

**CONSULTING TEAM RESPONSES TO RECIRCULATED IS/MND
Cedar Avenue Truck/Trailer Storage Facility
in Bloomington (Project No. PROJ-2020-00035; APN: 0257-031-12)**

In accordance with Title 14 of the California Code of Regulations (CEQA Guidelines) Section 15070, an Initial Study (IS) was prepared to identify the potential impacts the proposed project may have on the environment, as well as to identify all design features and mitigation measures that will reduce said impacts to less-than-significant levels. The IS concluded that all potentially significant environmental impacts resulting from the construction and operation of the proposed project would be mitigated to a less-than-significant level. The Initial Study was circulated for public review January 13, 2021 through February 11, 2021. Based on comments received, the Initial Study was revised to address comments, and was recirculated for public review November 1 – 30, 2021. Based on the January 13, 2021 Initial Study and the November 1, 2021 recirculated Initial Study findings, the recommendation includes the adoption of a Mitigated Negative Declaration and filing a Notice of Determination.

The San Bernardino County Code requires a recommendation from the Planning Commission for final action by the Board of Supervisors on Policy Plan and Zoning Amendments. At the Planning Commission hearing on July 22, 2021, there were several in person commenters opposed to the project. Also received were one hundred-twenty-three (123) written public comments by email and letter opposed to the project with one in favor. The County also received letters from the California Department of Fish and Wildlife, Colton Joint Unified School District, West Valley Water District, and Inland Empire Biking Alliance with concerns. One letter in support was received by the Cedar House Life Change Center. The Planning Commission recommended approval of the project based on the January 13, 2021 Initial Study and the record as a whole, by a vote of 3-1.

A total of 59 comment letters (mostly emails) were subsequently received from the general public as well as letters from the Colton Joint Unified School District, the Center for Community Action and Environmental Justice (CCA EJ), and the South Coast Air Quality Management District (SCAQMD) on the recirculated Initial Study. It should be noted that several commenters indicated that supporting data, references, and/or technical studies were not provided in the Initial Study that was circulated. In accordance with Land Use Services Department (LUSD) policy, all background data and studies provided for Initial Studies are posted on the LUSD website and are made available to the public by request.

The County provided a response to the SCAQMD regarding the Health Risk Assessment stating in summary that taking into account recommendations from the District, the project's operational Toxic Air Contaminants emissions remain less than significant and no further analysis or mitigation is needed. Specifically, Section 3 of the HRA report was revised with the following: "Per project proponents, other than employees, the project is anticipated to attract mainly 4+-axle trucks." The Traffic Analysis showed the project is expected to generate approximately 716 (non-passenger car equivalents) vehicle trips per day. Of those vehicle trips, for the truck storage use 144 are automobile round trips and 572 are 4+-axle truck round trips per day (non-passenger car equivalents). "However, to be conservative, to respond to the August 5, 2021 comments from

SCAQMD, and to ensure that Toxic Air Contaminant (TAC) emissions from 2-axle and 3-axle trucks were considered in the analysis, the truck mix for project site was revised and analyzed as: 486 4+-axle trucks (85 percent of the total 572 trucks), 69 3-axle trucks (12 percent of the total 572 trucks), and 17 2-axle trucks (3 percent of the total 572 trucks).” *Using the conservative truck mix, the project’s TAC emissions would not cause an exceedance of the SCAQMD threshold of 10 in one million.* The cancer risk to an individual born during the opening year of the project and located in the project vicinity for the entire 30-year duration, is a maximum of 7.03 in a million at receptor located just east of the project site on the eastern side of Cedar Avenue (near the project driveway). No further analysis is required and health risk impacts remain less than significant.

The Colton Joint Unified School District’s letter dated November 30, 2021 on the Recirculated Initial Study raises two new issues not previously included in their letter dated June 22, 2021. Responses to the earlier letter as provided to the Planning Commission in July 2021 remain valid as responses to the November letter. The additional comments they provide are related to whether the appropriate fleet mix of vehicles was used and whether the Vehicle Miles Traveled (VMT) were underestimated in the modeling.

The Air Quality Modeling used a 20% Auto and 80% 4-axle fleet mix consistent with the TIA. The commenter also discusses that no pass-by trips should be used for the project. However, the CalEEMod default value of 5% was used as 20% of the autos may commerce other commercial uses within the vicinity. With that said, the model was rerun using 100% 4-axle trips with no pass-by trips and emissions increased by 5.3%. Project emissions remain below SCAQMD Thresholds.

The project would be responsive to community concerns by providing a parking lot for trucks and trailers that often queue outside of existing facilities or park on streets in residential areas of Bloomington. The parking lot would provide supplemental parking for numerous nearby existing warehouses and would very likely reduce regional vehicles miles traveled and idling times. The site is well situated close to the freeway and existing industrial warehouse uses. Drivers would enter the facility, proceed to the parking area, unhitch the trailer, and leave the facility. The project would not function as a truck stop by providing related facilities (overnight stays, showers).

The Project was screened to determine whether a VMT Analysis was required. The Screening Tool uses the sub-regional San Bernardino Transportation Analysis Model (SBTAM) to measure VMT performance within individual traffic analysis zones (TAZ’s) within the region. The Project’s physical location, based on parcel number, is input into the Screening Tool to determine project generated VMT. The Proposed Project is located in APN 025703112 and TAZ 53742201. The parcel containing the Proposed Project was selected and the Screening Tool was run for Production/Attraction (PA) Home-Based Work VMT per Worker measure of VMT. Based on the Screening Tool results, it would appear that the Proposed Project TAZ may qualify as a low VMT area; however, the Project Site is located in an area currently shown as Commercial land use in the Countywide Plan. Additionally, the socio-economic data (SED) for the base year SBTAM was compared to the Proposed Project. Within TAZ 53742201, there is industrial employment which would exceed the Proposed Project. The Proposed Project is not anticipated to generate more

VMT per worker than the existing TAZ. As such, the Proposed Project is consistent with the existing socio-economic data and can be screened out via the Low VMT Area screening. The Low VMT Area screening threshold therefore was met.

VMT output from CalEEMod is a default set by the South Coast AQMD and cannot be altered by the user.

The Center for Community Action and Environmental Justice (CCA EJ) submitted a letter dated November 30, 2022 on the Recirculated Initial Study. One comment relates to whether both tractors and trailers would be parked on-site, or just trailers. If it is just trailers, the commenter questions the objective of removing trucks from local streets. The Project description in the Conditions of Approval are for both truck and trailer storage. One other transportation safety related comment in the letter, specifically a pedestrian crosswalk at the new signal to be provided at the site entrance will be a Condition of Approval.

A letter dated November 21, 2021 from Mr. Greg Young, member of Coalition for a Better Bloomington states that community opposition and requests preparation of an EIR. As an “expert in the water industry”, he states there are numerous soil and groundwater contamination issues. The potential for impacts in these environmental resource areas are addressed in the January 2021 Initial Study.

Below are the key issues raised in the 59 emails received which either address no topics that were required to be addressed under CEQA, that were responded to in the July 2021 Responses to Comments provided to the Planning Commission, or that are addressed in the Recirculated Initial Study as noted below.

Health Risk

A Health Risk Assessment (HRA) was prepared in June 2021 by Ganddini Group Inc. for the Proposed Project and was updated in October 2021 in response to a comment letter received during the comment period from SCAQMD dated August 5th, 2021. As presented in the Recirculated Initial Study, Section III c) Air Quality. Table 5 of the October 2021 HRA show the cancer risk for the unborn child during the 3rd trimester, Table 6 of the HRA shows the cancer risk to infants (0-2 years), Table 7 of the HRA shows the cancer risk to children ages 2 to 16 years and Table 8 of the HRA shows the cancer risk as that child becomes an adult (years 16-30). The highest cancer risk corresponds to infant cancer risk 0- 2 years (refer to Table 6 of the HRA), and is at receptor 3, with a maximum risk of 0.45 in one million. The highest infant cancer risk 0-2 years is also at receptor 2; with a maximum risk of 2.79 in one million. Therefore, no unborn babies, infants, children, or adults are exposed to cancer risks in excess of 10 in a million.

The findings, based on studies compliant with federal and state regulations, are that the project would have less than significant impacts when comparing the project’s impacts related to the EPA thresholds.

Cumulative Traffic Impacts

The Traffic Analysis (TA) prepared for the project was prepared in accordance with the San Bernardino County Congestion Management Program (CMP) Guidelines for CMP Traffic Impact Analysis Reports (Appendix B, 2016 Update), the County of San Bernardino Transportation Impact Study Guidelines (dated July 9, 2019), the California Department of Transportation (Caltrans) Guide for the Preparation of Traffic Impact Studies (December 2002), and consultation with County staff during the TA scoping process.

Typically, the model growth for traffic is prorated and is subsequently added to the existing traffic volumes to represent Horizon Year (2040) traffic conditions. In an effort to conduct a conservative analysis, reductions to traffic forecasts from either Existing or Opening Year Cumulative traffic conditions were not assumed as part of the project's traffic analysis. As such, in conjunction with the addition of cumulative projects that are not consistent with the General Plan, additional growth has also been applied on a movement-by-movement basis, where applicable, to estimate reasonable Horizon Year forecasts. Horizon Year turning volumes were compared to Opening Year Cumulative (2021) volumes in order to ensure a minimum growth as a part of the refinement process. The minimum growth includes any additional growth between Opening Year Cumulative (2021) and Horizon Year (2040) traffic conditions that is not accounted for by the traffic generated by cumulative development projects and ambient growth rates assumed between Existing (2020) and Opening Year Cumulative (2021) conditions. Future estimated peak hour traffic data was used for new intersections and intersections with an anticipated change in travel patterns to further refine the Horizon Year (2040) peak hour forecasts.

The future Horizon Year (2040) Without Project peak hour turning movements were then reviewed for reasonableness, and in some cases, were adjusted to achieve flow conservation, reasonable growth, and reasonable diversion between parallel routes. Flow conservation checks ensure that traffic flow between two closely spaced intersections, such as two adjacent driveway locations, is verified in order to make certain that vehicles leaving one intersection are entering the adjacent intersection and that there is no unexplained loss of vehicles. The result of this traffic forecasting procedure is a series of traffic volumes which are suitable for traffic operations analysis.

The analysis determined that there are no additional study area intersections that are anticipated to operate at a deficient Level of Service during one or both peak hours for Opening Year Cumulative (2021) With Project traffic conditions, in addition to the locations identified above for Opening Year Cumulative (2021) Without Project traffic conditions. In other words, the Project would not worsen existing traffic levels or delays based on the County Guidelines and modeling. It should be noted with the implementation of the Project design features as discussed in the Traffic Study Recommendations, the intersection of Cedar Avenue & Driveway 1 is anticipated to operate at an acceptable LOS during the peak hours.

Pedestrian Safety

As stated in the Initial Study, field observations made during preparation of the traffic study indicated nominal pedestrian and bicycle activity within the study area. Pedestrian facilities are built out along portions Cedar Avenue and Slover Avenue. However, there are limited pedestrian facilities within close proximity to the Project Site on Cedar Avenue. The Proposed Project would provide sidewalks on-site and connecting off-site, which will improve pedestrian network. Additionally, as stated in the Draft IS/MND, a traffic signal light will be installed at the intersection of Cedar Avenue and the project driveway. A traffic signal light is currently needed at that location and installation would reduce existing hazards and any hazards posed by the Proposed Project.

Need for an EIR

County staff is recommending adoption of a Mitigated Negative Declaration based on guidance provided by the CEQA Guidelines, 2021. In accordance with CEQA Section 15081, the EIR process starts with the decision to prepare an EIR. This decision will be made either during preliminary review under Section 15060 or at the conclusion of an Initial Study after applying the standards described in Section 15064.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21100, Public Resources Code; *No Oil, Inc. v. City of Los Angeles*, (1974) 13 Cal. 3d 68; *Friends of B Street v. City of Hayward*, (1980) 106 Cal. App. 3d 988.

At the conclusion of the Initial Study prepared and revised/recirculated for the subject project, no environmental impacts were found to be potentially significant that could not be mitigated to less than significant levels.

CEQA Section 15064.(f) discusses factors for consideration by a Lead Agency in determining the significance of the project's environmental effects:

- f) The decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency.
 - (1) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment, the lead agency shall prepare an EIR (*Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988). Said another way, if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68).
 - (2) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment but the lead agency determines that revisions in the project plans or proposals made by, or agreed to by, the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effect on

the environment would occur and there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment then a mitigated negative declaration shall be prepared.

- (3) If the lead agency determines there is no substantial evidence that the project may have a significant effect on the environment, the lead agency shall prepare a negative declaration (*Friends of B Street v. City of Hayward* (1980) 106 Cal.App. 3d 988).
- (4) Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion support by facts.
- (5) Evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.