through the preparation of a Mitigated Negative Declaration, Addendum, or Supplemental or Subsequent EIR).

These Findings are made relative to the specific conclusions of the Final PEIR prepared for the project.

C. Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP) and all other public notices issued by the City in conjunction with the project;
- Comments received on the NOP;
- The Draft PEIR for the project;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft PEIR;
- All responses to written comments submitted by agencies or members of the public during the public review and comment period for the Draft PEIR;
- The Mitigation Monitoring and Reporting Program (MMRP);

- All documents, studies, EIRs, or other materials incorporated by reference or cited to in the Draft PEIR and the Final PEIR;
- All supplemental documents prepared for the PEIR and submitted to the City Council prior to this hearing;
- Matters of common knowledge to the City, including but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these Findings;
- City staff report prepared for this hearing related to the proposed project and any exhibits thereto;
- Project permit conditions; and
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

The Draft PEIR and all related appendices were made available for review during the public review period at City Hall, located at 13220 Central Avenue, Chino, California. A copy of the Draft PEIR was also available for review at the Chino Branch Library, located at 13180 Central Avenue, Chino, California.

The Draft PEIR was also available for review on the City's Community Development Department website: https://www.cityofchino.org/591/Environmental-Documents.

D. Custodian and Location of Records

The documents and other materials which constitute the administrative record for the City's actions related to the project are located at City Hall, located at 13220 Central Avenue, Chino, California. The Community Development Department is the custodian of the administrative record for the project.

Copies of these documents, which constitute the Record of Proceedings, are, and at all relevant and required times have been and will be, available upon request at the offices of the Community Development Department. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and State CEQA Guidelines Section 15091(e).

II. PROJECT SUMMARY

A. Project Location

The project would update the City's Adopted General Plan and would guide future land use decisions, providing a long-term vision for the City, guiding growth and development within the City and its Sphere of Influence, collectively known as the Planning Area, through the planning horizon year of 2045. The boundary of the Planning Area was determined in response to state law requiring each city to include in its general plan all territory within the boundaries of the incorporated area as well as "any land outside its boundaries which in the planning agency's judgment bears relation to

its planning" (California Government Code Section 65300). The City is located within San Bernardino County in the state of California, approximately 36 miles east of Los Angeles, 30 miles west of San Bernardino, 25 miles northeast of Anaheim, and 50 miles northeast of Long Beach.

The northern portion of the City is bisected by State Route (SR) 60, a major east-west freeway and goods movement corridor that connects the Los Angeles metropolitan area with the Inland Empire and points beyond. SR-71 generally forms the City's western boundary, providing connections to Pomona to the north and job centers in Orange County to the south via SR-91. SR-83, known locally as Euclid Avenue, generally forms the eastern boundary of the northern part of the City, providing connections to the City of Ontario to the north.

B. Project Description

The project would update the City's Adopted General Plan to incorporate strategies addressing multimodal mobility, environmental justice, climate vulnerability, and emergency evacuation, among other topics. The project would serve as the blueprint for the City's future and would focus on Key Opportunity Areas where change is foreseeable. These are generally areas with clusters of vacant and underutilized land, many of which contain commercial properties recently rezoned to permit multi-family housing. Outside of these Key Opportunity Areas, the 2045 General Plan would maintain the existing urban form and enhance the character and quality of life in the City's established neighborhoods and would support continued implementation of The Preserve Specific Plan. Key project components include the following:

- Four new land use designations are designed to promote a vibrant mix of uses in Key Opportunity Areas including a Regional Mixed Use (RMU) designation, a Boulevard Mixed Use (BMU) designation, a new Downtown (DT) land use designation, and a new Employment Mixed Use (EMU) designation.

- An updated circulation diagram with new roadway classifications for mixed-use boulevards and Downtown streets that emphasize walkability and roadway safety.

- Completion of the Pine Avenue Connector, linking SR-71 with Euclid Avenue.

- Strategies for effectively managing truck traffic to minimize conflicts with bicycles, pedestrians, and local traffic while optimizing access to the regional network.

- Establishing "good neighbor" policies and performance standards for light industrial and manufacturing uses, particularly where adjacent to residential neighborhoods. These policies and standards would govern screening, landscaping, architectural design, noise, air quality, traffic, and access.

- Streetscape improvements to improve bicycle/pedestrian safety and enhance walkability along segments of Riverside Drive, including wider sidewalks, landscaped buffers between pedestrians and traffic, the addition of bicycle lanes, and the conversion of the ends of some alleyways into pocket parks/plazas.

- A new Community Health and Environmental Justice Element with strategies to promote active, healthy lifestyles, reduce exposure to air pollution, mitigate urban heat in summertime, and improve roadway safety, particularly around schools and community centers.

- Strategies to incentivize the creation of mini parks, plazas, and publicly accessible privately-owned open spaces in the northern part of the city where there is a need for new parks and recreational spaces.

- Policy guidance for future uses on the former Ayala Park driving range, including providing on site food and beverage vending for game and event days and/or constructing a water park.

Additionally, it is envisioned that the project would provide direction for the repeal of the following three outdated specific plans and the incorporation of any standards and provisions from those plans that remain relevant into the Zoning Code: the Central Avenue Specific Plan, the Eucalyptus Business Park Specific Plan, and the Spectrum Center Specific Plan. The Proposed Planning Area comprises a total of 20,626 acres (32.23 square miles) of both incorporated and unincorporated land bearing relation to the City's future growth.

The project would also modify the organizational structure of the Adopted General Plan. Some chapters were combined and renamed to better reflect community priorities identified through the process and to incorporate new requirements established in state law. The chapters of the project would be organized as follows:

- Introduction
- Land Use and Community Character
- Economic Development
- Infrastructure
- Parks, Recreation and Community Services
- Hazards, Safety, and Noise
- Health and Environmental Quality
- Implementation

C. Statement of Objectives

As described in Section 3.2 of the Final PEIR, the following objectives are identified for the project:

1. Promote a balanced community with a clear development pattern defined by lively activity centers, thriving employment districts, and safe, livable neighborhoods.

2. Focus future population, housing and employment growth into Key Opportunity Areas while preserving and enhancing the community's distinctive small town feel that comes from strong community bonds and a respect for the community's agricultural roots.

3. Position Downtown as a focal point for civic, cultural, and community life, anchored by its charming historic buildings, the Civic Center, and a host of thriving restaurants, shops, and entertainment venues in a walkable environment.

4. Revitalize older shopping centers and commercial corridors so that they feature a range of new uses to serve community needs and act as vital activity hubs and social gathering places that contribute to local character and quality of life.

5. Prioritize business attraction and retention to foster a strong, stable economy that welcomes innovation and promoting entrepreneurship.

6. Reinforce connections to the regional transportation network.

7. Strengthen the network of safe streets and multi-use trails that links neighborhoods, parks, schools, and other community destinations, tying older and newer parts of Chino together.

8. Enhance neighborhood livability by promoting active, healthy lifestyles with indoor and outdoor recreational amenities and by prioritizing clean air, water, fresh food, and community health.

9. Protect the community from natural hazards, build resilience to climate change, and promote emergency preparedness.

The City has considered the statement of objectives sought by the project and hereby adopts these objectives as part of the project.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

A. Notice of Preparation

In accordance with State CEQA Guidelines Section 15082, the City distributed an NOP of a Draft PEIR to the State Clearinghouse, local and regional responsible agencies, and other interested parties. The NOP was circulated for public comment on September 23, 2024, and a scoping meeting held on October 17, 2024. Comment letters received during the NOP review period are included in the Final PEIR as Appendix A.

B. Public Review of PEIR

The Draft PEIR for the project was prepared and circulated for review and comment by the public, agencies, and organizations for a public review period that began on June 20, 2025, and concluded on August 4, 2025. A Notice of Completion of the Draft PEIR was sent to the State Clearinghouse and the Draft PEIR was circulated to state agencies for review through the State Clearinghouse, Office of Planning and Research.

A Notice of Availability of the Draft PEIR for review was provided to organizations and parties expressing interest in the project, was posted on the City's website, and was published in a newspaper of general circulation. Comments submitted to the City during the public review of the Draft PEIR have received formal responses as required by CEQA. Those responses to comments have been incorporated into the Final PEIR.

C. Decision-Making Process

The project will be formally heard before the City Council on September 2, 2025, unless the same is continued or rescheduled subject to the provision of notice as required by law, when an ultimate disposition (approval/denial of the project and certification of the Final PEIR) will be determined.

IV. GENERAL FINDINGS

The City hereby finds as follows:

- Pursuant to State CEQA Guidelines Sections 15050 and 15051, the City is the Lead Agency for the project.
- The Draft PEIR and Final PEIR were prepared in compliance with CEQA, CEQA Guidelines, and any City CEQA Significance Determination Thresholds.
- The City has independently reviewed and analyzed the Draft PEIR and Final PEIR, and these documents reflect the independent judgment of the City.
- An MMRP has been prepared for the project, which the City has adopted or made a condition of approval of the project. That MMRP is incorporated herein by reference and is considered part of the Record of Proceedings for the project.
- The MMRP designates responsibility and anticipated timing for the implementation of mitigation measures. The City will serve as the MMRP Coordinator.
- In determining whether the project has a significant impact on the environment, and in adopting these Findings pursuant to Public Resources Code Section 21081, the City has based its decision on substantial evidence and has complied with Public Resources Code Sections 21081.5 and 21082.2 and State CEQA Guidelines Section 15901(b).
- The impacts of the project have been analyzed to the extent feasible at the time of certification of the Final PEIR.
- The City reviewed the comments received on the Draft PEIR and the responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts associated with the project. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings concerning the environmental impacts identified and analyzed in the Final PEIR.
- The responses to comments on the Draft PEIR, which are contained in the Final PEIR, clarify and amplify the analysis in the Draft PEIR, and do not result in new information being added to the Final PEIR which would require recirculation pursuant to CEQA Guidelines Section 15088.5(a).

- The City has made no decisions that constitute an irretrievable commitment of resources toward the project prior to certification of the Final PEIR, nor has the City previously committed to a definite course of action with respect to the project.

- Copies of all the documents incorporated by reference in the Draft PEIR and/or Final PEIR are and have been available upon request at all times at the offices of the City, custodian of record for such documents or other materials.

- Having received, reviewed, and considered all information and documents in the record, the City hereby conditions the project and finds as stated in these Findings.

V. FINDINGS REQUIRED UNDER CEQA

Public Resources Code Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available that would substantially lessen the significant environmental effects of such projects[…]" The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects or programs and the feasible alternatives or feasible mitigation measures that will avoid or substantially lessen such significant effects. Public Resources Code Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects."

The mandate and principles announced in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects or programs for which EIRs are required. For each significant environmental effect identified in an EIR for a proposed project or program, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that "changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR" (State CEQA Guidelines Section 15091(a)(1)). The second permissible finding is that "such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency" (State CEQA Guidelines Section 15091 (a)(2)). The third potential conclusion is that "specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR" (State CEQA Guidelines Section 15091(a)(3)). Public Resources Code Section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." State CEQA Guidelines Section 15364 adds another factor: "legal" considerations (see also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565).

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modifications or alternatives are not required, however, where such changes are infeasible or where the exclusive jurisdiction and responsibility for modifying the project lies and has been implemented by another agency (State CEQA Guidelines Section 15091, subdivisions (a), (b), and (c)).

A. Legal Effects of Findings

To the extent that these Findings conclude that various design features incorporated into the program and mitigation measures outlined in the Final PEIR are feasible and have not been modified, superseded, or withdrawn, the City hereby binds itself to implement these design features and mitigation measures. These Findings, therefore, constitute a binding set of obligations that will come into effect when the City formally approves the project.

The project design features and adopted mitigation measures are included in the MMRP adopted concurrently with these Findings and will be effectuated both through the process of constructing and implementing the project.

VI. MITIGATION MONITORING AND REPORTING PROGRAM

As required by Public Resources Code Section 21081.6 (a)(1), the City, in adopting these Findings, also concurrently adopts an MMRP. The program is designed to ensure that during project implementation, all responsible parties comply with the feasible mitigation measures identified below. The MMRP is described in the document entitled "Mitigation Monitoring and Reporting Program," included as Chapter 8 of the Final PEIR. The City will use the MMRP to track compliance with required mitigation measures. The MMRP will be available for the public to review by request during the mitigation compliance period, which is ongoing following program approval and through buildout of future projects implemented under the conditions of the program.

The MMRP will serve the dual purpose of verifying the completion of the mitigation measures for the program and generating information on the effectiveness of the mitigation measures to guide future decisions.

VII. SUMMARY OF IMPACTS

The Final PEIR contains an environmental analysis of the potential impacts associated with project implementation. The Final PEIR concludes that the project would have **no significant impacts and require no mitigation measures** associated with the following issues:

- Aesthetics (Issue 1-Scenic Vistas; Issue 2-Scenic Resources, Issue 3-Visual Character, and Issue 4-Light and Glare)
- Air Quality (Issue 4-Odors)
- Biological Resources (Issue 4-Wildlife Movement and Corridors, Issue 5-Habitat Conservation Planning, and Issue 6-Policies and Ordinances Protecting Biological Resources)
- Cultural and Tribal Resources (Issue 3-Human Remains)
- Geology and Soils (Issue 1-Seismic Hazards, Issue 2-Soil Erosion, Issue 3-Unstable Geology, Issue 4-Expansive Soils, and Issue 5-Septic Tanks)
- Hazards and Hazardous Materials (Issues 1-Transport, Use, or Disposal of Hazardous Materials, Issue 2-Accidental Release, Issue 3-Emissions Near a School, Issue 4-Hazardous

Material Sites, Issue 5-Airport Hazards, Issue 6-Emergency Response, and Issue 7-Wildland Fires)

- Hydrology/Water Quality (Issue 1-Water Quality Standards, Issue 2-Groundwater, Issue 3-Drainage Patterns/Storm Water Runoff, Issue 4-Flood Hazard, and Issue 5-Water Quality Control Plans)
- Land Use/Planning (Issue 1-Physically Divide an Established Community and Issue 2-Conflict with Applicable Plans and Policies)
- Noise (Issue 1-Increase in Ambient Noise: Railroad Noise, Issue 2-Vibration: Railroad/ Stationary Sources, and Issue 3: Aircraft Noise)
- Population and Housing (Issue 1-Population Growth and Issue 2-Displace People or Housing)
- Public Services and Recreation (Issue 1-Public Services, Issue 2-Increased Use of Parks/Recreational Facilities, and Issue 3-Construction/Expansion of Recreational Facilities)
- Transportation (Issue 1-Circulation System: Public Transit and Bicycle and Pedestrian Facilities, Issue 3-Hazards Due to a Design Feature, and Issue 4-Emergency Access)
- Utilities and Service Systems (Issue 1-Utility Infrastructure, Issue 2-Water Supply, Issue 3-Wastewater Treatment, Issue 4-Solid Waste Capacity, and Issue 5-Solid Waste Management)
- Wildfire (Issue 1-Emergency Response Plans, Issue 2-Wildfire, Issue 3-Infrastructure, and Issue 4-Flooding or Landslide)

The Final PEIR concludes that implementation of the project would result in **significant direct and/or cumulative impacts that would be mitigated to less than significant levels** with respect to the following issues:

- Biological Resources (Issue 1-Special Status Species, Issue 2-Sensitive Riparian Habitats, and Issue 3-Jurisdictional Wetlands and Waters) (Direct and Cumulative)
- Cultural and Tribal Resources (Issue 2-Archeological Resources and Issue 4-Tribal Cultural Resources) (Direct and Cumulative)
- Geology and Soils (Issue 6-Paleontological Resources) (Direct and Cumulative)
- Noise (Issue 1-Increase in Ambient Noise: Stationary Noise/Construction Noise (Direct and Cumulative)

The Final PEIR concludes that implementation of the project would result in **significant and unavoidable direct and/or cumulative impacts** with respect to the following issues:

- Air Quality (Issue 1-Air Quality Plans, Issue 2- Criteria Pollutants, and Issue 3-Sensitive Receptors) (Direct and Cumulative)
- Cultural and Tribal Cultural Resources (Issue 1-Historic Resources) (Direct and Cumulative)
- Greenhouse Gas (Issue 1-Greenhouse Gas (GHG) Emissions, Issue 2-Policies, Plans, and Regulations Intended to Reduce GHG Emissions) (Direct and Cumulative)
- Noise (Issue 1-Increase in Ambient Noise: Traffic Noise/Land Use Compatibility, Issue 2-Vibration: Construction) (Direct and Cumulative)
- Transportation (Issue 1-Circulation System: Roadway System and Issue 2-Vehicle Miles Traveled) (Direct and Cumulative)

VIII. LESS THAN SIGNIFICANT IMPACTS

The City finds the characterization of impacts in the Final PEIR with respect to issue areas identified as less than significant have been described accurately and would result in less than significant impacts as so described in the Final PEIR. This finding applies to the impacts evaluated in the Final PEIR and determined to be less than significant, as stated under Section VII.

IX. SIGNIFICANT EFFECTS AND MITIGATION MEASURES

A. Impacts Mitigated to Less than Significant Levels: Findings Pursuant to State CEQA Guidelines Section 15091(a)(1)

1. Biological Resources

Significance Determinations Threshold 1: Sensitive Species

Pursuant to Issue 1, a significant impact would occur if the project resulted in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Impact

As described in Section 4.3.4 of the Final PEIR, buildout of the project would have the potential to directly and/or indirectly impact candidate, sensitive, or special status species. Potential direct impacts would include the removal of habitat through future development and redevelopment of project sites that support sensitive species. The project has been designed to minimize impacts to sensitive species by primarily focusing future development and redevelopment within the Key Opportunity Areas. However, some sensitive species observations have occurred within the central and northern portions of the Planning Area, including within the Key Opportunity Areas.

Furthermore, future development and redevelopment may occur throughout the Planning Area, including vacant parcels with habitat types that may support sensitive species. Future development and redevelopment may also result in indirect impacts to sensitive plant or wildlife species due to excess noise, lighting, or runoff generated during construction of projects both within and outside the Key Opportunity Areas. Furthermore, project construction could result in direct impacts to nesting or migratory birds from the removal of mature trees and/or native vegetation within project areas during the typical bird breeding season (January 15 to September 15). Therefore, impacts to sensitive species would be potentially significant.

Mitigation Framework

The following mitigation measures would apply:

BIO-1: Biological Assessment and Mitigation

Applications for future development of vacant properties (and portions thereof), wherein the City's Director of Development Services or their designee has determined a potential for impacts to sensitive biological resources, shall be required to prepare a site-specific general biological resources survey to identify the presence of any sensitive biological resources, including any sensitive plant or wildlife species. The report shall identify the need for focused presence/absence surveys and identify the presence of state or federal regulated wetlands or waters. If potentially significant impacts to sensitive biological resources, including sensitive species and/or wetlands are identified, the report shall also recommend appropriate mitigation to reduce the impacts to below a level of significance.

BIO-2: Nesting Birds

Applications for future development, wherein the City's Director of Development Services or their designee has determined a potential for impacts to mature trees and/or native vegetation suitable for nesting birds, shall be required to restrict removal of sensitive habitat and vegetation to outside the breeding seasons of any sensitive species identified within adjacent properties (typical bird breeding season is January 15 to September 15, as early as January 1 for some raptors). If vegetation clearing must begin during the breeding season, a qualified biologist shall provide recommendations to avoid impacts to nesting birds which typically includes a pre-construction survey within three days of the start of construction to determine the presence of active nests.

If active nests are found, avoidance measures shall be implemented to ensure protection of the nesting birds. Avoidance measures may include a no-activity buffer zone, typically 300 feet from the area of disturbance or 500 feet for raptors, established at the discretion of the qualified biologist in consultation with the City, If activity buffer zones are not feasible, temporary noise barriers may be installed to attenuate construction noise. Noise wall height and adequacy shall be supported by a noise analysis to determine the anticipated construction noise levels with attenuation measures as recommended by the biologist and approved by the City. Periodic noise monitoring shall be conducted during construction to ensure noise attenuation standards are met. Accepted noise levels are species dependent and existing ambient noise levels can play a factor in establishing baseline acceptable noise.

Finding

Pursuant to State CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the Final PEIR to a level less than significant.

Rationale

Implementation of mitigation measures BIO-1 and BIO-2 would require the identification of potential direct and indirect impacts to sensitive species and implement appropriate site-specific measures to reduce the impacts to below a level of significance. Implementation of mitigation measures BIO-1 and BIO-2 would reduce impacts on sensitive and special status species to a less than significant level.

Reference

Final PEIR Section 4.3 Biological Resources

Significance Determination Threshold 2: Sensitive Riparian Habitats

Pursuant to Issue 2, a significant impact would occur if the project resulted in a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Impact

As described in Section 4.3.5 of the PEIR, the majority of the land within the Key Opportunity Areas consists of urban/developed land. However, future development may occur throughout the Planning Area, including vacant parcels with habitat types that may support sensitive natural communities and riparian habitat. Therefore, impacts to riparian and sensitive habitats would be potentially significant.

Mitigation Framework

See mitigation measure BIO-1.

Finding

Pursuant to State CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the Final PEIR to a level less than significant.

Rationale

Implementation of mitigation measure BIO-1 would require the identification of on-site biological resources and include specific avoidance, minimization, and mitigation measures for impacts to riparian and sensitive habitats. Implementation of mitigation measure BIO-1 would reduce impacts on riparian and sensitive habitats to a level less than significant.

Reference

Final PEIR Section 4.3 Biological Resources

Significance Determination Threshold 3: Jurisdictional Wetlands and Waters

Pursuant to Issue 3, a significant impact would occur if the project would result in 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.

Impact

As described in Section 4.3.6 of the Final PEIR, the project has been designed to minimize impacts to jurisdictional wetlands and waters by primarily focusing future development and redevelopment within the Key Opportunity Areas. However, future development and redevelopment may occur throughout the Planning Area, including vacant parcels with jurisdictional wetlands and waters. Therefore, impacts to jurisdictional wetlands and waters would be potentially significant.

Mitigation Framework

See mitigation measure BIO-1.

Finding

Pursuant to State CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the Final PEIR to a level less than significant.

Rationale

Implementation of mitigation measure BIO-1 would require identification of on-site biological resources and include specific avoidance, minimization, and mitigation measures for impacts on wetlands. Implementation of mitigation measure BIO-1 would reduce impacts on wetlands to a level less than significant.

Reference

Final PEIR Section 4.3 Biological Resources

2. Cultural and Tribal Cultural Resources

Significance Determination Threshold 2: Archaeological Resources

Pursuant to Issue 2, a significant direct and cumulative impact would occur if the project would result in a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5.

Impacts

As described in Section 4.4.6 of the Final PEIR, future development would be focused in urbanized areas and previous agricultural areas that have been disturbed and are therefore unlikely to possess native soil with intact buried archaeological resources. None of the Key Opportunity Areas possess known archaeological resources. Nonetheless, future development and redevelopment within the Planning Area would have the potential to impact undiscovered archaeological resources that have not been recorded or evaluated or may become eligible for listing in the future. Therefore, implementation of future projects could result in ground-disturbing activities within vacant land that could unearth unknown buried archaeological resources. Grading, excavation, and other ground disturbing activities associated with future development could expose buried archaeological resources and features. Therefore, impacts to archaeological resources would be potentially significant.

Mitigation Framework

The following mitigation measure would apply:

CUL-2: Cultural Resources Assessment

Prior to project approval or the issuance of grading permits (whichever is applicable and comes first), the City shall require applicants for future proposed ground disturbing projects to determine the presence or absence of archaeological resources and appropriate mitigation measures. The following steps to achieve these goals:

1) A qualified archaeologist meeting the Secretary of the Interior Standards shall conduct a cultural resources assessment consisting of a record search from the SCCIC, a sacred lands search from the NAHC, a pedestrian survey, background context and project specific recommendations

2) If the cultural resources assessment identifies archaeological resources that have not been evaluated for significance per CEQA thresholds (see Section 4.4.3 above), then an evaluation program shall be completed. An evaluation program generally will include excavation to determine depth, extent, integrity, and content of the subsurface cultural material,

3) If an archaeological resource is determined significant and avoidance through project redesign is not feasible, a data recovery and construction monitoring program shall be implemented to reduce impacts to an archaeological resource to below a significant level, and

4) After construction, a final data recovery and monitoring report shall be completed documenting the result of the data recovery, research design, and monitoring efforts. Confidential attachments must be submitted under separate covers. Artifacts collected during the evaluation, data recovery, and monitoring efforts must be curated at an appropriate facility consistent with the state and federal curation standards (36 CFR 79 of the Federal Register) and that allows access to the artifact collections.

Finding

Pursuant to State CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the Final PEIR to a level less than significant.

Rationale

Implementation of mitigation measure CUL-2 would require project level surveys to determine the potential for archaeological resources, and if so determined, to include site-specific mitigation measures to reduce impacts on archaeological resources to a level less than significant. The implementation of mitigation measure CUL-2 would reduce impacts on cultural resources to a level less than significant.

Reference

Final PEIR Section 4.4 Cultural and Tribal Cultural Resources

Significance Determination Threshold 4: Tribal Cultural Resources

Pursuant to Issue 4, a significant impact would occur if the project would result in 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 either:

- listed or eligible for listing in the California Register of Historical Resources, in a local register; or

- a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Public Resources Code Section 5024.1 (c).

Impacts

As described in Section 4.4.8 of the Final PEIR, while much of the Key Opportunity Areas are urbanized or are former agricultural areas that have previously been disturbed, there is a potential for encountering undiscovered buried resources associated within Native American culture. The potential for intact tribal cultural deposits at depth exists at many locations where undocumented fill or alluvial deposition may mask buried resources, or in proximity to known recorded archaeological resources, which can also be tribal cultural resources as defined in CEQA (Public Resource Code Section 21074). The Native American Heritage Commission sacred lands search indicated the results are positive. Construction of future site-specific development and redevelopment under the project would have the potential to unearth unknown cultural resources, including religious or sacred uses. Where required under Assembly Bill 52, future site-specific development under the project would be subject to further consultation, which may identify unknown tribal cultural resources that have not been formally recorded during the consultation for the project. Nonetheless, grading or excavation

within native soils could also expose unknown buried tribal cultural resources and features, including sacred sites. Therefore, impacts to tribal cultural resources would be potentially significant.

Mitigation Framework

See mitigation measure CUL-2.

Finding

Pursuant to State CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the Final PEIR to a level less than significant.

Rationale

Where required under Assembly Bill 52, future projects would be required to consult with known Native American tribes resulting in further site-specific consideration of potential resources. Future projects would also implement mitigation measure CUL-2 requiring project level surveys to determine the potential for archaeological resources, and if so determined, to include site-specific mitigation measures to reduce impacts on tribal cultural resources to a level less than significant. Therefore, implementation of regulatory compliance and mitigation measure CUL-2 would reduce impacts on tribal cultural resources to a level less than significant.

Reference

Final PEIR Section 4.4 Cultural and Tribal Cultural Resources

3. Geology and Soils

Significance Determination Threshold 6: Paleontological Resources

Pursuant to Issue 6, a significant impact would occur if the project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Impact

As described in Section 4.5.9 of the Final PEIR, the project has been designed to minimize impacts on paleontological resources by focusing future development and redevelopment within the Key Opportunity Areas, which consist primarily of developed land that has been disturbed previously and is unlikely to possess unknown paleontological resources. However, development throughout the broader Planning Area would have the potential to disturb native soils which may possess unknown paleontological resources. Therefore, impacts on paleontological resources would be potentially significant.

Mitigation Framework

The following mitigation measure would apply:

GEO-1: Paleontological Resources Evaluation

> Applications for future development, wherein the Community Development Director or his or her designee has determined a potential for impacts to paleontological resources, shall review the underlying geology and paleontological sensitivity of the site. If it is determined that the potential exists that sensitive paleontological resources are present, the applicant shall provide a paleontological resources technical report consisting of a record search, survey, background context and project specific recommendations performed by a qualified paleontologist. If it is determined there is potential for paleontological resources to be present, a qualified paleontological monitor shall be present during grading in locations where the paleontological resources technical report determined that such monitoring is necessary due to the potential for paleontological resources to reside within the underlying geologic formations. The paleontological resources technical report shall also provide specific duties of the monitor, and detailed measures to address fossil remains, if found.

Finding

Pursuant to State CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effect as identified in the Final PEIR to a level less than significant.

Rationale

Implementation of mitigation measure GEO-1 requires site-specific surveys of potential paleontological sensitivity, and if so determined, to include project-specific mitigation measures to reduce impacts on paleontological resources to a level less than significant. Implementation of mitigation measure GEO-1 would reduce impacts on paleontological resources to a level less than significant.

Reference

Final PEIR Section 4.5 Geology/Soils

4. Noise

Significance Determination Threshold 1: Increase in Ambient Noise: Stationary Noise/ Construction Noise

Pursuant to Issue 1, a significant impact would occur if the project would result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Impact (1c: Stationary Noise)

As described in Section 4.10.5 of the Final PEIR, land uses proposed under the project would be similar to land uses that currently exist within the Planning Area. Noise levels within the Planning Area are currently dominated by vehicle traffic on freeways and heavily traveled area roadways, which would continue to be the primary source of noise under project buildout. Future development and redevelopment under the project would be required to comply with the City's Municipal Code and applicable policies in the Hazards, Safety, and Noise Element, which would reduce impacts associated with stationary sources of noise. However, because specific project details are not yet known, impacts associated with stationary sources of noise would be potentially significant.

Impact (1d: Construction Noise)

Implementation of the project may result in simultaneous construction of various development and redevelopment projects over the duration of project buildout. Future development and redevelopment under the project could result in a temporary ambient noise increase due to construction activities. Due to the developed nature of the Planning Area, there is a high likelihood that construction activities would take place adjacent to existing structures and that sensitive receptors would be close to construction activities. hourly average noise levels would be approximately 83 A-weighted decibels [dB(A)] one-hour equivalent noise level (L_{eq}) at 50 feet from the center of construction activity when assessing three pieces of common construction equipment working simultaneously. Noise levels would vary depending on the nature of the construction activities including the duration of specific activities, the equipment involved, the location of the sensitive receivers, and the presence of intervening barriers. Construction noise levels of 83 dB(A) L_{eq} at 50 feet would attenuate to 80 dB(A) L_{eq} at 70 feet. Therefore, significant impacts would occur if sensitive land uses are located closer than 70 feet of construction activities. The City regulates construction noise through Municipal Code Sections 9.40.060 and 15.44.030, which set noise standards for construction activities and limit construction to 7:00 a.m. and 8:00 p.m. Mondays through Saturday. Additionally, applicable policies in the Hazards, Safety, and Noise Element would require all construction activities to meet the City Municipal Code standards. Nonetheless, because construction activities may occur near noise sensitive land uses, and because noise disturbances could occur for prolonged periods of time or during noise sensitive hours of the day, construction noise associated with future site-specific projects could exceed the City's noise standards. Therefore, impacts related to construction noise would be potentially significant.

Mitigation Framework

The following mitigation measures would apply:

NOI-3: Stationary Noise

> Prior to the issuance of a building permit, a site-specific acoustical/noise analysis of any on-site generated noise sources, including generators, mechanical equipment, and trucks, shall be prepared which identifies all noise-generating equipment, predicts noise levels at property lines from all identified equipment, and recommends mitigation to be implemented (e.g., enclosures, barriers, site orientation), to ensure compliance with the City's noise standards. Noise reduction measures shall include building noise-attenuating

walls, limiting the hours of operation, or other attenuation measures. Additionally, future site-specific projects shall be required to buffer sensitive receptors from noise sources through the use of open space and other separation techniques as recommended after thorough analysis by a qualified acoustical engineer. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific noise analyses.

NOI-4: Construction Noise

Construction contractors shall implement the following measures for construction activities conducted in the Planning Area. These measures shall be identified on demolition, grading, and construction plans submitted to the City:

- The City's Development Services Department shall verify that grading, demolition, and/or construction plans submitted to the City include these notations prior to issuance of demolition, grading, and/or building permits.

- Construction activity is limited to the hours: Between 7:00 a.m. and 8:00 p.m. Monday through Saturday as prescribed in Municipal Code Section 15.44.030. No construction activities shall be permitted outside of these hours or on Sundays and federal holidays.

- During the entire active construction period, equipment and trucks used for project construction shall use the best-available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible.

- Impact tools (e.g., jack hammers and hoe rams) shall be hydraulically or electrically powered wherever possible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.

- Stationary equipment, such as generators and air compressors shall be located as far as feasible from nearby noise sensitive land uses.

- Stockpiling shall be located as far as feasible from nearby noise sensitive land uses.

- Construction traffic shall be limited, to the extent feasible, to approved haul routes established by the City's Development Services Department.

- At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. If the authorized contractor's representative receives a complaint, he/she shall investigate, take appropriate corrective action, and report the action to the City.

- Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes.

- During the entire active construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall use smart backup alarms, which automatically adjust the alarm level based on the background noise level or switch off backup alarms and replace with human spotters in compliance with all safety requirements and laws.

- Erect temporary noise barriers (at least as high as the exhaust of equipment and breaking line-of-sight between noise sources and sensitive receptors), as necessary and feasible, to maintain construction noise levels at or below the noise level limits established in the Municipal Code.

Finding

Pursuant to State CEQA Guidelines Section 15091(a)(1), changes or alterations are required in, or incorporated into, the project that will substantially lessen or avoid the significant effects as identified in the Final PEIR to a level of insignificance.

Rationale

Implementation of mitigation measure NOI-3 would require site-specific noise studies to identify potentially significant project level noise impacts and implement reduction and mitigation measures to reduce impacts related to stationary noise to a level less than significant. Implementation of mitigation measure NOI-4 would require the inclusion of project-specific noise attenuation measures to reduce impacts related to construction noise to a level less than significant. Implementation of mitigation measures NOI-3 and NOI-4 would reduce noise impacts to a level less than significant.

Reference

Final PEIR Section 4.10 Noise

B. Impacts that Can Only be Mitigated to Less than Significant Levels by Another Jurisdiction: Findings Pursuant to State CEQA Guidelines Section 15091(a)(2)

No impacts that could only be mitigated to less than significant though the actions of another jurisdiction or public agency were identified in the Final PEIR.

C. Impacts that Would Remain Significant and Unavoidable Findings Pursuant to State CEQA Guidelines Section 15091(a)(3)

1. Air Quality

Significance Determination Threshold 1: Air Quality Plans

Pursuant to Issue 1, a significant impact would occur if the project would conflict with or obstruct the implementation of the applicable air quality plan.

Impact

The two principal criteria for evaluating conformance with an Air Quality Management Plan (AQMP) are (1) whether the project would exceed the assumptions in the AQMP and (2) whether the project would result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timeline attainment of air quality standards.

Criteria 1: Exceed AQMP

As described in Section 4.2.5 of the Final PEIR, growth forecasting for the AQMP is based in part on the land uses established by local general plans, which would be the City's Adopted General Plan. The growth projections used by the South Coast Air Quality Management District (SCAQMD) to develop the AQMP emissions budgets are based on the population, vehicle trends, and land use plans developed in general plans and used by the Southern California Association of Governments (SCAG) in the development of the regional transportation plans and sustainable communities strategy. When compared to the baseline year 2024 condition, the project would result in an increase in residential units and office, retail, light industrial, public facilities, and school land uses and would result in the same amount of heavy industrial uses and parks. This increase in development would also result in an increase in vehicle miles traveled (VMT). When compared to buildout of the Adopted General Plan, the project would increase the amount of retail and light industrial square footage and would result in the same amount of all other land use types. Rather than increase the anticipated number of residential uses, the project would focus construction of new residential uses within Key Opportunity Areas. This redistribution would result in a slight decrease in VMT when compared to buildout of the Adopted General Plan. The reduction in VMT would in turn lead to a reduction in mobile source emissions in the Planning Area. However, the increase in commercial and light industrial uses would lead to an increase in area and energy sources emissions.

As shown in Tables 4.2-4a and 4.2-4b of the Final PEIR, buildout of the project would result in an increase in emissions of reactive organic gases (ROG), particulate matter less than 10 microns in diameter (PM_{10}), and particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) and a decrease in emissions of nitrogen oxides (NO_X), carbon monoxide (CO), and sulfur oxides (SO_X) when compared to the existing condition. The decreases are mainly due to regulations that result in cleaner mobile sources over time. When compared to buildout under the Adopted General Plan, the project would result in an increase in emissions of ROG and NO_X, and decrease in emissions of CO, PM_{10}, and $PM_{2.5}$, and no measurable change in emissions of SO_X. The increases in emissions of ROG and NOx would result in a conflict with the assumptions used to develop the AQMP. Therefore, because the project

would conflict with the implementation of the regional air quality strategy, air emissions associated with the adoption of the project could result in a cumulatively considerable effect on regional air quality, which would be considered potentially significant.

Criteria 2: Increase Air Quality Violations

The South Coast Air Basin (Basin) is designated as in attainment or unclassifiable attainment (expected to be meeting the standard despite a lack of monitoring data) for all federal air quality standards except 8-hour ozone (O_3) and $PM_{2.5}$ standards. The Basin is designated as in nonattainment for state air quality standards for 8-hour ozone and $PM_{2.5}$, and additionally is in nonattainment of state PM_{10} standards. Because the project involves long-term growth associated with buildout of the Planning Area, cumulative emissions generated from operation of individual development projects would exceed the SCAQMD regional and localized thresholds (see Section 4.2.6.1 of the Final PEIR). Consequently, emissions generated during construction and operation of site-specific projects in addition to existing sources in the Planning Area are considered to cumulatively contribute to the nonattainment designations of the Basin. Future site-specific development and redevelopment would be required to implement best management practices at all construction sites consistent with SCAQMD rules and regulations, comply with California Code of Regulations, Title 13, Section 2449, which itself requires that nonessential idling of construction equipment be restricted to five minutes or less, and comply with California Code of Regulations, Title 24, and California Green Building Standards Code (CALGreen) mandatory measures the would require measures such as installing electric vehicle parking and increasing energy efficiency. The City's process for the evaluation of future discretionary projects would include environmental review and documentation pursuant to CEQA where applicable, as well as an analysis of those site-specific projects for consistency with the goals, policies, and actions of the project. Compliance with updated Land Use and Community Character Element, Infrastructure Element, and Health and Environmental Quality Element goals, policies, and actions would serve to further support the City's goal of improving air quality. Despite adherence to these goals, policies, and actions, buildout of the project could contribute to an increase in frequency or severity of air quality violations and delay attainment of the ambient air quality standards or interim emission reductions in the AQMP, and emissions generated from buildout would result in a significant air quality impact. Therefore, the project would not be consistent with the AQMP, which would be considered a significant impact.

Mitigation Framework

The following mitigation measures would apply:

AQ-1: Construction Air Quality

Applications for future development and redevelopment, wherein the City's Director of the Development Services Department or their designee has determined a potential for air quality impacts associated with construction, shall prepare and submit a technical assessment evaluating potential project construction-related air quality impacts to the City for review and approval. The City's Director of the Development Services Department or their designee shall make this determination based on the size of the project, whether the project would require a transportation impact analysis, or other criteria. The evaluation shall be prepared in conformance with SCAQMD methodology for assessing air quality impacts.

The City shall require that applicants for new development projects with the potential to exceed the SCAQMD's adopted thresholds of significance to incorporate the measures listed below to reduce air pollutant emissions during construction activities. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City. Mitigation measures to reduce construction-related emissions could include, but are not limited to:

- During all construction activities, construction contractors shall use low emission mobile construction equipment where feasible to reduce the release of undesirable emissions.

- During all construction activities, construction contractors shall encourage rideshare and transit programs for project construction personnel to reduce automobile emissions.

- During all grading and site disturbance activities, construction contractors shall water active grading sites at least twice a day, and clean construction equipment in the morning and/or evening to reduce particulate emissions and fugitive dust.

- During all construction activities, construction contractors shall, as necessary, wash truck tires leaving the site to reduce the amount of particulate matter transferred to paved streets as required by SCAQMD Rule 403.

- During all construction activities, construction contractors shall sweep on- and off-site streets if silt is carried over to adjacent public thoroughfares, as determined by the City Engineer to reduce the amount of particulate matter on public streets.

- During all construction activities, construction contractors shall limit traffic speeds on all unpaved road surfaces to 15 mph or less to reduce fugitive dust.

- During grading and all site disturbance activities, at the discretion of the City's Director of the Development Services Department, construction contractors shall suspend grading operations during first and second stage smog alerts to reduce fugitive dust.

- During grading and all site disturbance activities, at the discretion of the City's Director of the Development Services Department, construction contractors shall suspend all grading operations when wind speeds (including instantaneous gusts) exceed 25 mph to reduce fugitive dust.

- During all construction activities, the construction contractors shall maintain construction equipment engines by keeping them tuned.

- During all construction activities, the construction contractors shall use low sulfur fuel for stationary construction equipment as required by SCAQMD Rules 431.1 and 431.2 to reduce the release of undesirable emissions.

- During all construction activities, the construction contractors shall use existing on-site electrical power sources to the maximum extent practicable. Where such power is not available, the Contractor shall use clean fuel generators during the early stages of construction to minimize or eliminate the use of portable generators and reduce the release of undesirable emissions.

- During all construction activities, the construction contractors shall use low emission, on site stationary equipment (e.g., clean fuels) to the maximum extent practicable to reduce emissions, as determined by the City Engineer.

- During all construction activities, the construction contractors, in conjunction with the City Engineer, shall locate construction parking to minimize traffic interference on local roads.

- During all construction activities, the construction contractors shall ensure that all trucks hauling dirt, sand, soil or other loose materials are covered or should maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer) in accordance with the requirements of the California Vehicle Code Section 23114 to reduce spilling of material on area roads.

- During architectural coating activities, use Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the SCAQMD's website.

AQ-2: Operational Air Quality

Applications for future development and redevelopment, wherein the City's Director of the Development Services Department or their designee has determined a potential for air quality impacts associated with operation, shall prepare and submit a technical assessment evaluating potential project operational-related air quality impacts to the City for review and approval. For individual projects that may exceed the daily operational emissions thresholds established by the SCAQMD, the owner/permitee shall conduct an analysis of the project's operational air quality impacts using the latest available California Emissions Estimator Model mode, or other analytical method determined in conjunction with the City. The City's Director of the Development Services Department or their designee shall make this determination based on the size of the project, whether the project would require a transportation impact analysis, or other criteria. The evaluation shall be prepared in conformance with SCAQMD methodology for assessing air quality impacts. If such analyses identify potentially significant regional or local air quality impacts, project-level mitigation and/or project design features would be required to reduce operational impacts to less than significant. Mitigation to reduce operational impacts depends on the specific project, but may include measures such as, but not limited to:

- Demonstrate net zero energy expenditure.

- Implementation of transportation demand management measures.

- Prohibit the installation of woodstoves, hearths, and fireplaces in new construction facilitated by the General Plan Update.
- Expand and facilitate completion of planned networks of active transportation infrastructure.
- Implement electric vehicle charging infrastructure beyond requirements set forth in the 2022 CALGreen mandatory measures, such as Tier 2 voluntary measures set forth in 2022 CALGreen (or future more stringent) standards.
- Implement traffic demand measures, such as unbundling parking fees from rent/lease options, encouraging/developing a ride-share program for the community, and provide car/bike sharing services, that will reduce daily individual car usage and reduce project VMT.

Finding

No other feasible mitigation measures have been identified or proposed that would mitigate this impact to below a level of significance. Specific economic, legal, social, technological, or other considerations make the mitigation measures or project alternatives identified in the FEIR infeasible.

Rationale

Buildout under the project would exceed the estimates assumed for the AQMP and would cumulatively contribute to the nonattainment designations of the Basin. Future discretionary projects would be reviewed for conformance with the goals, policies, and actions to reduce emissions within the Planning Area. Incorporation of General Plan goals, policies, and actions, as well implementation of mitigation measures AQ-1 and AQ-2 requiring project-specific air quality reports showing future project's compliance with relevant regulatory and site-specific mitigation measures to reduce criteria air pollutant emissions from construction and operation-related activities would recue significant impacts to the extent feasible. However, at this program level, site-specific development projects are not currently available, and there is a potential for construction and operational emissions to exceed the SCAQMD's significance thresholds. However, even with implementation of mitigation measures AQ-1 and AQ-2, impacts could remain significant. There are no additional feasible mitigation measures available at this level of review that would reduce impacts associated with inconsistency with the AQMP. The population and employment assumptions of the AQMP would continue to be exceeded until the AQMP is revised and incorporates the projections of the project. Therefore, impacts would remain significant and unavoidable.

This potentially significant and unavoidable impact is overridden by project benefits as set forth in the Statement of Overriding Considerations in Section XI, below.

Reference

Final PEIR Section 4.2 Air Quality

Significance Determination Threshold 2: Criteria Pollutants

Pursuant to Issue 2, a significant impact would occur if the project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Impact

Construction Emissions

As described in Section 4.2.6 of the Final PEIR, two construction scenarios were modeled to illustrate potential construction-related air quality impacts associated with future development under the project. These included a 383-unit multi-family project and a 171,289-square-foot light industrial project. For assessing the significance of the air quality emissions resulting during construction of the hypothetical projects, the construction emissions were compared to the SCAQMD Significance Thresholds. As shown in Table 4.2-5 of the Final PEIR, construction of the hypothetical projects would exceed the applicable threshold for VOC. This is due to the VOC content of architectural coatings. Additionally, if several future site-specific projects were to occur simultaneously, there is the potential to exceed significance thresholds. Therefore, construction emissions of criteria pollutants would be potentially significant.

Operational Emissions

At the program level, the analysis compares emissions generated by project buildout to emissions generated under buildout of the City's Adopted General Plan to determine if the emissions would exceed the emissions estimates included in the AQMP, and to determine whether it would obstruct attainment, or result in an exceedance of ambient air quality standards. As shown in Tables 4.2-4a and 4.2-4b of the Final PEIR, buildout of the project would result in an increase in emissions of ROG, PM_{10}, and $PM_{2.5}$ and a decrease in emissions of NO_X, CO, and SO_X when compared to the existing condition. When compared to the Adopted General Plan, the project would result in an increase in emissions of ROG and NO_X, and decrease in emissions of CO, PM_{10}, and $PM_{2.5}$, and no measurable change in emissions of SO_X. The project would focus construction of new residential uses within Key Opportunity Areas, and this redistribution would result in a slight decrease in VMT when compared to buildout of the Adopted General Plan. The reduction in VMT would in turn lead to a reduction in mobile source emissions in the Planning Area, however, the increase in commercial and light industrial uses would lead to an increase in area and energy sources emissions.

The regulations at the federal, state, and local levels provide a framework for developing project-level air quality protection measures for future site-specific projects that could be developed in the future. Compliance with updated Land Use and Community Character Element and Infrastructure Element goals, policies, and actions would serve to further support the City's goal of improving air quality. While individual site-specific projects may not exceed the SCAQMD regional significance thresholds, the scale and extent of emissions associated with buildout of the project may result in some instances where future development or redevelopment would exceed the relevant SCAQMD thresholds. Therefore, operational emissions of criteria pollutants would be potentially significant.

Mitigation Framework

See mitigation measures AQ-1 and AQ-2 above.

Finding

No other feasible mitigation measures have been identified or proposed that would mitigate this impact to below a level of significance. Specific economic, legal, social, technological, or other considerations described below make the mitigation measures or project alternatives identified in the Final PEIR infeasible.

Rationale

Buildout of the project would occur over a period of approximately 20 years or longer. Construction activities associated with buildout of the project could generate short-term emissions that exceed the SCAQMD's significance thresholds during this time and cumulatively contribute to the nonattainment designations of the Basin. Implementation of mitigation measure AQ-1 requiring project-specific air quality reports showing future project's compliance with relevant regulations and mitigation measure AQ-2 requiring site-specific mitigation measures would reduce criteria air pollutant emissions from construction-related activities to the extent feasible. However, construction time frames and equipment for site-specific development and redevelopment projects are not available at this time, and there is a potential for multiple development projects to be constructed at one time, resulting in significant construction-related emissions. Therefore, despite adherence to mitigation measures AQ-1 and AQ-2, impacts associated with criteria pollutants could remain significant. There are no additional feasible mitigation measures available at this level of review, that would reduce the emission of criteria pollutants. Therefore, impacts would remain significant and unavoidable.

This potentially significant and unavoidable impact is overridden by project benefits as set forth in the Statement of Overriding Considerations in Section XI, below.

Reference

Final PEIR Section 4.2 Air Quality

Significance Determination Threshold 3: Sensitive Receptors

Pursuant to Issue 3, a significant impact would occur if the project would expose sensitive receptors to substantial pollutant concentrations.

Impact

As reflected in the California Air Resources Board (CARB) Handbook, there is currently no adopted standard for the significance of health effects from mobile sources. Therefore, the CARB has provided guidelines for the siting of land uses near heavily traveled roadways. Specifically, the CARB guidelines indicate that siting new sensitive land uses within 500 feet of a freeway or urban roads with 100,000 or more vehicles per day should be avoided when possible. Based on traffic modeling conducted for

the project, segments of SR-71 and SR-60 within the Planning Area currently carry more than 100,000 vehicles per day. The project has the potential for residential and mixed-use land uses to be located within 500 feet of these freeways. Specifically, these areas include the residential uses located adjacent to SR-71 between Schaefer Avenue and Riverside Drive, and residential and mixed-use land uses located adjacent to SR-60 between East End Avenue and Euclid Avenue. It is noted that CARB's position is that infill development, mixed-use, higher density, transit-oriented development, and other concepts that benefit regional air quality can be compatible with protecting the health of individuals at the neighborhood level. Measures are available that can be incorporated into future site-specific project design that would reduce the level of exposure for future residents. However, the scale and extent of exposure of future development and redevelopment under the project to mobile sources of toxic air contaminants cannot be known at this time, and impacts would be potentially significant.

Mitigation Framework

The following mitigation measure would apply:

AQ-3: Health Risk Assessment

For site-specific projects that may site new sensitive land uses within 500 feet of SR-71 or SR-60, the applicant shall prepare a HRA evaluating the potential for sensitive receptors to be exposed to TACs, which shall be required for such individual projects. The HRA shall be prepared in accordance with the policies and procedures of the state OEHHA and the SCAQMD. If the HRA shows that the incremental cancer risk and/or noncancer hazard index exceed the respective thresholds, as established by the SQAQMD at the time a project is considered (i.e., 10 in one million cancer risk and 1 hazard index), the project applicant will be required to identify and demonstrate that best available control technologies to reduce substantial exposure of sensitive receptors to TACs. Examples may include, but are not limited to, air intakes located away from high-volume roadways and/or truck loading zones unless it can be demonstrated that these are operational limitations and/or heating, ventilation, and air conditioning systems provided with appropriately sized MERV filters. Mitigation measures identified in the HRA shall be incorporated into the site development plan as a component of the proposed project. Air intake and MERV filter requirements shall be noted on all building plans submitted to the City Development Services Department.

Finding

No other feasible mitigation measures have been identified or proposed that would mitigate this impact to below a level of significance. Specific economic, legal, social, technological, or other considerations described below make the mitigation measures or project alternatives identified in the Final PEIR infeasible.

Rationale

Future projects would implement mitigation measure AQ-3, which would reduce exposure of sensitive receptors to mobile source toxic air contaminants (TACs) to the extent feasible. However, site-specific development plans are not currently available, and there is a potential for TAC exposure

to remain. Therefore, despite the application of CARB guidance, regulatory compliance, and adherence to mitigation measure AQ-3, impacts associated with exposure of sensitive receptors to mobile source TACs could remain significant. There are no additional feasible mitigation measures available at this level of review that would reduce the potential for TAC exposure. Therefore, impacts would remain significant and unavoidable.

This potentially significant and unavoidable impact is overridden by project benefits as set forth in the Statement of Overriding Considerations in Section XI, below.

Reference

Final PEIR Section 4.2 Air Quality

2. Cultural Resources

Significance Determination Threshold 1: Historic Resources

Pursuant to Issue 1, a significant direct and cumulative impact would occur if the project would result in a substantial adverse change in the significance of a historical resource pursuant to CEQA Section 15064.5.

Impacts

As described in Section 4.4.5 of the Final PEIR, two Key Opportunity Areas have historic resources located within their boundaries. The Downtown Key Opportunity Area has four resources (Gray Building, First National Bank, Opera House, and Chino Valley Champion), and the Euclid/Bickmore Key Opportunity Area includes a property that was once part of the San Bernardino County Dairy Preserve. The four resources within the Downtown opportunity area are listed as significant resources by the Chino Valley Historical Society and the resource in the Euclid/Bickmore opportunity area has been recommended a significant resource under the National Register of Historic Places and the California Register of Historical Resources. Although there are no site-specific plans that would affect an identified historic resource, future site-specific development, both within the Key Opportunity Areas and outside of those areas, would have the potential to impact known historic or potentially historic resources, including unrecorded historical resources that have not been evaluated or may become eligible for listing in the future. Furthermore, development within vacant lands may result in indirect impacts to the visual and setting integrity to significant historic resources. Therefore, impacts on historical resources would be potentially significant.

Mitigation Framework

The following mitigation measure would apply:

CUL-1: Historic Evaluation

> Prior to approval of a future site-specific project that would directly or indirectly affect a building/structure in excess of 50 years of age, the City or a qualified architectural historian shall determine whether the affected building/structure is historically significant. The

evaluation shall be based on criteria such as age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in the CEQA guidelines. If the evaluation determines that building/structure is not historic, no further evaluation or mitigation would be required. If the building/structure is determined to be historically significant, the preferred mitigation would be to avoid the resource through project redesign. If the resource cannot be avoided, all prudent and feasible measures to minimize or mitigate harm to the resource shall be taken per recommendations of the qualified architectural historian.

Finding

No other feasible mitigation measures have been identified or proposed that would mitigate this impact to below a level of significance. Specific economic, legal, social, technological, or other considerations described below make the mitigation measures or project alternatives identified in the FEIR infeasible.

Rationale

Implementation of the mitigation measure CUL-1 requires site-specific surveys of potentially historic structures would potentially reduce impacts on historic resources to a level less than significant. However, site-specific development plans are not currently available, and there is a potential for future construction to impact historic resources. Therefore, impacts associated with historic resources could remain significant. There are no additional feasible mitigation measures available at this program level to ensure that every future project could fully mitigate potentially significant impacts. Therefore, impacts on historic resources would remain significant and unavoidable.

This potentially significant and unavoidable impact is overridden by project benefits as set forth in the Statement of Overriding Considerations in Section XI, below.

Reference

Final PEIR Section 4.4 Cultural and Tribal Cultural Resources

3. Greenhouse Gas

Significance Determination Thresholds 1: GHG Emissions

Pursuant to Issue 1, a significant impact would occur if the project resulted in GHG emissions that may have a significant impact on the environment.

Impact

As described in Section 4.6.5 of the Final PEIR, buildout of the project would increase the amount of retail and light industrial square footage and would result in the same amount of all other land use types in comparison to buildout of the Adopted General Plan. Rather than increase the anticipated number of residential uses, the project would focus construction of new residential uses within Key Opportunity Areas. This redistribution would result in a slight decrease in VMT when compared to

buildout of the Adopted General Plan. The reduction in VMT would in turn lead to a reduction in mobile source emissions in the Planning Area; however, the increase in commercial and light industrial uses would lead to an increase in all other sources emissions. The modeled reduction in VMT indicates that the project would be a more efficient plan than the Adopted General Plan in terms of vehicular trips. The updated Infrastructure Element includes goals, policies, and actions that promote reduced mobile source emissions and reduced VMT. The City's process for the evaluation of future discretionary projects would include environmental review and documentation pursuant to CEQA where applicable, as well as an analysis of those site-specific projects for consistency with the goals, policies, and actions of the project. However, despite adherence to these goals, policies, and actions, buildout of the project could contribute to significant GHG emissions because the anticipated growth and corresponding GHG emissions would exceed the assumptions used in the City's Climate Action Plan (CAP). Therefore, impacts related to GHG emissions would be potentially significant.

Mitigation Framework

The following mitigation measure would apply:

GHG-1: Greenhouse Gas

All future site-specific projects shall be required to demonstrate consistency with the City's CAP. As stated in Appendix A of the CAP, analysis of site-specific projects can either be done through emissions calculations or by using the Screening Tables. Site-specific projects that obtain at least 100 points would be consistent with the reduction quantities anticipated in the CAP. Those site-specific projects that do not obtain 100 points using the Screening Tables would need to provide additional analysis to determine the significance of GHG emissions.

Per Section 15.45.070 of the City's Municipal Code, GHG Performance Standards for New Development, all new development not utilizing the Screening Tables shall contribute to the reduction of GHG emissions by demonstrating consistency with the CAP by implementing one or a combination of the following three options:

1. Exceed the mandatory California Energy Code Title 24, Part 6 standards, in effect at the time of application submittal by five percent; or

2. Achieve an equivalent reduction through voluntary measures in the California Green Building Standards Code, Title 24, Part 11 (CALGreen) in effect at the time of development application submittal for discretionary review; or

3. Provide other equivalent GHG reductions through measures including, but not limited to, non-vehicle transportation infrastructure, transit, ZEV (zero emission vehicle) infrastructure or other incentives, waste diversion, water conservation, tree planting, renewable energy option packages, or any combination of these or other measures such that GHG emissions are reduced by 0.074 MT CO_2E per residential dwelling unit per year and/or per thousand square feet of commercial/industrial use per year.

Applicants that choose Option 1 described above would be required to verify that their site-specific project meets the five percent improvement above the mandatory standards through the appropriate certificate of compliance form for residential construction (CF-1R) or for commercial/industrial construction (PERF-1C). Applicants that choose Options 2 or 3 described above would be required to utilize the GHG Performance Standard Checklist developed by the City, or provide other valid documentation, such as CalEEMod or other methodologies, as verified by the director of development services to demonstrate the required GHG reductions consistent with the City's CAP.

Finding

No other feasible mitigation measures have been identified or proposed that would mitigate this impact to below a level of significance. Specific economic, legal, social, technological, or other considerations described below make the mitigation measures or project alternatives identified in the FEIR infeasible.

Rationale

Although project implementation would support CAP goals to reduce GHG emissions, the project would result in an increase in the growth and emission assumptions used in the City's CAP. Implementation of mitigation measure GHG-1 requiring future site-specific projects to demonstrate consistency with the CAP. However, site-specific development plans are not currently available, and there is a potential for GHG emissions to exceed City and regional significance thresholds. Therefore, despite adherence to mitigation measure GHG-1, impacts associated with GHG emissions could remain significant. There are no additional feasible mitigation measures available at this level of review, to ensure CAP consistency. Therefore, impacts would remain significant and unavoidable.

This potentially significant and unavoidable impact is overridden by project benefits as set forth in the Statement of Overriding Considerations in Section XI, below.

Reference

Final PEIR Section 4.6 Greenhouse Gas Emissions

Significance Determination Thresholds 2: Policies, Plans, and Regulations Intended to Reduce GHG Emissions

Pursuant to Issue 2, a significant impact would occur if the project conflicts with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Impact

As detailed in Section 4.6.6 of the Final PEIR, the City has adopted a CAP that includes measures and strategies to achieve a reduction goal of 46 percent below 2008 levels by 2030 which is in line with statewide goals. Implementation of the project would support the CAP's goals by reducing VMT and focusing housing within Key Opportunity Areas. The City's process for the evaluation of future discretionary projects would include environmental review and documentation pursuant to CEQA where applicable, as well as an analysis of those site-specific projects for consistency with the goals,

policies, and actions of the project. However, despite adherence to these goals, policies, and actions, buildout of the project could contribute to significant GHG emissions because the growth anticipated under the project, and therefore the GHG emissions associated with buildout of the project, would exceed the assumptions used in the City's CAP. Therefore, impacts related to conflicts with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of GHGs would be potentially significant.

Mitigation Framework

See mitigation measure GHG-1.

Finding

No other feasible mitigation measures have been identified or proposed that would mitigate this impact to below a level of significance. Specific economic, legal, social, technological, or other considerations described below make the mitigation measures or project alternatives identified in the FEIR infeasible.

Rationale

Future development would be reviewed for consistency with the City GPU policies that reflect the City's goal of reducing GHG emissions to achieve carbon neutrality, consistent with state GHG reduction targets, as well as applicable rules and regulations pursuant to the Energy and Green Building Codes. Future projects would implement mitigation measure GHG-1 which requires projects with the potential for GHG emissions to exceed the SCAQMD thresholds to prepare a technical assessment evaluating potential project GHG impacts. The technical assessment would include recommendations for design and/or mitigations measures to reduce GHG emissions to acceptable levels. Although project implementation would support citywide goals to reduce GHG emissions and the GPU includes goals and polices to support GHG emission reductions, the project does not include a quantified GHG emission reduction strategy to ensure statewide emission goals can be achieved by 2045. Although project implementation would support CAP goals to reduce GHG emissions, the project would conflict with implementation of the CAP and, despite application of the proposed mitigation framework, does not ensure statewide emission goals can be achieved by 2045. Implementation of mitigation measure GHG-1 would ensure future project consistency with the City's CAP. However, site-specific development plans are not currently available, and there is a potential for project emissions to exceed the assumptions used in the City's CAP creating a conflict with the City's GHG reduction plan. Therefore, despite adherence to mitigation measure GHG-1, impacts associated with conflicts with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of GHGs could remain significant. There are no additional feasible mitigation measures available at this level of review that would reduce the potential conflict relating to GHG emissions. Therefore, impacts would remain significant and unavoidable.

This potentially significant and unavoidable impact is overridden by project benefits as set forth in the Statement of Overriding Considerations in Section XI, below.

Reference

Final PEIR Section 4.6 Greenhouse Gas Emissions

4. Noise

Significance Determination Threshold 1: Noise Generation: Traffic Noise

Pursuant to Issue 1, a significant impact would occur if the project would result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Impact (1a: Traffic Noise)

As detailed in Section 4.10.5 of the Final PEIR, long-term traffic noise that affects sensitive land uses would be considered substantial and constitute a significant noise impact if the project would:

- Increase noise levels by 5 decibels (dB) or more where the no project noise level is less than 60 community noise equivalent level (CNEL);
- Increase noise levels by 3 dB or more where the no project noise level is 60 CNEL to 65 CNEL; or
- Increase noise levels by 1.5 dB or more where the no project noise level is greater than 65 CNEL.

The noise analysis is based on the baseline year 2024 condition and future year 2045 condition traffic volume data. Without the project, existing noise levels range from 50.5 to 75.8 CNEL at the receiving land uses nearest to the analyzed roadway segments and range from 79.4 to 85.3 CNEL at 100 feet from the freeways. With the project, future noise levels are expected to range from 47.5 to 77.7 CNEL at the receiving land uses nearest to the analyzed roadway segments and range from 80.9 to 85.9 CNEL at 100 feet from the freeways. Traffic noise level impacts would exceed the noise level increase thresholds along 34 roadway and freeway segments. Based on the significance criteria for off-site traffic noise, land uses adjacent to these study area roadway segments would experience a significant noise level increases due to the project-related traffic as compared to the existing traffic noise levels. Therefore, impacts related to increases in traffic noise would be potentially significant.

Impact (1b: Land Use Compatibility)

As detailed in Section 4.10.5 of the Final PEIR, noise levels for residential uses are normally acceptable up to 65 CNEL, conditionally acceptable with noise levels from 65 to 70 CNEL, normally unacceptable with noise levels from 70 to 75 CNEL, and clearly unacceptable above 75 CNEL. Compatibility levels for other land uses are generally greater than those for residential land uses. Noise sensitive land uses that are developed near higher-volume roadways could experience noise levels exceeding the City's noise compatibility standards, particularly those uses located near freeways. Future development and redevelopment under the project would be subject to applicable policies in the Hazards, Safety, and Noise Element. However, traffic noise would likely remain at levels that would

exceed exterior and interior standards. Therefore, impacts related to land use compatibility would be potentially significant.

Mitigation Framework

NOI-1: Exterior Noise Analysis

Prior to the issuance of building permits, site-specific exterior noise analyses that demonstrate that the site-specific project would not place residential receptors in locations where the exterior existing or future noise levels would exceed the City's noise compatibility standards (Table HSN-1) shall be required as part of the review of future residential development proposals. Noise reduction measures, including but not limited to building noise barriers, increased building setbacks, speed reductions on surrounding roadways, alternative pavement surfaces, or other relevant noise attenuation measures, may be used to achieve the noise compatibility standards. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific exterior noise analyses.

NOI-2: Interior Noise Analysis

Prior to the issuance of building permits, site-specific interior noise analyses demonstrating compliance with the City's interior noise compatibility standards and other applicable regulations shall be prepared for noise sensitive land uses located in areas where the exterior noise levels exceed the City's noise compatibility standards. Noise control measures, including but not limited to increasing roof, wall, window, and door sound attenuation ratings, placing heating, ventilation, and air conditioning equipment in noise reducing enclosures, or designing buildings so that no windows face freeways or major roadways may be used to achieve the noise compatibility standards. Exact noise mitigation measures and their effectiveness shall be determined by the site-specific exterior noise analyses.

Finding

No other feasible mitigation measures have been identified or proposed that would mitigate this impact to below a level of significance. Specific economic, legal, social, technological, or other considerations detailed below make the mitigation measures or project alternatives identified in the Final PEIR infeasible.

Rationale

Implementation of mitigation measures NOI-1 and NOI-2 requiring project-specific exterior and interior noise studies to ensure project compliance with City noise standards and regulations would reduce noise exposure for future development to the extent feasible. However, site-specific development plans are not currently available, and there is a potential for noise to exceed the City's noise standards. There are no additional feasible mitigation measures available at this level of review. Therefore, despite adherence to mitigation measures NOI-1 and NOI-2, impacts associated with increases in ambient noise related to traffic and land use compatibility would remain significant and unavoidable.

This potentially significant and unavoidable impact is overridden by project benefits as set forth in the Statement of Overriding Considerations in Section XI, below.

Reference

Final PEIR Section 4.10 Noise

Significance Determination Threshold 2: Groundborne Noise and Vibration - Construction

Pursuant to Issue 2, a significant impact would occur if the project would result in generation of excessive groundborne vibration or groundborne noise levels.

Impact (2a: Construction)

As detailed in Section 4.10.6 of the Final PEIR, construction activities may include demolition of existing structures, site preparation work, excavation of parking and subfloors, foundation work, and building construction. Demolition for an individual site may last several weeks to months and may produce substantial vibration. Pile driving has the potential to generate the highest groundborne vibration levels and is the primary concern for structural damage when it occurs close to structures. As shown in Table 4.10-8, vibration generated by construction equipment has the potential to be substantial, since it has the potential to exceed the Federal Transit Administration criteria for architectural damage (e.g., 0.12 peak particle velocity [PPV] for fragile or historical resources, 0.2 PPV for non-engineered timber and masonry buildings, and 0.3 PPV for engineered concrete and masonry). Construction details and equipment for future site-specific projects is not known at this programmatic level of analysis. Therefore, impacts related to groundborne vibration and noise during construction would be potentially significant.

Mitigation Framework

The following mitigation measure would apply:

NOI-5: Construction Vibration

> Prior to issuance of a building permit for a project requiring pile driving during construction within 135 feet of fragile structures, such as historical resources, 100 feet of non-engineered timber and masonry buildings (e.g., most residential buildings), or within 75 feet of engineered concrete and masonry (no plaster); or a vibratory roller within 25 feet of any structure, the project applicant shall prepare a noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these activities. This noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed FTA architectural damage thresholds (e.g., 0.12 in/sec PPV for fragile or historical resources, 0.2 in/sec PPV for non-engineered timber and masonry buildings, and 0.3 in/sec PPV for engineered concrete and masonry). If vibration levels would exceed this threshold, alternative uses such as drilling piles as opposed to pile driving and static rollers as opposed to vibratory rollers shall be used. If necessary, construction vibration monitoring shall be conducted to ensure vibration thresholds are not exceeded.

Finding

No other feasible mitigation measures have been identified or proposed that would mitigate this impact to below a level of significance. Specific economic, legal, social, technological, or other considerations detailed below make the mitigation measures or project alternatives identified in the Final PEIR infeasible.

Rationale

Implementation of mitigation measure NOI-5 requires application of specific vibration reduction measures which would reduce exposure to construction vibration to the extent feasible. However, at this program level of review, site-specific development projects are not currently available, and there is a potential for construction vibration to exceed the applicable standards. There are no additional feasible mitigation measures available at this level of review. Therefore, despite adherence to mitigation measure NOI-5, impacts associated with construction vibration would remain significant and unavoidable.

This potentially significant and unavoidable impact is overridden by project benefits as set forth in the Statement of Overriding Considerations in Section XI, below.

Reference

Final PEIR Section 4.10 Noise

5. Transportation

Significance Determination Threshold 1: Circulation System: Roadway System

Pursuant to Issue 1, a significant impact would occur if the project would conflict with a plan, ordinance, or policy addressing the circulation system.

Impact

As detailed in Section 4.13.5 of the Final PEIR, the Transportation Analysis completed for the project forecast daily traffic volumes for the baseline year 2024 condition, buildout of the Adopted General Plan through 2045, and buildout of the project through 2045. The Transportation Analysis identified that under buildout of the project, all roadways would operate at a Level of Service (LOS) D or better, except for the following:

- Kimball Avenue from Mill Creek Avenue to Main Street (LOS F)
- Pine Avenue from El Prado Road to Euclid Avenue (LOS E)

The Transportation Analysis determined that roadway segment operations under the project would be better compared to the Adopted General Plan, under which a third roadway segment, Chino Hills Parkway from West City Limit to Monte Vista Avenue would also operate at LOS E. The project would result in improved circulation along this segment because it would upgrade the classification of Chino Hills Parkway from a Primary Arterial to a Major Arterial. However, notwithstanding future

implementation of Policy INF-2.4, the segments of Kimball Avenue and Pine Avenue identified above, are projected to operate unacceptable levels because roadway widenings may be infeasible at these locations due to adjacent land uses, capital improvement costs, and other modes the street serves (like bicycles and pedestrians). Therefore, these two roadway segments would operate at unacceptable levels under the project resulting in a conflict with City circulation standards. Therefore, impacts related to conflicts with the circulation plan related to the roadway system would be potentially significant.

Mitigation Framework

No feasible mitigation exists to improve roadway segment operations on Kimball Avenue from Mill Creek Avenue to Main Street (LOS F) or Pine Avenue from El Prado Road to Euclid Avenue (LOS E).

Finding

No other feasible mitigation measures have been identified or proposed that would mitigate this impact to below a level of significance. Specific economic, legal, social, technological, or other considerations detailed below make the mitigation measures or project alternatives identified in the Final PEIR infeasible.

Rationale

No feasible mitigation exists to improve roadway segment operations on Kimball Avenue from Mill Creek Avenue to Main Street (LOS F) or Pine Avenue from El Prado Road to Euclid Avenue (LOS E). Therefore, impacts to roadway segment operations on Kimball Avenue from Mill Creek Avenue to Main Street (LOS F) or Pine Avenue from El Prado Road to Euclid Avenue (LOS E) would remain significant and unavoidable.

This potentially significant and unavoidable impact is overridden by project benefits as set forth in the Statement of Overriding Considerations in Section XI, below.

Reference

Final PEIR Chapter 4.13 Transportation

Significance Determination Threshold 2: Vehicle Miles Traveled

Pursuant to Issue 2, a significant impact would occur if the project would conflict or be inconsistent with State CEQA Guidelines Section 15064.3, subdivision (b).

Impact

As detailed in Section 4.13.6 of the Final PEIR, the Transportation Analysis completed for the project conducted a VMT forecast for the baseline year 2024 condition, buildout of the Adopted General Plan through 2045, and buildout of the project through 2045. The VMT forecast was based on the Origin/Destination (OD) method using VMT per service population (SP) within the County of San Bernardino jurisdictional boundary. The Transportation Analysis determined that buildout of the

project would generate 42.7 OD VMT/SP, slightly less than the 43.3 OD VMT/SP generated by buildout of the Adopted General Plan.

However, as described in greater detail in Section 4.13.6 of the Final PER, the uncertainty of driving behavior due to the economy, gas prices, telecommuting changes, and consumer trends could dramatically influence VMT. Furthermore, site-specific development and redevelopment that would occur before complete buildout of the project may generate levels of VMT that would exceed the applicable threshold until the cumulative condition is reached.

Although the Transportation Analysis determined that the project would reduce VMT compared to buildout of the Adopted General Plan, using the best tool available in San Bernardino County, the uncertainty of driving behavior due to the economy, gas prices, telecommuting changes, and consumer trends could dramatically influence VMT within the Planning Area. Furthermore, site-specific development and redevelopment that would occur before complete buildout of the project may generate VMT that would exceed the applicable threshold until the cumulative condition is reached. Therefore, impacts related to projected VMT generated under buildout of the project would be potentially significant.

Mitigation Framework

No feasible mitigation exists to reduce VMT.

Finding

No other feasible mitigation measures have been identified or proposed that would mitigate this impact to below a level of significance. Specific economic, legal, social, technological, or other considerations detailed below make the mitigation measures or project alternatives identified in the FEIR infeasible.

Rationale

No feasible mitigation exists to reduce VMT. Therefore, impacts related to VMT would remain significant and unavoidable at this program level of review.

This potentially significant and unavoidable impact is overridden by project benefits as set forth in the Statement of Overriding Considerations in Section XI, below.

Reference

Final PEIR Chapter 4.13 Transportation

X. FINDINGS REGARDING ALTERNATIVES

In accordance with Section 15126.6(a) of the State CEQA Guidelines, an EIR must contain a discussion of "a range of reasonable alternatives to a project, or the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives."

Section 15126.6(f) further states that "the range of alternatives in an EIR is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice."

The objectives of the project are stated above in Section II.C. Statement of Objectives.

The City Council must consider the feasibility of any alternatives to the project, evaluating whether these alternatives could avoid or substantially lessen significant environmental effects while achieving most of the objectives of the program. The Final PEIR includes an analysis of three alternative program scenarios: No Project (Adopted General Plan) Alternative, Redistributed Housing Alternative, and the Increased Downtown Development Alternative.

A. No Project (Existing General Plan) Alternative

Under the No Project Alternative, the comprehensive update to the General Plan to address new state law and emerging issues and establish a planning and policy framework that extends to a horizon year of 2045 would not occur. Growth in the and development within the City and its Sphere of Influence, collectively known as the Planning Area, would continue to be guided by the existing land use and zoning established in the Adopted General Plan. The No Project Alternative would result in the same significant and unavoidable impacts associated with air quality, historic resources, GHG, noise, and transportation as identified under the project. Impacts related to air quality, GHG, noise, and transportation would be greater under the No Project Alternative because buildout of the adopted General Plan would generate a greater amount of VMT and future site-specific development would not be subject to the goals and policies established in applicable elements of the project intended to reduce impacts associated with these environmental categories. Similarly, impacts related to energy, hazards and hazardous materials, hydrology and water quality, and wildfire would remain less than significant, but would be greater than the project because future site-specific development would not be subject to the goals and policies established in applicable elements of the project intended to reduce impacts associated with these environmental categories. Furthermore, the No Project Alternative would not meet any of the project objectives.

Finding

The City Council, having reviewed and considered the information contained in the Final PEIR, rejects the No Project (Existing General Plan) Alternative on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative fails to meet any of the project objectives; (2) the alternative fails to avoid or reduce the project's significant and unavoidable impacts; (3) the alternative would result in increased impacts related to air quality, GHG, noise, and transportation; and (4) future site-specific development would not be subject to the goals and policies established in applicable elements of the project intended to reduce impacts.

B. Redistributed Housing Alternative

The Redistributed Housing Alternative would transfer planned housing from interior locations within the Planning Area to the Philadelphia-Central Key Opportunity Area and the Spectrum Center located closer to SR-60 and SR-71. Both of these locations possess underutilized regional shopping centers that could be converted to new uses. Nearly 90 percent of employed City residents commute

to jobs in other communities each day. These commute trips are predominantly made by single occupant vehicles, starting on local roadways in the City, and then continue onto SR-60 and SR-71 to employment centers in Los Angeles and Orange counties. In the post-pandemic context with decreasing demand for suburban office space and an increase in remote work, projected demand for office space is limited within the City. Therefore, in order to reduce VMT per capita and address the significant impacts related to air quality, GHG emissions, noise, and transportation under the project, this alternative would increase the capacity for housing within the Philadelphia-Central Key Opportunity Area and the Spectrum Center, located immediately adjacent to SR-60 and SR-71. To achieve this goal, The Redistributed Housing Alternative would remove the existing Mixed Use and Affordable Housing Overlay from sites located along Riverside Drive, Ramona Avenue, and Schaefer Avenue within interior segments of the Planning Area and increase the housing capacity within the Philadelphia-Central Key Opportunity Area and the Spectrum Center by a commensurate amount.

Under the project, both the Philadelphia-Central Key Opportunity Area and the Spectrum Center were assigned the Regional Mixed Use land use designation, which permits a wide range of retail, dining, entertainment, office, lodging, recreational, and cultural facilities that cater to both visitors and City residents, together with multi-family housing, where permitted under zoning. Under the Redistributed Housing Alternative, the Philadelphia-Central Key Opportunity Area and the Spectrum Center would retain the future Regional Mixed Use land use designation and would see an increase in the allowance for residential development.

Overall, buildout of this alternative through 2045 would result in the same number of new housing units and jobs as under the project. Changes compared to the project would be limited to an increase of 1,055 more housing units within the Philadelphia-Central Key Opportunity Area and the Spectrum Center that would be assigned the Mixed Use and Affordable Housing Overlay designation. Approximately 67 percent of these housing units would be transferred to the Philadelphia-Central Key Opportunity Area and the remaining 33 percent would be transferred to the Spectrum Center. The intent is to foster denser mixed-use nodes near the freeways in order to reduce commute trip length and promote active transportation for daily needs and recreation, while also supporting the vitality of existing retail in the regional centers consistent with the project objectives. It should be noted that both of these locations were identified as suitable for receiving additional housing through development of the City's 2021-2029 Housing Element. Subject to a successful Measure M vote, this alternative would seek to increase the number of units on, and adjacent, to sites that have already received the Mixed Use or Affordable Housing Overlay. Like the project, this alternative would consist of a general plan update and include all the same proposed goals and policies as the project.

The Redistributed Housing Alternative would result in the same significant and unavoidable impacts associated with air quality, historic resources, GHG, noise, and transportation as identified under the project. Impacts related to air quality, GHG, noise, and transportation would be incrementally less under the Redistributed Housing Alternative because redistributing planned housing to the Philadelphia Central Key Opportunity Area and the Spectrum Center under this alternative would reduce VMT within the Planning Area. This alternative would not make any other changes compared to the project beyond redistributing planned housing to the Philadelphia-Central Key Opportunity Area and the Spectrum Center. Therefore, impacts related to all other environmental categories would remain the same as under the project.

Finding

The City Council rejects the Redistributed Housing Alternative because it would not meet the project objectives as well as the preferred alternative. The Redistributed Housing Alternative would not revitalize existing shopping centers and would not be as compact development footprint in comparison to the preferred alternative.

C. Increased Downtown Development Alternative

The Increased Downtown Development Alternative would focus more development in the centrally located Downtown Key Opportunity Area in order to promote a more compact development pattern that could reduce the need for vehicular travel. To accomplish this goal, the City would adopt a new Downtown Mixed Use zoning district in the Downtown Key Opportunity Area, creating capacity for 1,250 new housing units and 60,000 square feet of commercial development beyond the project, potentially including retail, restaurant, office, and entertainment uses. This alternative would go beyond the project by permitting additional residential and non-residential development capacity with a view to creating a vibrant downtown in the center of the Planning Area, consistent with project objectives. Policies in the Land Use and Community Character Element intended to preserve and protect historic buildings and structures and foster a heritage theme in new development would still apply under this alternative. Overall, this alternative would result in approximately 40,445 homes and 63,775 jobs in the Planning Area by 2045. Like the project, this alternative would consist of a general plan update and include all the same proposed goals and policies as the project.

The Increased Downtown Development Alternative would result in the same significant and unavoidable impacts associated with air quality, historic resources, GHG, noise, and transportation as identified under the project. Impacts related to air quality, GHG, noise, and transportation may be incrementally greater under the Increased Downtown Development Alternative because this alternative may on balance result in a slight increase in VMT within the Planning Area. Impacts related to all other environmental categories would remain the same as under the project.

Finding

The City Council rejects the Increased Downtown Development Alternative because it may incrementally increase impacts related to air quality, GHG, noise, and transportation in comparison to the preferred alternative.

XI. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code Section 21081(b) and Section 15093 of the State CEQA Guidelines, when the lead agency approves a project that may result in significant effects that are identified in the Final EIR, but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the FEIR and/or other information in the record.

The City has adopted Findings Regarding Significant Effects for the project, which conclude that the project will have the following significant effects that are unavoidable even after incorporation of feasible mitigation measures: air quality, historic resources, GHG, noise, and transportation. The City has balanced the project's benefits against these unavoidable significant effects and determined that

they are acceptable due to each of the specific economic, legal, social, technological, or other benefits listed below which will result from approval and implementation of the project. All benefits are based on the facts in the CEQA Findings Regarding Significant Effects, the Final PEIR, and the record of proceedings for this project. Each of these benefits is a separate and independent basis that justifies approval of the project, so that if a court were to set aside the determination that any particular benefit will occur and justifies project approval, the City determines that it would stand by its determination that the remaining benefits is or are sufficient to warrant project approval.

Overriding Benefits

The City therefore finds that for each of the significant impacts which are subject to a finding under Public Resources Code Section 21081(a)(3), that each of the following social, economic, and environmental benefits of the project, independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each and every one of these unavoidable adverse environmental impacts:

1. Housing Benefits

- The project would facilitate the construction of housing at varying affordability levels to meet the needs of current and future residents, including residents with varying income levels, seniors, persons with disabilities, large households, single-parent households, or people experiencing homelessness or at risk of homelessness.
- The project would increase the City's affordable housing supply, including areas with access to employment centers, community facilities and services, retail, schools, and other amenities.
- The project would address long-term goals of providing affordable housing in the City.

2. Benefits of Compliance with State Housing Law/Regional Housing Needs Allocation Compliance

- The project would serve as an important action toward implementing the City's 2021-2029 Housing Element and the associated Regional Housing Needs Allocation (RHNA) allocation of 6,978 units.

3. Land Use Benefits

- The project will comply with state requirements and will provide a long-term plan that would be implemented as a policy document guiding future development activities within the Planning Area.
- The project will address the continuing change, growth, and development of the City through 2045 and will provide a public policy framework for the future of the City.
- The project will comply with the state requirement that all counties and cities "adopt a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries which in the planning."

XII. FINDINGS REGARDING OTHER CEQA CONSIDERATIONS

A. Growth Inducement

The PEIR evaluated the potential for the project to induce growth consistent with the requirements of Section 15126.2(e) of the CEQA Guidelines. Based on the discussion presented in Section 5.3 of the Final PEIR, the City finds that the project would not result in significant growth-inducing impacts. Implementation of the project would not induce direct population and housing growth in the City. The project would serve as an important action toward implementing the City's 2021-2029 Housing Element and the associated RHNA allocation of 6,978 units. Because the housing assessment in the RHNA is based on SCAG's projections, future development under the project would accommodate increases in population based on SCAG's demographic projections. Therefore, future housing developed under the project would provide housing necessary to meet the City's RHNA allocation of 6,978 units as well as accommodate future population growth and housing needs projected in SCAG's growth projections. Furthermore, the project has been designed to primarily focus future development and redevelopment within Key Opportunity Areas, which consist of clusters of vacant and underutilized land, many of which contain commercial properties recently rezoned to permit multi-family housing. The Key Opportunities Areas are located near major roadways and are already served by existing infrastructure. Similarly, future development outside of the Key Opportunities Areas would occur in areas that are already served by infrastructure and would not require extensions. Therefore, the City finds, consistent with the Final PEIR, that the project would accommodate projected population growth and would not be considered growth inducing.

The project does not propose or provide direct development rights to new major retail, commercial, or employment centers that would encourage substantial economic or employment growth. Rather, the project has developed a land use plan that includes future commercial and retail uses that would accommodate projected growth within the Planning Area. Therefore, future economic and employment growth associated with the project would not induce growth.

B. Significant Irreversible Environmental Changes

Section 15126.2(d) of the State CEQA Guidelines requires an EIR to address any significant irreversible environmental changes that may occur because of project implementation. Consistent with the analysis in Section 5.2 of the Final PEIR, the City finds that implementation of the project would result in significant irreversible impacts to non-renewable resources. Construction and operation of future site-specific development would result in the irretrievable commitment of limited, slowly renewable, and nonrenewable resources, which would limit the availability of these particular resource quantities for future generations or for other uses. These resources include (but are not limited to) lumber and other forested products; sand and gravel; asphalt; petrochemical construction materials; steel, copper, lead, other metals; and water. However, through required compliance with the building code in effect at the time of development, the amount and rate of consumption of these resources would not result in significant environmental impacts or the unnecessary, inefficient, or wasteful use of resources.

Additionally, the City finds, consistent with the Final PEIR, that the project would not result in secondary impacts from environmental changes resulting from the construction of new infrastructure. This is because the project has been designed to primarily focus future development and redevelopment within Key Opportunity Areas, which consist of clusters of vacant and underutilized

land, many of which contain commercial properties recently rezoned to permit multi-family housing. The Key Opportunities Areas are located near major roadways and are already served by existing infrastructure. Similarly, future development outside of the Key Opportunities Areas would occur in areas that are already served by infrastructure and would not require extensions. Future development outside of the Key Opportunity Areas would occur in areas that are already served by infrastructure and would not require extensions into unserved portions of the Planning Area.

XIII. DECISION AND EXPLANATION REGARDING RECIRCULATION OF THE EIR

Pursuant to the CEQA Guidelines, Section 15088.5(a), an agency is required to recirculate a Draft EIR when significant new information is added to the Draft EIR after public review of the Draft EIR, but before certification. Significant new information can include changes in the project or environmental setting, as well as additional data or other information. New information added to a Draft EIR is not significant unless the Draft EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect of the project or a feasible way to mitigate or avoid such an effect (including feasible alternatives) that the project's proponents have declined to implement. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

As described in the CEQA Guidelines Section 15088.5(a), "Significant new information" requiring recirculation include, for example, a disclosure showing that:

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

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

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

(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043).

The City hereby finds that recirculation of the Draft PEIR is not required for the following reasons:

Changes to the Draft PEIR were made to clarify, correct, or add to the environmental impact analysis for the proposed project. Such changes are a result of public review comments and/or further review of the Draft PEIR. The changes do not constitute significant new information that would alter the outcome of the environmental analysis or require recirculation of the document.

All feasible mitigation measures and alternatives have been identified that could reduce environmental impacts. No feasible project alternatives or mitigation measures have been identified that would clearly lessen environmental impacts of the project, and no major flaws or inadequacies have been identified in the PEIR based on comments received from public review. Therefore, consistent with State CEQA Guidelines 15088.5, recirculation of the PEIR is not required.