

# CHAPTER 1 Introduction

A Development Plan has been submitted to the City of San Bernardino (City) that proposes development of a 38.4-acre project site (project site) within the City with light industrial uses, as described more fully below. The Development Plan is a project pursuant to Section 21065 of the California Environmental Quality Act of 1970 (CEQA) and Section 15378 of the 2007 CEQA Guidelines, as it is an activity that may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment.

The determination that the City is the Lead Agency is made in accordance with Section 15367 of the CEQA Guidelines, which defines the Lead Agency as the public agency with the principal responsibility for carrying out or approving a project and conducting the environmental review. The Lead Agency is also responsible for preparing the environmental documents on the project pursuant to CEQA. As described below, the Lead Agency has determined that a project environmental impact report (EIR) will be prepared on the 38.4 acres of the project site.

As required by CEQA, this EIR serves to (1) assess the expected direct, indirect, and cumulative impacts of the proposed project's physical development; (2) identify means of avoiding or minimizing potential adverse environmental impacts; and (3) evaluate a reasonable range of alternatives to the proposed project, including the No Project Alternative.

## 1.1 BACKGROUND

The project site is located adjacent (south) of Interstate 215 (I-215), and approximately three miles east of Interstate 15 (I-15). Specifically, the project site is situated on the northeast corner of the intersection of Palm Avenue and Industrial Parkway. The proposed project includes the construction of a warehouse/distribution facility consisting of a single building totaling 678,275 square feet (sf), on a 38.4-acre site.

Lot coverage would be 43 percent and the building height of the proposed project would not exceed 40 ft above pad level. See Figure 3-4 (Site Elevations). The existing hill features located on site would be leveled and approximately 200,000 cubic yards of soil exported. The remainder of soil would be balanced on site. As a result of the San Bernardino Association of Governments (SANBAG) grade separation project on Palm Avenue just west of the project site, the grade of the intersection of Palm Avenue and Industrial Parkway will be raised 9 feet compared to its current elevation. The building pad for the proposed project would occupy a level plane from that elevation point southward. Therefore, the finished grade for the building would be lower compared to Industrial Parkway at its northern end than at its southern end, as the grade from the intersection slopes 53 feet downward to the S-curve at the southern boundary of the project site. The finished grade for the building would be approximately 53 feet above Industrial Parkway and approximately level with the grade of I-215 at its southern end, with the grade differential diminishing for Industrial Parkway diminishing to near 0 as one travels north on

that street, and increasing on I-215 to 25 feet as one travels north on I-215. The proposed project would include an office area, with a cross-dock loading configuration. In addition, the proposed project would include an 8-foot wrought-iron fence around the perimeter. Access to the site would be located at the northern end of the project site on Industrial Parkway. All truck traffic into the project site would be cleared through a guard shack at the entry. Two 8-foot screenwalls would be constructed on the west side of the truck yard on both sides of the building. Approximately 12 percent of the project site would be landscaped. The vast majority of traffic would access Industrial Parkway via Palm Avenue, off I-215, although some traffic could utilize I-215 to University and Industrial Parkway.

## 1.2 PURPOSE OF THE EIR

In accordance with California’s Public Resources Code (PRC) Section 21002.1, the City has prepared this EIR for the following purposes:

- To inform the general public, the local community, responsible and interested public agencies, the decision-making bodies (e.g., Planning Commission and Common Council) and other organizations, entities, and interested persons of the scope of the proposed project, its potential environmental effects, possible measures to reduce potentially significant environmental impacts, and alternatives that could reduce or avoid the significant effects of the proposed project
- To enable the City to consider environmental consequences when deciding whether to approve the proposed project
- To satisfy the substantive and procedural requirements of CEQA

This EIR has been prepared in accordance with CEQA (PRC Sections 21000 et seq.), the CEQA Guidelines (California Code of Regulations [CCR], Title 14, Sections 15000 et seq.), and the City’s local CEQA procedures. The determination that the City is the “lead agency” is made in accordance with Section 15367 of the CEQA Guidelines, which defines the lead agency as the public agency with the principal responsibility for carrying out or approving a project and conducting the environmental review.

As provided in both CEQA and the CEQA Guidelines, public agencies are charged with the duty to substantially lessen or avoid significant environmental effects where feasible for projects subject to CEQA (refer to PRC Section 21004, CEQA Guidelines Sections 15002(a)(3) and 15021(a)(2)). In discharging this duty, the public agency has an obligation to balance a variety of public objectives, taking into account economic, environmental, and social issues. The EIR is an informational document that informs public agency decision-makers and the general public of the significant environmental effects and the ways in which those impacts can be reduced to less-than-significant levels, either through the imposition of mitigation measures, changes to the project or through the implementation of specific alternatives to the project as proposed. In a practical sense, EIRs function as a technique for fact-finding, allowing an applicant, the public, and agency staff an opportunity to collectively review and evaluate baseline conditions and project impacts through a process of full disclosure. Additionally, the EIR provides the primary source of environmental information for the lead agency to consider when exercising any permitting authority or approval power directly related to implementation of the proposed project.

## 1.3 SCOPE OF THE EIR

This EIR provides project-specific analysis of the potential environmental effects of the proposed project. The scope of the EIR includes issues identified by the City during the preparation of the notice of preparation (NOP). During the 30-day public review period for the NOP (provided as Appendix A), which began on August 3, 2007, and ended on September 4, 2007, four comment letters were received. These include letters from: South Coast Air Quality Management District, Public Utilities Commission, Department of Toxic Substances Control, and Native American Heritage Commission.

Based on the potential impacts of the proposed project, this EIR evaluates the following environmental issues identified in Appendix G of the 2011 CEQA Guidelines:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils and Mineral Resources
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Noise
- Public Services
- Transportation/Traffic
- Utilities/Service Systems

In accordance with Section 15128 (Effects Not Found to Be Significant) of the CEQA Guidelines, the NOP provides reasons why certain environmental impacts were not considered significant and, therefore, are not addressed further in this EIR. These include the following issue areas:

- Agricultural Resources
- Population/Housing
- Recreation

In preparing the EIR, pertinent City policies and guidelines, existing EIRs, and background documents prepared by the City were all evaluated for applicability to the proposed project. A list of references is provided at the end of each issue area section in Chapter 4.

## 1.4 EIR PROCESS

The EIR process provides an opportunity for the public to review and comment upon the proposed project's potential environmental effects and to further inform the environmental analysis. As a first step in complying with the procedural requirements of CEQA, the NOP process was used to determine whether any aspect of the proposed project, either individually or cumulatively, may cause a significant adverse effect on the environment and, if so, to narrow the focus (or scope) of the environmental

analysis. For the proposed project, the NOP process indicated that the EIR should focus on the environmental issues listed above in Section 1.3 (Scope of the EIR).

The NOP was filed with the California Office of Planning and Research (OPR) State Clearinghouse as an indication that an EIR would be prepared. The State Clearinghouse and the City distributed the NOP to public agencies and interested parties for a public review period that began on August 3, 2007, and ended on September 4, 2007. The purpose of the public review period was to solicit comments on the scope and content of the environmental analysis in the EIR.

In addition, in order to solicit further comments on the scope and content of the environmental analysis to be included in the EIR, the City held a public scoping meeting on August 15, 2007, in the Economic Development Agency Boardroom in the City, which no members of the public attended.

This EIR is being circulated for review and comment by the public and other interested parties, agencies, and organizations for a 45-day public comment period. During the public comment period, which began on May 10, 2011, and ends on June 23, 2011, copies of the EIR will be available for review and comment at the City of San Bernardino Community Development Department and the San Bernardino Public Library during normal business hours:

City of San Bernardino Community Development Department  
300 North D Street, 3<sup>rd</sup> Floor  
San Bernardino, California 92418

Norman F. Feldheym Central Library  
555 West Sixth Street  
San Bernardino, California 92410

At the conclusion of the 45-day public comment period, responses to written and recorded oral comments on the environmental effects of the proposed project will be prepared and published. A Final EIR (FEIR) (comprising this Draft EIR, comments on the Draft EIR, and written responses to those comments) and the Mitigation Monitoring and Reporting Program (MMRP), which describes the timing and process to ensure implementation of mitigation measures or project requirements, will be considered by the City in a public hearing.

According to PRC Section 21081, the Lead Agency must make specific Findings of Fact (Findings) before approving the FEIR when the FEIR identifies significant environmental impacts that may result from a project. The purpose of the Findings is to establish the connection between the contents of the FEIR and the action of the Lead Agency with regard to approval or denial of the proposed project. Prior to approval of a project, one of three findings must be made, as required by Section 15091 of the CEQA guidelines:

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effects as identified in the EIR
- 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

- 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 FEIR

Additionally, according to PRC Section 21081.6, for projects in which significant impacts will be avoided or lessened by mitigation measures, the Lead Agency must include a MMP. The purpose of the MMP is to ensure compliance with required mitigation during implementation of the proposed project.

Environmental impacts may not always be mitigated to a “less-than-significant” level. When this occurs, impacts are considered “significant and unavoidable.” If a public agency approves a project that has significant and unavoidable impacts, the agency shall state in writing the specific reasons for approving the project based on the FEIR and any other information in the public record. This is termed a “Statement of Overriding Considerations” and is used to explain the specific reasons why the benefits of a proposed project make its unavoidable environmental effects acceptable. There are impacts associated with air quality resulting from the proposed project that are significant and unmitigable and will require a Statement of Overriding Considerations.

## 1.5 DOCUMENT ORGANIZATION

This EIR has been organized for easy use and reference. To help the reader locate information of particular interest, a brief summary of the contents of each chapter of the EIR is provided. The following chapters are contained within the EIR:

- **Chapter 1: Introduction**—This chapter describes the background of the proposed project, purpose and scope of the EIR, a summary of the environmental and public review process, and a brief outline of this document’s organization.
- **Chapter 2: Executive Summary**—This chapter includes a brief synopsis of the proposed project and project objectives, necessary actions by the City, areas of controversy/issues to be resolved, a description of the intent of the MMP, and an overview of project alternatives. This chapter also summarizes (in table format) environmental impacts that would result from implementation of the proposed project; the level of significance of impacts prior to the incorporation of mitigation measures, if applicable; proposed mitigation measures that would avoid or reduce project-related impacts; and the level of significance of impacts after the incorporation of mitigation measures.
- **Chapter 3: Project Description**—This chapter provides a detailed description of the proposed project, including its location, existing site and land use characteristics, site history, project objectives, anticipated construction activities, intended uses of the EIR, public actions and approvals required, and technical, economic, and environmental characteristics of the proposed project. In addition, a discussion of the cumulative development scenario is also provided.
- **Chapter 4: Environmental Analysis**—This chapter is introduced by describing the scope and format of the environmental analysis, including key assumptions used in the environmental analysis. The sections contained within this chapter include an analysis of environmental impacts for each environmental issue area identified in Appendix G to the 2011 CEQA Guidelines. Each environmental issue area contains a description of the environmental setting (or existing conditions), regulatory framework, project-related and cumulative impacts (including a discussion of the analytic method and thresholds of significance used to determine the nature or magnitude of

environmental impacts), and feasible mitigation measures that would avoid or minimize significant environmental impacts. The introductory paragraph at the beginning of each section provides an overview of the scope of the impact analysis. In addition, this chapter addresses mandatory findings of significance, as required by the CEQA Guidelines. This chapter also includes Section 4.14 (Effects Not Found to be Significant), which sets forth an analysis of those issues that were scoped out from detailed analysis in the NOP.

- **Chapter 5: Other CEQA Considerations**—This chapter summarizes impacts that would result from the proposed project, including significant environmental impacts, significant and unavoidable environmental impacts, irreversible changes to the environment, and growth-inducing impacts.
- **Chapter 6: Alternatives**—This chapter provides a description and analysis of alternatives to the proposed project that could reduce or avoid potentially significant impacts. A comparison of the impacts of the alternatives to the proposed project and the identification of the environmentally superior alternative is also presented.
- **Chapter 7: Report Preparers and Organizations Consulted**—This chapter identifies the individuals responsible for the preparation of this EIR as well as organizations consulted.
- **Appendices**—The technical appendices to the EIR, which include reference documents and studies completed in support of the EIR, are bound under separate cover or contained on a CD included in the back cover.

## 1.6 LIST OF ACRONYMS AND ABBREVIATIONS

Table 1-1 (Commonly Used Acronyms and Abbreviations) provides a list of acronyms and abbreviations used throughout this EIR.

<b>Table 1-1 Commonly Used Acronyms and Abbreviations</b>	
<i>Acronym</i>	<i>Meaning</i>
ACM	asbestos containing building material
AFY	acre-feet per year
APN	assessors parcel number
AQMP	air quality management plan
ARB	Air Resource Board
ASL	above sea level
AST	aboveground storage tank
BAT	best available technology
BCT	best conventional technology
BGS	below ground surface
Cal/EPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CBC	California Building Code

<b>Table 1-1 Commonly Used Acronyms and Abbreviations</b>	
<b>Acronym</b>	<b>Meaning</b>
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act of 1970
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
cfs	cubic-feet per second
CGS	California Geological Survey
CHP	California Highway Patrol
CIWMB	California Integrated Waste Management Board
CMP	congestion management plan
CNDDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CNPS	California Native Plant Society
CNPSEI	California Native Plant Society Electronic Inventory
CPTED	Crime Prevention Through Environmental Design
CRHR	California Register of Historic Resources
CTP	Comprehensive Transportation Plan
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
DIR	Department of Industrial Relations
DMA 2000	Disaster Mitigation Act of 2000
DOHS or CAL/OSHA	California Division of Occupational Health and Safety
DOT	Department of Transportation
DPM	diesel particulate matter
DTSC	California Department of Toxic Substance Control
du	dwelling unit
EIR	environmental impact report
EPA	Environmental Protection Agency
ESA	Endangered Species Act
ESA	environmental site assessment
EVTM	East Valley Transportation Model
EVWD	East Valley Water District
FAR	floor-to-area ratio

<b>Table 1-1 Commonly Used Acronyms and Abbreviations</b>	
<b>Acronym</b>	<b>Meaning</b>
FEMA	Federal Emergency Management Agency
FIRMS	Flood Insurance Rate Maps
ft	foot/feet
gpm	gallons per minute
HCM	Highway Capacity Manual
HCP	habitat conservation plan
HOV	high-occupancy vehicle
HRA	health risk assessment
HSWA	Hazardous and Solid Waste Amendments Act
HVAC	heating, ventilation and air conditioning
IL	industrial light
Interstate 215	I-215
ITE	Institute of Transportation Engineers
LBP	lead-based paint
LOS	level of service
LST	localized significance threshold
LTS	less than significant
LUST	leaking underground storage tanks
MBTA	Migratory Bird Treaty Act
MCE	maximum credible earthquake
MCLs	maximum contaminant levels
MEP	maximum extent practicable
MET	Multiple Enforcement Team
MMI	modified Mercalli intensity
MMP	mitigation monitoring program
MMs	mitigation measures
MPE	maximum probable earthquake
MSHCP	multi-species habitat conservation plan
MSL	mean sea level
MSWMP	municipal stormwater management plan
NAHC	Native American Heritage Commission
NCCP	natural communities conservation plan
NFIP	National Flood Insurance Program
NHPA	National Fire Protection Association
NMFS	National Marine Fisheries Service

<b>Table 1-1 Commonly Used Acronyms and Abbreviations</b>	
<b>Acronym</b>	<b>Meaning</b>
NOI	notice of intent
NOP	notice of preparation
NPDES	National Pollution Discharge Elimination System
NPL	National Priority List
NRCS	Natural Resource Conservation Service
NRHP	National Registry of Historic Places
NSQD	National Stormwater Quality Database
OEHHA	Office of Environmental Health Hazards
OES	Office of Emergency Services
PCE	tetrachloroethylene
PCE	passenger-car equivalent
PM	particulate matter
ppm	parts per million
PRC	Public Resources Code
PRGi	Preliminary Remediation Goals for industrial properties
PS	potentially significant
RCPG	Regional Comprehensive Plan and Guide
RCRA	Resource Conservation Recovery Act
REC	recognized environmental conditions
REL	reference exposure level
RGS	Rapid Geophysical Surveyor
RIX	rapid infiltration/extraction
ROWD	report of waste discharge
RTP	regional transportation plan
RWQCB	Resource Water Quality Control Board
SANBAG	San Bernardino Association of Governments
SARA	Superfund Amendments and Reauthorization Act
SARI	Santa Ana River Interceptor
SARWQCB	Santa Ana Regional Water Quality Control Board
SBAIC	San Bernardino Archaeological Information Center
SBC WQMP	San Bernardino County Stormwater Program Model Water Quality Management Plan
SBCFCB	San Bernardino County Flood Control Basin
SBED	San Bernardino Engineering Depot
SBCFCD	San Bernardino County Flood Control District
SBFD	San Bernardino Fire Department

<b>Table 1-1 Commonly Used Acronyms and Abbreviations</b>	
<b>Acronym</b>	<b>Meaning</b>
SBGP	San Bernardino General Plan
SBIA	San Bernardino International Airport
SBIWMD	San Bernardino Integrated Waste Management Division
SBMWD	San Bernardino Municipal Water Department
SBPD	San Bernardino Police Department
SCADA	supervisory control data acquisition
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
sf	square feet
SFHA	special flood hazard areas
SHPO	State Historic Preservation Office
SIP	state implementation plan
SRA	source receptor areas
STLC	soluble threshold limit concentration
SU	significant and unavoidable
SWP	State Water Project
SWPPP	stormwater pollution prevention plan
SWRCB	State Water Resources Control Board
TACs	toxic air contaminants
TCE	trichloroethene
TDS	total dissolved substances
TIN	total inorganic nitrogen
TMDLs	total maximum daily loads
TTLC	total threshold limit concentration
UBC	Uniform Building Code
USACE	U.S. Army Corps of Engineers
USC	United States Code
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
UWMP	urban water management plan
VOCs	volatile organic compounds
VPH	vehicles per hour
WDRs	waste discharge requirements
WRP	water reclamation plant