Larry Rodriguez, Chair
Jeff Ortiz, Vice Chair
Leo Barrera, Commissioner
Emily Lares, Commissioner
Kenneth Tang, Commissioner

Guillermo Arreola,
Executive Director/ Director of Community Development
Renee Reyes,
Secretary
Alexis Hall,
Assistant City Attorney

CITY OF SOUTH EL MONTE
REGULAR MEETING OF THE SOUTH EL MONTE PLANNING COMMISSION

AGENDA

November 19, 2024, 6:00 PM
1415 Santa Anita Avenue, South El Monte, CA 91733

PUBLIC COMMENT

To participate during public comment via teleconference, see below:

Link: https://us02web.zoom.us/j/87142342038

Webinar ID: 871 4234 2038
Or Call In: 1 669 444 9171, when prompted, enter 87142342038#

AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's office at (626) 652-3180 or (626) 652-3121 at least 72 hours prior to the meeting.

GENERAL COMMENT

Members of the public wishing to submit a general comment or a comment on an agenda item, can email rreyes@soelmonte.org or call (626) 652-3175 to leave a voicemail message. All comments received an hour before the scheduled meeting will be read during public comment and made part of the record.

MEETINGS

The Planning Commission holds regular meetings on the Third Tuesday of every month. Regular meetings start at 6 p.m. in the Council Chambers at City Hall, 1415 Santa Anita Avenue, South El Monte, California.

POSTING LOCATIONS OF AGENDA AND/OR CANCELLATION NOTICES

Regular meeting agendas will be posted at least 72 hours before the meeting (Government Code Section 54954(a)(1))

Agenda and Cancellation Notices can be viewed online (at the ink below) and are also posted at the following three (3) locations: City Hall located at 1415 Santa Anita Avenue, Senior Center located at 1556 Central Avenue and the Community Center located at 1530 Central Avenue, South El Monte, California.

VIEWING OF AGENDA PACKETS

Full agenda packet can be viewed either at https://www.cityofsouthelmonte.org/373/Agendas-Minutes or in the Community Development's Office at City Hall during normal business hours Monday through Thursday 7:00 a.m. to 5:30 p.m. Closed on Fridays and major holidays.

ISSUES RELATED TO AGENDA

For issues related to the agenda, including a disability-related accommodation necessary to participate in this meeting, please contact:

Renee Reyes, Commission Secretary
Ph (626) 652-3175

AGENDA BEGINS ON THE FOLLOWING PAGE

1. ROLL CALL

Commissioners: Barrera, Lares, Tang, Vice Chair Ortiz, Chair Rodriguez

2. PLEDGE OF ALLEGIANCE

Vice Chair Ortiz

3. PRESENTATIONS - NONE

4. APPROVAL OF AGENDA

By motion of the Planning Commission, this is the time to notify the public of any changes to the agenda, remove items from the consent calendar for individual consideration and/or rearrange the order of the agenda.

5. PUBLIC COMMENT

Speakers may provide public comments on any matter within the subject matter jurisdiction of the Planning Commission, including items on the agenda. Each speaker will be limited to five minutes. Unless a majority of the Commission objects, the Chair may provide speakers more or less time to speak. All comments or queries shall be addressed to the Commission as a body and not to any specific member thereof. Pursuant to Government Code Section 54954.2(a)(2), the Ralph M. Brown Act, no action or discussion by the Planning Commission shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.

6. CONSENT CALENDAR

Items on the consent calendar are considered to be routine and customary and are enacted by a single motion with the exception of items previously pulled by a member of the Planning Commission during "Approval of the Agenda" for individual consideration. Any items pulled shall be individually considered immediately after taking action on the Consent Calendar.

6.a. Approval of the Regular Planning Commission Meeting Minutes for October 15, 2024.

RECOMMENDATION: Staff recommends the Planning Commission approve Minutes for the October 15, 2024, regular Planning Commission meeting.

7. PUBLIC HEARING

7.a. Review of Sunny Spa and Conditions of Approval for Conditional Use Permit No. 22-03.

RECOMMENDATION: Staff recommends the Commission open the public hearing, take public testimony and continue the public hearing to the next regularly scheduled Planning Commission meeting.

7.b. Consideration of Resolution No. 24-08 approving a Conditional Use Permit (CUP) (No. 24-07) allowing the onsite sale of beer and wine in conjunction with a bona fide eating establishment (Type 41 ABC

license) located at 2750 Lashbrook Avenue and operating as Bao Kee Café.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 24-08, approving Conditional Use Permit (No. 24-07), subject to the conditions of approval contained therein.

7.c. Approval of Resolution No. 24-09 adopting a Mitigated Negative Declaration and Mitigation, Monitoring, and Reporting Program (MMRP) prepared in compliance with the California Environmental Quality Act; approving Conditional Use Permit (CUP 21-13) to allow for the development of a new approximately 156,877 square foot warehouse building located at 2222 Rosemead Boulevard.

RECOMMENDATION: Staff recommends that the Planning Commission adopt the attached Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Resolution No. 24-09, approving Conditional Use Permit No. 21-13, as conditioned.

7.d. Review of Rustic & Chic and Conditions of Approval for Conditional Use Permit No. 23-03.

RECOMMENDATION: Staff recommends the Planning Commission open the public hearing, take public testimony, and provide staff with direction to leave the conditions of approval unchanged, modify to the existing conditions of approval to address outstanding concerns, or direct staff to provide a resolution revoking Conditional Use Permit 23-03.

8. GENERAL BUSINESS - NONE

9. COMMISSIONERS REPORTS, INCLUDING AB 1234 REPORTS

AB 1234, section 53232.3(d) requires Members of a legislative body to provide brief reports on meetings attended at the expense of the local agency (i.e., Conferences, seminars, training etc.) at the next regular meeting of the legislative body.

10. CORRESPONDENCE – NONE

11. COMMISSIONERS AGENDA

1. **Commissioner Barrera**
   a. **When are traffic studies conducted?**
   b. **Are there any tenants interested in 1225 Durfee Avenue, Cindy's Restaurant.**
   c. **Are there any changes to the ordinance to update metallic buildings in the City?**

2. **Vice Chair Ortiz**

    a. **Who is in control of the video feed and what are they doing with the data received at 10925 Fawcett Avenue? And is the height of tower in compliance with City's code?**

12. ADJOURNMENT

Tuesday, December 17, at 6:00 p.m.

I Renee Reyes, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours at the following locations: City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org on this 14th day of November 2024.

Renee Reyes

Secretary

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CITY OF SOUTH EL MONTE
REGULAR PLANNING COMMISSION MEETING MINUTES
Tuesday, October 15, 2024, 6:00 P.M.

1. ROLL CALL – Chair Rodriguez called the meeting to order at 6:00 p.m.

PRESENT: Commissioner(s): Tang, Barrera, Lares, Vice Chair Ortiz, Chair Rodriguez.

STAFF PRESENT: Alexis Hall, Assistant City Attorney; Guillermo Arreola, Director of Community Development; Gerardo Marquez, Planning Manager; Renee Reyes, Secretary and Charlize Hernandez, Planning Assistant.

Zoom was provided for the Public to participate during public comment via teleconference.

2. PLEDGE OF ALLEGIANCE – Commissioner Barrera led the Pledge of Allegiance.

3. PRESENTATIONS – NONE

4. APPROVAL OF AGENDA

A motion was made by Commissioner Barrera, seconded by Commissioner Lares, to approve the agenda. Motion passed 5-0-0 by the following vote:

AYES: Commissioner(s):	Barrera, Tang, Lares, Vice Chair Ortiz, Chair Rodriguez
NAYS: Commissioner(s):	NONE
ABSENT: Commissioner(s):	NONE

5. PUBLIC COMMENT

1. John Ventura – Expressed his disappointment by the approach that was used to announce a new business coming into the City.

6. CONSENT CALENDAR

A motion was made by Vice Chair Ortiz, seconded by Commissioner Tang, to approve the agenda. Motion passed 5-0-0, by the following vote:

6.a. Approval of the Regular Planning Commission Meeting Minutes for October 15, 2024

RECOMMENDED ACTION: Staff recommends the Planning Commission approve the Minutes for the October 15, 2024, Regular Planning Commission meeting.

AYES: Commissioner(s): Barrera, Tang, Lares, Vice Chair Ortiz, Chair Rodriguez

NAYS: Commissioner(s): NONE

ABSENT: Commissioner(s): NONE

7. PUBLIC HEARING

7.a. Adoption of Resolution No. 24-07 approving a Conditional Use Permit 24-03 to upgrade a Type 20 Off-Sale Beer and Wine license to a Type 21 Off-Sale General license to allow the off-sale of beer, wine, and distilled spirits at the 7-Eleven located at 10910-A Rush Street.

Planning Manager Gerardo Marquez provided a brief overview of the project. Currently the site has an existing Conditional Use Permit for a Type 20 ABC License and are proposing to upgrade to a Type 21 license. This project has been reviewed by both Los Angeles Sheriff's Department and the City's Code Enforcement Department. There have been no calls-for-service or active Code Enforcement issues.

Commissioners asked questions and expressed concerns to staff regarding the subject site.

Chair Rodriguez opens Public Comment.

1. Sherri Olsen, consultant to 7-Eleven, explained that when the site applied for a new liquor license, the Alcohol Beverage Control Department also sent out notices to surrounding residents of the possible change. She also highlighted the security measures currently in place at the site and described ongoing efforts to enhance safety.

Chair Rodriguez closed Public Comment.

RECOMMENDED ACTION: Staff recommends that the Planning Commission adopt Resolution No. 24-07, approving Conditional Use Permit (No. 24-03) with added condition to investigate the feasibility of installing "right turn only" sign.

ENVIOREMENTAL DETERMINATION: Categorical Exemption, Section 15301 Class 1 – Existing Facilities.

A motion was made by Vice Chair Ortiz, seconded by Commissioner Barrera approving Conditional Use Permit (No. 24-03) with added condition to investigate the feasibility of installing "right turn only" sign. Motion passed 5-0-0, by the following vote:

AYES: Commissioner(s): Barrera, Tang, Lares Vice Chair Ortiz, Chair Rodriguez

NAYS: Commissioner(s): NONE

ABSENT: Commissioner(s): NONE

8. GENERAL BUSINESS

8.a. Review of Rustic & Chic and Conditions of Approval for Conditional Use Permit No. 23-03

Planning Manager Gerardo Marquez providing an overview of the project. Staff recently checked in with the applicant, confirming that the project plans have been reviewed and approved. Currently the City is awaiting payment from the applicant to proceed with permit issuance. One of steps in obtaining the business license includes approval from the Los Angeles Fire Department. However, they stated they will not provide approval until the site is retrofitted and updated to meet habitable and safety standards. Additionally, there is a remaining balance on citations for which the applicant has expressed intent to make payments to address. Another condition still pending is the submissions of a security plan. The plan is required for review and approval by the Los Angeles Sheriff's Department to ensure all safety measures are in place.

Commissioners expressed questions and concerns to staff and applicant regarding the subject site.

Sandra and John Mendez, owners of Rustic & Chic, addressed questions and concerns the Commissioners had regarding their business. They both stated that they are committed to transparency of their business and their dedication to being a positive part of the community.

Assistant City Attorney Alexis Hall calls for recess.

Chair Rodriguez calls to order at 7:22 pm.

Chair Rodriguez opened Public Comment

1. Richard Angel – Requests that the Commissioners approach this situation with fairness, especially in light of the fact that other businesses in the City have also outstanding citations. He feels that all businesses should be treated fairly and that any actions taken should reflect the same standards applied across the City.

2. John Ventura – He urges the Commissioners to consider that the City should go above and beyond to assist this business, recognizing its value and contributions to our City.

3. Gloria Olmos – She urges the Commissioners to adopt a more business-friendly approach and expressed her concerns that there has been some unfairness toward this particular business.

4. Sandra Mendez – States her gratitude and appreciates the hard work the City does. In addition, she requests that the Commissioners ensure

accuracy in the timeline for the current project. She believes that maintain a clear timeline will help everyone stay on track.

5. John Mendez – He requests that his finances not be discussed in the upcoming meeting. He asks if a private meeting could be arranged to address any financial topics.

Other discussion topics included the ongoing operation of a local massage parlor, which has reportedly continued business despite receiving multiple citations and illegal activity and have not yet been shut down.

Chair Rodriguez closed Public Comment.

RECOMMENDED ACTION: Staff recommends that the Planning Commission bring back as public hearing item addressing the business' compliance with CUP No. 23-03.

A motion was made by Vice Chair Ortiz, seconded by Commissioner Barrera to direct staff to schedule a public hearing to review CUP No. 23-03 at the next available Planning Commission meeting. Motion passed 5-0-0, by the following vote:

AYES: Commissioner(s): Barrera, Tang, Lares Vice Chair Ortiz, Chair Rodriguez

NAYS: Commissioner(s): NONE

ABSENT: Commissioner(s): NONE

9. COMMISSIONERS REPORTS, INCLUDING AB 1234 REPORTS – NONE

10. CORRESPONDENCE – NONE

11. COMMISSIONERS' AGENDA

Commissioner Barrera recommends that the Planning Commission continue Item 11, Commissioner's Agenda, to the next regular meeting.

A motion was made by Commissioner Barrera, seconded by Vice Chair Ortiz to continue Item 11 to the next regular Planning Commission meeting. Motion passed 5-0-0, by the following vote:

AYES: Commissioner(s): Barrera, Tang, Lares Vice Chair Ortiz, Chair Rodriguez

NAYS: Commissioner(s): NONE

ABSENT: Commissioner(s): NONE

ABSENT: Commissioner(s): NONE

12. ADJOURNMENT

At 7:55 p.m., there being no more business before the Commission, Chair Rodriguez adjourned the meeting to a regular Planning Commission Meeting on Tuesday, November 19, 2024, at 6:00 p.m.

I Renee Reyes, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours at the following locations: City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org on this 14th day of November 2024.

Renee Reyes

Secretary

Planning Commission Agenda Report

Agenda Item No. 7.a

DATE: November 19, 2024

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Director of Community Development

SUBJECT: Public hearing regarding the review of Sunny Spa and Conditions of Approval for Conditional Use Permit No. 22-03

RECOMMENDATION: Staff recommends the Commission open the public hearing, take public testimony and continue the public hearing to the next regularly scheduled Planning Commission meeting.

Planning Commission Agenda Report

Agenda Item 7.b.

DATE: November 19, 2024

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Director of Community Development

PREPARED BY: Charlize Hernandez, Planning Assistant

SUBJECT: Consideration of Resolution No. 24-08 approving a Conditional Use Permit (CUP) (No. 24-07) allowing the onsite sale of beer and wine within a bona fide eating establishment (Type 41 ABC license) in conjunction with a sit down restaurant located at 2750 Lashbrook Avenue operating as Bao Kee Café.

PUBLIC NOTICE: Notice of public hearing was posted on November 7, 2024 and mailed to all property owners within 300 feet of the project site.

ENVIRONMENTAL DETERMINATION: Categorical Exemption, Section 15301 Class 1 – Existing Facilities.

PROJECT LOCATION:

Address:	2750 Lashbrook Avenue
Project Applicant:	Baoyan Chen
Property Owner:	Hing Ling Chu
Zone:	"C-R" (Commercial-Residential)
Lot Size:	7,050 square feet

SURROUNDING ZONING AND LAND USE:

	Zone	General Plan	Land Use
North	"C-R" (Commercial-Residential)	Mixed Use	Auto Repair
South	"R-3" (Multi-Family Residential)	Medium-Density Residential	Residential
East	"C-R" (Commercial-Residential)	Mixed Use	Restaurant
West	"C-R" (Commercial-Residential)	Mixed Use	Retail

BACKGROUND: The Applicant, Baoyan Chen ("Applicant"), is applying to establish a Type 41 on-sale beer and wine license ("Project") at 2750 Lashbrook Avenue, South El Monte, California 91733 ("Property"). The Property consists of one parcel having an area of approximately 7,050 square feet and consists of a single tenant restaurant building measuring approximately 980 square feet and an apartment building measuring at approximately 2,000 square feet. There is an existing six foot tall CMU block wall that separates the commercial component from the residential component. The restaurant under current ownership has been operating at this location since 2022.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 24-08, approving Conditional Use Permit (No. 24-07), subject to the conditions of approval contained therein.

ANALYSIS:

Conditional Use Permit ("CUP")

In order to grant a CUP, the Commission must make the following finding pursuant to South El Monte Municipal Code ("SEMMC") Section 17.03.060:

> The commission shall find that the proposed use shall not be detrimental to persons or properties in the immediate vicinity nor to the city in general.

The parcels directly surrounding the Property are developed as commercial or residential. The existing operating hours of the business are Monday to Sunday from 10:00 a.m. to 8:00 p.m. On Thursdays, the location is closed. Along with this application, the Applicant will be requesting to extend the hours to Monday to Sunday from 10:00 a.m. to 10:00 p.m. The location will remain closed on Thursdays.

Staff believes the approval of the CUP will not be detrimental to persons or properties in the immediate vicinity, nor to the City in general. This is because the conditions of approval will ensure the restaurant will not be detrimental to the surrounding residential and commercial properties. Additionally, this site is an existing restaurant that is not expanding its footprint and is only proposing ancillary uses (on-site Type 41 ABC license). Condition No. 37 has been added to bring the Applicant before the Planning Commission in one (1) year to conduct a review to verify that the business has been adhering to the imposed conditions. If for any reason, violations of law, including violations of the South El Monte Municipal Code (SEMMC) or violations of conditions of approval occur, the Planning Commission can bring the Project before it for modification or revocation.

Additionally, the proposed Project is compatible with the objectives, policies, general land uses, economic development and programs specified in the General Plan which includes, but is not limited to, the following goals:

Land Use Element

Goal 1.0: *Maintain a balanced mix and distribution of land uses throughout South El Monte* by allowing for the expansion of a family restaurant with general alcohol sales as a secondary use;

Policy 1.4: *Maintain a balanced mix and distribution of land uses throughout South El Monte" and "create opportunities for two types of commercial development: (1) commercial uses that meet the retail and service needs of the local resident and employee populations, and (2) regional-serving retail commercial businesses that capture revenues from a broader population base.* This will serve the area by providing a unique sit-down restaurant with that will cater to residents as well as bring in the surrounding population; and

Economic Development Element

Goal 1.0: *Continue to provide opportunities for a wide range of industries to operate in South El Monte* by allowing the proposed use of serving beer and wine in conjunction with food sales, which is common to the City.

Proposed Project

The Applicant would like to enhance the existing restaurant by providing beer and wine (ABC License Type 41) as an ancillary use to the primary restaurant use. In addition, they are requesting to extend their hours of operation from Monday to Sunday from 10:00 a.m. to 8:00 p.m. to Monday to Sunday from 10:00 a.m. to 10:00 p.m. The location is closed on Thursdays.

Floor Plan

The existing restaurant will not expand its footprint size. It shall utilize its existing interior and exterior square footage to utilize a Type 41 ABC license to provide beer and wine as an ancillary use to a full-service sit down restaurant. The six existing dining tables will remain. The rest of the proposed floor plan is taken up by restrooms and kitchen areas.

Code Enforcement and Sheriff Review

Code Enforcement does not have any pending or open cases at this location. The Facilities Planning Bureau of the Sheriff's Department generally subscribes to the principles of Crime Prevention Through Environmental Design (CPTED). The goal of CPTED is to reduce opportunities for criminal activities by employing physical design features that discourage anti-social behavior, while encouraging the legitimate use of the site. Staff has incorporated in the proposed conditions of approval for Planning Commission's consideration:

- Installation of security cameras and building lights with motion sensors on the exterior of the establishment; and
- Installation of security cameras in areas where the cameras can adequately identify vehicle license plates upon entering and exiting into the parking lot of the proposed Project,

installation of low-level site security lighting at sites to be approved by the Sheriff's Department; and

- Installation of security cameras inside the establishment to cover the entry and waiting area lobby and hallways; and
- Installation of locks on alcohol display cases, coolers and storage areas during non-operational hours; and
- Submit a security plan to address potential alcohol related issues.

Staff proposes that the Planning Commission require these features to be reflected in the set of plans to be approved by the Sheriff's Department and installed prior to issuance of building permits.

ENVIRONMENTAL REVIEW: This proposed Project is categorically exempt from environmental review pursuant to Section 15301 Class 1 of the California Environmental Quality Act ("CEQA") Guidelines. The proposed Project satisfies the criteria for the Class 1 categorical exemption for existing facilities. The criteria is the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The Project falls within the criteria of operation of an existing building.

CONCLUSION: Staff has reviewed the Applicant's request and has determined that the proposed Project meets all of the development standards as set forth in SEMMC Chapter 17.07 which sets development standards for the Commercial-Residential "C-R" zone and SEMMC Chapter 17.11.100 which sets standards for the sale of alcohol. Approval of the Conditional Use Permit, as conditioned, will not be detrimental to persons or properties in the immediate vicinity nor to the City in general. All alcohol will be served in conjunction with food sales only. Staff recommends the Planning Commission adopt Resolution 24-08 to approve Conditional Use Permit No. 24-07 at 2750 Lashbrook Avenue.

ATTACHMENTS:

A – Draft Resolution No. 24-08
B – Vicinity Map/Aerials
C – Project Plans

PLANNING COMMISSION

RESOLUTION NO. 24-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE APPROVING CONDITIONAL USE PERMIT NO. 24-07, ALLOWING THE ONSITE SALE OF BEER AND WINE WITHIN A BONA FIDE EATING ESTABLISHMENT (TYPE 41 ABC LICENSE) IN CONJUNCTION WITH A SIT-DOWN RESTAURANT LOCATED AT 2750 LASHBROOK AVENUE OPERATING AS BAO KEE CAFE

WHEREAS, Baoyan Chen ("Applicant"), filed an application for a Conditional Use Permit ("CUP") to sell beer and wine as a secondary use to a restaurant in a proposed restaurant ("Project" or "proposed Project") located at 2750 Lashbrook Avenue, South El Monte, CA 91733 ("Property" or "project site"); and

WHEREAS, pursuant to South El Monte Municipal Code ("SEMMC") Sections 17.03.060 and 17.07.020(A), the Project requires Planning Commission review and approval because the Project consists of request for on-sale beer and wine in conjunction with a restaurant; and

WHEREAS, on November 7, 2024, notice of public hearing was mailed to all property owners within 300 feet of the subject site; and

WHEREAS, a public hearing was held before the Planning Commission on November 19, 2024, to consider the application. All evidence, both written and oral, presented during said public hearing was considered by the Planning Commission in making its determination.

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1: Pursuant to Section 15301 (Class 1) of the California Environmental Quality Act ("CEQA"), the proposed Project is categorically exempt from environmental review and a Notice of Exemption has been prepared. The proposed Project qualifies for a Class 1 Categorical Exemption for the Project is proposed to be operated within existing facilities. The criteria is the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The Planning Commission finds that the Project is exempt from the provisions of CEQA. The documents and other material, which constitute the record on which this decision is based, are located in the Department of Community Development and are in the custody of the Director of Community Development.

SECTION 2: A record of the public hearing indicates the following:

A. With regard to the application for a CUP, SEMMC Section 17.03.060 requires that the Planning Commission "find that the proposed use shall not be detrimental to persons or properties in the immediate vicinity nor to the City in general." State law requires that the Project be compatible with surrounding uses.

B. The General Plan Land Use designation for the Property is "Mixed Use." The Zoning Code designation is "C-R" (Commercial-Residential).

C. The proposed Project promotes the City's goals and objectives stated in the General Plan. No goal or policy will be impaired.

D. The operation of the restaurant with the service of beer and wine and extended hours of operation should not become a nuisance to surrounding properties.

SECTION 3: Based on the record of the hearing, including all information presented at the hearing, including the Staff Report dated November 19, 2024, which is hereby incorporated into this Resolution 24-08 by reference, the Planning Commission hereby finds:

A. As conditioned, the Project meets the requirements of SEMMC Chapters 17.03.060 and 17.07.020(A) and will not be detrimental to the public health, safety or welfare, nor will it adversely affect property values or the present or future development of the surrounding areas. This is because the Project compatible with the surrounding uses and the Project is subject to conditions of approval which will help ensure that surrounding uses are not adversely impacted by any potential secondary impact that would affect property values or present and future developments.

B. Pursuant to SEMMC Section 17.03.060, the approval of the CUP will not be detrimental to persons or properties in the immediate vicinity nor to the City in general. This is because the Project will be required to operate in a way that does not negatively impact the area through conditions imposed including restriction of operating hours for alcohol service.

C. As conditioned, the Project represents a quality establishment that will be compatible with surrounding commercial and residential uses, the surrounding area, and the goals of the City. The proposed Project will contribute to the general well-being of the City by benefitting neighboring uses and being an asset to the surrounding area as well as to the rest of the City. The Project will offer a use that is common to the area by offering beer and wine in conjunction with food sales, generating more traffic to the area as well as increasing sales tax. As a result, approving this application will not adversely affect the General Plan or the Zoning Ordinance.

D. As conditioned, the proposed Project is consistent with the City's General Plan. The proposed Project is compatible with the objectives, policies, general land uses, economic development and programs specified in the General Plan which includes, but is not limited to, the following goals:

Land Use Element

Goal 1.0: *Maintain a balanced mix and distribution of land uses throughout South El Monte* by allowing for the expansion of a family restaurant with general alcohol sales as a secondary use;

Policy 1.4: *Maintain a balanced mix and distribution of land uses throughout South El Monte" and "create opportunities for two types of commercial development: (1) commercial uses that meet the retail and service needs of the local resident and employee populations, and (2) regional-serving retail*

commercial businesses that capture revenues from a broader population base. This will serve the area by providing a unique sit-down restaurant that will cater to residents as well as bring in the surrounding population; and

Economic Development Element

Goal 1.0: *Continue to provide opportunities for a wide range of industries to operate in South El Monte* by allowing the proposed use of serving beer and wine in conjunction with food sales, which is common to the City.

SECTION 4: Based on the aforementioned findings, the Planning Commission hereby **approves** CUP (No 24-07) to operate a restaurant with on-sale beer and wine, as secondary uses, subject to the following conditions:

General Conditions

1. The Applicant and the business entity allowed for hereunder shall indemnify, defend and hold harmless the City, its officers, agents, employees, and volunteers from any and all claims, lawsuits or actions arising from the granting of, or the exercise of, the rights permitted by this approval, and from any and all claims or losses occurring or resulting to any person, firm, corporation or property for damage, injury, or death arising out of, or connected in anyway, with the performance of the use permitted hereby. The Applicant's obligation to indemnify, defend, and hold harmless the City shall include, but not be limited to, paying all legal fees and costs incurred by legal counsel of the City's choice in representing the City in connection with any such claims, losses, lawsuits or actions, and any award of damages or attorney's fees in any such lawsuit or action.

2. The Applicant and the business entity allowed for hereunder shall execute an Affidavit of Acceptance of these conditions in the presence of a Notary Public and return the Affidavit to the Director of Community Development within ten calendar days of the date of the Planning Commission's approval.

3. The approval shall lapse and become void if the privilege authorized is not utilized or where some form of construction pursuant to issuance of a building permit has not commenced within two (2) years from the date of this approval.

4. Applicant and its employees, agents and contractors shall comply with all Municipal Code provisions.

Planning Conditions

5. Sales, service and consumption of beer and wine shall be permitted only between hours of Monday to Sunday from 10:00 a.m. to 10:00 p.m.

6. The sale of beer and wine for consumption off of the Property is strictly prohibited.

7. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The Applicant shall at all times maintain records which reflect

separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to any peace officer, Business License staff member, or Planning Division staff member on demand.

8. No pool or billiard tables may be maintained on the Property.

9. Any graffiti painted or marked upon the Property or on any adjacent area under the control of the Applicant shall be removed or painted over within 24 hours of discovery or notice from the City.

10. The Property shall be maintained in a safe and clean condition and the Applicant shall ensure that no trash or litter originating from the site is deposited on neighboring properties or the public right-of-way. At the end of each business day, the Applicant shall pick up any and all litter including but not limited to large, discarded items that may have collected in the Property's parking area and public right-of-way.

11. No beer and wine shall be consumed on any property adjacent to the licensed premises under control of the licensee.

12. The sale of beer and wine shall be an ancillary service to the primary restaurant use.

13. The Applicant shall not permit any loitering on any property adjacent to the Property under control of the licensee(s).

14. At no time shall there be a fee for entrance/admittance into the Property.

15. At all times, when the Property is open for business, the sale and service of beer and wine shall be made only in conjunction with the sale and service of food. No alcohol shall be sold to any guest/patron who does not also purchase food.

16. There shall be no coin operated games maintained on the Property at any time.

17. Food service, with an available menu, shall be available until closing time on each day of operation.

18. The windows of the Property shall not be tinted or covered in any way, which obstructs a clear view of the interior of the Property from the exterior. Pursuant to SEMMC 17.15.070(A), window signs cannot obscure more than 25% of the total window area.

19. The employees who sell or serve alcoholic beverages shall be required to complete a training program in alcoholic beverage compliance, crime prevention techniques, and handling of violence. For new employees of licensees such training known as Responsible Beverage Service ("RBS") training offered by the State Department of Alcoholic Beverage Control must be completed within 30 days of the date of hire. Those already employed shall complete training within 30 days from the date the ABC license is issued.

20. The Applicant and all operators and agents including staff and security guards shall each take

all necessary steps to assure the orderly conduct of employees, patrons, and visitors when they are present on the Property.

21. The Applicant shall maintain all required permits and licenses in good standing.

22. At no time shall there be a minimum drink requirement.

23. The sale of alcoholic beverages for consumption off the Property is prohibited. Signs shall be posted at all exits of the Property, which prohibit alcohol beverages from leaving the confines of the Property.

24. Patrons shall not be allowed to bring into the location any alcoholic beverage to be consumed within the establishment.

25. The maximum occupancy of the Property shall be prominently posted and monitored at all times.

26. The front of the exterior of the Property, as well as all adjacent parking areas under control of the Applicant, shall be illuminated at all times while the Property is open for business. This shall be done in such a fashion that persons standing outdoors at night are identifiable by law enforcement personnel while balancing the lighting so as not to unreasonably illuminate the window area of nearby businesses.

27. All crimes occurring inside or outside of the location shall be reported to the Sherriff Department at the time of the occurrence. At any time when the Applicant is absent from the Property, a responsible party shall be designated who can facilitate any Sherriff inquiries.

28. In January of each year, the Applicant shall provide a list of no less than three (3) employees who are available 24 hours a day to the Sheriff's Department Records Bureau. The list of names will be used to facilitate a Sheriff's response to the location in the event of an emergency or other problem that requires entry into the location during non-business hours.

35. A copy of the approved resolution shall be kept on the premises at all times and presented to any Sheriff, or Business License, or Planning Staff person.

36. The Applicant understands that any violation of these conditions shall be grounds for the suspension, modification or revocation of the Conditional Use Permit.

37. The business shall return for review before the Planning Commission on or about November 2025. The review shall include, but not be limited to, an evaluation of all operating characteristics following the implementation of these conditions. If additional impacts are identified during said review, the Operator shall be responsible for addressing such issues to the satisfaction of the Planning Commission, including the imposition of additional conditions. After said review, at the request of City Staff or the Planning Commission, the business shall return before the Planning Commission for review not more than one time per year.

Building Conditions

38. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.

39. All construction shall comply with the most recent adopted City and State building codes: California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Fire Code, and California Green Code.

40. Special Inspections – If applicable, per California Building Code ("CBC") Section 1704, the owner shall employ one or more special inspectors who shall provide special inspections when required by CBC section 1704. Please contact the Building Division at time of plan submittal to obtain application for special inspections.

41. The Title Sheet of the plans shall include Occupancy Group, Occupant Load, Description of Use, Type of Construction, Height of Building, Floor area of building(s) and/or occupancy group(s).

42. The project design will conform with energy conservation measures articulated in Title 24 of the California Code of Regulations and address measures to reduce energy consumption such as flow restrictors for toilets, low consumptions light fixtures, and insulation and shall use to the extent feasible draught landscaping.

43. If applicable, a design professional will be required at time of construction drawings, to prepare plans for proposed improvements per the California Business and Professions Code.

44. Public and private site improvements shall be designed in accordance with the Americans with Disabilities Act and Chapter 11 of the California Building Code. As applicable, site plan shall include a site accessibility plan identifying exterior routes of travel and detailing running slope, cross slope, width, pedestrian ramp, curb ramps, handrails, signage and truncated domes. Path of travel shall be provided from the public right of way and accessible parking to building. The design professional shall ensure that the site accessibility plan is compliance with the latest Federal and State regulations.

Sheriff (based on comments and suggestions from Sheriff's Department)

45. Security Cameras and Building Lights: Prior to the issuance of a building permit, applicant shall submit a plan for Sheriff's Department review for the installation of security cameras and building lights with motion sensors for the exterior of the establishment. In addition, the plan shall identify locations of exterior building security cameras in areas where they can adequately identify vehicle license plates upon entry and exit into the parking lot. Lighting shall be adequate to enhance visibility. The plan shall have installation of low-level site security lighting throughout the site as approved by the Sherriff's Department. The equipment shall be installed and functioning prior to the issuance of a building occupancy permit.

46. Interior Security Cameras/Video Monitoring: Prior to the issuance of a building permit, applicant

shall submit a plan for Sheriff's Department review for the installation of security cameras inside the establishment at each entry/exit points. The equipment shall be installed and functioning prior to the issuance of a building occupancy permit.

47. Interior Security Locks: Prior to the issuance of a building permit, applicant shall submit a plan for Sheriff's Department review for the installation of locks on alcohol display cases, coolers and storage areas during non-operational hours.

48. Security Plan: Prior to the issuance of a building permit, applicant shall submit a security plan for Sheriff's Department review to address potential alcohol related issues.

SECTION 5: Any interested party may appeal this decision to the City Council pursuant to Section 17.03.130 of the South El Monte Municipal Code.

PASSED, APPROVED AND ADOPTED this 19th day of November 2024.

_____
Chairman

ATTEST:

_____
Secretary

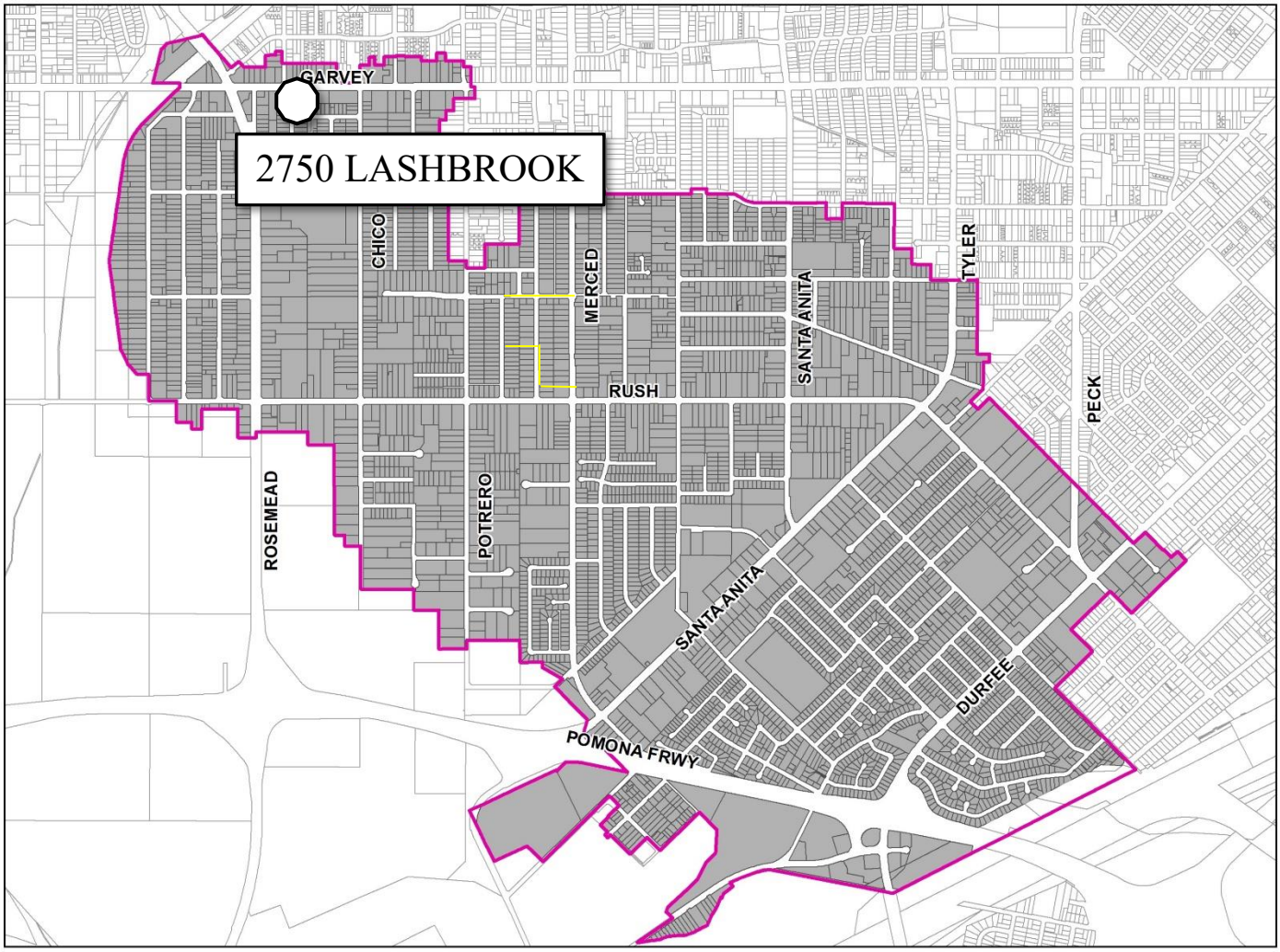
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH EL MONTE)

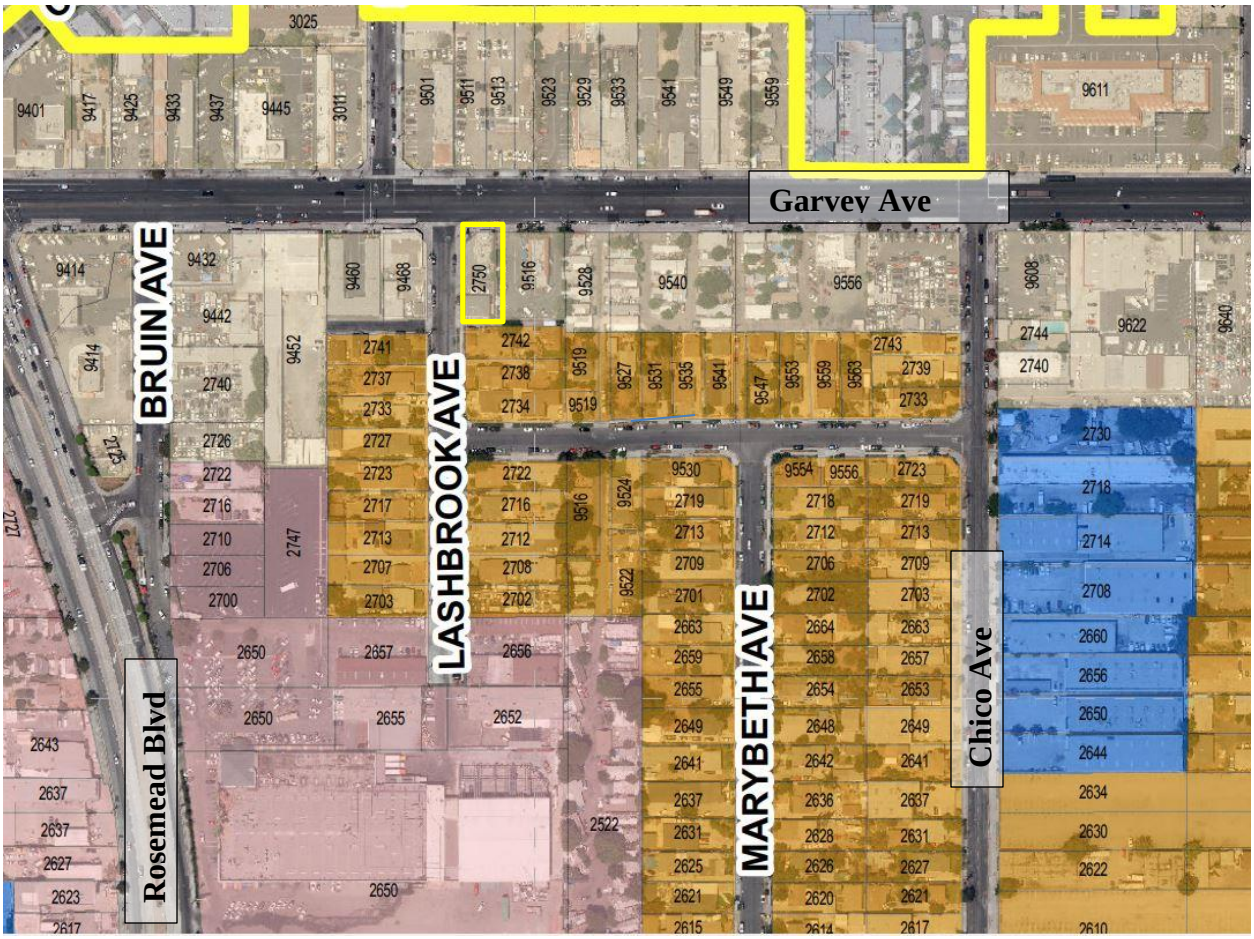
I, Renee Reyes, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 24-08 was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 19th day of November 2024.

AYES:
NOES:
ABSENT:
ABSTAIN:

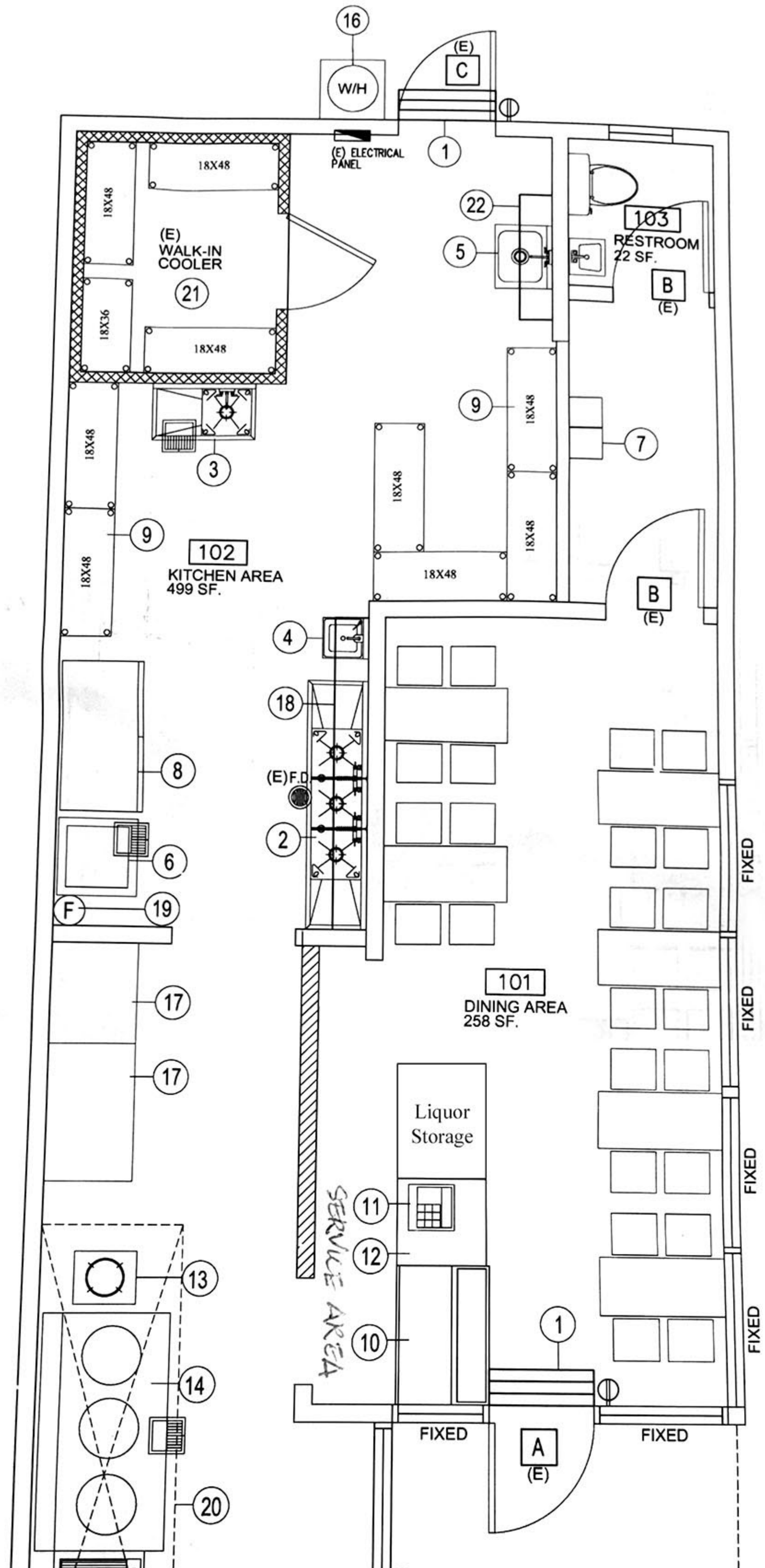
_____
Secretary

Attachment B




Garvey Ave
BRUIN AVE
LASHBROOK AVE
MARYBETH AVE
Chico Ave
Rosemead Blvd

Attachment C



NEW FLOOR PLAN

1/4"=1'-0"

Planning Commission Agenda Report

Agenda Item No. 7.c.

DATE: November 19, 2024

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Director of Community Development

PREPARED BY: Gerardo Marquez, Planning Manager

SUBJECT: Approval of Resolution No. 24-09 adopting a mitigated negative declaration prepared in compliance with the California Environmental Quality Act; approving Conditional Use Permit (CUP 21-13) to allow for the development of a new approximately 156,877 square foot warehouse building located at 2222 Rosemead Boulevard.

PUBLIC NOTICE: Notice of public hearing was posted on November 7, 2024 and mailed to all property owners within 500 feet of the project site.

DATE: November 19, 2024

ENVIRONMENTAL DETERMINATION: An Initial Environmental Study was prepared for the project in compliance with the California Environmental Quality Act (CEQA) and was made available for public review and comment October 1, 2024 to October 30, 2024. The study concluded that there will be less than significant impacts with project mitigation. Therefore, a Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program has been prepared.

PROJECT LOCATION:

Address:	2222 Rosemead Boulevard
Project Applicant:	Rosemead Holding LLC
Property Owner:	Rosemead Holding LLC
Zone:	"CM" (Commercial Manufacturing)
Lot Size:	233,987 square feet (5.14 acres)

SURROUNDING ZONING AND LAND USE:

	Zone	General Plan	Land Use
North	"CM" (Commercial Manufacturing)	Commercial Manufacturing	Wholesale
South	"CM" (Commercial Manufacturing)	Commercial Manufacturing	Wholesale
East	"M" (Manufacturing)	Industrial	Wholesale
West	"CM" (Commercial Manufacturing)	Commercial Manufacturing	School

BACKGROUND: The property located at 2222 Rosemead Boulevard ("Property") is a single parcel measuring approximately 233,987 square feet on the east side of Rosemead Boulevard just north of Rush Street and south of Garvey Avenue in the City of South El Monte ("City"). In years past, the Property was utilized for multiple, auto focused uses such as auto repair and sales until laying vacant. The site is currently vacant with no existing structures, only pads which are proposed to be demolished. The proposed Project is being developed as a 156,877 square foot warehouse building with ancillary office and retail space. The development will also provide site improvements such as trash enclosures, site lighting, concrete screen walls and hardscape/landscape improvements per City standards. There have been public records requests for this property which were focused around the California Environmental Quality Act ("CEQA") and the associated mitigated negative declaration document.

RECOMMENDATION: Staff recommends that the Planning Commission adopt the attached Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program and Resolution No. 24-09, approving Conditional Use Permit No. 21-13, as conditioned.

ANALYSIS:

General Plan/Zoning Consistency

The Property is designated as "Commercial Manufacturing" in the City's General Plan and is zoned "CM" (Commercial Manufacturing) in the City's Zoning Code. The construction of a 156,877 square foot warehouse, building ("Proposed use" or "Project") falls within the scope of the General Plan's "Commercial Manufacturing" land use designation and is also a conditionally permitted use in the "CM" zone. When considering consistency with the General Plan, staff determined that the Project will help further the City's goals and objectives found in the General Plan and satisfy all development requirements within the Zoning Code. Additionally, the site is almost entirely surrounded by similar uses and would provide a new facility on a lot that is underutilized.

The establishment of a new warehouse building will be a viable asset to the City's economy. With the newly adopted zone text amendment to the zoning section of the South El Monte Municipal Code ("SEMMC"), the potential uses of the site have been expanded and provide the opportunities for new businesses to flourish. The Project will also promote balanced and dynamic economic growth in the area, as well as the City as a whole, and serve as a catalyst for future economic growth along Rosemead Boulevard. Considering all of the above, the Project is consistent with both the General Plan and the Zoning Code.

Proposed Project

The Applicant is proposing to build a 156,877 square foot warehouse building with ancillary office and retail space. The development shall provide multiple tenant spaces and shall provide a mixture of industrial and retail uses. The building will mainly be utilized as a warehouse with 127,887 square feet being dedicated to this use with the 18,580 utilized as ancillary office and 7,879 square feet being retail area. The retail component will be located on the first floor and fronting Rosemead Boulevard. The proposed warehouse use will provide 13 dock doors for the delivery of items.

Off-Street Parking

As the majority use of the building is warehousing, SEMMC Section 17.16 states that parking shall be provided at one parking space for every one thousand square feet and office requires one parking space per three hundred square feet. The proposed Project satisfies the minimum parking requirements per the following figure below:

Proposed Use	**Size of Area**	**Required**
Warehouse/Office	148,998 sq. ft.	(1/1,000) = 149
Retail	7,879 sq. ft.	(1/300) = 27
	Total Proposed Total Required	176 176

Landscaping

The Project provides landscaping along the Property's frontage, near the warehouse entrance, along the south of the building and Property, and all along the north and northeast portion of the Property. This is sufficient to satisfy the City's landscaping requirements found in SEMMC Section 17.09.070. This section requires the front five feet of the Property and five percent of the parking area to be landscaped. The parking lot area is approximately 29,153 square feet in size, which requires 1,457 square feet of landscaping in the parking lot area. The Applicant has proposed to landscape 7,777 square feet or 26 percent of the parking lot area exceeding the required amount.

Circulation and Loading

The Project will be accessible via two driveways along Rosemead Boulevard. The southern driveway will provide truck access while the northern driveway will provide access to passenger cars. For both the northern and southern driveway, trucks and passenger vehicles will be able to enter through right-in and exit through a right-out turn movement. There will be gates present on the Project site enclosing and securing the truck court during non-operational hours. These gates will remain open during business hours, allowing for free traffic flow without restriction.

Impacts on Surrounding Uses and Properties

The Property is surrounded by a mixture of industrial uses and underdeveloped land. The Project will not significantly increase the amount of industrial activities and therefore the Project's potential impact on surrounding properties would be slight. Previously, the site was occupied by

multiple vehicular repair and sales establishments. The proposed use shall provide a new enclosed facility that will operate entirely within the building. There shall be no outdoor storage or operation of any kind. Additionally, the Project would restore existing street pavement along the length of the property frontage to the centerline of the street on Rosemead Boulevard. Sidewalk, curb ramps, curb and gutter, and driveways would be newly constructed. City staff reviewed a traffic and circulation study and concluded that traffic generated by the Project will not result in any significant effects relating to traffic.

CONDITIONAL USE PERMIT

In order to grant a CUP, the Commission must make the following finding pursuant to South El Monte Municipal Code ("SEMMC") Section 17.03.060:

1. **The commission shall find that the proposed use shall not be detrimental to persons or properties in the immediate vicinity nor to the city in general.**

The parcels directly adjacent to the Property are developed with warehouses that perform warehousing or wholesale with ancillary office space. The approval of the CUP will not be detrimental to persons or properties in the immediate vicinity nor to the City in general because of the conditions that are included in the resolution, as well as many of the surrounding parcels being utilized as industrial. Conditions of approval prohibiting any outdoor storage or operation have been incorporated in order to ensure that any future uses are not detrimental to adjacent properties.

Land Use Element

Policy 1.5: *Continue to provide opportunities for establishment and expansion of a broad range of industrial businesses within those areas of the City designated for industrial.* This Project will serve the area by creating a single location for storage, wholesale, and retail operations for new businesses to establish their operations within the area. This new development along with the newly adopted zoning code will allow new businesses to flourish in the City.

Goal 2: *Focus new revenue-generating development in those areas of the City with high visibility*. The proposed Project will in-fill a vacant parcel and provide a new warehouse/wholesale and commercial mixed-use type of development to complement the existing adjacent sites along the already established Rosemead Boulevard.

Goal 3.0: *Accommodate new development that is compatible with and complements existing land uses* by allowing for the establishment of a warehouse, office, wholesale and retail that fits with the surrounding uses. Adjacent to north, south, and west of the Project site similar uses and types of buildings are already established. Previously, the site was occupied by multiple vehicular repair and sales establishments. The proposed use shall provide a new enclosed facility that will operate entirely within the building. There shall be no outdoor storage or operation of any kind.

Goal 6.0: *Provide for the revitalization of deteriorating land uses and properties*. The new development will not only provide a new 156,877 square foot building on a property that has remained vacant for many years, but will also provide off-site improvements by restoring existing street pavement along the length of the property frontage to the centerline of the street on

Rosemead Boulevard and new sidewalk, curb ramps, curb and gutter, and driveways would be newly constructed as well.

ENVIRONMENTAL REVIEW: An Environmental Initial Study was conducted and a Mitigated Negative Declaration was prepared pursuant to the guidelines of the California Environmental Quality Act (California Code of Regulations, Title 14, Division 6, Chapter 3. §15063; §15070). The public review period took place between October 1 and October 30, 2024. The study concluded that there will be less than significant impacts with project mitigation.

A total of five letters were received from different organizations during the public review period and each organization have been issued a response and are attached as Attachment "E" to this report. The comments received on the initial study did not raise any substantive environmental issues that would require recirculation of the Mitigated Negative Declaration document or the need for an Environmental Impact Report per CEQA section 15073.5. Additionally, the mitigation measures did not require any modifications as a result of the comments.

CONCLUSION: Staff has reviewed the Applicant's request and has determined that the Project meets all of the development standards as set forth in SEMMC Chapters 17.03 and 17.09. Approval of the Conditional Use Permit, as conditioned, will not be detrimental to persons or properties in the immediate vicinity nor to the City in general. Staff recommends the Planning Commission adopt Resolution 24-09 to approve Conditional Use Permit No. 21-13 for the proposed 156,877 square foot warehouse building.

ATTACHMENTS:

A. Draft Resolution No. 24-09
B. Vicinity Map/Aerials
C. Project Plans
D. Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program
E. Comments to MND and Responses

PLANNING COMMISSION

RESOLUTION NO. 24-09

A RESOLUTION OF THE SOUTH EL MONTE PLANNING COMMISSION APPROVING A MITIGATED NEGATIVE DECLARATION AND MITIGATION AND MONITORING REPORTING PROGRAM PREPARED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; APPROVING CONDITIONAL USE PERMIT 21-13 TO ALLOW FOR THE DEVELOPMENT OF A NEW APPROXIMATELY 156,877 SQUARE FOOT WAREHOUSE BUILDING LOCATED AT 2222 ROSEMEAD BOULEVARD

WHEREAS, Rosemead Holding LLC ("Applicant" filed an application for a Conditional Use Permit ("CUP") for the development of a new 156,877 square foot warehouse building located at 2222 Rosemead Boulevard ("Project"); and

WHEREAS, pursuant to South El Monte Municipal Code ("SEMMC") Section 17.03.060, the Project requires Planning Commission review and approval because the Project consists of request for a CUP; and

WHEREAS, a public hearing was held before the Planning Commission on November 19, 2024, to consider the application. All evidence, both written and oral, presented during said public hearing was considered by the Planning Commission in making its determination.

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1: The Planning Commission hereby adopts an Initial Environmental Study, Mitigated Negative Declaration, and Mitigation and Monitoring Reporting Program that was prepared for the project in compliance with the California Environmental Quality Act ("CEQA") and was made available for public review and comment October 1, 2024 to October 30, 2024. The study concluded that there will be less than significant impacts with project mitigation. Therefore, a Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program has been prepared. The documents and other material, which constitute the record on which this decision is based, are located in the Department of Community Development and are in the custody of the Director of Community Development.

SECTION 2: A record of the public hearing indicates the following:

A. Pursuant to SEMMC Section 17.03.060, an application for a CUP requires that the Planning Commission find that the proposed Project shall not be detrimental to persons or properties in the immediate vicinity nor to the City in general. State law requires that the Project be compatible with surrounding uses.

B. The General Plan Land Use designation for the Property is "Commercial Manufacturing." The Zoning Code designation is "CM" (Commercial Manufacturing).

C. The proposed Project promotes the City's goals and objectives stated in the General Plan. No goal or policy will be impaired.

D. The construction and operation of the warehouse, office, and retail building is not anticipated to become a nuisance to surrounding properties.

SECTION 3: Based on the record of the hearing, including all information presented at the hearing, including the Staff Report dated November 19, 2024, which is hereby incorporated into this Resolution 24-09 by reference, the Planning Commission hereby finds:

A. As conditioned, the Project meets the requirements of SEMMC Section 17.03.060 and will not be detrimental to the public health, safety, or welfare, nor will it adversely affect property values or the present or future development of the surrounding areas. The conditions that are included in this resolution, as well as the fact that many of the surrounding parcels are industrial uses, ensures that this will hold true in the future.

B. Pursuant to SEMMC Section 17.03.060, the approval of the CUP will not be detrimental to persons or properties in the immediate vicinity nor to the City in general. This is because the Project, as conditioned, will be required to operate in a way that does not negatively impact the area through conditions imposed. as well as many of the surrounding parcels being utilized as industrial and provide similar types of uses in nature.

C. As conditioned, the Project represents a quality establishment that will be compatible with surrounding commercial and manufacturing uses, the surrounding area, and the goals of the City. The proposed Project will contribute to the general well-being of the City in that the Project benefits neighboring uses and will be an asset to the surrounding area, as well as to the rest of the City. Previously, the site was occupied by multiple vehicular repair and sales establishments. The proposed use shall provide a new enclosed facility that will operate entirely within the building. There shall be no outdoor storage or operation of any kind. As a result, approving this application will not adversely affect the General Plan or the Zoning Ordinance.

D. As conditioned, the proposed Project is consistent with the City's General Plan. The proposed Project is compatible with the objectives, policies, general land uses, economic development and programs specified in the General Plan which includes, but is not limited to, the following goals:

Land Use Element

Policy 1.5: *Continue to provide opportunities for establishment and expansion of a broad range of industrial businesses within those areas of the City designated for industrial.* This Project will serve the area by creating a single location for storage, wholesale, and retail operations for new businesses to establish their operations within the area. This new development along with the newly adopted zoning code will allow new businesses to flourish in the City.

Goal 2: *Focus new revenue-generating development in those areas of the City with high visibility*. The proposed Project will in-fill a vacant parcel and provide a new warehouse/wholesale and commercial mixed-use type of development to complement the existing adjacent sites along the already established Rosemead Boulevard.

Goal 3.0: *Accommodate new development that is compatible with and complements existing land uses* by allowing for the establishment of a warehouse, office, wholesale and retail that fits with the surrounding uses. Adjacent to north, south, and west of the Project site similar uses and types of buildings are already established. Previously, the site was occupied by multiple vehicular repair and sales establishments. The proposed use shall provide a new enclosed facility that will operate entirely within the building. There shall be no outdoor storage or operation of any kind.

Goal 6.0: *Provide for the revitalization of deteriorating land uses and properties.* The new development will not only provide a new 156,877 square foot building on a property that has remained vacant for many years, but will also provide off-site improvements by restoring existing street pavement along the length of the property frontage to the centerline of the street on Rosemead Boulevard and new sidewalk, curb ramps, curb and gutter, and driveways would be newly constructed as well.

SECTION 4: Based on the aforementioned findings, the Planning Commission hereby approves a Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program (Exhibit A), and CUP (No 21-13) to construct a new approximately 156,877 square foot warehouse, and office building with ancillary retail subject to the following conditions:

General Conditions

1. The Applicant and the business entity allowed for hereunder shall indemnify, defend, and hold harmless the City, its officers, agents, employees, and volunteers from any and all claims, lawsuits, or actions arising from the granting of, or the exercise of, the rights permitted by this approval, and from any and all claims or losses occurring or resulting to any person, firm, corporation, or property for damage, injury, or death arising out of, or connected in anyway, with the performance of the use permitted hereby. The Applicant's obligation to indemnify, defend, and hold harmless the City shall include, but not be limited to, paying all legal fees and costs incurred by legal counsel of the City's choice in representing the City in connection with any such claims, losses, lawsuits, or actions, and any award of damages or attorney's fees in any such lawsuit or action.

2. The Applicant and the business entity allowed for hereunder shall execute an Affidavit of Acceptance of these conditions in the presence of a Notary Public and return the Affidavit to the Director of Community Development within ten calendar days of the date of the Planning Commission's approval.

3. The approval shall lapse and become void if the privilege authorized is not utilized or where some form of construction pursuant to issuance of a building permit has not commenced within two years from the date of this approval.

4. Applicant and its employees, agents and contractors shall comply with all State, Federal, and Municipal Code provisions.

Planning Conditions

5. All buildings and walls must be finished with graffiti resistant materials. Any graffiti painted or marked upon the Property or on any adjacent area under the control of the Applicant shall be removed or painted over within 48 hours of discovery or notice from the City.

6. The Property shall be maintained in a safe and clean condition and the Applicant shall ensure that no trash or litter originating from the site is deposited on neighboring properties or the public right-of-way. At the end of each business day, the Applicant shall pick up any and all litter including but not limited to large, discarded items that may have collected in the Property's parking area and public right-of-way.

7. The Applicant shall maintain all required permits and licenses in good standing.

8. The Applicant understands that any violation of the foregoing conditions shall be grounds for the suspension or revocation of the CUP.

9. The construction site shall always be kept in a clean manner prior, during, and after construction.

10. The Applicant shall develop the Property as shown in the site plan and landscaping plan approved by the Planning Commission.

11. The Applicant shall provide a detailed landscape and irrigation plan, prepared by a registered Landscape Architect to the Community Development Director for review and approval prior to submitting the plans to the Building Division.

12. The Applicant shall install drought tolerant landscaping in strict compliance with a landscape plan prepared by a Landscape Architect drawn at a minimum scale of 1" = 10' which will include all proposed softscape elements (included areas of ornamental plantings and turf areas), with the perimeter planting design for the exterior of building. The Applicant shall incorporate the following into the landscape plan:

    a. Enclose all planters within parking lot areas with raised six-inch P.C.C. curbs, except at sidewalks.
    b. Provide an automated underground irrigation system for all landscaped areas.
    c. Provide adequate landscaping to completely screen all ground mounted mechanical equipment.

13. All exterior doors shall be lit with a minimum of one-foot candle power of intensity and constructed of tamper-resistant fixtures.

14. The Applicant shall have no outside storage of material or equipment during or after hours in the required parking lot areas or near the front entrance of the Property visible from Rush Street.

15. There shall be no loading or unloading of materials on the public right of way (Rush Street).

16. There shall be no queuing or parking of vehicles on or along Rush Street as a result of this development.

17. At no time shall the site store inoperable freight trucks or vehicles in its parking areas either within the vehicle spaces or the freight truck spaces.

18. No repair of vehicles or freight trucks shall occur at any time.

19. All exterior lights on the property shall be LED and shall be directed, positioned, and/or shielded such that they do not illuminate surrounding properties and/or the public right of way.

20. For security purposes, lighting shall be place in such a way as to illuminate the area surrounding the trash enclosure(s), transformer, and all vehicle parking spaces. This lighting shall be un-switched and photo sensor controlled.

21. Any bollards on the site visible from the public right of way shall be decorative in nature and shall be approved by the Director of Community Development or designee.

22. Noise generated from the site shall comply with the South El Monte Municipal Code Chapter 8.20.

23. The applicant must incorporate a copy of these conditions of approval into the approved set of building plans.

24. The consolidation of parcels shall be finalized and recorded prior to the issuance of building permits.

Public Works Conditions

PW1. The second sheet of building plans, grading plans and/or offsite improvement plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.

PW2. A geotechnical and soils investigation report is required, the duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:

a) Observation of cleared areas and benches prepared to receive fill;
b) Observation of the removal of all unsuitable soils and other materials;
c) The approval of soils to be used as fill material;
d) Inspection of compaction and placement of fill;
e) The testing of compacted fills; and
f) The inspection of review of drainage devices.

PW3. The owner shall retain the soils engineer preparing the Preliminary Soils and/or Geotechnical Investigation accepted by the City for observation of all grading, site preparation, and compaction testing. Observation and testing shall not be performed by another soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits and has accepted by the Public Works Department, a new Preliminary Soils and/or Geotechnical Investigation.

PW4. A grading and drainage plan shall be approved prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.

PW5. Low Impact Development (LID) review shall be completed prior submitting grading plans for plan review. Grading plans shall be submitted including the proof of approval of LID or exemption of LID.

PW6. Install new driveway approach in accordance with SPPWC Standard Plan 110-2, and as directed by the City Engineer or his/her designee.

PW7. Remove and replace broken and off grade sidewalk in accordance with SPPWC standard plan 113-2, and as directed by the City Engineer or his/her designee.

PW8. Install an irrigation system and landscape the designated parkway area, and as directed by the City Engineer and/or his/her designee.

PW9. Protect and maintain existing street tree through the duration of the project. Existing street tree must be maintained in healthy condition through the duration of any planning and construction. Trees should be deemed healthy and in good condition upon the conclusion of any construction in order for the project to be accepted as completed by the Public Works Department.

PW10. Remove and replace broken and off grade curb and gutter in accordance with SPPWC Standard Plan 120-2, and as directed by the City Engineer or his/her designee.

PW11. Relocate water meter from the sidewalk as directed by the City Engineer or his/her designee.

PW12. Rehabilitate existing AC street pavement along the length of the property frontage to the centerline of the street, and as directed by the City Engineer or his/her designee,

PW13. Underground all utility services to the property.

PW14. Protect existing tree(s).

PW15. Sewer Study shall be reviewed and approved by the City Engineer or his/her designee, prior to the issuance of permits. If sewer is found to be inadequate, sewer improvement plans shall be submitted to the City for approval and required improvements shall be made at the sole cost to the property owner/developer.

PW16. Project shall be reviewed and approved by the City Traffic Engineer, prior to the issuance of permits. Any necessary public improvements determined by Traffic Engineering, shall be made at the sole cost to the property owner/developer.

Building Division Conditions

B3. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.

B4. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.

B5. The building shall be addressed as 2222 Rosemead Blvd., and an application to assign unit numbers shall be filed with City prior to plan check submittal.

B6. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.

B7. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.

B8. A geotechnical and soils investigation report is required, the duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:

a) Observation of cleared areas and benches prepared to receive fill;
b) Observation of the removal of all unsuitable soils and other materials;
c) The approval of soils to be used as fill material;
d) Inspection of compaction and placement of fill;
e) The testing of compacted fills; and

f) The inspection of review of drainage devices.

B9. The owner shall retain the soils engineer preparing the Preliminary Soils and/or Geotechnical Investigation accepted by the City for observation of all grading, site preparation, and compaction testing. Observation and testing shall not be performed by another soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits and has accepted by the Public Works Department, a new Preliminary Soils and/or Geotechnical Investigation.

B10. A grading and drainage plan shall be approved by Engineering Division prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.

B11. Prior submitting grading plans to Engineering Department, LID review shall be completed and approved.

B12. Mechanical ventilation in accordance with Los Angeles County Building Code is required for the enclosed parking garage.

B13. Mezzanine design shall comply with Section 505 of the California Building Code. Each mezzanine area shall also comply with the applicable means of egress requirements of Chapter 10. The aggregate area of all mezzanines within the room shall be not greater than one-third of the floor area of that room or space in which they are located.

B14. Interior exit stairway shall discharge directly to the exterior of the building per Section 1023.3 and 1028 of California Building, unless Exceptions 1 and 2 under Section 1028 are satisfied.

B15. All State of California disability access regulations for accessibility shall be complied with.

B16. The retaining/garden wall design along the property line fronting Rosemead Boulevard shall be designed in such way to provide an accessible route from the public street sidewalks to the accessible building or facility entrance they serve per Section 11B-206.2.1 pf the California Building Code.

B17. The number of accessible parking spaces provided on the site shall be calculated according to the number of spaces required for each parking facility per Section 11B-208.2 of the California Building Code. Surface parking and underground parking garage are separate parking facilities. Accessible parking spaces shall only be permitted to be located in different parking facilities if Exception 2 under Section 11B-208.3.1 is satisfied.

B18. The number of accessible electrical vehicle charging station (EVCS) provided on the site shall be calculated according to the number required for each parking facility per Section 11B-228.3.2 of the California Building Code. Surface parking and underground parking garage are separate parking facilities. Ambulatory accessible EVCS shall be provided if more than 25 EVCS are provided per Table 11B-228.3.2.1.

B19. The following plan checks are required:

a. Electrical plan check

b. Mechanical plan check
c. Plumbing plan check

B20. Plumbing fixtures shall be provided as required by the Chapter 4 of the California Plumbing Code.

B21. Project shall comply with the CalGreen Non-Residential mandatory requirements.

B22. No form work or other construction materials will be permitted to encroach into adjacent property without written approval of the affected property owner.

B23. Demolition permit is required for any existing buildings which are to be demolished.

B24. Separate plan review and building permit is required for the proposed signs.

B25. All fire sprinkler hangers must be designed, and their location approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250-pound point load. A plan indication this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.

B26. Separate permit is required for Fire Sprinklers.

B27. The building permit will not be issued until the property has been surveyed and the boundaries marked by a land surveyor licensed by the State of California.

B28. Foundation inspection will not be made until the excavation has been surveyed and the depth of the footings has been determined to be in accordance with the approved plans by a land surveyor licensed by the State of California. THIS NOTE IS TO BE PLACED ON THE FOUNDATION PLAN IN A PROMINENT LOCATION.

B29. Foundation inspection will not be made until setback on all sides of the proposed building has been surveyed and the location of the footings has been determined to be in accordance with the approved plans by a land surveyor licensed by the State of California. THIS NOTE IS TO BE PLACED ON THE FOUNDATION PLAN IN A PROMINENT LOCATION.

B30. Prior to the issuance of building permit, a written consent shall be obtained from the current easement holder(s) for any proposed development encroaching into existing easement(s).

B31. City records indicate the proposed site is a combination of lots under common ownership. A parcel merger by document shall be processed prior to issuance of the building permit.

B32. Proposed lot line adjustment involving another adjacent parcel shall be executed in such way that the adjusted fire separation distance to any existing buildings as a result shall not impose additional fire-resistance rating requirements to their existing exterior wall or openings in accordance with the current building code requirements.

B33. Building permits shall not be issued until lots merger have been processed to the satisfaction of the Building Official.

Los Angeles County Fire Department Conditions

1. Submitted plans shall correspond with the plans approved by the County of Los Angeles Fire Department Fire Prevention Division Land Development Unit.

County of Los Angeles Sheriff's Department Conditions

1. Installation of security cameras and building lights with motion sensors shall be placed around the proposed development where feasible to reduce opportunities of criminal activities. Cameras and lighting shall be placed in such a way where law enforcement can adequately identify vehicle license plates upon entry/exit to the site.

2. Height of hedge-type plants shall be limited to allow visibility from the street. Landscaping shall not block building addresses from street patrol car line of sight.

3. Provide numerical addresses in a font size on the corner of the building that can be easily viewed and read from the street.

4. During construction of the project emergency access shall be maintained at all times.

SECTION 5: Exhibit "A" hereto is incorporated herein by reference.

SECTION 6: Any interested party may appeal this decision to the City Council pursuant to Section 17.03.060 of the South El Monte Municipal Code.

PASSED, APPROVED AND ADOPTED this 19th day of November 2024.

_____
Chairman

ATTEST:

_____
_____
Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH EL MONTE)

I, Renee Reyes, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 24-09 was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 19th day of November 2024.

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Secretary

EXHIBIT "A"

MITIGATION MONITORING AND REPORTING PROGRAM

2222 ROSEMEAD BOULEVARD WAREHOUSE DEVELOPMENT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Prepared for	City of South El Monte 1415 Santa Anita Avenue South El Monte, California 91733
Prepared by	Kimley-Horn and Associates, Inc. 1100 W Town and Country Road, Suite 700 Orange, California 92868

Date: November 2024

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that all public agencies establish monitoring and/or reporting procedures for mitigation adopted as conditions of approval in order to mitigate or avoid significant environmental impacts. This Mitigation Monitoring and Reporting Program (MMRP) has been developed to provide a vehicle by which to monitor standard conditions (SCs) and mitigation measures (MMs) identified in the 2222 Rosemead Boulevard Warehouse Development Project (Project) Initial Study/Mitigated Negative Declaration (IS/MND). This MMRP has been prepared in conformance with Public Resources Code Section 21081.6. Specifically, Public Resources Code Section 21081.6 states:

(a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:

(1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.

(2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

(b) A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or incase of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.

(c) Prior to the close of the public review period for a draft environmental impact report or mitigated negative declaration, a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit the authority of the responsible agency or an agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

State CEQA Guidelines Section 15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during Project implementation. The City of South El Monte (City) is the Lead Agency for the Project and is therefore responsible for ensuring the implementation of the MMRP. The MMRP has been drafted as a fully enforceable monitoring program to meet Public Resources Code Section 21081.6 requirements.

The MMRP is comprised includes measures to implement and monitor the Mitigation Program. The MMRP defines the following for each MM:

- **Definition of Mitigation.** The MM contains the criteria for mitigation, either in the form of adherence to certain adopted regulations or identification of the steps to be taken in mitigation.

- **Responsible Party or Designated Representative.** Unless otherwise indicated, an applicant would be the responsible party for implementing the mitigation, and the City or its designated representative is responsible for monitoring the performance and implementation of the mitigation measures. To guarantee that the mitigation will not be inadvertently overlooked, a supervising public official acting as the designated representative is the official who grants the permit or authorization called for in the performance. Where more than one official is identified, permits or authorization from all officials shall be required.

- **Time Frame.** In each case, a time frame is provided for the performance of the mitigation or the review of evidence that mitigation has taken place. The performance points selected are designed to ensure that impact-related components of project implementation do not proceed without establishing that the mitigation is implemented or ensured. All activities are subject to the approval of all required permits from agencies with permitting authority over the specific activity.

The MM numbering system in the table corresponds with the MM numbering system in the IS/MND. The MMRP table's last column will be used by the parties responsible for documenting when MM implementation has been completed. The ongoing documentation and monitoring of mitigation compliance will be completed by the City. The completed MMRP and supplemental documents will be kept on file at the Community Development Department, Planning Division.

2222 ROSEMEAD BOULEVARD WAREHOUSE DEVELOPMENT PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
Cultural Resources					
MM CUL-1: Prior to the issuance of the first grading permit or permit for ground disturbance activities, the Applicant shall provide evidence to the City of South El Monte that a qualified archaeologist has been retained. The selection of the qualified archaeologist shall be subject to approval by the City. The archaeologist shall train project construction workers on the types of archaeological resources that could be found in site soils. The archaeologist shall periodically monitor ground-disturbing activities. If cultural resources are inadvertently unearthed during excavation and grading activities of any future development project, the contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery (the distance shall be determined by the archaeologist) and the archaeologist shall be contacted to evaluate the significance of the find. Work can continue beyond the find. For finds that are not significant, work may resume immediately after the find is documented and removed at the direction of the archaeologist. If a find is significant, a mitigation plan shall be developed and approved by the City of South El Monte Planning Manager and all required mitigation completed prior to ground disturbance activity continuing within the established buffer radius.	Prior to first Grading Permit Issuance or permit for ground disturbance activities During excavation and grading activities	Verify Retention of a Qualified Professional If cultural resources are unearthed, evaluate significance of findings If a find is significant, a mitigation plan is required	Community Development Department, Planning Division; Building & Safety Division Qualified Archaeologist		
Geology and Soils					
MM GEO-1: Prior to the issuance of grading permits, the City of South El Monte Building and Safety Division shall review all Project plans for grading, foundation, structural, infrastructure, and all other relevant construction permits to ensure compliance with the applicable recommendations from the Geotechnical Investigation.	Prior to Grading Permit issuance	Verify compliance on project plans	Community Development Department, Building & Safety Division		
MM GEO-2: Prior to the issuance of the first grading permit for ground-disturbing activities, the Applicant shall provide evidence to the City of	Prior to Grading Permit	Verify retention of a qualified Paleontologist	Community Development		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
South El Monte Building and Safety Division that a qualified paleontologist has been retained. The selection of the qualified paleontologist shall be subject to the acceptance of the City. If paleontological resources are encountered, the contractor shall immediately cease all earth-moving activities within a 100-foot radius of the area of discovery. The qualified paleontologist shall be contacted to evaluate the significance of the finding and determine an appropriate course of action. If avoidance of the resource(s) is not feasible, salvage operation requirements under State CEQA Guidelines Section 15064.5 shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.	issuance If paleontological resources are unearthed; evaluate significance of findings		Department, Planning Division; Building & Safety Division Qualified Paleontologist		
Hazards and Hazardous Materials					
MM HAZ-1: Prior to the issuance of a grading permit, the Applicant shall submit a Soil Management Plan (or equivalent document) for approval by the Los Angeles Regional Water Quality Control Board (Los Angeles RWQCB). The Soil Management Plan (SMP) (or equivalent document) shall specify the details regarding the handling, stockpiling, sampling, and reuse or disposal of soil with concentrations of Chemicals of Potential Concern (COPC) in excess of their respective site-specific remedial action goals (RAGs) or re-use criteria that were established as part of a Human Health Risk Assessment (HHRA) and integrated into the SMP. Once approved, the SMP (or equivalent document) shall be kept on site by the general contractor throughout construction and distributed to the grading contractor and other contractors that may be trenching or boring on the site. ▪ The SMP shall Identify and implement accident prevention and control measures for soil disturbance and remediation activities, and for ongoing operations that are protective of the health and safety of the public (i.e., vapor intrusion mitigation system [VIMS]), and construction workers including a routine inspection program to	Prior to Grading Permit issuance	Verify Soil Management Plan (or equivalent document) has been approved	Los Angeles RWQCB Community Development Department, Building & Safety Division		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
ensure that such measures are being implemented during construction. At a minimum, such measures shall include compliance with applicable federal, State, and local laws and regulations.					
MM HAZ-2: Prior to the issuance of a grading permit by the City of South El Monte, the Applicant shall in accordance with the Soil Vapor Assessment Report (EEC Environmental, 2023), Limited Soil Remediation Work Plan (Leighton, 2023), Limited Soil Remediation Work Plan Addendum (Haley & Aldrich, 2024a), and TSCA Application for Risk-Based Clean-up (Haley & Aldrich, 2024b) (included as Appendix C to the Initial Study): ▪ Remove the existing soil vapor extraction system (SVE) system and properly abandon the associated extraction wells in accordance with Los Angeles Regional Water Quality Control Board; and ▪ Perform limited shallow soil excavation in the eastern portion of the site in coordination with the Los Angeles RWQCB and U.S. EPA.	Prior to Grading Permit issuance	Verify compliance on grading plans Verify SVE system removal and associated extraction well abandonment Verify soil excavation	Community Development Department, Building & Safety Division Los Angeles RWQCB Los Angeles RWQCB and U.S. EPA		
MM HAZ-3: Prior to grading permit issuance, the Applicant shall demonstrate to the City of South El Monte Building and Safety Division implementation of the Limited Soil Remediation Work Plan for the Eastern Portion of 2200 North Rosemead Boulevard and Limited Soil Remediation Work Plan Addendum for 2200-2226 N. Rosemead Boulevard as approved by the Los Angeles Regional Water Quality Control Board, and the TSCA Application for Risk-Based Clean-up as approved by the U.S. EPA. The Los Angeles Regional Water Quality Control Board and U.S. EPA shall provide oversight for the implementation of soil remediation and mitigation activities performed.	Prior to Grading Permit issuance	Verify implementation of the Limited Soil Remediation Work Plan	Community Development Department, Building & Safety Division Los Angeles RWQCB and U.S. EPA		
MM HAZ-4: Prior to the issuance of a grading permit, the City of South El Monte Building and Safety Division shall review the building plans to	Prior to Grading Permit	Verify vapor intrusion mitigation system (VIMS)	Community Development		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
verify that a vapor intrusion mitigation system (VIMS) is included in the Project design in accordance with the Limited Soil Remediation Work Plan Addendum for 2200-2226 N. Rosemead Boulevard to minimize vapor intrusion risks from VOC impacted soil and soil vapor on the project site.	issuance	is included in the Project design	Department, Building & Safety Division		
A construction quality assurance program shall be developed and implemented during VIMS construction that includes a pre-construction meeting and routine meetings during construction of the system, observations of construction and testing activities, and pre-occupancy (post-construction) system inspection and performance monitoring. The construction quality assurance program shall be summarized on the final VIMS design drawings and detailed in a Construction Quality Assurance Plan (CQAP).	During VIMS construction	Verify Construction Quality Assurance Program on final VIMS design drawing and CQAP Monitor during construction	Building & Safety Division		
A VIMS Construction Completion Summary Report shall also be prepared and submitted to the Los Angeles RWQCB within 60 days of VIMS construction completion. The VIMS Construction Completion Summary Report shall include a summary of the construction quality assurance program and VIMS installation activities, as-built drawings, and VIMS Engineer certification that the VIMS was installed in general accordance with the design. The City of South El Monte Building and Safety Division shall have oversight/sign-off responsibility for the vapor barrier.	Within 60 days of VIMS construction completion	Verify submittal of VIMS Construction Completion Summary Report	Community Development Department, Building & Safety Division Los Angeles RWCQB		
MM HAZ-5: In accordance with Los Angeles Regional Water Quality Control Board Comment No. 6 and requirements dated August 17, 2022, prior to the issuance of the first occupancy permit, baseline indoor air sampling involving at least two rounds of sampling shall be performed to account for seasonal fluctuation of contaminants in the indoor air. Air sampling results shall be submitted to and approved by the Los Angeles Regional Water Quality Control Board.	Prior to First Occupancy Permit issuance	Submit two rounds of Air Sampling data for approval to the Los Angeles RWQCB	Community Development Department, Building & Safety Division Los Angeles RWQCB		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
Noise					
MM NOI-1: Prior to issuance of any demolition or grading permit, the City of South El Monte Public Works Department shall verify that the Project plans and specifications include provisions that either: (1) require the installation of a 10-foot-high concrete masonry wall along the southern property line of the project site; or (2) prohibit truck movement and loading and unloading between the hours of 10:00 PM and 7:00 AM.	Prior to Demolition or Grading Permit issuance	Verify compliance on project plans	Community Development Department, Planning Division Public Works Department		
MM NOI-2: Prior to issuance of any demolition or grading permit, the City of South El Monte Public Works Department shall verify that the Project plans and specifications include provisions prohibiting the use of vibratory rollers, or other similar vibratory equipment, within 15 feet – or large bulldozers within 8 feet of the project site's north, south, and east boundary.	Prior to Demolition or Grading Permit issuance	Verify compliance on project plans Monitor during grading and construction	Public Works Department		
Transportation					
MM TRANS-1: Prior to the issuance of the first occupancy permit, the Applicant shall submit to the City of South El Monte Public Works Department a transportation demand management (TDM) program the purpose of which is to reduce VMT and vehicular trips to the project site and project area. The TDM program shall be implemented with the occupancy of the Project. The TDM program shall include the following strategy: ▪ [T-5] Implement Commute Trip Reduction Program: Implement a voluntary commute trip reduction (CTR) program to discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions. The voluntary CTR program must include the following elements:	Prior to First Occupancy Permit issuance Annually After Project Occupancy	Verify Submittal of TDM Program Verify implementation of Commute Trip Reduction Program	Public Works Department		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
○ Employer-provided services, infrastructure, and incentives for alternative modes such as ridesharing, discounted transit, bicycling, vanpool, and guaranteed ride homes. ○ Information, coordination, and marketing for said services, infrastructure, and incentives.					
Tribal Cultural Resources					
MM TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities. A. The Applicant shall retain a Native American monitor from (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation (the "Kizh" or the "Tribe") - the direct lineal descendants of the project location. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project, at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. B. A copy of the executed monitoring agreement shall be provided to the City of South El Monte prior to the earlier of the commencement of any ground-disturbing activity for the project, or the issuance of any permit necessary to commence a ground-disturbing activity. C. The Applicant shall provide the Tribe with a minimum of 30 days advance written notice of the commencement of any project ground-disturbing activity so that the Tribe has	Prior to ground disturbing activities Monitoring during grading	Retention of an approved Native American Monitor; Executed Monitoring Agreement Monitoring during ground disturbance activities Pre-Construction Sensitivity/Educational Meeting Daily Tribal Monitoring Logs	Community Development Department, Planning Division Community Development Department, Building & Safety Division Kizh Monitor and/or Kizh Archaeologist		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
sufficient time to secure and schedule a monitor for the project. D. The Applicant shall hold at least one pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where at a senior member of the Tribe will inform and educate the project's construction and managerial crew and staff members (including any project subcontractors and consultants) about the tribal cultural resources ("TCR") mitigation measures and compliance obligations, as well as places of significance located on the project site (if any), the appearance of potential TCRs, and other informational and operational guidance to aid in the project's compliance with the TCR mitigation measures. E. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc. (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the City upon written request. F. Native American monitoring for the project shall conclude upon the latter of the following: (1) written confirmation from a designated project point of contact to the Tribe that all					

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
ground-disturbing activities and all phases that may involve ground-disturbing activities on the project site and at any off-site project location are complete; or (2) written notice by the Tribe to the Applicant and City that no future, planned construction activity and/or development/construction phase (known by the Tribe at that time) at the project site and at any off-site project location possesses the potential to impact TCRs.					
MM TCR-2: Discovery of TCRs, Human Remains, and/or Grave Goods A. Upon the discovery of a TCR, all construction activities in the immediate vicinity of the discovery (i.e., not less than the surrounding 50 feet) shall cease. The Tribe shall be immediately informed of the discovery, and a Kizh monitor and/or Kizh archaeologist will promptly report to the location of the discovery to evaluate the TCR and advise the project manager regarding the matter, protocol, and any mitigating requirements. No project construction activities shall resume in the surrounding 50 feet of the discovered TCR unless and until the Tribe has completed its assessment/evaluation/recovery of the discovered TCR and surveyed the surrounding area. B. The Tribe will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate in its sole discretion, and for any purpose the Tribe deems appropriate, including but not limited to, educational, cultural and/or historic purposes. C. If Native American human remains and/or grave goods are discovered or recognized on the project site or at any off-site project location, then all construction activities shall immediately cease. Native American "human remains" are defined to include "an inhumation or cremation, and in any	During construction, if human remains are found	Kizh Monitor and/or Kizh Archaeologist assigned and on site, if remains are found	Community Development Department, Planning Division; Building & Safety Division Kizh Monitor and/or Kizh Archaeologist		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
state of decomposition or skeletal completeness." (Public Resources Code [PRC] §5097.98 (d)(1).) Funerary objects, referred to as "associated grave goods," shall be treated in the same manner and with the same dignity and respect as human remains. (PRC §5097.98 (a), d)(1) and (2)). D. Any discoveries of human skeletal material or human remains shall be immediately reported to the County Coroner (Health & Safety Code §7050.5(c); 14 Cal. Code Regs. §15064.5(e)(1)(B)), and all ground-disturbing project ground-disturbing activities on site and in any other area where the presence of human remains and/or grave goods are suspected to be present, shall immediately halt and remain halted until the coroner has determined the nature of the remains. (14 Cal. Code Regs. §15064.5(e).) If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed. E. Thereafter, construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or grave goods, if the Tribe determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Tribal monitor and/or archaeologist deems necessary). (14 Cal. Code Regs. §15064.5(f).)					

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
F. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or grave goods. G. Any historic archaeological material that is not Native American in origin (non-TCRs) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes. H. Any discovery of human remains and/or grave goods discovered and/or recovered shall be kept confidential to prevent further disturbance.					
MM TCR-3: Procedures for Burials, Funerary Remains, and Grave Goods A. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented for all discovered Native American human remains and/or grave goods. Tribal Traditions include, but are not limited to, the preparation of the soil for burial, the burial of funerary objects and/or the deceased, and the ceremonial burning of human remains. B. If the discovery of human remains includes four (4) or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created. C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated "grave goods" (aka, burial goods or funerary objects) are objects that, as part of the death rite or ceremony of a culture,	During construction, if remains are found	Compliance with Koo-nas-gna Burial Policy	Community Development Department, Planning Division; Building & Safety Division Kizh Monitor and/or Kizh Archaeologist		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
are reasonably believed to have been placed with individual human remains either at the time of death or later, as well as other items made exclusively for burial purposes or to contain human remains. Cremations will either be removed in bulk or by means necessary to ensure complete recovery of all sacred materials. D. In the case where discovered human remains cannot be fully recovered (and documented) on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to divert the project while keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. E. In the event preservation in place is not possible despite good faith efforts by the Applicant and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. The site of reburial/repatriation shall be agreed upon by the Tribe and the landowner, and shall be protected in perpetuity. F. Each occurrence of human remains and associated grave goods will be stored using opaque cloth bags. All human remains, grave goods, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on					

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
site if possible. These items will be retained and shall be reburied within six months of recovery. G. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.					

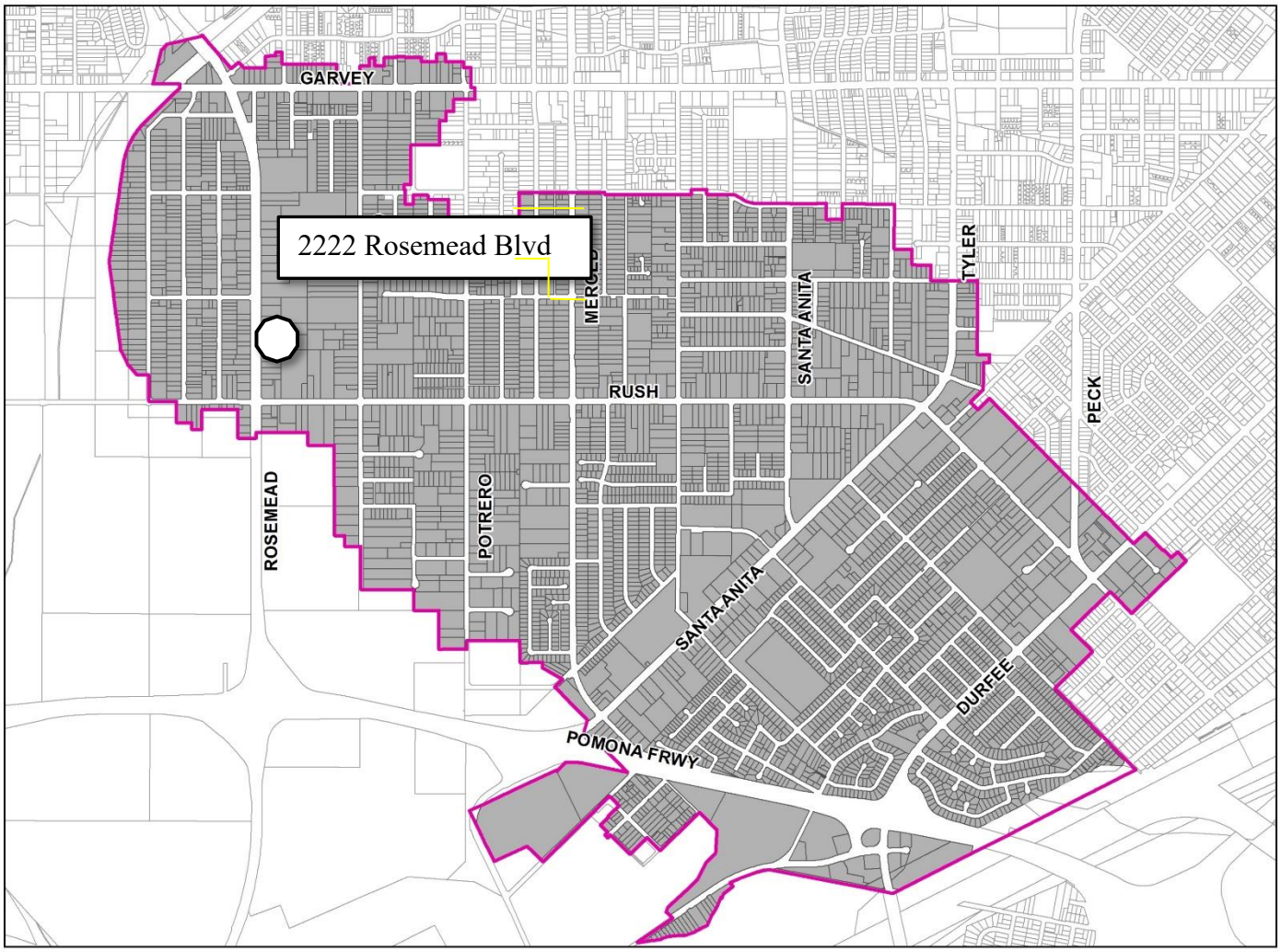
Standard Conditions (SCs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
Biological Resources					
SC BIO-1: Nesting Migratory Birds. During construction, grubbing, brushing, or tree removal shall be conducted outside of the state identified nesting season for migratory birds (i.e., typically March 15 through September 1), if possible. If construction activities cannot be conducted outside of nesting season, a Pre-Construction Nesting Bird Survey within and adjacent to the project site shall be conducted by a qualified biologist within three days prior to initiating construction activities. If active nests are found during the Pre-Construction Nesting Bird Survey, a Nesting Bird Plan (NBP) shall be prepared by a qualified biologist and implemented during construction. At a	Three days prior to first site disturbance, if during migratory bird nesting season	Verify requirements included on grading and construction plans Verify pre-construction nesting bird survey conducted and nesting bird	Community Development Department, Planning Division; Building & Safety Division Qualified Biologist		

Standard Conditions (SCs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, nesting sage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.		plan prepared, if required			
Cultural Resources					
SC CUL 1: California Health and Safety Code Section 7050.5 through 7055, and Public Resources Code Sections 5097.98 and 5097.99 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered within the project site, disturbance of the site shall be halted until the coroner has conducted an investigation into the circumstances, manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.	In the event of an accidental discovery of human remains	Verify Requirements on Construction Plans; Verify Coroner Investigation, if required	Community Development Department, Planning Division; Building & Safety Division Los Angeles County Coroner Native American Heritage Commission, if remains are Native American		
Noise					
SC N-1: All construction activities should be limited to the hours between the hours of 7:00 AM and 10:00 PM on weekdays, or any time on weekends or holidays per City of South El Monte Municipal Code Chapter 8.20.	During grading and construction	Verify requirements on construction plans Conduct Site Inspections	Community Development Department, Planning Division; Building &		

Standard Conditions (SCs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
			Safety Division		
SC N-2: The Applicant shall ensure through contract specifications that construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels. Contract specifications shall be included in construction documents, which shall be reviewed by the City prior to issuance of a grading or building permit (whichever is issued first). The construction BMPs shall include the following: • All equipment, whether fixed or mobile, will be equipped with properly operating and maintained mufflers, consistent with manufacturer standards. • All stationary construction equipment will be placed so that emitted noise is directed away from the noise-sensitive receptors nearest the project site. • As applicable, all equipment shall be shut off and not left idle when not in use. • To the degree possible, equipment staging will be located in areas that create the greatest distance between construction-related noise and vibration sources and existing sensitive receptors. • Jackhammers, pneumatic equipment, and all other portable stationary noise sources will be directed away and shielded from existing residences in the vicinity of the project site. Either one-inch plywood or sound blankets can be utilized for this purpose. They should reach up from the ground and block the line of sight between equipment and existing residences. The shielding should be without holes and cracks. • No amplified music and/or voice will be allowed on the project site.	Prior to Grading or Building Permit issuance, whichever issued first	Verify requirements on construction plans Conduct Site Inspections	Community Development Department, Planning Division; Building & Safety Division		

Standard Conditions (SCs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
• Haul truck deliveries will not occur outside the hours presented as exempt for construction per City of South El Monte Municipal Code Section 8.20.030(D).					

Attachment B




164
PROJECT SITE
ROSEMEAD BLVD
Rush St
Rush St

Attachment C







PROJECT TEAM

OWNER:
ROSEMEAD HOLDING LLC
221 N ORANGE AVE
CITY OF INDUSTRY, CA 91744

CONTACT: WAYNE WANG
wwang@foxluggage.com

APPLICANT
TAIT & ASSOCIATES, INC.
701 N. PARKCENTER DR.
SANTA ANA, CA 92705
(714) 560-8689
CONTACT: SYLVIA TRAN
STRAN@TAIT.COM

ARCHITECT:
AO ARCHITECTS
141 N. ORANGE STREET
ORANGE, CA 92866
(714) 639-9860
CONTACT: ERIC AUBORT

LANDSCAPE ARCHITECT:
RLA
8841 RESEARCH DRIVE, SUITE 200
IRVINE, CA 92618
(949) 387-1323
CONTACT: TRAVIS EBBERT

CIVIL:
TAIT & ASSOCIATES, INC
701 N. PARKCENTER DRIVE
SANTA ANA, CA 92705
(714) 560-8200
CONTACT: JACOB VANDERVIS

TAIT

2222 ROSEMEAD BLVD

2222 Rosemead Boulevard, South El Monte, CA 91733

COVER SHEET

SHEET INDEX

GENERAL
G1 COVER SHEET
G2 PROJECT RENDERINGS

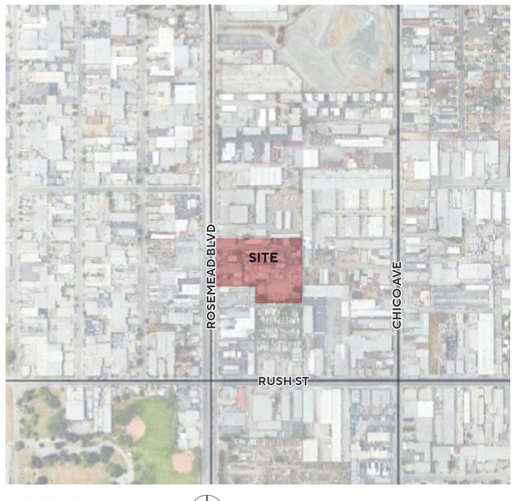
CIVIL
1 CONCEPTUAL GRADING PLAN
2 CONCEPTUAL STORM DRAIN PLAN
3 CONCEPTUAL WET UTILITY PLAN

LANDSCAPE
L1.1 PRELIMINARY LANDSCAPE PLAN
L2.1 PRELIMINARY PLANTING IMAGES

ARCHITECTURAL
A1.1 SITE PLAN, NOTES, AND PROJECT TABULATIONS
A2.1 1ST LEVEL FLOOR PLAN
A2.2 2ND AND 3RD LEVEL FLOOR PLANS
A3.1 ROOF PLAN
A4.1 ELEVATIONS
A4.2 COLOR ELEVATIONS

SITE INFO

ASSESSOR'S PARCEL NUMBER:
8102-039-029
8102-039-030
8102-039-031
8102-039-035



VICINITY MAP

AO Architecture. Design. Relationships.

G1

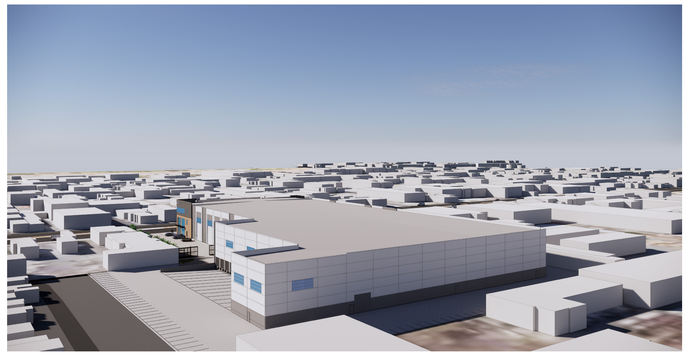
Scale N.A.
Job No. 2022-392
Date 2024-08-08



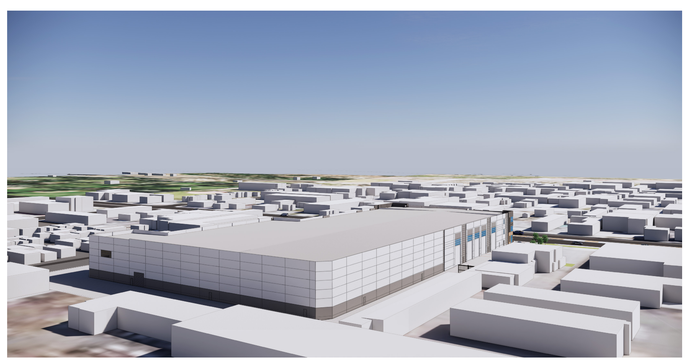
PROJECT AERIAL SW | 1 |



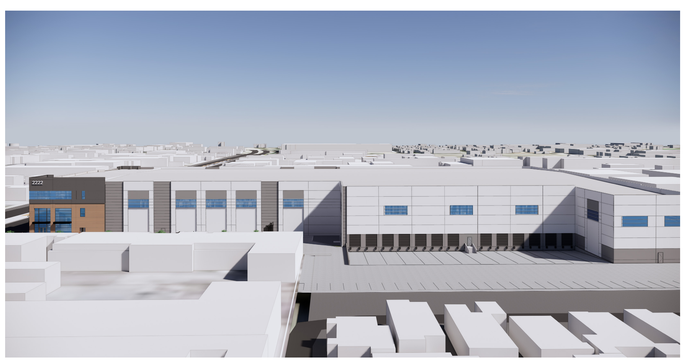
PROJECT AERIAL NW | 2 |



PROJECT AERIAL SE | 3 |



PROJECT AERIAL NE | 4 |



SOUTH FACADE PERSPECTIVE | 5 |



WEST FACADE PERSPECTIVE | 6 |



ROSEMEAD BLVD. PERSPECTIVE S | 7 |



WAREHOUSE PERSPECTIVE | 8 |



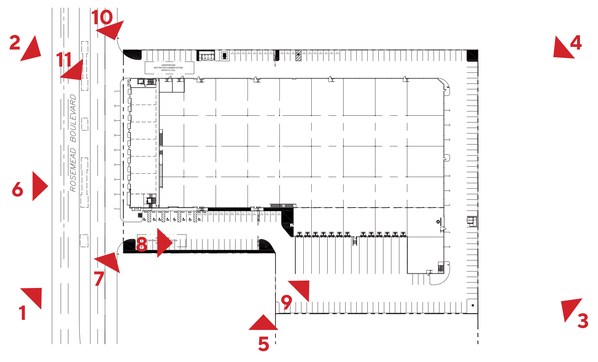
WAREHOUSE PERSPECTIVE 2 | 9 |



ROSEMEAD BLVD. PERSPECTIVE N | 10 |



ROSEMEAD BLVD PERSPECTIVE | 11 |



SITE REFERENCE | 12 |

TAIT

2222 ROSEMEAD BLVD

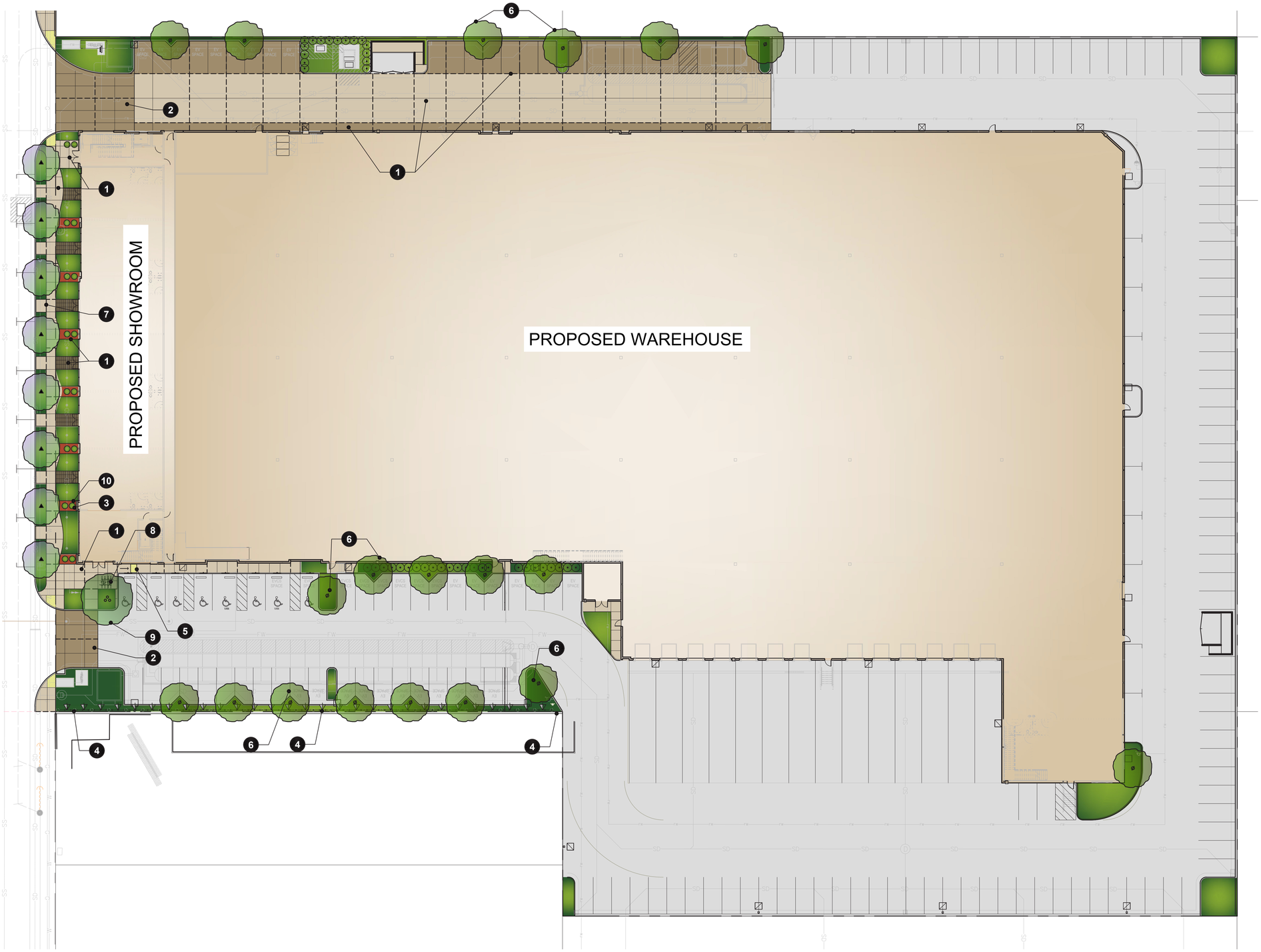
2222 Rosemead Boulevard, South El Monte, CA 91733

PROJECT RENDERINGS

AO Architecture. Design. Relationships.

G2

Scale	N.A.
Job No.	2022-392
Date	2024-08-08



PLANT SCHEDULE

TREES

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE / FORM	HT. X SPRD. X CAL. (MIN)	WATER USE	DESCRIPTION
	LAGERSTROEMIA 'NATCHEZ '	NATCHEZ HYBRID CRAPE MYRTLE	24" BOX	STD. / 8'	M	ACCENT TREE
	OLEA EUROPAEA 'SWAN HILL'	SWAN HILL FRUITLESS OLIVE	48" BOX	MULTI / 10'	L	ACCENT TREE
	RHUS LANCEA	AFRICAN SUMAC	24" BOX	STD. / 8'	L	PARKING LOT TREE

SHRUBS, GRASSES, & GROUNDCOVERS

SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WATER USE	DESCRIPTION
	CAR DIV	CAREX DIVULSA	BERKELEY SEDGE	1 GAL.	24" O.C.	L	ORNAMENTAL GRASS
	DIA 'LR'	DIANELLA 'LITTLE REV'	LITTLE REV FLAX LILY	1 GAL.	24" O.C.	L	UPRIGHT ACCENT
	BOU GRA	BOUTELOUA GRACILIS	BLUE GRAMA	5 GAL.	36" O.C.	L	UPRIGHT ACCENT
	HES BL	HESPERALOE 'BRAKELIGHTS'	BREAKINGLIGHTS YUCCA	5 GAL.	36" O.C.	L	FLOWERING SHRUB
	JUN PAT	JUNCUS PATENS	CALIFORNIA GRAY RUSH	1 GAL.	24" O.C.	L	GRASS LIKE SHRUB
	LAN 'NG'	LANTANA 'NEW GOLD'	NEW GOLD LANTANA	5 GAL.	36" O.C.	L	FLOWERING LOW SHRUB
	MUH ET	MUHLENBERGIA E. EL TORO	BULL GRASS	5 GAL.	36" O.C.	L	ORNAMENTAL GRASS
	OLE MON	OLEA 'MONTRA'	LITTLE OLLIE	5 GAL.	48" O.C.	L	LARGE SHRUB/HEDGE
	ROS PRO	ROSMARINUS OFFICINALIS 'PROSTRATUS'	CREEPING ROSEMARY	1 GAL.	24" O.C.	L	FLOWERING LOW SHRUB
	WES MUN	WESTRINGIA FRUTICOSA 'MUNDI'	MUNDI COAST ROSEMARY	5 GAL.	36" O.C.	L	LOW SHRUB

VINES

SYMBOL	KEY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WATER USE	DESCRIPTION
	TRA JAS	TRACHELOSPERMUM JASMINOIDES	STAR JASMINE	15 GAL.	PER PLAN	L	FLOWERING VINE

LEGEND

1. PRE-CAST CONCRETE PAVERS — P2
2. ENHANCED CONCRETE PAVING — P3
3. PLANTER POTS
4. 96" GREENSCREEN WITH FLOWERING VINES
5. TRUNCATED DOMES AT ACCESSIBLE PARKING — P5
6. PARKING SHADE TREE
7. CONCRETE WALKWAY — P1
8. BIKE RACKS
9. SPECIMEN ACCENT TREE — P4
10. DECOMPOSED GRANITE PAVING

LANDSCAPE TABULATIONS

TOTAL LANDSCAPE REQUIRED (5% OF TOTAL SITE DEVOTED TO PARKING)

TOTAL SITE AREA DEDICATED TO PARKING	= 29,153 S.F.
5% OF TOTAL SITE	= 1,457 S.F.
TOTAL LANDSCAPE PROVIDED	**= 7,777 S.F. (26%)**

TAIT

2222 ROSEMEAD BLVD

2222 Rosemead Boulevard, South El Monte, CA 91733

PRELIMINARY LANDSCAPE PLAN

0 20' 40'

RLA AO Architecture. Design. Relationships.

L1.1

Scale 1"=20'-0"
Job No. 2022-392
Date 2024-08-08

TREES



LAGERSTROEMIA INDICA
'NATCHEZ' /
NATCHEZ CRAPE
MYRTLE

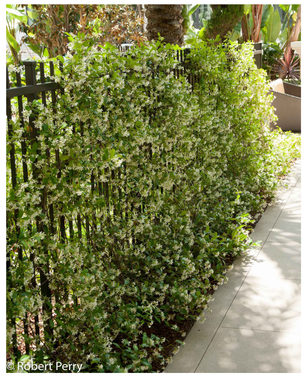


OLEA EUROPAEA 'SWAN HILL' /
SWAN HILL FRUITLESS OLIVE



RHUS LANCEA /
AFRICAN SUMAC

VINES



TRACHELOSPERMUM JASMINOIDES /
STAR JASMINE VINE

SHRUBS & GROUNDCOVERS



CAREX DIVULSA /
BERKELEY SEDGE



DIANELLA REVOLUTA 'LITTLE REV' /
LITTLE REV FLAX LILY



DIANELLA T. 'VARIEGATA' /
VARIEGATED DIANELLA



LANTANA 'NEW GOLD' /
NEW GOLD LANTANA

J:\Images\Plant Material\Grasses\Muhlenbergia\Muhlenbergia rigens\Muhlenbergia-rigens 2.jpg

MUHLENBERGIA RIGENS /
DEER GRASS



OLEA EUROPAEA 'MONTRA' /
LITTLE OLLIE DWARF OLIVE



RHAPHIOLEPIS INDICA 'CLARA' /
CLARA INDIAN HAWTHORN



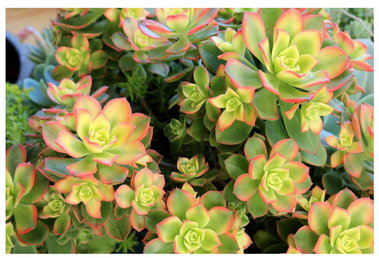
TEUCRIUM X LUCIDRYS /
GERMANDER



WESTRINGIA F. 'MUNDI' /
MUNDI COAST ROSEMARY



AEONIUM ARBOREUM 'ZWARTKOP' /
BLACK ROSE SUCCULENT



AEONIUM HAWORTHII 'KIWI'/
KIWI SUCCULENT



AGAVE ATTENUATTA /
FOXTAIL AGAVE



OKS /

TAIT

2222 ROSEMEAD BLVD

2222 Rosemead Boulevard, South El Monte, CA 91733

PRELIMINARY LANDSCAPE IMAGES

RLA AO Architecture. Design. Relationships.

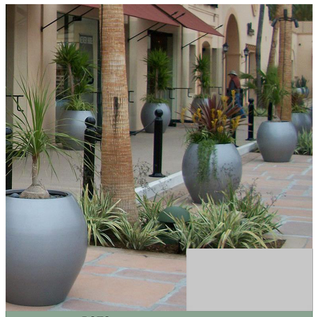
L2.1

Scale N.A.
Job No. 2022-392
Date 2024-08-08

SITE FURNISHING



S1
BIKE RACK
MFG: FORMS & SURFACES
MODEL: TRIO BIKE RACK
COLOR: ARGENTO TEXTURE
FINISH: POWDER COATED
MOUNTING: SURFACE MOUNTED



S2
POTS
MFG: TOURNESOL
MODEL: QCS-3600
COLOR: SMOKE
FINISH: SMOOTH
MOUNTING: --

HARDSCAPE



P1
CONCRETE PAVING
COLOR: NATURAL GREY
FINISH: TOPCAST 05
JOINTS: SAWCUT JOINT 3/16"



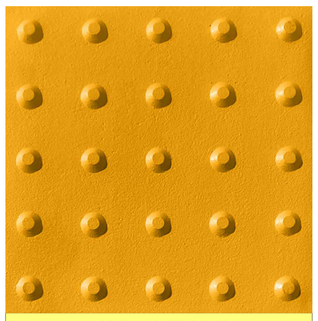
P2
PRE-CAST CONCRET PAVER FIELD
MFG: ORCO BLOCK
COLOR: TUSK, 6CM 3X9
FINISH: SHOTBLAST BURNISHED
JOINTS: RUNNING PATTERN / NO CHAMFER



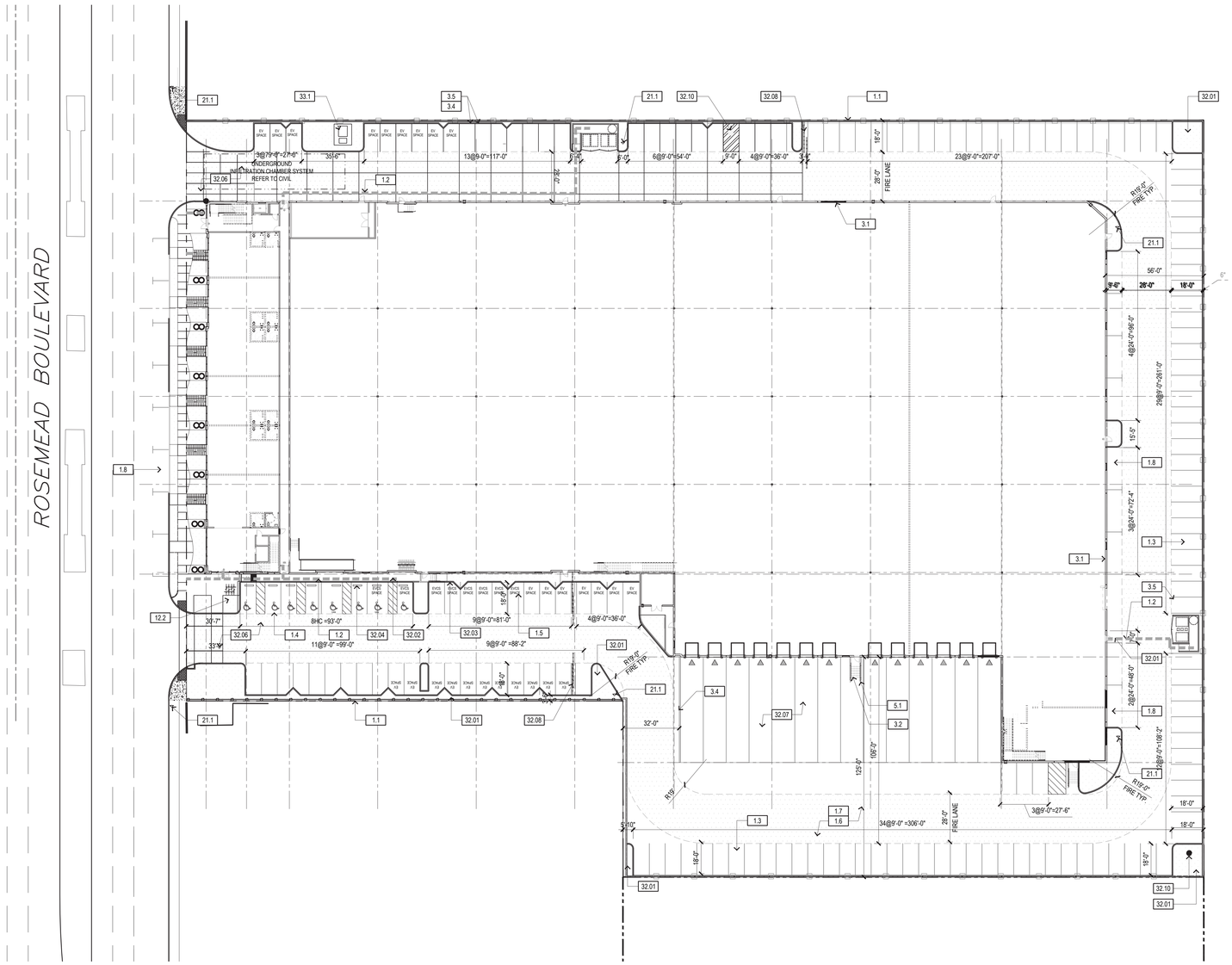
P3
CONCRETE PAVING
COLOR: NATURAL GREY
FINISH: TOPCAST 25
JOINTS: SAWCUT JOINT 3/16"



P4
DECOMPOSED GRANITE
SOTUHWEST BOULDER
COLOR: GOLDEN WHITE



P5
12" SQ. TRUNCATED DOMES
MFG: ORCO BLOCK
COLOR: FEDERAL YELLOW
FINISH: STANDARD FINISH
JOINTS: PERIMETER GROUT JOINT



PROJECT TABULATIONS

SITE AREA		
SF		223,987
ACRES		5.14
BUILDING AREA		
Warehouse		113,703
Retail		7,879
Accessory Warehouse Office		1,893
TOTAL BUILDING FOOTPRINT		**123,475**
2ND FLOOR AND MEZZANINE		
Accessory Warehouse Office		8,928
WH Storage		14,990
TOTAL 2ND FLOOR AND MEZZANINE		**23,918**
3RD FLOOR		
Accessory Warehouse Office		9,484
TOTAL 2ND FLOOR AND MEZZANINE		**9,484**
TOTAL BUILDING AREA		**156,877**
COVERAGE		**55%**
FAR		**70%**

PARKING REQUIRED		
Office	1/1000	20
Retail	1/300	26
Warehouse	1/1000	129
TOTAL PARKING REQUIRED*		**175**

PARKING PROVIDED		
Full Size Stalls	9'-0" X 18'-0"	167
Parallel Stalls	9'-0" X 24'-0"	9
TOTAL PARKING PROVIDED		**176**
PARKING RATIO		1.13/1000

EV PARKING	REQUIRED	Provided
EV - 20% of Total Required Parking	35	35
EVCS - 5% of Total Required Parking	9	9
BYCICLE PARKING		
Long Term - 5% of Tenant parking	5	5
Short term - 5% of Visitor parking	4	4
DOCK DOORS		13
GRADE DOORS		1

LANDSCAPE	%	Area (S.F.)
Total Parking Lot Area		29,153
Required - 5% of Parking Lot Area	5.00%	1,458
Total Landscape Area Provided	26.68%	7,777

KEYNOTES

1.0 GENERAL
- 1.1 PROPERTY LINE/ R.O.W. - REFER TO CIVIL DRAWINGS
- 1.2 ACCESSIBLE PATH OF TRAVEL
- 1.3 STANDARD PARKING STALL(S) - TYP.
- 1.4 ADA—ACCESSIBLE PARKING STALL(S)
- 1.5 EV PARKING STALL(S) PER CALGREEN 5.106.5.3
- 1.6 2—WAY DRIVE AISLE: 26'W MIN.
- 1.7 FIRE DEPT. ACCESS DRIVE: 28'W MIN.
- 1.8 PARALLEL PARKING STALL(S) - TYP.

3.0 CONCRETE
- 3.1 TILT—UP CONCRETE BUILDING WALL
- 3.2 CONCRETE STAIR W/ HANDRAIL & 42" GUARDRAIL
- 3.3 CONCRETE STAIR W/ HANDRAIL
- 3.4 TILT—UP CONCRETE SCREEN WALL, PTD.
- 3.5 TILT—UP CONCRETE TRASH ENCLOSURE, 6' TALL TYP.

5.0 METAL FABRICATIONS
- 5.1 STEEL PIPE BOLLARD

12.0 FURNISHINGS
- 12.1 BICYCLE RACK PER CAL GREEN; LONG—TERM 5% OF EMPLOYEE PARKING - REFER TO TABULATIONS
- 12.2 BICYCLE RACK PER CAL GREEN; SHORT—TERM 5% OF VSITOR PARKING — REFER TO TABULATIONS

21.0 FIRE SUPPRESSION
- 21.1 PROPOSED FIRE HYDRANT

32.0 EXTERIOR IMPROVEMENT — REFER TO CIVIL AND LANDSCAPE U.N.O.
- 32.01 LANDSCAPE PLANTING AREA
- 32.02 CONCRETE WALKWAY
- 32.03 CONCRETE CURB, TYP.
- 32.04 PRECAST CONCRETE WHEEL STOP
- 32.05 VEHICULAR PAVING
- 32.06 CONCRETE COMMERCIAL DRIVEWAY
- 32.07 CONCRETE TRUCK DOCK APRON
- 32.08 ROLLING GATE WITH KNOX PADLOCK
- 32.09 MANUAL SWING GATE WITH KNOX PADLOCK
- 32.10 PROPOSED WELL LOCATION

33.0 UTILITIES — REFER TO CIVIL AND ELECTRICAL
- 33.1 ELECTRICAL TRANSFORMER

SITE PLAN - LEGEND

- ACCESSIBLE PATH OF TRAVEL – 4' WIDE MINIMUM – 1:20 MAX RUNNING SLOPE (U.N.O.), AND 1 :48 MAX CROSS SLOPE
- ACCESSIBLE PARKING STALL(S), TYP.
- EV SPACE — PARKING STALL MARKING PER CALGREEN EV, TYP.
- EVCS SPACE — PARKING STALL MARKING PER CALGREEN EV CHARGING STATION
- LANDSCAPE AREA, REFER TO LANDSCAPE DRAWINGS
- FIRE LANE – PER FIRE DEPARTMENT REQUIREMENTS
- DOCK DOOR
- GRADE DOOR

SITE INFORMATION

A.P.N.
8102-059-29, 030, 031, 035

LAND USE / ZONING:

EXISTING/PROPOSED GENERAL PLAN:	COMMERCIAL MANUFACTURING
EXISTING/PROPOSED ZONING:	C—M COMMERCIAL MANUFACTURING

UTILITIES:

WATER:	SAN GABRIEL VALLEY WATER COMPANY
SEWER:	CONSOLIDATED SE¥ER MAINTENANCE DISTRICT
(SCMD)	
GAS:	SOUTHERN CALIFORNIA GAS COMPANY
ELECTRIC:	SOUTHERN CALIFORNIA EDISON
T.V.:	SPECTRUM, AT&T, DIRECT TV, DISH

CODE ANALYSIS:

2019 CBC CODE

BUILDING OCCUPANCY:	S—1; B
CONSTRUCTION TYPE:	III—B
FIRE SPRINKLERS (AUTOMATIC):	YES
STORIES:	3

ZONING ANALYSIS:

MAX COVERAGE/FAR:	N/A
REC. LANDSCAPING:	5' OF PARKING AREA
MAX. BLDG HEIGHT:	N/A

PARKING/LOADING

STANDARD STALL:	9'x18'
PARALLEL STALL:	9'x24'
MIN. AISLE:	26'; 28' FIRE DEPARTMENT ACCESS LANES

SITE PLAN & CITY NOTES

NOTES:
- THE PROPERTY IS NOT WITHIN A SPECIFIC PLAN.
- THIS AREA IS NOT SUBJECT TO LIQUEFACTION OR OTHER GEOLOGIC HAZARDS WITHIN A SPECIAL STUDIES ZONE.
- THIS PROPERTY IS NOT SUBJECT TO OVERFLOW, INUNDATION, OR FLOOD HAZARD.
- SUBSURFACE SEPTIC SEWAGE IS NOT INTENDED FOR THIS SITE.
- THE PROPERTY DOES NOT CONTAIN ANY FLAMMABLE/COMBUSTIBLE MATERIALS OR WASTE.
- THE PROPERTY'S WATER QUALITY FEATURES ARE SHOWN AS PART OF THE CIVIL PACKAGE.
- LOADING SPACES WILL BE PAVED WITH CONCRETE.
- SERVICE GATES WILL BE MANUALLY OPERATED \Y/KNOX PAD LOCK.
- SIGN PROGRAM WILL BE UNDER SEPARATED PERMIT.
- NO ABOVE/UNDERGROUND TANKS ARE PROVIDED.
- SITE PLAN SHALL MEET ALL ENGINEERING & NPDES REQUIREMENTS.

FIRE DEPARTMENT NOTES:
- FIRE DEPARTMENT ACCESS SHALL COMPLY WITH FIRE DEPARTMENT FIRE PROTECTION STANDARDS.

CALGREEN NOTES:
- PROJECT SITE IS LARGER THAN ONE ACRE — A STORM WATER POLLUTION PLAN IS REQUIRED (CG 5.106.1).
- VISITOR BICYCLE PARKING RACKS SHALL BE PROVIDED WITHIN 200 FEET OF BUILDING ENTRANCES, FOR A MINIMUM OF 5% NEW VISITOR VEHICULAR PARKING (CG 5.106.4.1.1).
- IN BUILDINGS WITH OVER 10 TENANTS—OCCUPANTS, SECURE, LONG—TERM BICYCLE ENCLOSURES OR LOCKERS SHALL BE PROVIDED ON—SITE, FOR A MINIMUM OF 5% NEW TENANT VEHICULAR PARKING (CG 5.106.4.1.2). COMPLIANCE WITH THIS SECTION WILL BE PROVIDED IN EACH PERMIT FOR TENANT IMPROVEMENT INDOORS IN AMOUNTS PROPORTIONAL TO THE PARKING REQUIRED FOR EACH TENANT IMPROVEMENT.
- ELECTRIC VEHICLE CHARGING SHALL BE PROVIDED ON FOR A MINIMUM NUMBER OF SPACES PROPORTIONAL TO REQUIRED VEHICLE PARKING PER CALGREEN TABLE (CG5.106.5.3).
- LIGHTING DESIGN SHALL LIMIT GLARE AND UPLIGHT AND COMPLY WITH LOCAL CODES AND CALGREEN (CG 5.106.8)
- THIS PROJECT'S PLUMBING FIXTURES SHALL BE WATER—CONSERVING (CG 5.303.3&4). BEING A SHELL BUILDING, COMPLIANCE WITH THIS SECTION WILL BE PROVIDED IN EACH PERMIT FOR TENANT IMPROVEMENT.
- A CONSTRUCTION WASTE MANAGEMENT PLAN SHALL BE DEVELOPED, DEMONSTRATING A MINIMUM OF 65% RECYCLING AND/0R SALVAGING OF NON—HAZARDOUS CONSTRUCTION WASTE AND COMPLYING WITH CALGREEN REQUIREMENTS (CG 5.408.1).
- 100% OF LAND—CLEARED SOILS AND VEGETATION SHALL BE REUSED OR RECYCLED (CG 5.408.3).
- PER SECTION 5.410.2, EXCEPTIONS 1 & 2, COMMISSIONING IS NOT REQUIRED FOR DRY STORAGE WAREHOUSES OR AREAS USED FOR OFFICES LESS THAN 10,000 SF IN DRY STORAGE WAREHOUSES. (CG 5.410.2).
- ALL CONSTRUCTION MATERIALS TO COMPLY WITH THE VOC AND TOXIN LIMITS LISTED
- (CG 5.504).
- SMOKING SHALL BE PROHIBITED WITHIN 25 FEET OF BUILDING ENTRIES, AIR INTAKES, AND OPERABLE WINDOWS (CG 5.504.7).

GENERAL NOTES

1. GUARDS SHALL BE LOCATED ALONG OPEN SIDE OF WALKING SURFACES, STAIRS, RAMPS AND LANDINGS THAT ARE LOCATED MORE THAN 30 INCHES MEASURED VERTICALLY TO THE FLOOR OR GRADE BELOW AT ANY POINT \WITHIN 36 INCHES HORIZONTALLY TO THE EDGE OF THE OPEN SIDE. GUARDS ARE NOT REQUIRED ON THE LOADING SIDE OF LOADING DOCKS (CBC 1015.2).
2. THE RUNNING SLOPE OF WALKING SURFACE SHALL NOT BE STEEPER THAN 1:20 (5%). THE CROSS SLOPE OF WALKING SURFACE SHALL NOT BE STEEPER THAN 1:48 (CBC 11B-403.3, ADA 403.3).
3. THE CLEAR WIDTH FOR SIDEWALKS AND WALKS SHALL BE 48 INCHES MINIMUM. (CBC 11B-403.5.1)
4. THE WASTE STORAGE AREA SHALL BE GRADED SO THAT STORAGE CONTAINERS REMAIN AT REST WITHOUT AUXILIARY RESTRAINING DEVICES. (CCR TITLE 14, DIV. 7)

TAIT

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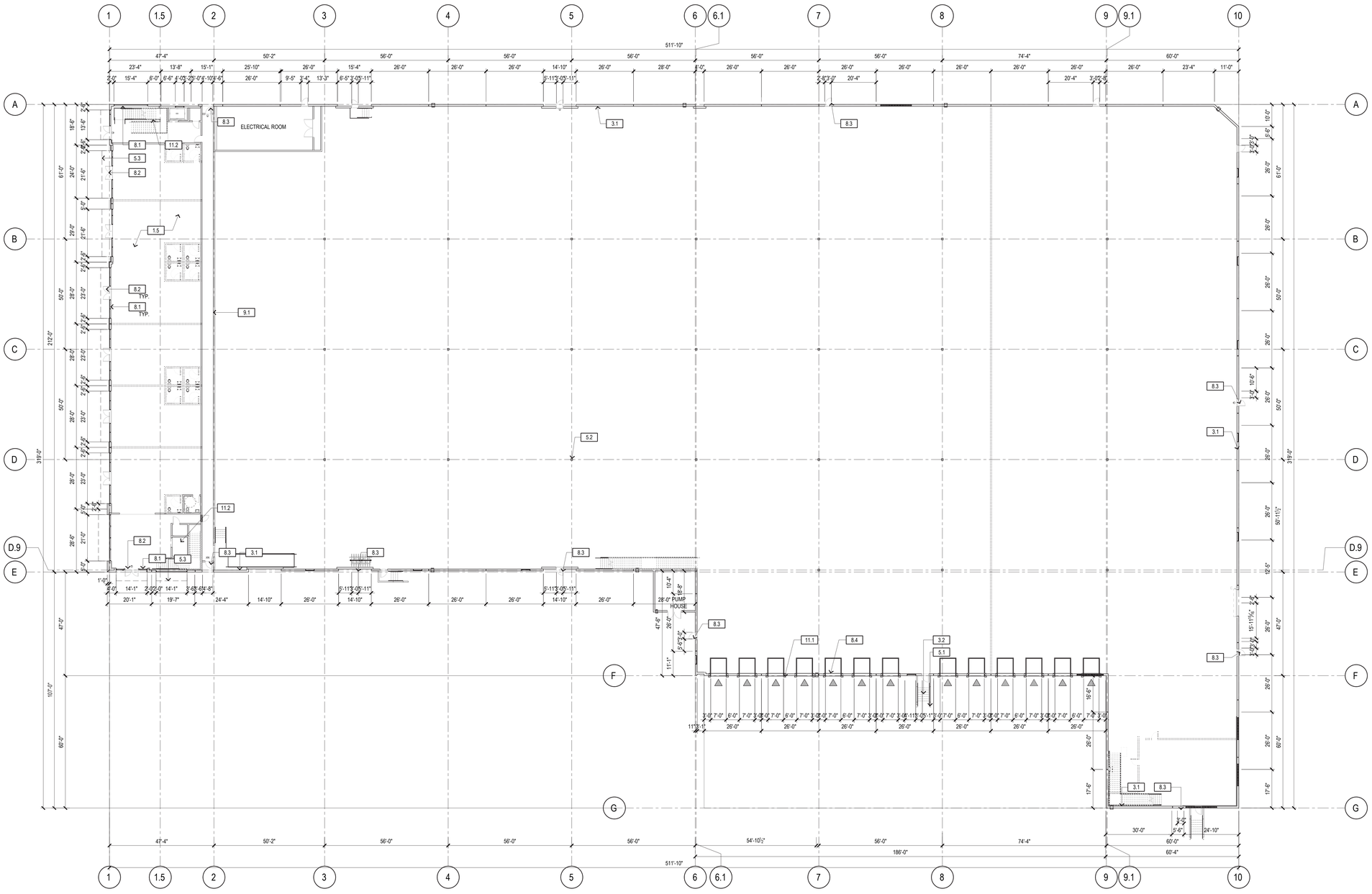
SITE PLAN, NOTES, AND PROJECT TABULATIONS

0 30' 60'

Architecture. Design. Relationships.

A1.1

Scale 1"=30'-0"
Job No. 2022-392
Date 2024-08-08



KEYNOTES

1.0 GENERAL
- 1.1 PROPOSED GROUND FLOOR LOBBY
- 1.2 PROPOSED MEZZANINE STORAGE ABOVE
- 1.3 EV PARKING STALL(S) PER CALGREEN 5.106.5.3
- 1.4 ADA–ACCESSIBLE PARKING STALL(S)
- 1.5 PROPOSED GROUND FLOOR RETAIL

3.0 CONCRETE
- 3.1 TILT–UP CONCRETE BUILDING WALL
- 3.2 CONCRETE STAIR W/ HANDRAIL & 42' GUARDRAIL
- 3.3 CONCRETE STAIR W/ HANDRAIL
- 3.4 CONCRETE BASEMENT WALL

5.0 METALS
- 5.1 CONCRETE–FILLED STEEL PIPE PROTECTION BOLLARD, PAINTED, TYP.
- 5.2 STRUCT. STEEL COLUMN, TYPICAL SHOP PRIMED (FIELD PAINTED)
- 5.3 METAL CANOPY ABOVE

8.0 OPENINGS
- 81 EXTRUDED ALUMINUM AND GLASS STOREFRONT
- 8.2 ALUMINUM AND GLASS ENTRY DOOR
- 8.3 HOLLOW METAL MAN DOOR, PAINTED
- 8.4 9'W x 10'H OVERHEAD SECTIONAL DOCK DOOR, PAINTED
- 8.5 18'W x 14'H OVERHEAD SECTIONAL GRADE DOOR, PAINTED

9.0 FINISHES
- 9.1 INTERIOR PARTITION TYP.

11.0 EQUIPMENT
- 11.1 DOCK BUMPERS - COORDINATE W/ MANUFACTURER & STRUCTURAL DRAWINGS
- 11.2 ELEVATOR

12.0 FURNISHINGS
- 12.1 BICYCLE RACK PER CAL GREEN LONG–TERM REQUIREMENTS

GENERAL NOTES

1. THIS BUILDING IS DESIGNED FOR HIGH–PILE STORAGE. A SEPARATE PERMIT WILL BE REQUIRED FOR ANY RACKING/CONVEYOR SYSTEMS.
2. ALL DIMENSIONS ARE TO FACE OF CONCRETE PANEL WALL, GRID-LINE, OR FACE OF FINISHED WALL (U.N.O.).
3. WAREHOUSE INTERIOR WALLS TO BE PAINTED WHITE; COLUMNS TO BE PRIMED.
4. SLOPE POUR STRIP 1/2" TO EXTERIOR AT ALL PERSONAL EXITS. SEE "S" DRAWINGS FOR POUR STRIP LOCATION.
5. STEEL GIRDERS, TRUSSES AND LEDGERS SHALL BE PRIMED LIGHT GRAY.
6. PROVIDE SIGN ON INSIDE OF EXTERIOR DOORS STATING, "EXIT CONTAINS A STAIR" AT ALL REQUIRED AND NON–REQUIRED EXITS THAT ARE NOT ACCESSIBLE BY A RAMP. EXIT ONLY DOORS WHICH ARE NOT ACCESSIBLE TO THE DISABLED SHALL NOT HAVE ENTRY HARDWARE.
7. PROVIDE A "NO SMOKING \WITHIN 25 FEET OF BUILDING" SIGN AT 8UILDING ENTRIES, OUTDOOR AIR INTAKES ANO 0PERABLE WINDOWS (EXCEPT EMERGENCY EXIT ONLY AND ELECTRICAL/UTILITY ROOMS).
8. ADEQUATE NUMBER OF PLUMBING FIXTURES SHALL BE PROVIDED TO COMPLY WITH THE CALIFORNIA PLUMBING CODE TABLE 422.1 PRIOR TO CERTIFICATE OF OCCUPANCY OF THE BUILDING OR THE RESPECTIVE TENANT SPACE.
9. BUILDING SIGNAGE UNDER SEPARATE PERMIT.
10. FIRE EXTINGUISHERS SHALL BE PROVIDED PER 2013 CFC.
11. FIRE HOSE LOCATIONS SHALL BE APPROVED PER FIRE DEPARTMENT.
12. REFER TO PLUMBING DRAWINGS FOR FLOOR DRAIN WHERE OCCURS.
13. EXIT SIGNS SHALL BE READILY VISIBLE FROM ANY DIRECTION OF EGRESS TRAVEL. EXIT SIGNS SHALL BE LOCATED AS NECESSARY TO CLEARLY INDICATE THE DIRECTION OF EGRESS TRAVEL
14. EXIT SIGNS SHALL BE INTERNALLY OR EXTERNALLY ILLUMINATED W/ SECONDARY PO\PER SOURCE.
15. ANY TIME A BUILDING OR A PORTION OF A BUILDING IS OCCUPIED, THE MEANS OF EGRESS SERVING THE OCCUPIED PORTION SHALL BE ILLUMINATED AT AN INTENSITY OF NOT LESS THAN 1–FOOT–CANDLE (11 LUX) AT THE WALKING SURFACE LEVEL.
16. THE POWER SUPPLY FOR MEANS OF EGRESS ILLUMINATION SHALL BE PROVIDED BY THE PREMISES' ELECTRICAL SUPPLY. IN THE EVENT OF POWER SUPPLY FAILURE, ILLUMINATION SHALL BE AUTOMATICALLY PROVIDED FROM AN EMERGENCY SYSTEM FOR THE FOLLOWING AREAS:

A. AISLES AND UNENCLOSED EGRESS STAIR\DAYS IN ROOMS AND SPACES THAT REQUIRE TWO OR MORE MEANS OF EGRESS

B. EXTERIOR LANDINGS, AS REQUIRED BY SECTION 10081.6, FOR EXIT DISCHARGE DOORWAYS IN BUILDINGS REQUIRED TO HAVE TWO 0R MORE EXITS

27. EMERGENCY LIGHTING FACILITIES SHALL BE ARRANGED TO PROVIDE INITIAL ILLUMINATION THAT IS AT LEAST AN AVERAGE OF 1–F0OT–CANDLE (11 LUX) AND A MINIMUM AT ANY POINT OF 0.1–FOOT–CANDLE (1 LUX) MEASURED ALONG THE PATH OF EGRESS AT FLOOR LEVEL. A MAXIMUM–TO–MINIMUM ILLUMINATION UNIFORMITY RATIO OF 40 TO 1 SHALL NOT BE EXCEEDED.

TAIT

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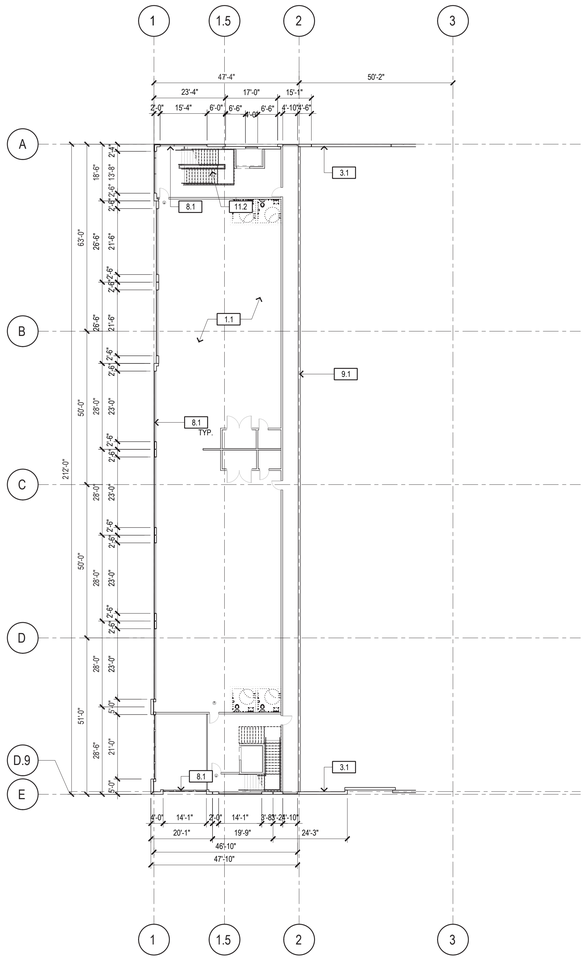
1ST LEVEL FLOOR PLAN

0 20' 40'

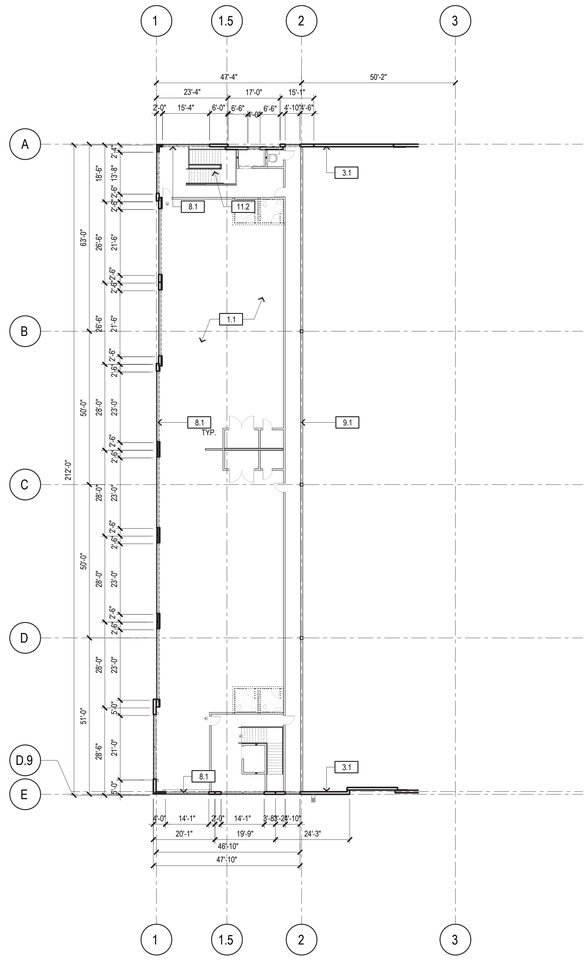
Architecture. Design. Relationships.

A2.1

Scale 1"=20'-0"
Job No. 2022-392
Date 2024-08-08



FLOOR PLAN - LEVEL 2 | 1 |



FLOOR PLAN - LEVEL 3 | 2 |

KEYNOTES

1.0 GENERAL
- 1.1 PROPOSED ACCESSORY WAREHOUSE OFFICE

3.0 CONCRETE
- 3.1 TILT–UP CONCRETE BUILDING WALL

8.0 OPENINGS
- 8.1 GLAZING WITH HORIZONTAL ALUMINUM MULLIONS

9.0 FINISHES
- 9.1 INTERIOR PARTITION TYP.

11.0 EQUIPMENT
- 11.1 ELEVATOR

GENERAL NOTES

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4. SLOPE POUR STRIP 1/2" TO EXTERIOR AT ALL PERSONAL EXITS. SEE "S" DRAWINGS FOR POUR STRIP LOCATION.
5. STEEL GIRDERS, TRUSSES AND LEDGERS SHALL BE PRIMED LIGHT GRAY.
6. PROVIDE SIGN ON INSIDE OF EXTERIOR DOORS STATING, "EXIT CONTAINS A STAIR" AT ALL REQUIRED AND NON–REQUIRED EXITS THAT ARE NOT ACCESSIBLE BY A RAMP. EXIT ONLY DOORS WHICH ARE NOT ACCESSIBLE TO THE DISABLED SHALL NOT HAVE ENTRY HARDWARE.
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TAIT

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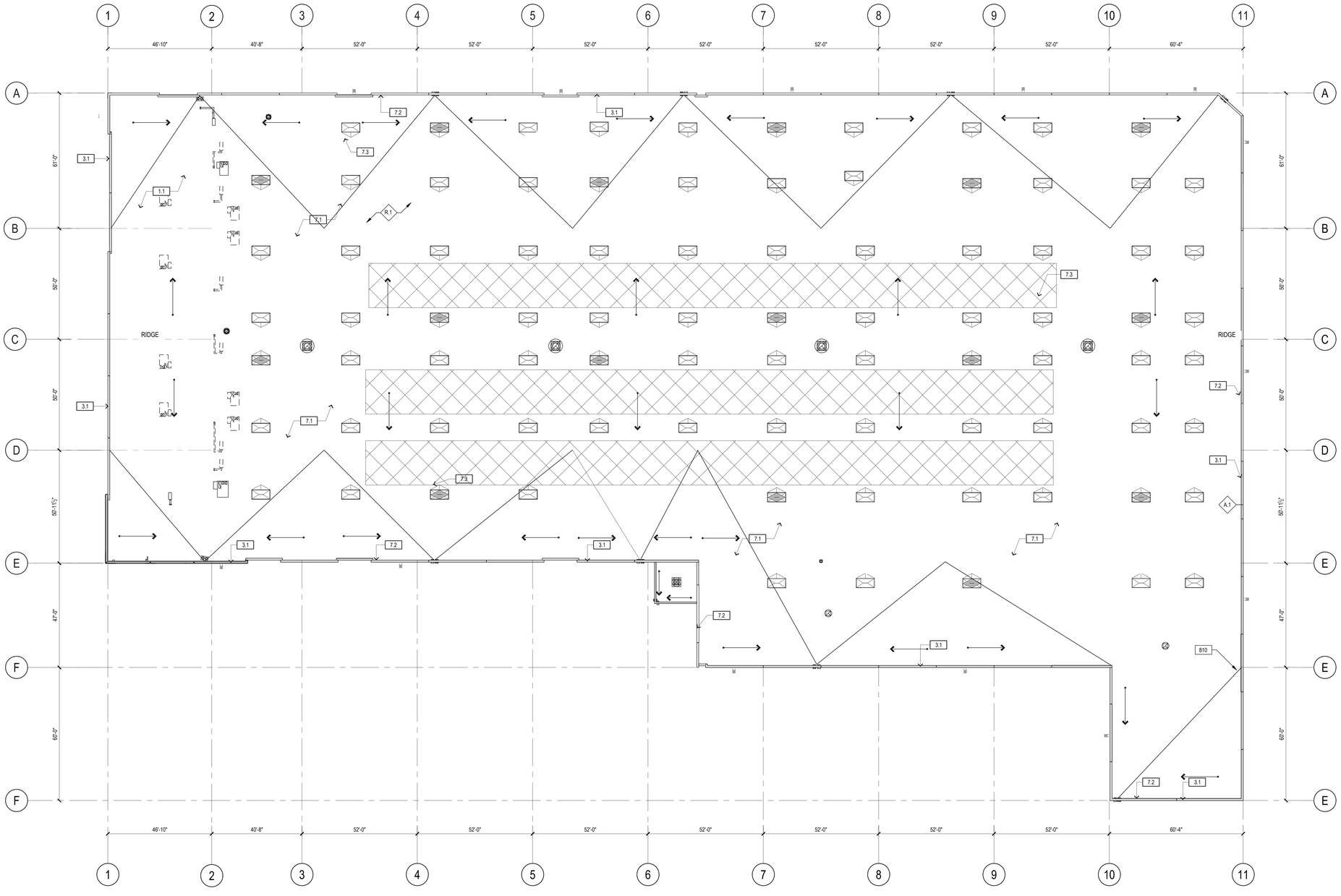
2NS AND 3RD LEVELS FLOOR PLANS

0 20' 40'

Architecture. Design. Relationships.

A2.2

Scale	1"=20'-0"
Job No.	2022-392
Date	2024-08-08



KEYNOTES

1.0 GENERAL
- 1.1 POSSIBLE LOCATION 0F FUTURE MECHANICAL EQUIPMENT. EQUIPMENT SIZE AND LOCATION PER TENANT.
- 1.2 INTERNAL ROOF DRAIN, TYPICAL.

3.0 CONCRETE
- 3.1 TILT–UP CONCRETE WALL PANEL (PAINTED, ALL EXTERIOR SURFACES)

5.0 METALS
- 5.1 EXTERIOR METAL DOWNSPOUT WITH ROOF AND OVERFLOW SCUPPER. ROOF DRAIN TO MANIFOLD TO STORM DRAIN, PAINTED TO MATCH ADJACENT WALL.
- 5.2 INTERNAL ROOF DRAIN WITH OVERFLOW SCUPPER

7.0 THERMAL AND MOISTURE PROTECTION
- 7.1 4 PLY MINERAL CAP SHEET FACED BUILT-UP ROOF (CLASS A, U.L. 790) OVER WOOD SHEATHING
- 7.2 BASE FLASHING WITH 4" FIBER CANT WITH PRE–FABRICATED COUNTER FLASHING
- 7.3 CRICKET TYP.

LEGEND

4'x8' FIXED SKYLIGHT W/ CRICKET AS REQUIRED
MODEL: TBD

4'x8' SMOKE/HEAT SKYLIGHT W/ CRICKET AS REQUIRED
MODEL: TBD

DENOTES ROOF AREA DESIGNED FOR ADDITIONAL 0FFICE/ HVAC EQUIPMENT LOADS. REFER TO STRUCTURAL

GENERAL NOTES

1. ALL PENETRATIONS, CONDUITS, PIPES, ETC. BY ALL TRADES AND DISCIPLINES SHALL CONFORM TO THE TYPICAL DETAILS.
2. COORDINATE INSTALLATION OF ROOFING MATERIALS WITH OWNER'S ROOFING CONSULTANT IF ANY.
3. PAINT INSIDE OF PARAPET.
4. COORDINATE LOCATION OF SKYLIGHTS WITH ROOF JOIST SHOP DRAWINGS AND FIRE SPRINKLER SHOP DRAWINGS. NOTIFY ARCHITECT AND OWNER IF SKYLIGHTS ARE TO BE MOVED MORE THAN 24" FROM LOCATION SHOWN.
5. THE LOCATIONS OF BEAMS, CURBS AND PLATFORMS BELOW MECHANICAL UNITS AND MECHANICAL PENETRATIONS ARE APPROXIMATE. EXACT LOCATIONS SHALL BE DETERMINED BY THE MECHANICAL CONTRACTOR AND COORDINATED BY THE GENERAL CONTRACTOR.

SKYLIGHT
REQUIREMENTS: SKYLIGHT REQUIRED: 2.5%
112,405 SF. x 2.5% = 2.810 SF. / 32 SF. PER SKYLIGHT = 88 SKYLIGHTS REQUIRED

TOTAL SKYLIGHTS PROVIDED: 88 (20 SMOKE AND HEAT VENTS)

SOLAR ZONE
122,555 SF. - (88X32 SF.) = 119,739 SF. x 15% = 17,960 SF. SOLAR ZONE REQUIRED

TOTAL SOLAR ZONE PROVIDED: 18,144 SF.

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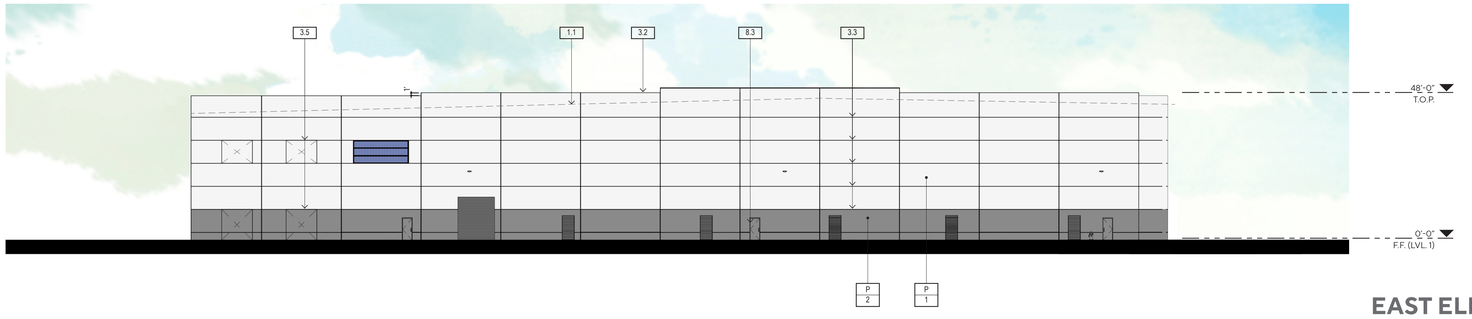
ROOF PLAN

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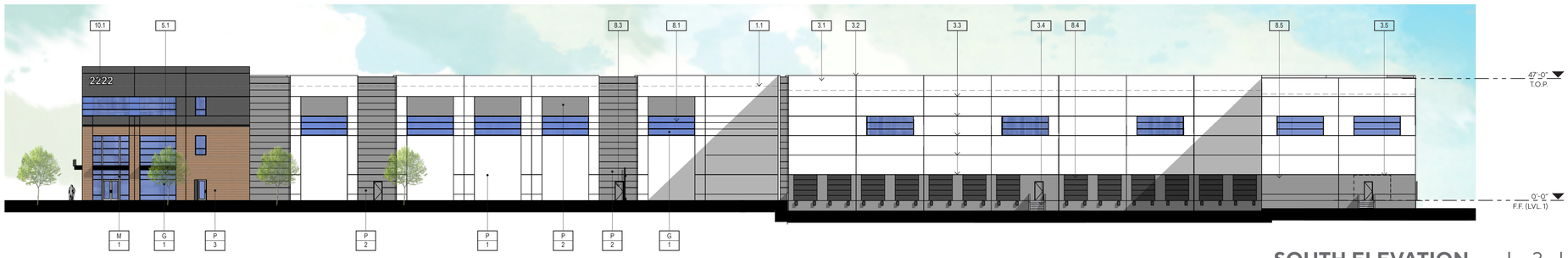
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A3.1

Scale 1"=20'-0"
Job No. 2022-392
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EAST ELEVATION | 4 |



SOUTH ELEVATION | 3 |



WEST ELEVATION | 2 |



NORTH ELEVATION | 1 |

KEYNOTES

1.0 GENERAL
- 1.1 LINE OF ROOF BEYOND

3.0 CONCRETE
- 3.1 TILT–UP CONCRETE WALL PANEL (PAINTED,)
- 3.2 PANEL JOINT
- 3.3 PANEL REVEAL. REVEAL COLOR TO MATCH ADJACENT FIELD COLOR.
- 3.4 CONCRETE STAIRS W/ HANDRAIL & 42" HIGH GUARDRAIL
- 3.5 KNOECK OUT PANEL

5.0 METALS
- 5.1 METAL CANOPY
- 5.2 ALUMINUM CLADDING

8.0 OPENINGS
- 8.1 EXTRUDED ALUMINUM AND GLASS STOREFRONT, DUAL GLAZE
- 8.2 ALUMINUM AND GLASS ENTRY DOOR – REFER TO DOOR SCHEDULE
- 8.3 HOLLOW METAL MAN DOOR, PAINTED
- 8.4 9'W x 10'H OVERHEAD SECTIONAL DOCK DOOR, PAINTED
- 8.5 12'W x 14'H 0VERHEAD SECTIONAL GRADE DOOR, PAINTED

10.0 SPECIALTIES
- 10.1 STREET ADDRESS – SIZE AS REQUIRED BY GOVERNING AGENCY BUT NOT LESS THAN 12"
- 10.2 BUILDING/ TENANT SIGNAGE (N.I.C.)

11.0 EQUIPMENT
- 11.1 DOCK BUMPERS - COORDINATE W/ MFR & STRUCTURAL DRAWINGS. SIZE AS NEEDED TO PREVENT TOP OF TRAILER FROM STRIKING BUILDING WALL.

22.0 PLUMBING
- 22.1 INTERNAL ROOF DRAIN W/ OVERFLOW DRAIN TYP. AT ENTRY AND STREET-SIDE ELEVATION (NOT SHOWN)

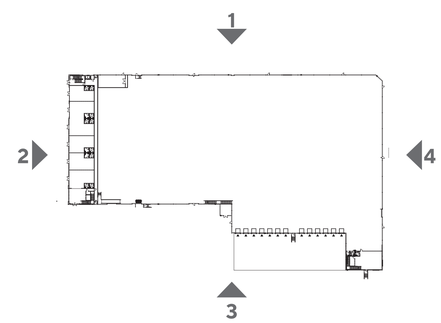
COLOR SCHEDULE / MATERIALS

G1	GLAZING	MEDIUM PERFORMANCE COLOR: BLUE
M1	CANOPY	TBD
M2	MULLIONS	ALUMINUM FINISH: CLEAR ANODIZED
M3	CLADDING	PARKLEX NATURCLAD-B "MUSTARD" OR SIMILAR
P1	PAINT 1	SHERWIN-WILLIAMS "OLYMPUS WHITE" SW6253 OR SIMILAR MAIN BUILDING COLOR – LIGHT GREY
P2	PAINT 2	SHERWIN-WILLIAMS "CITYSCAPE" SW 7067 OR SIMILAR BUILDING BASE COLOR – MEDIUM GREY
P3	PAINT 3	SHERWIN-WILLIAMS "PEPPERCORN" SW 7674 OR SIMILAR DARK ACCENT COLOR - DARK GREY
P4	PAINT 4	SHERWIN-WILLIAMS "CITY LOFT" SW 7631 OR SIMILAR DARK ACCENT COLOR - WARM BEIJE
P5	PAINT 5	SHERWIN-WILLIAMS "ICED MOCHA" SW 9092 OR SIMILAR MEDIUM ACCENT COLOR - MEDIUM BROWN

DOORS TO MATCH ADJACENT BUILDING COLOR

GENERAL NOTES

1. MECHANICAL ROOF EQUIPMENT TO BE SCREENED FROM VIEW.
2. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS AND REVEAL LINES UNLESS NOTED OTHERWISE. REVEAL COLOR TO MATCH THE ADJACENT FIELD COLOR.
3. PROVIDE 8'–0" WIDE COLOR SAMPLE ON BUILDING, FULL HEIGHT FROM BASE TO PARAPET FOR APPROVAL BY ARCHITECT AND OWNER PRIOR TO PAINTING.
4. ALL PAINT, STAIN, SANDBLAST, ETC. FINISHES AND JOINTS/REVEALS SHOWN IN ELEVATION VIEW SHALL RETURN TO THE NEAREST INSIDE CORNER OR INTO WINDOW JAMBS.
5. ALL WALL PAINT FINISHES ARE TO BE FLAT, METAL PAINT TO BE SEMI–GLOSS UNLESS NOTED OTHERWISE.
6. BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.
7. T.O.P. = TOP OF PARAPET ELEVATION
8. F.F. = FINISH FLOOR ELEVATION
9. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS, AND LINTELS SHALL BE DESIGNED TO RESIST 90 MPH EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.



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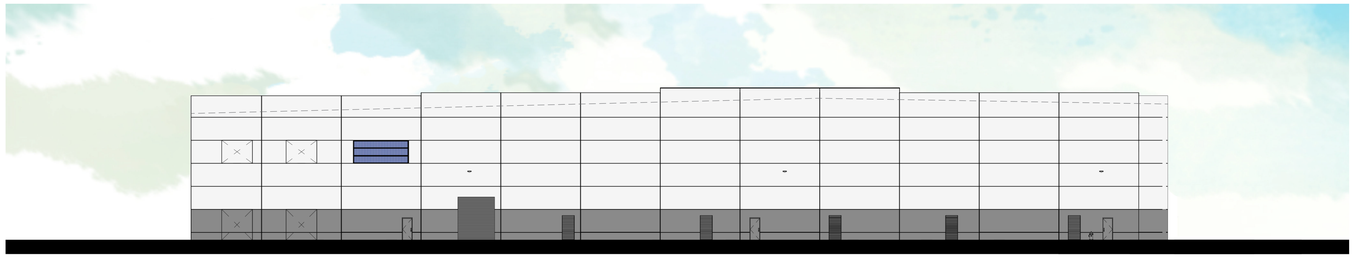
ELEVATIONS

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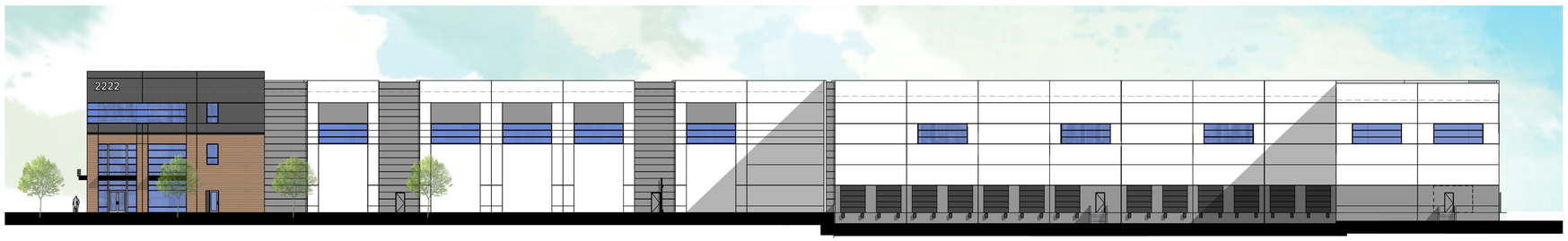
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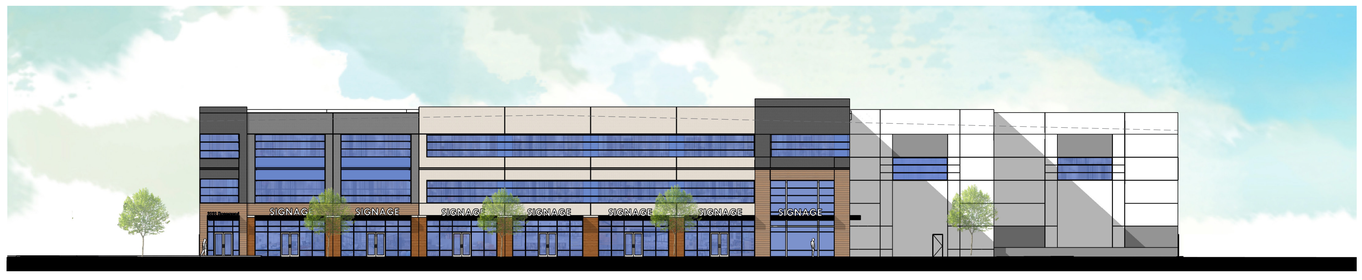
Scale 1"=20'-0"
Job No. 2022-392
Date 2024-08-08



EAST ELEVATION | 4 |



SOUTH ELEVATION | 3 |



WEST ELEVATION | 2 |



NORTH ELEVATION | 1 |

COLOR SCHEDULE / MATERIALS

G1	GLAZING	MEDIUM PERFORMANCE COLOR: BLUE
M1	CANOPY	TBD
M2	MULLIONS	ALUMINUM FINISH: CLEAR ANODIZED
M3	CLADDING	PARKLEX NATURCLAD-B "MUSTARD" OR SIMILAR
P1	PAINT 1	SHERWIN-WILLIAMS "OLYMPUS WHITE" SW6253 OR SIMILAR MAIN BUILDING COLOR – LIGHT GREY
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P5	PAINT 5	SHERWIN-WILLIAMS "ICED MOCHA" SW 9092 OR SIMILAR MEDIUM ACCENT COLOR - MEDIUM BROWN

M3 ALUMINUM CLADDING
PARKLEX NATURCLAD-B
"MUSTARD"

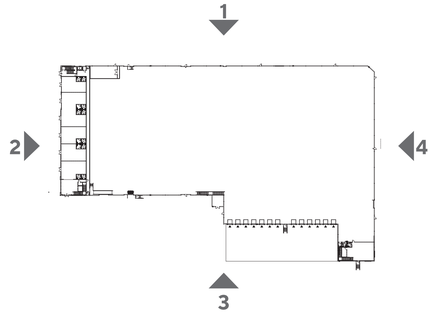
P1 BUILDING BASE COLOR
SHERWIN-WILLIAMS
"OLYMPUS WHITE" SW 6253

P2 BUILDING BASE COLOR
SHERWIN-WILLIAMS
"GRAY MATTERS" SW 7066

P3 BUILDING ACCENT COLOR
SHERWIN-WILLIAMS
"CITYSCAPE" SW 7067

P4 BUILDING ACCENT COLOR
SHERWIN-WILLIAMS
"CITY LOFT" SW 7631

P5 BUILDING ACCENT COLOR
SHERWIN-WILLIAMS
"ICED MOCHA" SW 9092



TAIT

2222 ROSEMEAD BLVD

2222 Rosemead Boulevard, South El Monte, CA 91733

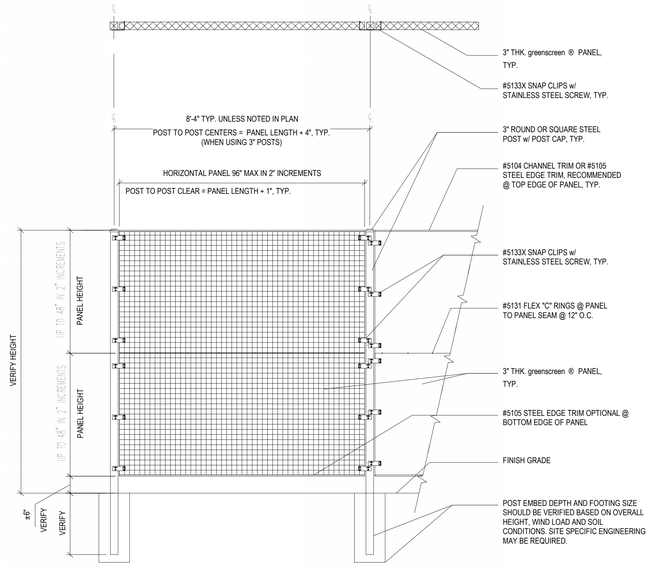
ELEVATIONS

0 20' 40'

Architecture.
Design.
Relationships.

A4.2

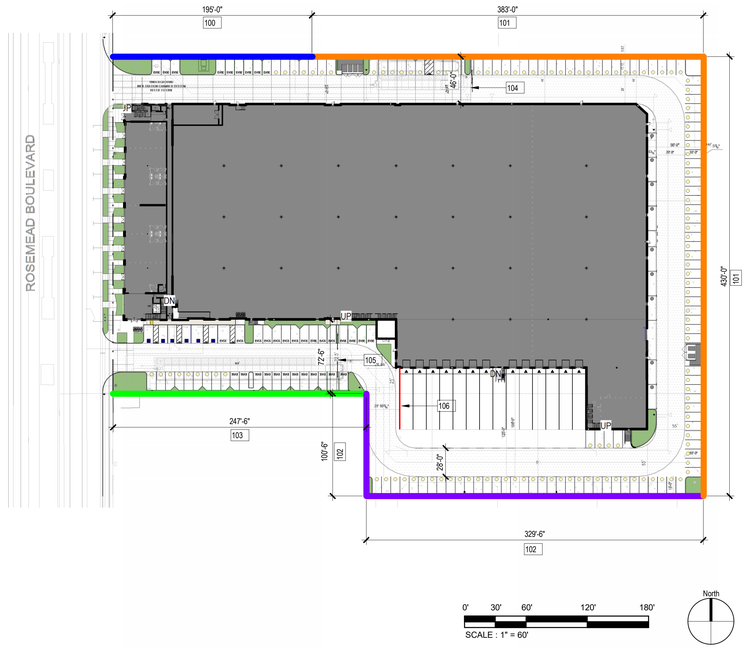
Scale 1"=20'-0"
Job No. 2022-392
Date 2024-08-08



NOTE:
*SPECIFIC ENGINEERING MAY BE REQUIRED BASED ON SITE SPECIFIC SOIL CONDITIONS, LOCAL WIND LOAD, AND VERTICAL HEIGHT OF FENCE/SCREEN.
*VERIFY PANEL SPAN AND CLIP SPACING FOR ALL ROOFTOP INSTALLATIONS AND INSTALLATIONS 20' ABOVE GRADE
*OPTIONAL:
- PANEL TRIM w/ #5133X
- #5141 "C" CLIP w/ #5105 EDGE TRIM REQUIRED @ VERTICAL EDGES, USE #5142 + #5136.25 SPACER

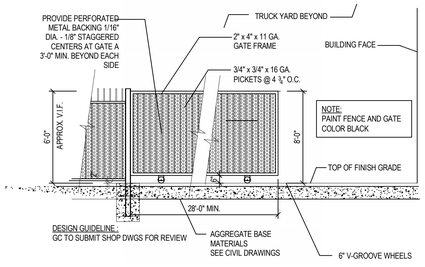
GREEN SCREEN FENCING | 2 |

SCALE: 1/2"=1'-0"



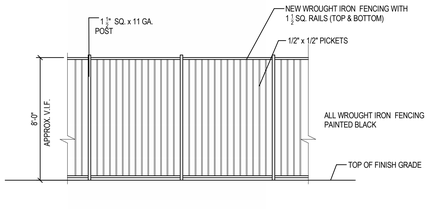
SITE PLAN | 1 |

SCALE: 1"=60'-0"



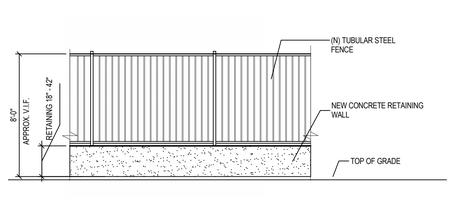
ROLLING GATE ELEVATION | 5 |

SCALE: 1/4"=1'-0"



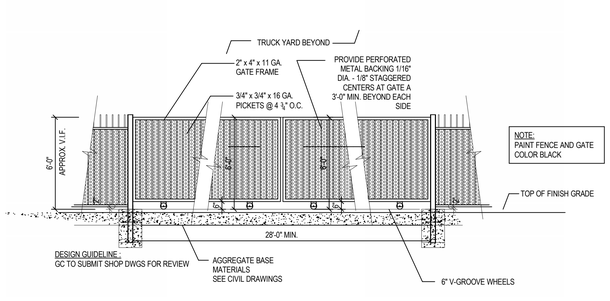
TUBULAR STEEL FENCING ELEVATION | 4 |

SCALE: 1/4"=1'-0"



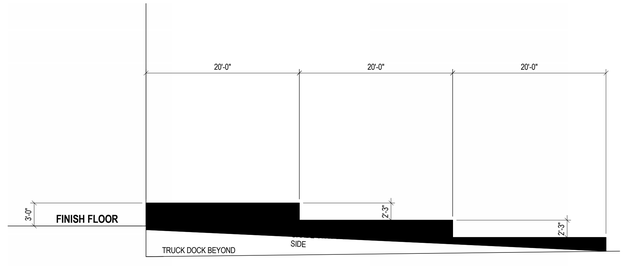
TUBULAR STEEL FENCING OVER CONCRETE WALL | 3 |

SCALE: 1/4"=1'-0"



DOUBLE ROLLING GATE ELEVATION | 7 |

SCALE: 1/4"=1'-0"



DOCK WALL ELEVATION | 6 |

SCALE: 1/8"=1'-0"

KEYNOTES

100 EXISTING WROUGHT IRON FENCE TO BE PAINTED BLACK TO MATCH NEW FENCING TO THE EAST SEE DETAIL 4 FOR TYPICAL DETAIL

101 NEW WROUGHT IRON FENCE TO BE PAINTED BLACK. SEE DETAIL 4 FOR TYPICAL DETAIL

102 TUBULAR STEEL FENCE TO BE PAINTED BLACK OVER CONCRETE RETAINING WALL. SEE DETAIL 3 FOR TYPICAL DETAIL. REFER TO CIVIL DRAWINGS FOR GRADING INFORMATION AND ELEVATIONS.

103 8' HIGH GREEN SCREEN WALL. SEE TO DETAIL 2 FOR TYPICAL DETAIL. REFER TO LANDSCAPE FOR ADDITIONAL INFORMATION.

104 8' TELESCOPING ROLLING GATE. SEE DETAIL 5

105 8' BYPARTING ROLLING GATE. SEE DETAIL 7

106 WALL AT DOCK SIDE. SEE TO DETAIL 6 FOR ELEVATION. REFER TO STRUCTURAL FOR ADDITIONAL INFORMATION.

TAIT

2222 ROSEMEAD BLVD

2222 Rosemead Boulevard, South El Monte, CA 91733

Architecture. Design. Relationships.

A4.3

Scale AS NOTED
Job No. 2022-392
Date 2024-08-08

2222 ROSEMEAD BOULEVARD WAREHOUSE DEVELOPMENT

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

Prepared for	City of South El Monte Community Development Department 1415 Santa Anita Avenue South El Monte, California 91733
Prepared by	Kimley-Horn and Associates, Inc. 1100 W. Town & Country Road, Suite 700 Orange, California 92868 and Phil Martin & Associates 2987 NW Fairway Heights Drive Bend, Oregon 97703
Date	August 2024

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Abbreviations

AAQS	ambient air quality standards
AB	Assembly Bill
ACM	asbestos-containing materials
ADT	average daily traffic
amsl	above mean sea level
AQMP	air quality management plan
AST	aboveground storage tank
BAU	business as usual
bgs	below ground surface
BMP	best management practices
CAA	Clean Air Act
CAFE	corporate average fuel economy
CalARP	California Accidental Release Prevention Program
CalEMA	California Emergency Management Agency
Cal/EPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire Protection
CALGreen	California Green Building Standards Code
Cal/OSHA	California Occupational Safety and Health Administration
CalRecycle	California Department of Resources, Recycling, and Recovery
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDE	California Department of Education
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
cfs	cubic feet per second
CGS	California Geologic Survey
CMP	congestion management program
CNDDB	California Natural Diversity Database
CNEL	community noise equivalent level

CO	carbon monoxide
CO2e	carbon dioxide equivalent
Corps	US Army Corps of Engineers
CSO	combined sewer overflows
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibel
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
EIR	environmental impact report
EPA	United States Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GHG	greenhouse gases
GWP	global warming potential
HCM	Highway Capacity Manual
HQTA	high quality transit area
HVAC	heating, ventilating, and air conditioning system
IPCC	Intergovernmental Panel on Climate Change
Ldn	day-night noise level
Leq	equivalent continuous noise level
LBP	lead-based paint
LCFS	low-carbon fuel standard
LOS	level of service
LST	localized significance thresholds
MW	moment magnitude
MCL	maximum contaminant level
MEP	maximum extent practicable
mgd	million gallons per day
MMT	million metric tons
MPO	metropolitan planning organization

MT	metric ton
MWD	Metropolitan Water District of Southern California
NAHC	Native American Heritage Commission
NOX	nitrogen oxides
NPDES	National Pollution Discharge Elimination System
O3	ozone
OES	California Office of Emergency Services
PM	particulate matter
POTW	publicly owned treatment works
ppm	parts per million
PPV	peak particle velocity
PUC	Public Utilities Commission (PUC)
RCRA	Resource Conservation and Recovery Act
REC	recognized environmental condition
RMP	risk management plan
RMS	root mean square
RPS	renewable portfolio standard
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SIP	state implementation plan
SLM	sound level meter
SCAB	South Coast Air Basin
SOX	sulfur oxides
SQMP	stormwater quality management plan
SRA	source receptor area [or state responsibility area]
SWQDV	Stormwater Quality Design Volume
SUSMP	standard urban stormwater mitigation plan
SWP	State Water Project
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminants
TNM	transportation noise model

tpd	tons per day
TRI	toxic release inventory
TTCP	traditional tribal cultural places
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
UWMP	Urban Water Management Plan
V/C	volume-to-capacity ratio
VdB	velocity decibels
VHFHSZ	very high fire hazard severity zone
VMT	vehicle miles traveled
VOC	volatile organic compound
WQMP	Water Quality Management Plan
WSA	Water Supply Assessment

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1.0 INTRODUCTION

1.1 Purpose and Scope of the Initial Study

Pursuant to State CEQA Guidelines Section 15367, the City of South El Monte (City) is the Lead Agency for the project. The Lead Agency is the public agency that has the principal responsibility for carrying out or approving a project. The City has the authority for environmental review in accordance with CEQA and certification of the environmental documentation.

This Initial Study has been prepared to evaluate the potential environmental effects associated with the construction and operation of the proposed 2222 Rosemead Boulevard Warehouse Development Project (proposed Project or Project). The document has been prepared in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq). Pursuant to CEQA requirements, this Initial Study includes a description of the proposed Project; an evaluation of the Project's potential environmental impacts; the findings of the environmental analyses; and recommended standard conditions and mitigation measures to avoid or lessen the Project's significant adverse environmental impacts.

This Initial Study evaluates each of the environmental issue areas contained in the Environmental Checklist Form provided in **Section 3.0**. It provides decision-makers and the public with information concerning the potential environmental effects associated with the Project's construction and ongoing operations, and ways to avoid or reduce potential environmental impacts. The City will use this Initial Study as a resource when considering and taking action on the Project. Any responsible agency may elect to use this environmental analysis for discretionary actions associated with Project implementation.

1.2 Summary of Findings

Based on the Environmental Checklist Form completed for the proposed Project and supporting environmental analyses, the Project would result in no impact or a less than significant impact on the majority of the environmental issues analyzed in this Initial Study. The following environmental topic areas would have no impact or a less than significant impact: Aesthetics, Agriculture and Forestry, Air Quality, Biological Resources, Energy, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfires. The Project's impacts on the following issue areas would be less than significant with mitigation incorporated: Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Transportation, Tribal Cultural Resources, and Utilities and Service Systems. All impacts would be less than significant after mitigation.

As set forth in the State CEQA Guidelines Section 15070 (Decision to Prepare a Negative or Mitigated Negative Declaration), a public agency shall prepare or have prepared a proposed negative declaration or mitigated negative declaration for a project subject to CEQA when:

(a) The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or

(b) The initial study identifies potentially significant effects, but:

    (1) Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for

public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and

(2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

1.3 Initial Study Public Review Process

The City has provided the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) to the Los Angeles Clerk and mailed the NOI to responsible agencies, nearby property owners, and others who expressed interest in receiving the NOI. In conjunction with the NOI, the City has released the IS/MND for a 30-day public review period in accordance with State CEQA Guidelines Section 15073. During the public review period, the IS/MND, including the technical appendices, can be accessed on the City's website and is available for review at the location listed below.

https://www.cityofsouthelmonte.org/606/Current-Projects

City of South El Monte
Community Development Department, Planning Division
1415 Santa Anita Avenue
South El Monte, CA 91733

In reviewing the IS/MND, affected public agencies and interested members of the public should focus on the adequacy of the document in identifying and analyzing the Project's potential environmental impacts and the ways in which the potentially significant impacts can be avoided or mitigated. If public agencies or any members of the public have comments on the IS/MND, they can be sent to:

Gerardo Marquez, Planning Manager
City of South El Monte
1415 Santa Anita Avenue
South El Monte, CA 91733
gmarquez@soelmonte.org

Comments sent via email should include the Project name in the subject line and a valid mailing address in the email.

Following receipt and evaluation of comments from agencies, organizations, and/or individuals, the City will determine whether these comments raise any substantial new environmental issues. If so, further documentation may be required. If not or if the issues raised do not provide substantial evidence that the Project would have a significant effect on the environment, the IS/MND and the Project will be considered for adoption and approval, respectively.

1.4 Report Organization

This document includes the following sections:

Section 1.0 – Introduction. This section provides an introduction and overview describing the conclusions of the Initial Study.

Section 2.0 – Project Description. This section identifies the project site location and key characteristics and includes a list of anticipated discretionary actions.

Section 3.0 – Environmental Checklist. The Environmental Checklist Form provides an overview of the potential impacts that may or may not result from Project implementation.

Section 4.0 – Environmental Evaluation. This section contains an analysis of environmental impacts for each resource area identified in the Environmental Checklist.

Section 5.0 – References. The section identifies resources used to prepare the Initial Study.

2.0 PROJECT DESCRIPTION

2.1 Project Location

Figure 1: Regional Map, and **Figure 2: Local Vicinity Map**, depict the project site within the regional and local context of Los Angeles County and the City of South El Monte, respectively. The project site is located at 2200, 2212, 2218, and 2226 Rosemead Boulevard in the northwestern portion of the City of South El Monte, Los Angeles County, California. The approximately 5.14-acre project site includes four parcels legally described as Assessor Parcel Numbers (APNs) 8102-039-029, 8102-039-030, 8102-039-031, 8102-039-035. The project site generally slopes east to west towards Rosemead Boulevard with a gradient of less than three percent. Elevations on the site range from 234 feet to 238 feet above mean sea level (amsl).

Commercial and industrial uses generally border the project site to the north and east, industrial uses and a mobile home park to the south, and Rosemead Boulevard to the west followed by commercial and industrial uses. Regional access is provided by Rosemead Boulevard (State Route 165 [SR-164]), which is located adjacent to the project site; SR-60, which is located approximately 0.9-mile south of the project site; and Interstate 10 (I-10), which is located approximately 1.3 miles north of the project site. Access to the project site would be provided via two driveways along Rosemead Boulevard.

2.2 Existing On-site and Surrounding Land Uses

As shown in **Figure 3: Aerial Photograph**, the project site is vacant except for the building pads for the former on-site buildings that were demolished in late 2021 and early 2022. The former uses on the project site included a company that reconditioned steel drums and plastic totes and an auto body repair shop. There are existing sidewalks, curbs, and light standards attached to overhead electrical lines along both sides of Rosemead Boulevard. Land uses near the project site are summarized in **Table 2.2-1: Surrounding Land Uses**.

Table 2.2-1: Surrounding Land Uses

Direction	Land Uses
North	Commercial and industrial uses including a lumber store; electrical supply store; cabinet supply store
East	Commercial and industrial uses including a trucking company, landscaper, and restaurant
South	Industrial uses including a general contractor, bathroom supply store, auto repair, and a mobile home park; multi-family and single-family residences
West	Rosemead Boulevard. West of Rosemead Boulevard are commercial and industrial uses including an auto body shop and grocery store; single-family residences

2.3 General Plan and Zoning

General Plan

According to the City of South El Monte General Plan (General Plan) land use map, the project site has a General Plan land use designation of Commercial-Manufacturing (CM); see **Figure 4: Existing General Plan Land Use Designation**. According to the General Plan Land Use Element, the purpose of the Commercial-Manufacturing (CM) land use category is to provide areas where general commercial and limited manufacturing uses can co-locate. The CM designation has a maximum floor area ratio (FAR) of 0.75.

Allowable uses include light manufacturing, warehousing, distribution, wholesale, and service operations. The project proposes warehousing uses, which is consistent with the CM land use designation.

Zoning

According to the City of South El Monte Zoning Map, the project site is zoned Commercial Manufacturing (C-M); see **Figure 5: Existing Zoning District**. The purpose of the C-M zoning district is to provide areas within the City in which general commercial and limited manufacturing uses can be collocated. Development standards are found in the City of South El Monte Municipal Code (Municipal Code) Chapter 17.09. Municipal Code 17.09.02 identifies warehousing as a permitted use in the C-M zone. A Conditional Use Permit (CUP) is required because the proposed 156,877 square-foot (sf) warehouse is greater than 20,000 sf, which is the maximum building size allowed in the C-M zone without a CUP.

2.4 Project Characteristics

Project Overview

As proposed, the Project would construct an approximately 156,877-sf concrete tilt-up warehouse and 13 dock doors. Of the 156,877 sf, the Project would have 113,703 sf of warehouse space, 7,879 sf of retail use, 20,305 sf of accessory warehouse office use, and 14,990 sf of warehouse storage. The proposed site plan is shown in **Figure 6: Site Plan***,* and summarized in **Table 2.4-1: Proposed Project**. The building would be at a maximum height of 48 feet 10 inches. The building's site coverage is 55 percent with a FAR of 0.7.

Table 2.4-1: Proposed Project Summary

Level	Warehouse (sf)	Retail (sf)	Accessory Warehouse Office (sf)	Warehouse Storage (sf)	Total (sf)
Level 1	113,703	7,879	1,893	-	123,475
Level 2/ Mezzanine	-	-	8,928	14,990	23,918
Level 3/ Mezzanine	-	-	9,484	-	9,484
Total	**113,703**	**7,879**	**20,305**	**14,990**	**156,877**
Source: AO, 2222 Rosemead Boulevard, Sheet A1.1, August 8, 2024.					

The retail and warehouse end users are unknown at this time. The hours of operation would be determined by the lessee; however, at this time, the hours are proposed to be seven days a week and operate 24 hours a day. However, all on-site truck movement and loading and unloading activities at the proposed loading docks, which are located behind electronic gates, would be prohibited from 10:00 PM to 7:00 AM. The Project does not propose refrigeration as part of the warehouse operations.

Architecture, Landscaping, and Lighting

The conceptual architectural design for the Project assumes concrete tilt-up panels with architectural treatments, such as panel reveals to provide visual relief of the building facades. As shown in **Figure 7: Building Elevations***,* the exterior elevations would be light grey, medium grey, dark grey, warm beige, and medium brown with bands of blue glazed windows. The warehouse building would be subject to compliance with the development standards and provisions contained in Municipal Code Chapter 17.09, Industrial Zones – Standards and Uses. Rooftop mechanical equipment would be screened as part of the Project.

As shown in **Figure 8: Conceptual Landscape Plan**, landscaping would be provided along Rosemead Boulevard, adjacent to the northern and southern property lines, and internal to the project site. Of the 5.14-acre project site, approximately 0.18-acre (or approximately 7,777 sf) would be landscaped with trees, shrubs, grasses, and ground cover.

The Project proposes an 8-foot-tall green screen with flowering vines along the southern boundary of the project site from driveway access east to the terminus of the passenger vehicle parking area. Fencing along the remainder of the southern boundary opposite the loading docks would be wrought iron fencings atop a 1.5- to 3.5-foot retaining wall for a total height of 8 feet to screen the loading dock area from the mobile home park. The northern and western project site boundaries would have an 8-foot-tall wrought iron fence.

Site lighting would be used to provide adequate lighting for circulation, safety, and security. Night lighting would be provided seven days per week. Outdoor lighting for the parking areas would be provided consistent with the requirements outlined in Municipal Code Section 17.09.100, Exterior Lighting Facilities, which requires lighting to be arranged to not provide a direct glare or create hazardous interference with highways and neighboring properties.

Vehicular and Non-Vehicular Circulation and Parking

Vehicular Access

Access to the project site would be provided from two 28-foot driveways along Rosemead Boulevard (see **Figure 6: Site Plan**). Passenger vehicles and trucks would enter and exit at both driveways. It is anticipated that most trucks would enter and exit the site at the northern driveway. Electronic security gates are proposed for both the north and south driveways to restrict public access beyond the passenger vehicle parking areas. As previously noted, the gates would be closed between 10:00 PM and 7:00 AM. The Project proposes 13 dock doors along the south side of the building and one at-grade door along the east side of the building to load and unload trucks(see **Figure 6: Site Plan).**

Parking

All parking would be provided on the project site. Parking for retail uses would be provided near the northern driveway and employee parking would be provided near the southern driveway. Pursuant to Municipal Code Chapter 17.16, Off-Street Parking and Loading, the Project is required to provide 175 parking spaces. The Project proposes 176 parking spaces, including 167 standard stalls and 9 parallel stalls, which exceeds the City's parking requirement. In accordance with the 2022 California Green Building Standards Code, Title 24, Part 11 (CALGreen), the Project requires and would provide 35 electric vehicle (EV) parking spaces and 9 EV-capable spaces.

Pedestrian and Bicycle

Pedestrian access to the project site is provided via sidewalks along Rosemead Boulevard. The project site is required to provide nine long-term and nine short-term bicycle parking spaces near the southern driveway entrance. There are no bicycle lanes on either side of Rosemead Boulevard. No bicycle lanes are proposed as part of the Project.

Transit

The Project would be served by LA Metro's network of regional and local bus transit options. Specifically, LA Metro Routes 266 and 287 serve the project site via two bus stops on both the east and west sides of Rosemead Boulevard approximately 400 feet north of the project site. The El Monte Station/San

Bernardino Freeway Busway is located at 3501 Santa Anita Avenue, at Ramona Avenue, to the north of the City, which provides a variety of public transit options and connections to most major destinations in the Los Angeles area. From the busway, riders can board Metrolink trains, other local transit lines, carpools, and vanpools.

2.5 Utilities and Infrastructure

Project implementation would require the construction of new and/or upgraded on-site utility infrastructure to serve the proposed warehouse building. These utilities would connect to existing utility infrastructure in adjacent roadways, with the final sizing and design of on-site facilities to occur during the final building design and plan check. All proposed infrastructure and improvements would require City approval and where necessary, the approval of the utility/service provider.

Water Service

The San Gabriel Valley Water Company (SGVWC) provides water service to the project site. There is an existing 6-inch water main in Rosemead Boulevard adjacent to the site and a 10-inch water line in Rush Street approximately 640 feet south of the project site. The Project would connect to the existing six-inch water line in Rosemead Boulevard for potable water service for the Project. The Project would connect to the existing 10-inch water line in Rush Street for fire protection. No off-site water line construction or upsizing of either the existing 6-inch or 10-inch water mains in Rosemead Boulevard and Rush Street, respectively, would be required to provide water or fire protection service to the project site other than new off-site water line construction required to make a typical connection to the existing water lines would occur within the public right-of-way of Rosemead Boulevard and Rush Street. The proposed water system improvements would be designed and constructed in accordance with City and SGVWC requirements and require City and SGVWC approval.

Wastewater Collection and Disposal

The Los Angeles County Public Works Consolidated Sewer Maintenance District (CSMD) provides operation and maintenance services for the City's sewer facilities, including those at the project site. Upon Project implementation, Los Angeles County Public Works CSMD would continue to serve the project site. There is an existing eight-inch sewer main in Rosemead Boulevard adjacent to the site that would serve the Project. As a part of the Project, new on-site sewer lines would connect to the existing eight-inch sewer main in Rosemead Boulevard. No off-site sewer line construction or upsizing of the existing eight-inch sewer main in Rosemead Boulevard would be required to accommodate the proposed Project other than a typical connection to the existing eight-inch sewer main that would be required within the public right-of-way of Rosemead Boulevard. The proposed wastewater system improvements would be designed and constructed in accordance with City and Los Angeles County Public Works CSMD requirements.

Drainage and Water Quality Treatment

The City owns and maintains a limited number of catch basins and storm drains while the Los Angeles County Flood Control District (County Flood Control District), a part of the Los Angeles County Public Works Division, owns and maintains a network of catch basins, storm drains and channels throughout the City. The County Flood Control District owns and operates the storm drain system near the project site.[1] Upon Project implementation, the County Flood Control District would continue to serve the project site.

[1] Los Angeles County Public Works. (2024). *Los Angeles County Storm Drain System GIS Maps*. Accessed from https://pw.lacounty.gov/fcd/StormDrain/index.cfm. Accessed July 25, 2024.

Two existing catch basin connections to the public storm drain main would be used; no new connections to the County Flood Control District are anticipated; see **Figure 9: Conceptual Drainage Plan**. The Applicant would submit construction/engineering plans and as-built plans to the County's engineer to obtain a permit to connect to the existing storm drain in Rosemead Boulevard.

Dry Utilities and Solid Waste Management

There are aboveground and belowground utility infrastructure along Rosemead Boulevard. Southern California Edison (SCE) provides electrical service to the project site. The Southern California Gas Company (SoCalGas) provides natural gas service to the project site. Both SCE and SoCalGas would continue to serve the project site. Electrical, gas, telephone, and cable television would be extended to the proposed warehouse building. All new public utilities would be placed underground**.** Utilities would be principally located in road rights-of-way. The Project proposes to install an 18,144-sf solar-ready zone on the roof.

2.6 Project Construction

Project construction is anticipated to take approximately 12 months. For this environmental analysis, Project construction is estimated to begin in fall/winter 2024.[2] Construction would occur in the following sequence:

- Site clearing (removal of existing vehicle storage and containers and trees);
- Site preparation;
- Grading. Approximately 11,951 cubic yards (cy) of cut and 14,561 cy of fill with 2,610 cy of net export, including on-site grading and installation of infrastructure within existing rights-of-way. All infrastructure (i.e., storm drain, water, wastewater, dry utilities, and street improvements) would be installed within the existing rights-of-way with connections to the project site;
- Building construction; and
- Paving, architectural coating, and landscaping.

2.7 Discretionary and Ministerial Approvals

The City of South El Monte, as Lead Agency, has discretionary authority over the Project. To implement the Project, the Applicant would need to obtain, at a minimum, the following discretionary and ministerial actions and/or approvals:

- **Adoption of the Initial Study/Mitigated Negative Declaration.** The Project requires CEQA compliance through the adoption of an IS/MND prior to Project approval. This IS/MND is intended to serve as the primary environmental document for all actions associated with the approval of the 2222 Rosemead Boulevard Warehouse Development Project. In addition, this is the primary reference document for the formulation and implementation of a mitigation monitoring and reporting program for the Project.

[2] The technical reports supporting this Initial Study assumed a construction schedule for the Project from November 2023 to November 2024. Due to different intervals for the processing and anticipated approval timeframe for the Project, the Project is now assumed to commence construction in fall/winter 2024, with a 12-month construction timeframe. This change in construction schedule does not impact the conclusions of the technical reports and evaluations supporting this Initial Study, as the change in construction schedule is not expected to result in any new or worse environmental impacts for purposes of CEQA. The overall scope, equipment use and duration of Project construction would remain the same, and the delayed construction date could reasonably result in fewer air quality emissions as State and AQMD regulations become more stringent. Therefore, the technical reports supporting this Initial Study remain valid.

- **Conditional Use Permit.** The Project requires a CUP to allow the proposed 156,877 sf warehouse building because it is greater than 20,000 sf, which is the maximum building size allowed in the C-M zone without a CUP.
- **Lot Merger.** Four parcels (APNs 8102-039-029, 8102-039-030, 8102-039-031) would be merged into one newly created parcel at 2222 Rosemead Boulevard.
- Demolition, grading, building, and sign permits.
- Any other permit or approval required by an agency with jurisdiction over the Project.

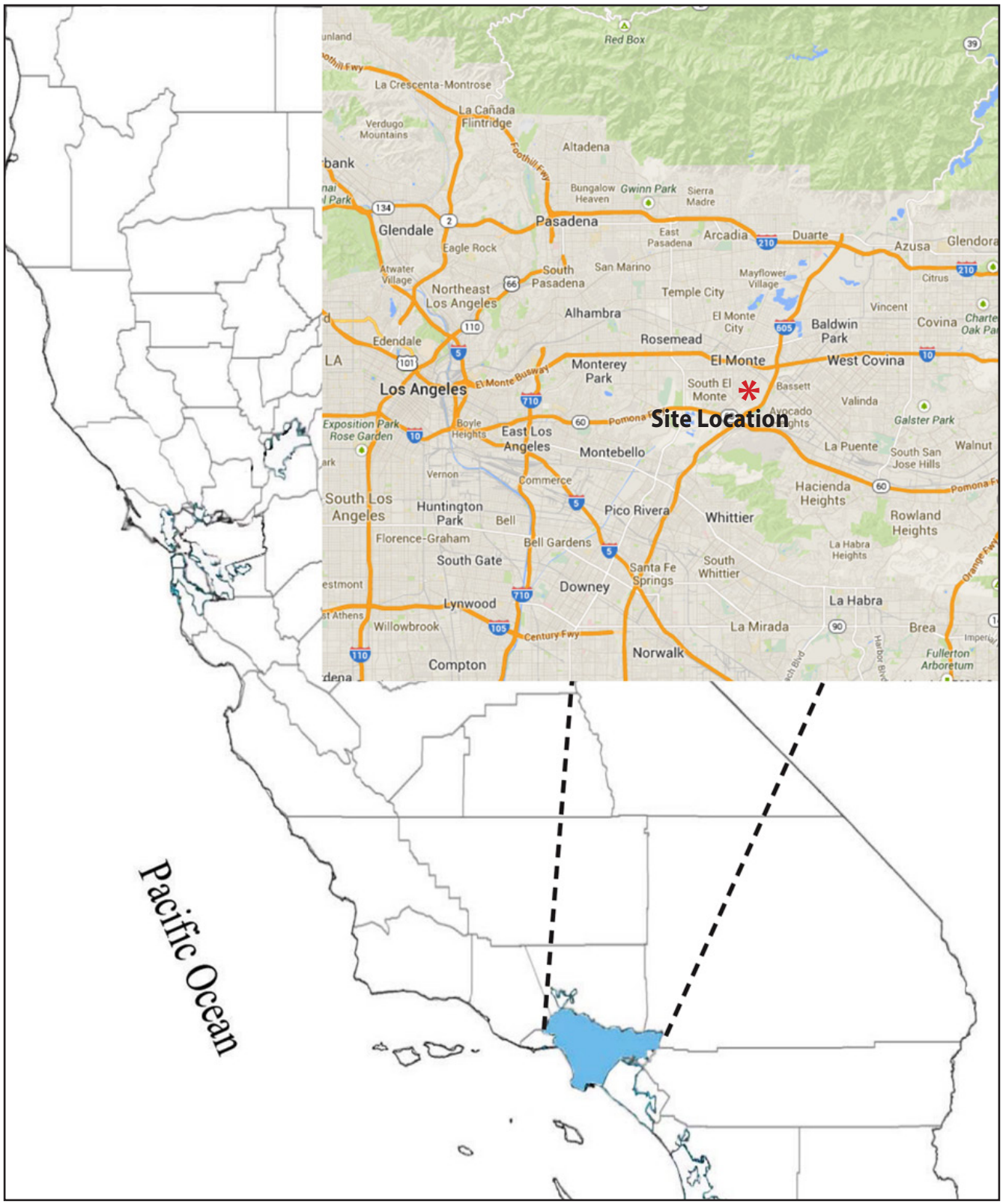
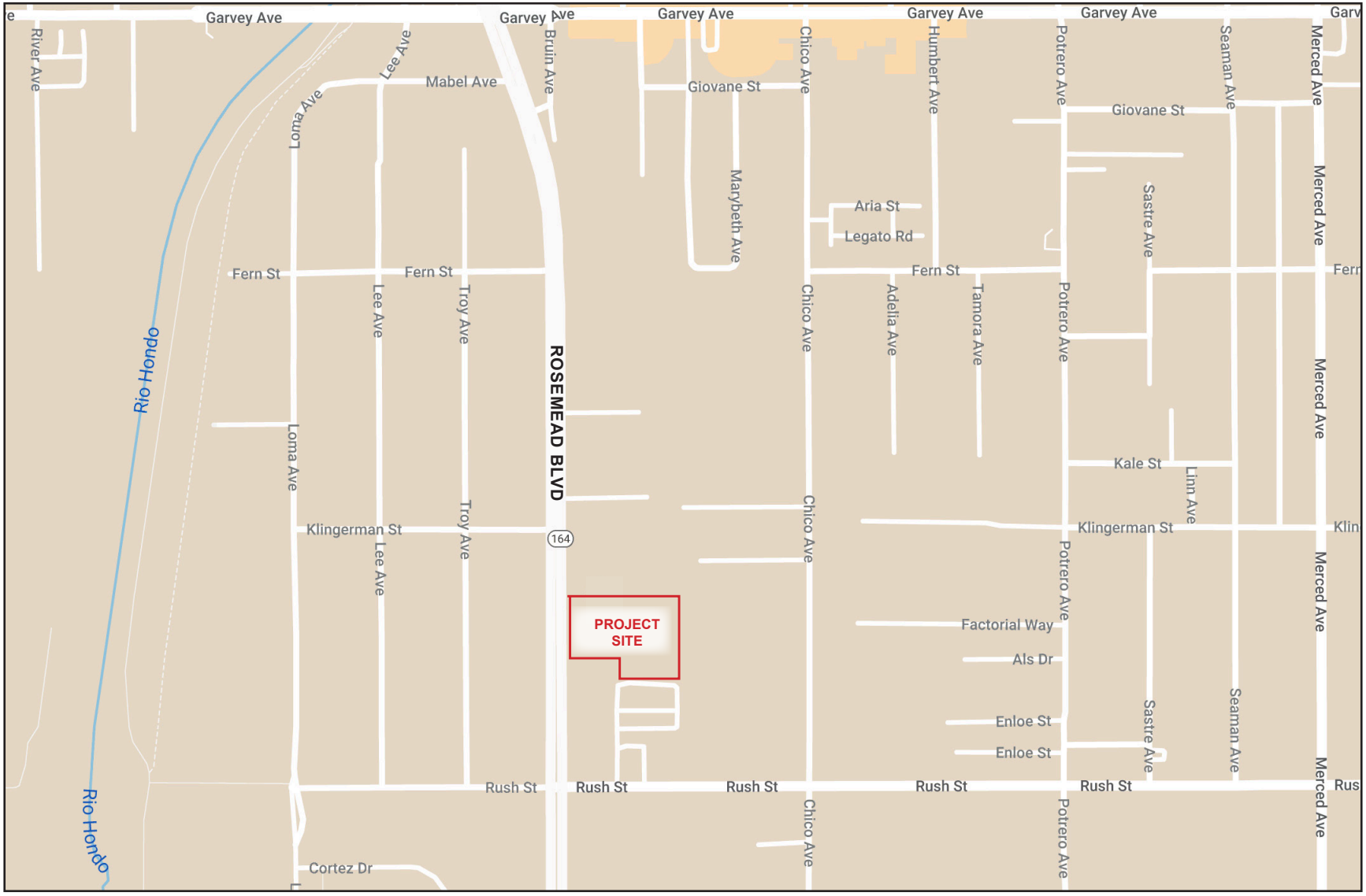


FIGURE 1
Regional Map



Source: Google Earth

Figure 2

Local Vicinity Map



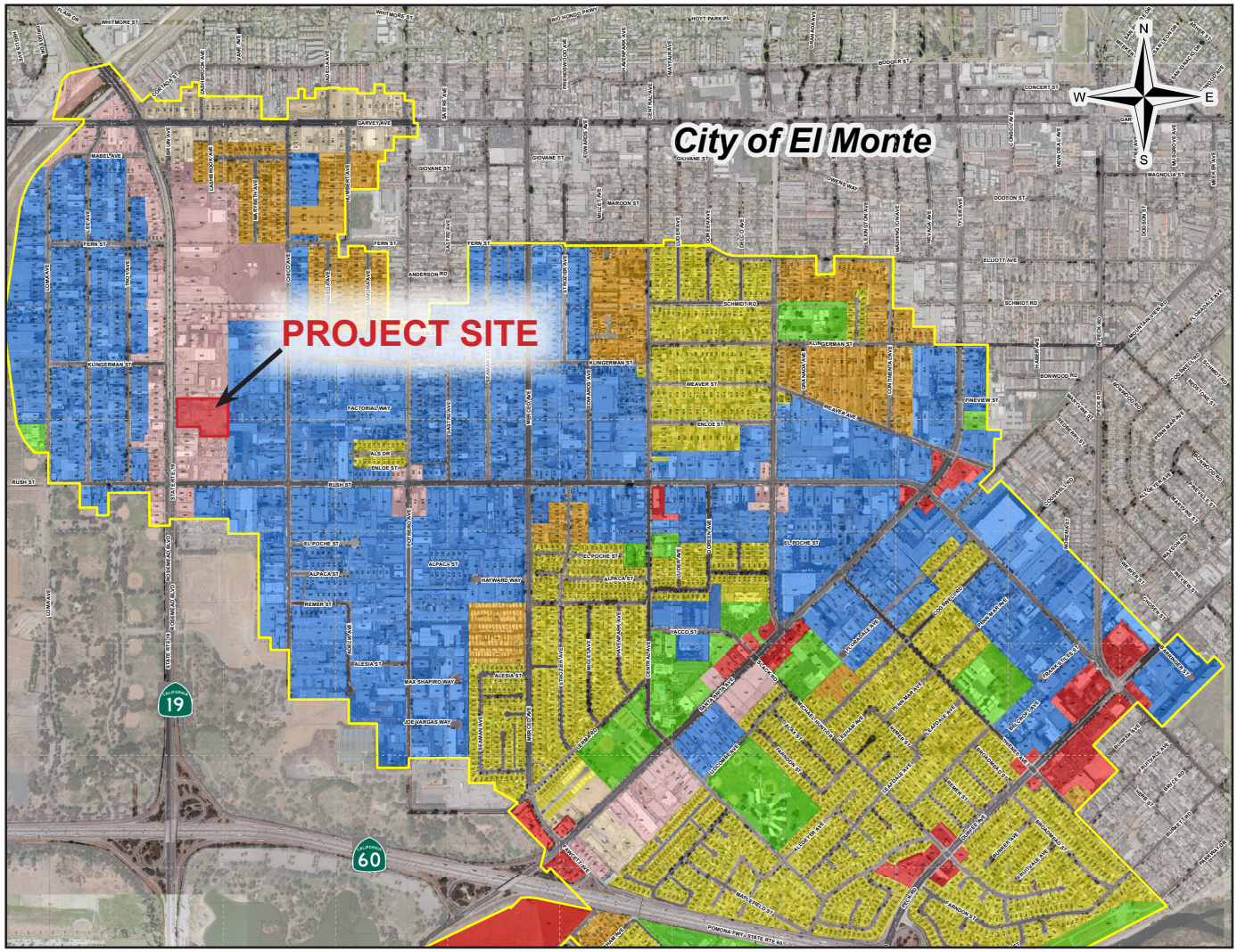
Source: Google Earth

Figure 3
Aerial Photograph

City of
South El Monte

General Plan

- Low Density Residential
- Medium-Density Residential
- Mixed Use
- Commercial
- Commercial-Manufacturing
- Industrial
- Public Facilities
- City Boundary



Source: City of South El Monte

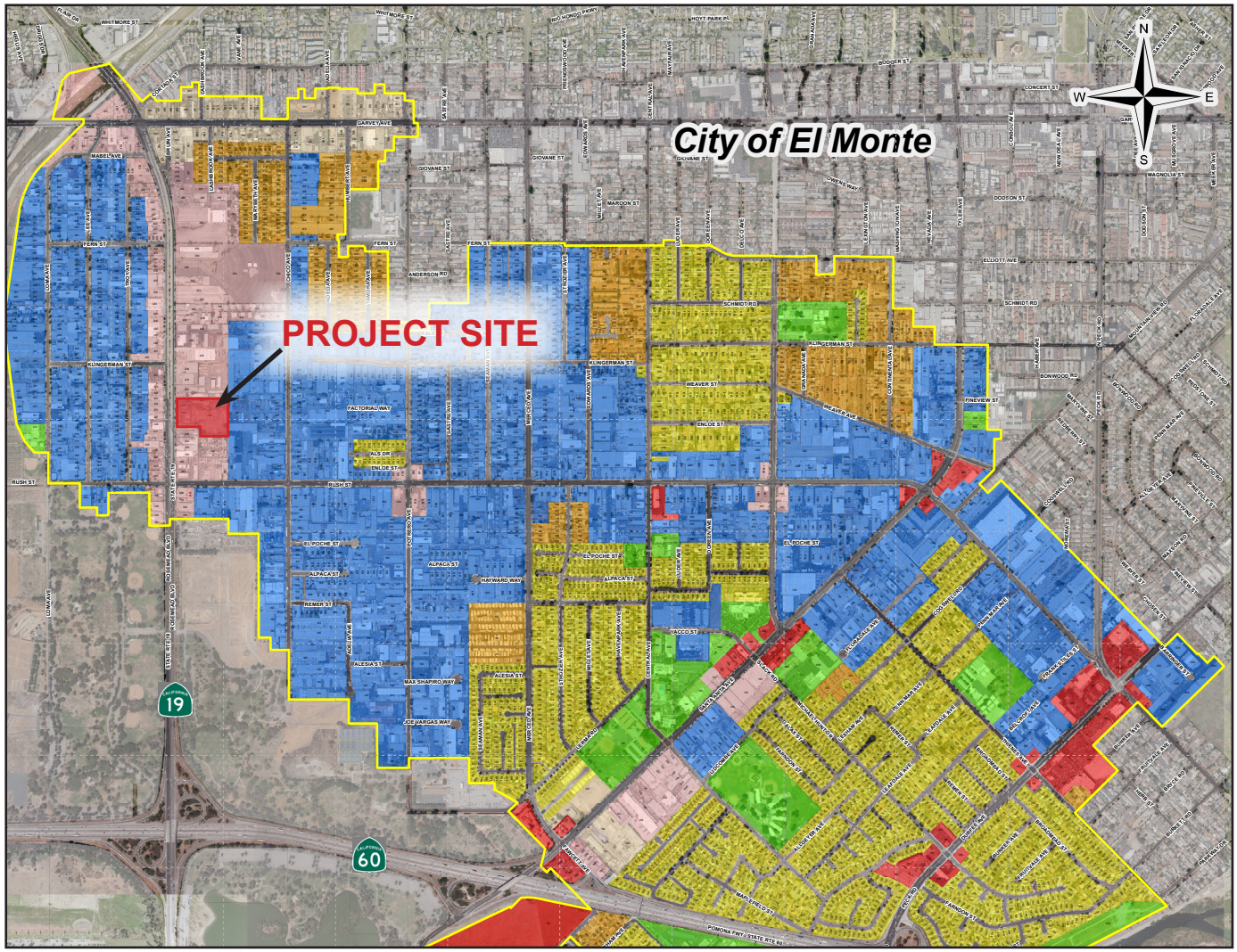
Figure 4

Existing General Plan Land Use Designation

City of
South El Monte

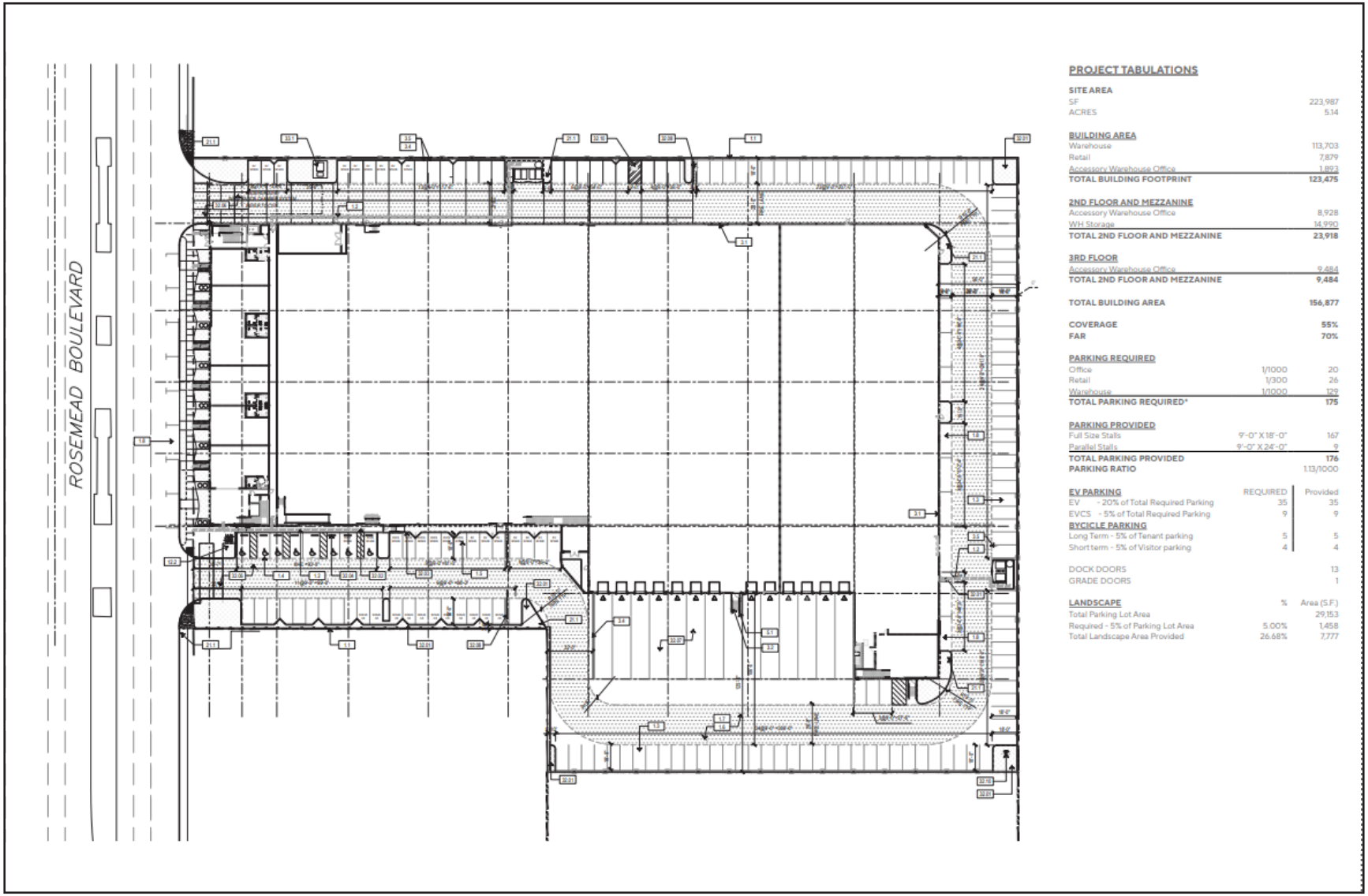
Zoning

- R-1 (Single Family Residential)
- R-3 (Multi Family Residential)
- C-R (Commercial-Residential)
- C (Commercial)
- C-M (Commercial-Manufacturing)
- M (Manufacturing)
- P-F (Public Facilities)
- City Boundary



Source: City of South El Monte

Figure 5
Existing Zoning District



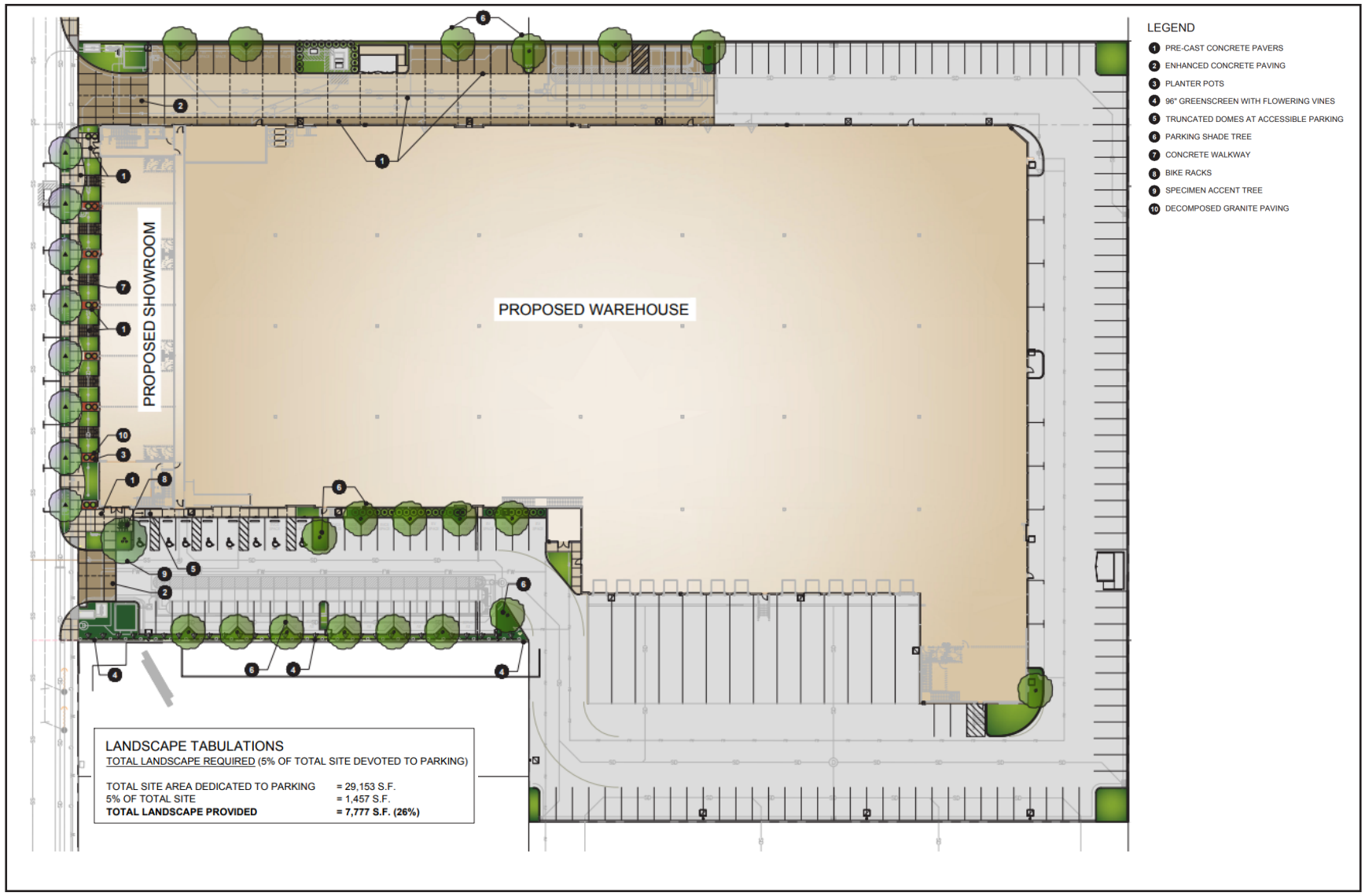
Source: AO Architects

Figure 6
Site Plan



Source: AO Architects

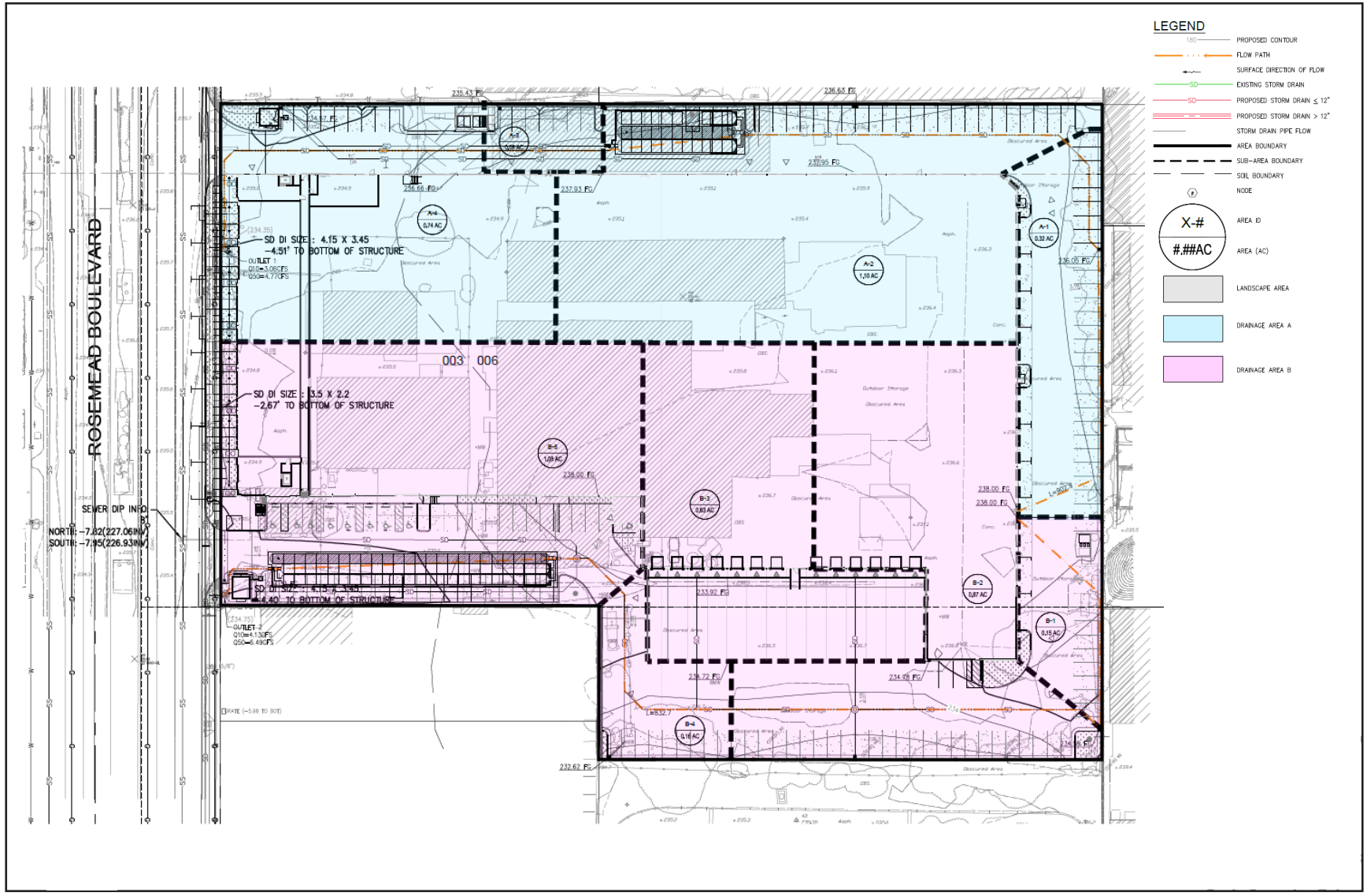
Figure 7
Building Elevations



Source: AO Architects

Figure 8

Conceptual Landscape Plan



Source: Tait & Associates

Figure 9

Conceptual Drainage Plan

3.0 INITIAL STUDY CHECKLIST

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. The Project will not have any Potentially Significant Impacts; therefore, an Environmental Impact Report is not required.

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

DETERMINATION:

On the basis of this initial evaluation (check one):

- ☐ I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

CERTIFICATION:

Prepared by:

Kimley-Horn and Associates, Inc. and Phil Martin & Associates

Reviewed by:



_____

City of South El Monte

Environmental Checklist

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Except as provided in Public Resources Code §21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
2. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment	☐	☐	☒	☐

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
under an applicable federal or state ambient air quality standard?				
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐
6. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
7. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	☐	☐	☐	☒
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
iv) Impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐
11. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
12. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
13. NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
14. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
15. PUBLIC SERVICES. Would the project result in				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	☐	☐	☒	☐
ii) Police protection?	☐	☐	☒	☐
iii) Schools?	☐	☐	☒	☐
iv) Parks?	☐	☐	☒	☐
v) Other public facilities?	☐	☐	☒	☐

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
16. RECREATION. Would the project:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐
17. TRANSPORTATION. Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	☐	☒	☐	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐
18. TRIBAL CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i) Listed or eligible for listing in the California				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)?	☐	☐	☒	☒
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☒	☐	☐
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☒	☐	☐

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐
20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒
21. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:				
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

4.0 ENVIRONMENTAL ANALYSIS

4.1 Aesthetics

Threshold (a) Would the Project have a substantial adverse effect on a scenic vista?

No Impact. The area surrounding the project site is urbanized and includes one-story commercial and industrial buildings to the east, north, and west that somewhat obscure distant views of the mountains north of the City. The General Plan does not identify any specific scenic vistas in the City. However, the San Gabriel Mountain Range is a prominent vista in the San Gabriel Valley. Existing urban development in the surrounding area limits views across and beyond the project site. Further, Rosemead Boulevard does not provide long-range scenic views. The proposed warehouse building would not exceed 48 feet 10 inches and would not obstruct any scenic vistas. Therefore, the Project would not obstruct, interrupt, or dimmish a scenic vista. No impact would occur and no mitigation is required.

Threshold (b) Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

No Impact. According to the General Plan Resources Element, there are no officially designated State scenic highways in or proximate to the City. The nearest officially designated State scenic highway is SR-2, which is located approximately 14 miles north of the project site. The project site is not visible from SR-2. Therefore, since the project site is not within the vicinity of any designated or eligible State scenic highways, the Project would not substantially damage scenic resources including trees, scenic rock outcroppings, or historic buildings within a State scenic highway. No impact would occur and no mitigation is required.

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

Less Than Significant Impact. The project site is in an urbanized area. As noted in **Table 2.2-1: Surrounding Land Uses**, the project site is bordered by commercial and industrial buildings to the east, north, and west and an industrial building and mobile home park to the south, the latter of which is also zoned Commercial Manufacturing (C-M). Although the Project would change the character of the site with the construction of the 48-foot-10-inch-tall warehouse building, the Project would be compatible with the existing development pattern and the character of the existing developed area surrounding the site.

The Project would be subject to the requirements of Municipal Code Section 17.09, which addresses permitted and prohibited development intended to provide for areas within the City in which general commercial and limited manufacturing uses can be collocated. Municipal Code Section 17.09.040 and Section 17.09.050 discuss property development standards that apply to all uses within the C-M zone. The development standards are imposed to control the type and intensity of uses and to ensure the quality of design that will enhance the area in which the use is located and which will protect adjacent and neighboring properties. Compliance with the C-M zoning district development standards would be ensured through the City's review during the application process and future review of building permits.

There are no height requirements for development in the C-M zone, except that any building constructed adjacent to a residentially zoned lot can have a maximum allowable height of 28 feet.[3] Note, the mobile home park to the south is not zoned for residential use. Therefore, the proposed warehouse would not exceed any maximum building height for a building in the C-M zone. The proposed architecture and massing are intended to complement the existing development and would comply with the General Plan objectives and policies to provide compatibility of the Project's design with the surrounding land uses. Therefore, impacts would be less than significant and no mitigation is required.

Threshold (d) Would the Project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. Glare is created by the reflection of sunlight and electric lights from windows and building surfaces. Daytime glare is generally caused by the reflection of sunlight from highly reflective surfaces at or above eye level. Reflective surfaces are typically associated with buildings constructed with broad expanses of highly polished surfaces or broad, light-colored areas of paving. Daytime glare is usually present during early morning and late afternoon hours when the sun is at a low angle and the potential exists for intense reflected light to interfere with vision and driving conditions. Daytime glare may also hinder outdoor activities performed within surrounding land uses. Nighttime glare includes direct, intense, focused light, along with reflected light. Glare generated by direct light typically comes from mobile sources (e.g., automobiles). Glare is also less frequently caused by intense stationary sources, such as floodlights or cargo crane lights. As with daytime sun glare, intense nighttime light may cause undesirable interferences with driving or other activities. The project site is in an urbanized area with existing light sources, including automobile headlights associated with traffic on Rosemead Boulevard adjacent to and west of the site, parking lot lights of surrounding commercial and industrial land uses, exterior advertising, and building lights from surrounding commercial and industrial buildings, and street lights.

Construction. Project construction has the potential to generate light spillover to off-site land uses, including the mobile home park south of the project site. While the majority of Project construction would occur during daylight hours, construction could occur up until 10:00 PM in accordance with Municipal Code Section 8.20.030 which would require the use of artificial lighting, particularly during the winter season when daylight is no longer sufficient earlier in the day. Outdoor lighting sources, such as floodlights, spotlights, and/or headlights associated with construction equipment and hauling trucks, typically accompany nighttime construction activities. To the extent that evening construction includes artificial light sources, such use would be temporary and would cease upon Project completion.

The Project would generate lighting from two primary sources: lighting from building interiors that would pass through windows and lighting from exterior sources (e.g., signage, parking area lighting, building illumination, security lighting, wayfinding, and landscape lighting). Although the proposed Project would introduce new sources of light, the surrounding urban area contains multiple sources of illumination. The proposed lighting would be subject to compliance with Municipal Code Section 17.09.100 – Exterior Lighting Facilities, which requires exterior lighting facilities to be located in a manner that will not provide a direct glare or create hazardous interference with highways and neighboring properties. The City would also review new lighting for conformance with the Building Energy Efficiency Standards in effect at the

[3] South El Monte Municipal Code Section 17.16.120 - Maximum building height.

time of building permit application to ensure the minimum amount of lighting is being used, and no light spillage would occur.

As shown in **Figure 7**, the Project proposes blue-glazed windows on all sides of the buildings with the greatest amount of windows on the west side of the building adjacent to Rosemead Boulevard. The Project would be required to comply with CCR Title 24 standards, which require all glass used in the building design to have minimal reflectivity to reduce glare on surrounding neighbors. Therefore, compliance with the City's existing regulatory framework (i.e., CCR Title 24, Building Energy Efficiency Standards, and Municipal Code), which would be verified through the City's plan review process would ensure the Project does not create a substantial new source of light or glare which would adversely affect day or nighttime views in the area. Impacts would be less than significant and no mitigation is required.

Mitigation Program

Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are applicable.

4.2 Agriculture and Forestry Resources

Threshold (a) Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. The State of California, Department of Conservation, Farmland Mapping and Monitoring Program has designated the project site as Urban and Built-Up Land. There is no Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance on or proximate to the project site.[4] The surrounding area includes various commercial and industrial uses and a mobile home park. No farmland would be converted. Therefore, no impact would occur and no mitigation is required.

Threshold (b) Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The project site is zoned C-M. Since there is no agricultural use on the site and the C-M zone does not allow agricultural use, the Project would not conflict with any zoning that allows agricultural use on the site. A Williamson Act contract between local governments and private landowners restricts specified parcels of land to agricultural or related open-space use in return for a lower property tax assessment. The project site is not under a Williamson Act contract. Further, the project site's existing C-M zoning does not allow for agricultural uses. Therefore, the Project would not conflict with agricultural zoning designation or a Williamson contract. Therefore, no impact would occur and no mitigation is required.

Threshold (c) Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

Threshold (d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The proposed Project would not conflict with existing zoning for forest land, timberland, or timberland production. There are no forest or timberland resources on the project site or in the surrounding area. The project site's existing C-M zoning district does not permit forest land, timberland, or timberland production. Therefore, no impact would occur and no mitigation is required.

Threshold (e) Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. The project site and surrounding area do not include nor are proximate to agricultural uses or forest land. Therefore, the Project would not directly or indirectly result in the conversion of property from agricultural or timberland uses. Therefore, no impact would occur and no mitigation is required.

[4] State of California Department of Conservation. *California Important Farmland Finder*. Available at https://maps.conservation.ca.gov/dlrp/ciff/. Accessed July 22, 2024.

Mitigation Program

Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are applicable.

4.3 Air Quality

The air quality analysis in this section is based on information included in the following reports:

- *Rosemead and Rush Industrial Project, Air Quality, Global Climate Change, HRA, and Energy Impact Analysis*, Ganddini Group Inc., February 16, 2024; see **Appendix A.**[5]
- *Rosemead and Rush Industrial Project Memorandum – Updated Plan Set and Transportation, Noise, and Air Quality/Greenhouse Gas/Energy Impact Studies*, Ganddini Group Inc., August 15, 2024; see **Appendix A.**[6]

Threshold (a) Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. The project site is within the South Coast Air Basin (SCAB), which is under the South Coast Air Quality Management District (SCAQMD) jurisdiction. The SCAQMD is required, under the Federal Clean Air Act, to reduce emissions of criteria pollutants for which the SCAB is in nonattainment. To reduce such emissions, the SCAQMD drafted the 2016 and 2022 AQMPs, which establish programs of rules and regulations directed at reducing air pollutant emissions and achieving California ambient air quality standards (CAAQS) and National ambient air quality standards (NAAQS). The AQMPs are a regional and multi-agency effort including the SCAQMD, the California Air Resources Board, and the U.S. Environmental Protection Agency. The AQMPs' pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's *Connect SoCal 2024* (2024-2050 Regional Transportation Plan/Sustainable Communities Strategy [RTP/SCS]). SCAG's latest growth forecasts at the time of AQMP preparation were defined in consultation with local governments and based on local general plans.

Criteria for determining consistency with the AQMPs are listed below:

- **Consistency Criterion No. 1**: The project will not result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMPs.
- **Consistency Criterion No. 2**: The project will not exceed the assumptions in the AQMPs or increments based on the years of the project build-out phase.

According to the SCAQMD's *CEQA Air Quality Handbook*, the purpose of the consistency finding is to determine if a project is inconsistent with the AQMP's assumptions and objectives, and thus if it would interfere with the region's ability to comply with CAAQS and NAAQS.

The violations that Consistency Criterion No. 1 refers to are exceeding the CAAQS and NAAQS. Based on the air quality modeling analysis conducted for the Project (**Appendix A**), the Project would not exceed

[5] The technical reports supporting this Initial Study assumed a construction schedule for the project from November 2023 to November 2024. Due to different intervals for the processing and anticipated approval timeframe for the Project, the Project is now assumed to commence construction in Fall/Winter 2024, with expected construction timeframe of 12 months. This change in construction schedule does not impact the conclusions of the technical reports and evaluations supporting this Initial Study, as the change in construction schedule is not expected to result in any new or worse environmental impacts for purposes of CEQA. The overall scope, equipment use and duration of Project construction would remain the same, and the delayed construction date could reasonably result in fewer air quality emissions as State and AQMD regulations become more stringent. Therefore, the technical reports supporting this Initial Study remain valid.

[6] After preparation of the technical study, minor modifications to the plan set dated August 8, 2024 has resulted in a net reduction of square feet compared to the assumptions for the February 2024 study. These changes do not change the findings of the study as summarized in this Initial Study.

the SCAQMD's construction or operational thresholds as shown in **Table 4.3-2: Construction-Related Regional Pollutant Emissions** and **Table 4.3-3: Regional Operational Pollutant Emissions**. Therefore, the Project would not exceed the CAAQS or NAAQS, would not contribute to an existing air quality violation, and is consistent with Consistency Criterion No. 1.

With respect to Consistency Criterion No. 2, consistency with the AQMP assumptions is determined by performing an analysis of a project with the assumptions in the AQMP. The emphasis of this criterion is to ensure that the analyses conducted on a project are based on the same forecasts as the AQMP. The AQMPs contain air pollutant reduction strategies based on SCAG's latest growth forecasts, and SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans. The project site has an existing land use designation of Commercial-Manufacturing and is zoned C-M. The proposed Project would construct an approximately 156,877 sf concrete tilt-up warehouse with 113,703 sf of warehouse space, 7,879 sf of retail use, 20,305 sf of accessory warehouse office use, and 14,990 sf of warehouse storage. The proposed Project is consistent with the existing land use and zoning designations that were assumed in the AQMP. Therefore, the Project is not anticipated to exceed the AQMP assumptions for the project site and is found to be consistent with Consistency Criterion No. 2. Because the Project is consistent with the SCAQMD consistency findings criteria, the Project would not conflict with or obstruct the implementation of the AQMP. A less than significant impact would occur and no mitigation is required.

Threshold (b) Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or State ambient air quality standard?

Less Than Significant Impact. Since the timing or sequencing of the cumulative projects is unknown, any quantitative analysis to ascertain daily construction emissions that assumes multiple, concurrent construction projects would be speculative at this time. Further, cumulative projects include local development as well as general growth in the project area. However, as with most development, the greatest source of emissions is from mobile sources, which travel well out of the local area. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and when wind patterns are considered would cover an even larger area. The SCAQMD recommends using two different methodologies: (1) that project-specific air quality impacts be used to determine the potential cumulative impacts to regional air quality; and (2) that a project's consistency with the current AQMP be used to determine its potential cumulative impacts. The Project's potential regional construction and operational air quality impacts are discussed below. The Project's consistency with the AQMP is discussed under Response 4.3(a) above.

Regional Air Quality

Air quality impacts that derive from dispersed mobile sources, which are the dominant pollution generators in the SCAB, often occur hours later and miles away after photochemical processes have converted primary exhaust pollutants into secondary contaminants such as ozone. The incremental regional air quality impact of an individual project is generally very small and difficult to measure. Therefore, the SCAQMD has developed significance thresholds based on the volume of pollution emitted rather than on actual ambient air quality because the direct air quality impact of a project is not quantifiable on a regional scale. The SCAQMD CEQA Handbook states that any project in the South Coast Air Basin with daily emissions that exceed any of the identified significance thresholds should be considered as having an individually and cumulatively significant air quality impact. For the purposes of

this air quality impact analysis, a regional air quality impact would be considered significant if emissions exceed the SCAQMD significance thresholds identified in **Table 4.3-1: SCAQMD Air Quality Significance Thresholds.**

Table 4.3-1: SCAQMD Air Quality Significance Thresholds

Mass Daily Thresholds[1]		
Pollutant	**Construction (lbs/day)**	**Operation (lbs/day)**
NOx	100	55
VOC	75	55
PM_{10}	150	150
$PM_{2.5}$	55	55
SOx	150	150
CO	550	550
Lead	3	3
Toxic Air Contaminants (TACs), Odor and GHG Thresholds		
TACs (including carcinogens and non-carcinogens)	Maximum Incremental Cancer Risk ≥ 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic & Acute Hazard Index > 1.0 (project increment)	
Odor	Project creates an odor nuisance pursuant to South Coast AQMD Rule 402	
GHG	10,000 MT/yr CO2e for industrial facilities	
Ambient Air Quality Standards for Criteria Pollutants[2]		
NO_2 1-hour average annual arithmetic mean	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 0.18 ppm (State) 0.03 ppm (State) & 0.0534 ppm (federal)	
PM_{10} 24-hour average annual average	 10.4 µg/m^3 (construction)[3] & 2.5 ug/m^3 (operation) 1.0 ug/m^3	
$PM_{2.5}$ 24-hour average	 10.4 µg/m^3 (construction)[3] & 2.5 µg/m^3 (operation)	
SO_2 1-hour average 24-hour average	 0.25 ppm (State) & 0.075 ppm (federal – 99th percentile) 0.04 ppm (State)	
Sulfate 24-hour average	 25 µg/m^3 (State)	
CO 1-hour average 8-hour average	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 20 ppm (State) & 35 ppm (federal) 9 ppm (State/federal)	
Lead 3-day average Rolling 3-month average	 1.5 µg/m^3 (State) 0.15 µg/m^3 (federal)	

(1) Source: South Coast AQMD CEQA Handbook (South Coast AQMD, 1993)
(2) Ambient air quality thresholds for criteria pollutants based on South Coast AQMD Rule 1303, Table A-2 unless otherwise stated.
(3) Ambient air quality threshold based on South Coast AQMD Rule 403.
Source: Ganddini Group Inc. 2024

Construction-Related Emissions

Project construction activities would generate short-term criteria air pollutant emissions. The criteria pollutants of primary concern within the project area are O_3 precursor pollutants (i.e., reactive organic gases [ROG] and nitrogen oxides [NO_X]) and PM_{10} and $PM_{2.5}$. Construction-related emissions are short term and of temporary duration, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the criteria pollutant emissions exceeded the SCAQMD's thresholds of significance.

Construction results in the temporary generation of emissions resulting from site grading, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities as well as weather conditions and the appropriate application of water.

Project construction is anticipated to occur over approximately 12 months. Project construction-related emissions were calculated using the CARB-approved CalEEMod computer program; see **Appendix A** for more information regarding the construction assumptions used in this analysis. The maximum summer or winter criteria pollutant emissions from the proposed Project's construction-related criteria pollutant emissions are shown in **Table 4.3-2**. As identified in **Table 4.3-2**, the Project's construction emissions would not exceed SCAQMD thresholds for all criteria pollutants. Therefore, the Project's construction-related emissions would result in a less than significant impact.

Table 4.3-2: Construction-Related Regional Pollutant Emissions

	Pollutant Emissions (pounds/day)					
Activity	**ROG**	**NOx**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Maximum Daily Emissions[1,2]	60.60	84.20	100.00	0.17	5.03	3.91
SCAQMD Thresholds	75	100	550	150	150	55
Exceeds Thresholds?	**No**	**No**	**No**	**No**	**No**	**No**

(1) Reflects on-site and off-site emissions. On-site demolition and grading PM_{10} and $PM_{2.5}$ emissions show compliance with SCAQMD Rule 403 for fugitive dust.
(2) Construction, painting, and paving phases may overlap.
Source: Ganddini Group Inc. 2024.

Operational-Related Emissions

Project operations would result in long-term increases in air quality emissions compared to the existing emissions from the site; the site is currently vacant. This increase would be due to emissions from project-generated vehicle trips and operational emissions from the ongoing use of the Project.

The operations-related criteria air quality impacts of the Project were analyzed with CalEEMod. The operating emissions were based on year 2025, which is the anticipated opening year for the Project (see **Appendix A** for more information regarding the operational assumptions used in this analysis). CalEEMod analyzes operational emissions from area sources, energy usage, and mobile sources, which are discussed below.

Mobile Sources. Mobile sources include emissions from the vehicle miles generated by the Project. The vehicle trips associated with the Project have been analyzed using CalEEMod. The Project would generate 227 (passenger car equivalent; PCE) truck trips and 422 vehicle trips per day. CalEEMod applies emission factors for each trip using the EMFAC2021 model to determine the Project's vehicular traffic pollutant

emissions. Due to the location of the project site and proposed warehouse land use, the average customer-based trip length was increased to 40 miles per SCAQMD recommendation, while all other trip lengths were based on the urban default values (see **Appendix A**).

Area Sources. Area sources include emissions from consumer products, landscape maintenance equipment, and architectural coatings. Landscape maintenance includes fuel combustion emissions from the operation of equipment such as lawnmowers, rototillers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers, as well as air compressors, generators, and pumps. Since information is not available at this time for the landscape maintenance fleet equipment that would be used at the site, CalEEMod defaults were used to estimate the emissions from the operation of landscape maintenance equipment.

Energy Usage. Energy usage includes emissions from the generation of electricity and natural gas used on the site.

The maximum daily pollutant emissions generated by the Project's long-term operations are shown in **Table 4.3-3**. As shown, the Project's long-term operational emissions would not exceed any SCAQMD thresholds. Therefore, the Project's operational emissions would result in a less than significant impact.

Table 4.3-3: Regional Operational Pollutant Emissions

	Pollutant Emissions (pounds/day)					
Activity	**ROG**	**NOx**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Maximum Daily Emissions	6.82	11.60	30.00	0.12	2.80	0.84
SCAQMD Thresholds	55	55	550	150	150	55
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Note: the higher of either summer or winter emissions.
Source: Ganddini Group Inc. 2024

Cumulative Short-Term Emissions

The project site is located in an area that is not in attainment for O_3, PM_{10}, and $PM_{2.5}$. Construction and operation of cumulative projects may further degrade the local air quality, as well as the air quality of the SCAB. The greatest cumulative impact on the quality of regional air would be the incremental addition of pollutants mainly from increased traffic volumes from residential, commercial, and industrial development and the use of heavy equipment and trucks associated with the construction of the cumulative projects. Air quality would be temporarily degraded during construction activities that occur separately or simultaneously. However, in accordance with the SCAQMD methodology, projects that do not exceed SCAQMD air emission criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact. A significant impact may occur if a project would add a cumulatively considerable contribution to a federal or State non-attainment pollutant.

Project operations are calculated to generate emissions of NOx, ROG, CO, PM_{10}, and $PM_{2.5}$ that would not exceed SCAQMD regional or local thresholds(**Table 4.3-3**) and would not be expected to result in ground-level concentrations that exceed the NAAQS or CAAQS. Since the Project would not introduce any substantial stationary sources of emissions, CO is the benchmark pollutant for assessing local area air quality impacts from post-construction motor vehicle operations. As indicated earlier, no violations of the State and federal CO standards are projected to occur for the Project, based on the estimated traffic associated with the proposed Project.

Because the operation of the Project would not have a cumulatively considerable net increase in regional or local non-attainment criteria pollutants, the Project would result in a less than significant cumulative impact for operational emissions.

Threshold (c) Would the Project expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. To identify impacts on sensitive receptors, the SCAQMD recommends addressing localized significance thresholds (LSTs) for construction. LSTs were developed in response to the SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the Final Localized Significance Threshold Methodology (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with project-specific emissions.

Since CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily soil disturbance activity possible for each piece of equipment, **Table 4.3-4: Maximum Number of Acres Disturbed Per Day** is used to determine the Project's maximum daily disturbed acreage for comparison to LSTs. The appropriate source receptor area (SRA) for the LSTs is the South San Gabriel Valley (SRA 11) because this area includes the project site. LSTs apply to NO_x, CO, PM_{10}, and $PM_{2.5}$. The SCAQMD provides look-up tables for projects that disturb areas less than or equal to 5.0 acres. Project construction is anticipated to disturb a minimum of 2.5 acres in a single day during the grading phase.

Table 4.3-4: Maximum Number of Acres Disturbed Per Day

Activity	Equipment	Number	Acres/8 hr-day	Total Acres
Demolition	Rubber Tired Dozers	2	0.5	1
Total for Phase		**-**	**-**	**1**
Grading	Rubber Tired Dozers	1	0.5	0.5
	Graders	1	0.5	0.5
	Crawler Tractors[1]	3	0.5	1.5
Total for Phase		**-**	**-**	**2.5**

(1) Tractor/loader/backhoe is a suitable surrogate for a crawler tractor per SCAQMD staff.
Source: Ganddini Group Inc. 2024.

The sensitive receptor nearest the project site is the mobile home park located adjacent to the south. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Therefore, LSTs for receptors located at a distance of 25 meters were utilized in this analysis consistent with SCAQMD methodology.

Table 4.3-5: LST Local Construction Emissions at the Nearest Receptors presents the results of localized emissions during each construction phase. As shown, none of the analyzed criteria pollutants would exceed the local emissions thresholds at the nearest sensitive receptors. Therefore, Project construction would not result in significant concentrations of pollutants at nearby sensitive receptors.

Table 4.3-5: LST Local Construction Emissions at the Nearest Receptors

Activity	On-Site Pollutant Emissions (pounds/day)			
	NOx	**CO**	**PM_{10}**	**$PM_{2.5}$**
Demolition	27.3	23.5	2.1	1.24
Grading	20.0	19.7	3.7	2.21
Building Construction	82.7	95.4	3.95	3.64
Paving	7.81	10.0	0.39	0.36
Architectural Coating	0.91	1.15	0.03	0.03
SCAQMD LST Thresholds[1]	121	1,031	7	5
Exceeds Threshold?	**No**	**No**	**No**	**No**

(1) The nearest sensitive receptors are the existing residential/trailer park use located adjacent to the south, the multi-family residential land uses located approximately 547 feet (~166 meters) to the southwest, and the single-family residential land uses located approximately 297 feet (~91 meters) to the west, 372 feet (~114 meters) to the northwest and 743 feet (~226 meters) to the southwest of the project site; therefore, the 25-meter threshold was used.

Notes: The Project will disturb up to a maximum of 2.5 acres a day during grading (see **Table 4.3-4**).
Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for 2 acres, to be conservative, at a distance of 25 m in SRA 11 South San Gabriel Valley.

Source: Ganddini Group Inc. 2024.

Construction-Related Health Impacts

Public health significance thresholds related to criteria pollutant emissions are established for regional compliance in accordance with State and federal ambient air quality standards to protect the public from both acute and long-term health impacts, depending on the potential effects of the pollutant. Because both regional and local emissions of criteria pollutants during construction are calculated to be below the applicable thresholds, the Project would not contribute to long-term health impacts related to nonattainment of the ambient air quality standards. The significant adverse acute health impacts due to Project construction emissions would have a less than significant impact.

Construction-Related Toxic Air Contaminant Impacts

The greatest potential for toxic air contaminant emissions associated with the construction of the Project would be with diesel particulate emissions during the operation of heavy construction equipment. According to the Office of Environmental Health Hazard Assessment (OEHHA) and the SCAQMD Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (August 2003), health effects from TACs are described in terms of individual cancer risk based on a lifetime (i.e., 30-year) resident exposure duration. Given the temporary and short-term construction schedule of approximately 12 months to construct the Project, the Project would not result in long-term (i.e., lifetime or 30-year) exposure. Additionally, construction-based particulate matter (PM) emissions, which include diesel exhaust emissions, do not exceed local or regional thresholds.

The Project would comply with the California Air Resources Board (CARB) Air Toxics Control Measure which limits the operation of diesel-powered equipment and vehicle idling to no more than five minutes and the CARB In-Use Off-Road Diesel Vehicle Regulation. Project compliance with these measures and regulations would minimize Project TACs during construction. TAC impacts during Project construction would be less than significant.

Operations-Related Human Impacts

The ongoing operation of the Project would generate toxic air contaminant (TAC) emissions from the operation of on-site diesel trucks. According to SCAQMD methodology, health effects from carcinogenic

air toxics are usually described in terms of individual cancer risk. “Individual Cancer Risk” is the likelihood that a person exposed to concentrations of toxic air contaminants over a 30-year lifetime will contract cancer, based on the use of the revised OEHHA risk-assessment methodology. The 2015 OEHHA guidance states that "Districts are to determine which facilities will prepare an HRA based on a prioritization process outlined in the law. The process by which Districts identify priority facilities for risk assessment involves consideration of potency, toxicity, quantity of emissions, and proximity to sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences".

The Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis prepared by SCAQMD (August 2003) defers to CARB (State) for "technical guidance for diesel toxic impact analyses for various source categories". The California Air Pollution Control Officers Association (CAPCOA) has developed TAC health risk assessment guidelines to provide consistent, statewide procedures for preparing the health risk assessments required under the Air Toxics “Hot Spots” Act. The District recommends that lead agencies conduct TAC risk assessments in accordance with the CAPCOA Risk Assessment Guidelines, as supplemented by the District’s supplemental guidelines. According to SCAQMD and CAPCOA guidelines, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. “Individual Cancer Risk” is the likelihood that a person exposed to concentrations of toxic air contaminants over a 30-year lifetime will contract cancer, based on the use of standard risk-assessment methodology.

The nearest sensitive receptors to the project site are the existing mobile home park use located adjacent to the south, the multi-family residential land uses located approximately 547 feet to the southwest, the single-family residential land uses located approximately 297 feet to the west, 372 feet to the northwest, and 743 feet to the southwest of the project site.

The most recent *Health Risk Assessment for Proposed Land Use Projects* prepared by CAPCOA (July 2009) recommends avoiding siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week). A summary of the basis for the distance recommendations can be found in the CARB Handbook Air Quality and Land Use Handbook: A Community Health Perspective.

The Project is calculated to generate approximately 89 truck trips per day (non-PCE). Therefore, a quantitative health risk assessment for the Project is not warranted or required because the Project would generate less than 100 truck trips per day. Due to the low number of Project-related trucks (less than 100 per day), significant TAC impacts from the project-related operational diesel particulate matter (DPM) sources are not anticipated, and no significant long-term operations-related TAC impacts by the Project.

The applicable significance thresholds for health effects related to criteria pollutant emissions are established for regional compliance with the State and federal ambient air quality standards, which are intended to protect public health from both acute and long-term health impacts, depending on the potential effects of the pollutant. Because regional and local emissions of criteria pollutants during Project operations are below the applicable thresholds, the Project would not contribute to long-term health impacts related to nonattainment of the ambient air quality standards. Therefore, the Project would have less than significant operational human health impacts. Based on the analysis above, the Project would not have any significant operational air quality impacts.

Carbon Monoxide Hotspots. CO is the pollutant of major concern along roadways because the most notable source of CO is motor vehicles. CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of potential local air quality impacts. Local air quality impacts can be assessed by comparing future without and with Project CO levels to the State and federal CO standards. To determine if the proposed Project could cause emission levels in excess of the CO standards discussed above, a sensitivity analysis is typically conducted to determine the potential for CO "hot spots" at intersections in the general project vicinity. Because of reduced speeds and vehicle queuing, "hot spots" potentially occur at high-traffic volume intersections with a Level of Service E or worse.

The analysis prepared for CO attainment in the SCAB can be used to assist in evaluating the potential for CO exceedances in the SCAB. CO attainment was thoroughly analyzed as part of the SCAQMD's 2003 Air Quality Management Plan (2003 AQMP) and the 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan). As discussed in the 1992 CO Plan, peak carbon monoxide concentrations in the South Coast Air Basin are due to unusual meteorological and topographical conditions, and not due to the impact of particular intersections. Considering the region's unique meteorological conditions and the increasingly stringent CO emissions standards, CO modeling was performed as part of the 1992 CO Plan and subsequent plan updates and air quality management plans. In the 1992 CO Plan, a CO hot spot analysis was conducted for four busy intersections in Los Angeles at the peak morning and afternoon time periods. The intersections evaluated included: South Long Beach Boulevard and Imperial Highway (Lynwood); Wilshire Boulevard and Veteran Avenue (Westwood); Sunset Boulevard and Highland Avenue (Hollywood); and La Cienega Boulevard and Century Boulevard (Inglewood). These analyses did not predict a violation of CO standards. The busiest intersection evaluated was that at Wilshire Boulevard and Veteran Avenue, which has a daily traffic volume of approximately 100,000 vehicles per day. The Los Angeles County Metropolitan Transportation Authority evaluated the Level of Service in the vicinity of the Wilshire Boulevard/Veteran Avenue intersection and found it to be Level of Service E during the morning peak hour and Level of Service F during the afternoon peak hour.

The Traffic Impact Analysis (see **Appendix F**) indicates that the proposed Project would generate approximately 523 daily vehicle trips (non-passenger car equivalent [PCE]) with an Opening Year + Project PM peak hour volume of 1,928 vehicles at the project driveways. The 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan) shows that an intersection that has a daily traffic volume of approximately 100,000 vehicles per day would not violate the CO standard. Therefore, as the PM peak hour volume falls far short of 100,000 vehicles per day, no CO "hot spot" modeling is needed. Impacts would be less than significant and no mitigation is required.

Threshold (d) Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. The SCAQMD CEQA Air Quality Handbook states that an odor impact would occur if a project creates an odor nuisance pursuant to SCAQMD Rule 402, Nuisance, which states:

> *A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.*

Construction

During construction, emissions from construction equipment, such as diesel exhaust, and volatile organic compounds from architectural coatings and paving activities may generate odors. However, these odors would be temporary, are not expected to affect a substantial number of people, and would disperse rapidly. Therefore, odor impacts associated with the Project's construction-related activities would be less than significant.

Operations

The SCAQMD CEQA Air Quality Handbook identifies certain land uses as sources of odors. The type of facilities that are typically considered to have objectionable odors associated with their operations include wastewater treatment plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. The Project proposes a warehouse that is not included in the list of typical objectionable odor-causing land uses. Any odors that are generated during the operations of the Project would be low in concentration, temporary, and are not anticipated to have a significant odor impact on any odor-sensitive receptors adjacent to the site. Therefore, the Project would not create objectionable odors. Impacts would be less than significant and no mitigation is required.

Mitigation Program

Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are applicable.

4.4 Biological Resources

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

No Impact. The project site is located in an urban built-up area with commercial and industrial development bordering the site on the east, north, and west, and an industrial building and a mobile home park are adjacent to and south of the site. The project site currently consists of a paved surface parking lot and a building foundation from the former buildings. The only vegetation on the project site is non-native trees as well as shrubs and weeds. The project site does not support any suitable habitat for candidate, sensitive, or special-status species due to the previously developed nature and existing conditions. Further, the General Plan Resources Element states that there are no rare or endangered species of plants, fish, or wildlife because the City is built out. Therefore, the Project would not have an adverse impact on any candidate, sensitive, or special-status plant or wildlife species. No impact would occur and no mitigation is required.

Threshold (b) Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

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

No Impact. Based on the U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory, there are no riparian habitats or other sensitive natural communities on or near the project site. The project site does not contain any water resources (e.g., streams, creeks, channels, vernal pools) nor would the proposed Project potentially affect wetlands. Therefore, no impact concerning riparian habitat or wetlands would result from the Project and no mitigation is required.

Threshold (d) Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant Impact. Wildlife movement corridors are physical connections that allow wildlife to move between areas of suitable habitat in both undisturbed and fragmented landscapes. The project site is located in an urbanized and built-up environment. The project site is not a recognized wildlife corridor nor is it proximate to a nursery site for native and migratory wildlife.

The proposed Project would remove several trees that have the potential to support nesting migratory birds that are protected under the Migratory Bird Treaty Act (MBTA) (US Code Title 16, §§703 to 712) and California Fish and Game Code (CFGC) (§§3503 et seq.). Standard Condition (SC) BIO-1 requires compliance with the MBTA. The MBTA governs the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests. Under MBTA provisions, it is unlawful "by any means or manner to pursue, hunt, take, capture (or) kill" any migratory birds except as permitted by regulations issued by the USFWS. The term "take" is defined by USFWS regulation to mean to "pursue,

hunt, shoot, wound, kill, trap, capture or collect" any migratory bird or any part, nest, or egg of any migratory bird covered by the conventions, or to attempt those activities. In addition, the California Fish and Game Code extends protection to non-migratory birds identified as resident game birds (CFGC §3500) and any birds in the orders Falconiformes or Strigiformes (birds-of-prey) (CFGC §3503). The on-site trees and vegetation could provide a suitable nesting habitat for birds. Compliance with SC BIO-1 would ensure that a less than significant impact would occur.

Threshold (e) Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The City does not have an ordinance protecting biological resources on private property. Therefore, the Project would not conflict with any located City policies or ordinances that protect biological resources, including trees. No impact would occur and no mitigation is required.

Threshold (f) Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?

No Impact. According to the California Department of Fish and Wildlife's California Regional Conservation Plans map, the project site is not located within a Natural Community Conservation Plan (NCCP) or Habitat Conservation Plan (HCP).[7] The project site does not contain any sensitive biological resources, and no local policies protecting biological resources apply to the site. Therefore, the Project would not conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. No impact would occur and no mitigation is required.

Mitigation Program

Standard Conditions

SC BIO-1 **Nesting Migratory Birds.** During construction, grubbing, brushing, or tree removal shall be conducted outside of the state identified nesting season for migratory birds (i.e., typically March 15 through September 1), if possible. If construction activities cannot be conducted outside of nesting season, a Pre-Construction Nesting Bird Survey within and adjacent to the project site shall be conducted by a qualified biologist within three days prior to initiating construction activities. If active nests are found during the Pre-Construction Nesting Bird Survey, a Nesting Bird Plan (NBP) shall be prepared by a qualified biologist and implemented during construction. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, nesting sage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.

Mitigation Measures

No mitigation measures are required.

[7] California Department of Fish and Wildlife, California Regional Conservation Plans, August 2024, Available at: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline, accessed July 29, 2024.

4.5 Cultural Resources

Threshold (a) Would the Project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

No Impact. Section 15064.5 defines historic resources as resources listed or determined to be eligible for listing by the State Historical Resources Commission, a local register of historical resources, or the lead agency. Generally, a resource is considered "historically significant" if it meets one of the following criteria:

1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2) Is associated with the lives of persons important in our past.
3) Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
4) Has yielded, or may be likely to yield, information important in prehistory or history.

The project site was developed in the past with industrial buildings. The industrial buildings and other site improvements were demolished in late 2021 and early 2022. The only improvements remaining on the site are the concrete building pads of the previous buildings, the asphalt drive aisles, the parking lot, and limited landscaping. Because there are not any buildings on the site, the Project would have no impact on historic resources and no mitigation is required.

Threshold (b) Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less Than Significant With Mitigation Incorporated. The geotechnical investigation[8] notes the project site is underlain by 5 to 13 feet of undocumented fill. Project grading and construction are proposed to a maximum depth of approximately 10 feet below the existing ground surface. Subsurface excavation to this depth could unearth archaeological resources. Should archaeological deposits be encountered during ground disturbance, a substantial adverse change in the significance of an archaeological resource could occur. Therefore, MM CUL-1 would be required, which outlines steps to be taken if an archaeological resource is exposed during construction. Implementation of MM CUL-1 would reduce potential impacts to unknown archaeological resources to a less than significant level.

Threshold (c) Would the Project disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant Impact. Past development has previously disturbed the project site. No known human remains occur on the site, and no dedicated cemeteries are on or near the project site. It is not anticipated that human remains are present. In the event human remains are encountered during earth removal or disturbance activities, compliance with the established regulatory framework (i.e., Health and Safety Code Sections 7050.5-7055 and PRC Section 5097.98 and Section 5097.99), identified in SC CUL-1, would preclude significant impacts associated with human remains.

[8] Geotechnical Investigation, TGR, December 11, 2020, page 7.

Mitigation Program

Standard Conditions

SC CUL-1 California Health and Safety Code Section 7050.5 through 7055, and Public Resources Code Sections 5097.98 and 5097.99 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered within the project site, disturbance of the site shall be halted until the coroner has conducted an investigation into the circumstances, manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Mitigation Measures

MM CUL-1 Prior to the issuance of the first grading permit or permit for ground disturbance activities, the Applicant shall provide evidence to the City of South El Monte that a qualified archaeologist has been retained. The selection of the qualified archaeologist shall be subject to approval by the City. The archaeologist shall train project construction workers on the types of archaeological resources that could be found in site soils.

The archaeologist shall periodically monitor ground-disturbing activities. If cultural resources are inadvertently unearthed during excavation and grading activities of any future development project, the contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery (the distance shall be determined by the archaeologist) and the archaeologist shall be contacted to evaluate the significance of the find. Work can continue beyond the find. For finds that are not significant, work may resume immediately after the find is documented and removed at the direction of the archaeologist. If a find is significant, a mitigation plan shall be developed and approved by the City of South El Monte Planning Manager and all required mitigation completed prior to ground disturbance activity continuing within the established buffer radius.

4.6 Energy

The energy analysis in this section is based on information included in the following report:

- *Rosemead and Rush Industrial Project, Air Quality, Global Climate Change, HRA, and Energy Impact Analysis*, Ganddini Group Inc., February 16, 2024; see **Appendix A.**
- *Rosemead and Rush Industrial Project Memorandum– Updated Plan Set and Transportation, Noise, and Air Quality/Greenhouse Gas/Energy Impact Studies*, Ganddini Group Inc., August 15, 2024; see **Appendix A.**[9]

Threshold (a) Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?

Less Than Significant Impact.

Fuel. During construction, transportation energy use depends on the type and number of trips, vehicle miles traveled, the fuel efficiency of vehicles, and travel mode. Transportation energy use during construction would be associated with the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel/gasoline. The use of energy resources by these vehicles would fluctuate according to the construction phase and would be temporary.

Construction worker trips are estimated to be from light-duty autos and light-duty trucks.[10] Construction worker trips are estimated to generate an estimated 244,263 VMT based on data from CalEEMod 2022.1.1.8 model defaults. Construction worker vehicle fuel efficiencies were estimated at an aggregate fuel efficiency of 25.44 miles per gallon (mpg) using information from CARB's 2021 EMFAC model. Project construction workers are estimated to consume approximately 9,602 gallons of fuel during construction.

Most construction equipment during demolition and grading would be gas-powered or diesel-powered, and the later construction phases would require electricity-powered equipment. Construction equipment would consume an estimated 31,101 gallons of diesel fuel. Project construction represents a "single-event" diesel fuel demand and would not require ongoing or permanent commitment of diesel fuel resources for this purpose. The estimated fuel consumption for vendor and hauling during building construction and architectural coating application would be 1,657 gallons. Idling of in-use off-road heavy-duty diesel vehicles in California is limited to five minutes per Title 13, CCR Section 2449(d)(3). Project construction equipment would also be required to comply with the latest United States Environmental Protection Agency (U.S. EPA) and CARB engine emissions standards. These engines use highly efficient combustion engines to minimize unnecessary fuel use. Impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure; impacts would be less than significant.

During operations, energy consumption would be associated with visitor and employee vehicle trips; delivery and supply trucks; and trips by maintenance and repair crews. Using the CalEEMod output from

[9] After preparation of the technical study, minor modifications to the plan set dated August 8, 2024 has resulted in a net reduction of square feet compared to the assumptions for the February 2024 study. These changes do not change the findings of the study as summarized in this Initial Study.

[10] CalEEMod User's Guide Appendix C (April 2022) states that construction work trips are made by a fleet consisting of 25 percent light-duty auto (or passenger car), 50 percent light-duty truck type 1 (LDT1), and 25 percent light duty truck type 2 (LDT2).

the air quality and greenhouse gas analyses, it is assumed that an average trip for autos would be 15.92 miles, light trucks, and 3-axle trucks would be 7.28 miles, and 4-axle trucks would be 40 miles.[11] As the Project includes the development of the site with warehouse and retail uses, to present a worst-case scenario, it was assumed that vehicle use associated with the Project would be 365 days per year. The Project is calculated to generate 523 trips per day. The vehicle fleet mix was used from the CalEEMod output. The Project is estimated to consume approximately 211,268 gallons of fuel per year. California consumed approximately 3.1 billion gallons of diesel and 13.6 billion gallons of gasoline in 2022.

The trip generation and VMT generated by the Project are consistent with other similar industrial uses of similar scale and configuration as reflected respectively in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021). The project site is near public transportation, further reducing the need to drive. The City and surrounding areas are highly urbanized with numerous gasoline fuel facilities and infrastructure. Consequently, the proposed Project would not result in a substantial energy demand that would require expanded supplies, the construction of other infrastructure, or the expansion of existing facilities. Existing rules and regulations concerning vehicle fuel consumption efficiencies would ensure that vehicle trips generated by the Project would not be considered inefficient, wasteful, or unnecessary.

Electricity. Energy capacity, or electrical power, is generally measured in watts (W) while energy use is measured in watt-hours (Wh). On a utility-scale, a generator's capacity is typically rated in megawatts (MW), which is one million watts, while energy use is measured in megawatt-hours (MWh) or gigawatt-hours (GWh), which is one billion watt-hours. SCE would provide electrical service to the project site.

Electrical service is provided to the project site and surrounding area by SCE, which obtains electricity from conventional and renewable sources. In 2022, 33.2 percent of SCE's electricity was generated from eligible renewables; 8.3 percent from nuclear power; 3.4 percent from large hydroelectric generators; 24.7 percent from natural gas; 8.3 percent from nuclear; and 30.4 percent from other and unspecified sources.[12] SCE has reached California's 2020 renewable energy as mandated.

The annual total electricity demand of the Project is expected to be 843,163 kilowatt-hours (kWh). In 2021, the non-residential sector of the County of Los Angeles consumed approximately 44,438 million kWh of electricity.[13] The Project's electricity consumption would represent an insignificant increase compared to the overall demand in SCE's service area. Therefore, projected electrical demand would not significantly impact SCE's level of service.

The Project's design and materials would be required to comply with the latest Building Energy Efficiency Standards adopted at the time of construction. The Project would also adhere to the actions listed in CALGreen, which establishes planning and design standards for sustainable site development, energy efficiency, water conservation, material conservation, and internal air contaminants.

Project development would not interfere with the achievement of the 60 percent Renewable Portfolio Standard set forth in SB 100 for 2030 or the 100 percent standard for 2045. These goals apply to SCE and other electricity retailers. As electricity retailers reach these goals, emissions from end-user electricity use

[11] CalEEMod default distance for W-O (work-other) is 7.97 miles (with trips changed to 40 miles per SCAQMD recommendations), for O-O (other-other) is 7.28 miles, and 15.92 miles for H-W (home-work).

[12] Southern California Edison. 2022 Power Content Label. https://www.sce.com/sites/default/files/custom-files/PDF_Files/SCE_2022_Power_Content_Label_B%26W.pdf. Accessed June 4, 2024.

[13] California Energy Commission, Electricity Consumption by County. https://ecdms.energy.ca.gov/elecbycounty.aspx

would decrease from current emission estimates. Impacts to electrical service would be less than significant.

Natural Gas. Southern California Gas Company (SoCalGas) provides natural gas service to the area. The Project is expected to use approximately 2,916,899 kilo-British thermal units per year (KBTU/year) of natural gas. [14] In 2021, the non-residential sector of the County of Los Angeles consumed approximately 1,743 million therms of gas.[15] The demand is expected to be adequately served by the existing SoCalGas facilities. Core demand is expected to decline by 1.1 percent per year through 2035 (bcfd).[16] [17] Therefore, the natural gas demand from the proposed Project would represent a nominal percentage of overall demand in SoCalGas' service area. The Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.

Threshold (b) Would the Project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. The Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. All of the Project's electricity demands would be served by SCE. Additionally, the Project would comply with the CCR Title 24 energy standards, the 2022 CALGreen Code, and *Connect SoCal 2024*, which contain conservation policies that are mandatory under the City's Building Code; as such, the Project would not conflict with applicable plans for renewable energy or energy efficiency. Such requirements of CCR Title 24 and CALGreen include specific lighting requirements to conserve energy, window glazing to reflect heat, enhanced insulation to reduce heating and ventilation energy usage, and enhanced air filtration. The Project would incorporate these measures as required by the code. The most recent Title 24 Standards ensure that builders use the most energy-efficient and energy-conserving technologies and construction practices.

CCR Title 24 contains energy efficiency standards for residential and non-residential buildings based on a State mandate to reduce California's energy demand. Specifically, CCR Title 24 addresses several energy efficiency measures that impact energy used for lighting, water heating, heating, and air conditioning, including the energy impact of the building envelope such as windows, doors, skylights, wall/floor/ceiling assemblies, attics, and roofs. Part 6 of Title 24 specifically establishes energy efficiency standards for residential and non-residential buildings constructed in the State of California to reduce energy demand and consumption. The Project would not conflict with any of the federal, State, or local plans for renewable energy and energy efficiency. Because the Project would comply with Parts 6 and 11 of Title 24, no conflict with existing energy standards and regulations would occur.

SCAG's *Connect SoCal 2024* was adopted in April 2024 by SCAG and was approved by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). The Plan integrates transportation, land use, and housing to meet GHG reduction targets set by CARB. The document establishes GHG emissions goals for automobiles and light-duty trucks (per capita passenger vehicle GHG emission reduction target of 19 percent below 2005 levels by 2035), as well as an overall GHG target for the region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of SB 375. SCAG's

[14] California Energy Commission, Gas Consumption by County. http://ecdms.energy.ca.gov/gasbycounty.aspx.
[15] 1 therm = ~100,043.06 BTU and 1 kBTU = 1,000 BTU. Therefore, the County of Los Angeles' consumption of approximately 1,743 million therms of gas is equal to approximately 174,375,053 kBTU per year.
[16] 1 bcfd is equivalent to about 1.03 billion kBTU.
[17] California Gas and Electric Utilities, 2022 California Gas Report, Available at: https://www.socalgas.com/sites/default/files/Joint_Utility_Biennial_Comprehensive_California_Gas_Report_2022.pdf.

2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (Connect SoCal 2020), adopted in September 2020, also established GHG emissions goals for automobiles and light-duty trucks, as well as an overall GHG target for the region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of SB 375. The Project would not conflict with the stated goals of *Connect SoCal 2024* or *Connect SoCal 2020*.

Further, the City participates in the San Gabriel Valley Energy Wise Partnership (SGVEWP) which helps the City and its residents and business owners to reduce their energy usage and costs. The SGVEWP includes an Energy Action Plan that identifies the City's long-term vision and commitment to achieve energy efficiency in the community and government operations. In addition, all contractors and waste haulers are required to comply with the Countywide Integrated Waste Management Plan to divert a minimum of 50 percent of waste project materials from landfill disposal.

Overall, the Project would be designed and constructed in accordance with applicable State and local green building standards that would serve to reduce the energy demand of the Project. A less than significant impact would occur and no mitigation is required.

Mitigation Program

Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are required.

4.7 Geology and Soils

The geology and soils analysis in this section is based in part on information included in the following report:

- *Geotechnical Investigation, Proposed Industrial Building, 2200 Rosemead Boulevard, South El Monte, California*, TGR Geotechnical, Inc., December 2020; see **Appendix B**.

Threshold (a) Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving the:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact. The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Alquist-Priolo Earthquake Fault Zoning Act requires the State Geologist to establish regulatory zones, known as "Alquist Priolo Earthquake Fault Zones," around the surface traces of active faults and to issue appropriate maps. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (typically 50 feet). As concluded in the Geotechnical Investigation, the project site is not located within an Alquist-Priolo Earthquake Fault Zone and thus, the possibility of damage due to ground rupture is considered very low since active faults are not known to cross the site. Therefore, the Project would not directly or indirectly cause potential substantial adverse effects, including the risks of loss, or death involving the rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. No impact would occur and no mitigation is required.

Threshold (a) Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving the:

ii) Strong seismic ground shaking?

Less Than Significant Impact With Mitigation Incorporated. Similar to other areas located in the seismically active Southern California region, the City is susceptible to strong ground shaking during an earthquake. However, as previously addressed under Response 4.7ai, the project site is not located within an Alquist-Priolo Earthquake Fault Zone. The proposed Project construction would be required to conform to the seismic design parameters of the current California Building Code as adopted by the City. MM-GEO 1 requires the City to review all project plans for grading, foundation, structural, infrastructure, and all other relevant construction permits relative to the Geotechnical Investigation recommendations. Compliance with MM-GEO 1 and applicable regulations would reduce potential impacts related to strong seismic ground shaking to a less than significant level.

Threshold (a) Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving the:

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact With Mitigation Incorporated. Liquefaction is a seismic phenomenon in which loose, saturated, fine-grained granular soils behave similarly to a fluid when subjected to high-intensity ground shaking. Liquefaction occurs when these ground conditions exist: 1) Shallow groundwater; 2) Low density, fine, clean sandy soils; and 3) High-intensity ground motion. The effects of liquefaction can include sand boils, settlement, and bearing capacity failures below foundations. As concluded in the Geotechnical Investigation, the project site is located within an area having a potential for liquefaction. The on-site soils were explored to a depth of approximately 51.5 feet below the existing ground surface and groundwater was encountered at a depth of 48 feet. However, the historic depth to groundwater of 5 feet below the existing grade was used in the liquefaction calculations for the Project. The Geotechnical Investigation provides recommendations concerning seismic design parameters, foundations, slabs, and general earthwork and grading, among other factors. The Geotechnical Investigation concludes Project construction is feasible from a geotechnical standpoint provided the Investigation's recommendations are followed and implemented during construction. MM-GEO 1 requires the City to review all project plans for grading, foundation, structural, infrastructure, and all other relevant construction permits relative to the Geotechnical Investigation recommendations. Following compliance with standard engineering practices, the established regulatory framework, and MM GEO-1, the Project's potential impacts concerning the exposure of people or structures to potential adverse effects involving liquefaction would be less than significant.

Threshold (a) Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving the:

iv) Landslides?

No Impact. The project site is relatively flat. Due to the flat topography of the site and the area surrounding the site, landslides are not anticipated. According to the Seismic Hazard Zones Map from the California Geological Survey,[18] the site is not located within a Zone of Required Investigation for earthquake-induced landslides. Additionally, no historic landslides have been recorded on or near the site, nor were there any indications of landslides due to the developed nature of the area. The proposed Project would be required to adhere to standards set forth by the CBC and any other applicable building code and engineering standards related to shaking hazards and geologic stabilization. No impacts are anticipated and no mitigation is required.

Threshold (b) Would the Project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Grading and earthwork activities during construction would expose soils to potential short-term erosion by wind and water. A significant impact may occur if a project exposes large areas to the erosional effects of wind or water for a protracted period. Construction projects that involve the disturbance of one or more acres of soil, including clearing, grading, and ground disturbances such as stockpiling or excavation, are required to obtain coverage under the State Water Resources Control Board General Permit for Discharges of Stormwater Associated with Construction Activity (Construction General Permit). The Construction General Permit requires developing and implementing a Stormwater Pollution

[18] https://maps.conservation.ca.gov/cgs/EQZApp/app/. Accessed May 31, 2024.

Prevention Plan (SWPPP) and installing erosion-control and sediment-control best management practices (BMPs) to control potential construction-related erosion. Therefore, short-term construction impacts associated with soil erosion or the loss of topsoil would be less than significant.

Following project construction, ground surfaces would be covered by the proposed building or otherwise stabilized with landscaping and paving. Stormwater generated on the site, along with any sediments contained within the storm water, would be directed into an on-site Modular Wetland System, which would be treated on site. Therefore, the potential for substantial soil erosion or the loss of topsoil as a result of Project operations is considered less than significant.

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

Less Than Significant Impact With Mitigation Incorporated. Refer to Responses 4.7aiii and 4.7aiv regarding the potential for liquefaction and landslides, respectively. Seismically induced lateral spreading involves primarily the movement of earth materials due to earth shaking. Lateral spreading is demonstrated by near-vertical cracks with predominantly horizontal movement of the soil mass involved. Therefore, as concluded in the Geotechnical Investigation (**Appendix B**), due to the relatively flat topography in the vicinity of the project site, the potential for lateral spreading at the project site is considered very low. Subsidence occurs when the withdrawal of groundwater, oil, or natural gas vertically displaces a large portion of land. Soils that are particularly subject to subsidence include those with high silt or clay content. No large-scale extraction of groundwater, gas, oil, or geothermal energy is occurring or is planned, at the project site or in the general vicinity. Further, the Geotechnical Investigation concluded that subsidence between one- and two-tenths of a foot could occur. The Geotechnical Investigation includes recommendations concerning seismic design parameters, foundations, slabs, and general earthwork and grading, among other factors. It concludes that Project construction is feasible from a geotechnical standpoint provided the Investigation's recommendations are followed and implemented during construction. MM-GEO 1 requires the City to review all Project plans for grading, foundation, structural, infrastructure, and all other relevant construction permits relative to the Geotechnical Investigation recommendations. Following compliance with standard engineering practices, the established regulatory framework, and MM GEO-1, the Project's potential impacts concerning the exposure of people or structures to potential adverse effects involving liquefaction would be less than significant.

Threshold (d) Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?

Less Than Significant Impact. Expansive soils swell when they become wet and shrink when they dry out, and result in the potential for cracked building foundations. The on-site silty clay soils and sandstone/siltstone bedrock have an expansion index of eight, correlating to a "Very Low" expansion potential. Therefore, the Project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, and would therefore not result in substantial risks to life or property associated with expansive soils. Impacts would be less than significant and no mitigation is required.

Threshold (e) Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The Project does not propose the construction and use of septic tanks or any other type of alternative wastewater disposal system. The Project would connect to the existing local public wastewater collection system in Rosemead Boulevard adjacent to the project site. Therefore, no impact would occur and no mitigation is required.

Threshold (f) Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact With Mitigation Incorporated. The project site has been graded and disturbed in the past associated with the construction of the industrial buildings that formerly occupied the site and were demolished in late 2021 and January and February of 2022. Any paleontological resources that may have existed on the site were, in all likelihood, removed, disturbed, and/or destroyed during the previous construction. Although not expected, Project grading and excavation activities could affect unidentified paleontological resources. Therefore, MM GEO-2, which addresses actions to be taken should paleontological resources be found, is required to reduce potential impacts to paleontological resources to a less than significant level.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

MM GEO-1 Prior to the issuance of grading permits, the City of South El Monte Building and Safety Department shall review all Project plans for grading, foundation, structural, infrastructure, and all other relevant construction permits to ensure compliance with the applicable recommendations from the Geotechnical Investigation.

MM GEO-2 Prior to the issuance of the first grading permit for ground-disturbing activities, the Applicant shall provide evidence to the City of South El Monte Building and Safety Department that a qualified paleontologist has been retained. The selection of the qualified paleontologist shall be subject to the acceptance of the City. If paleontological resources are encountered, the contractor shall immediately cease all earth-moving activities within a 100-foot radius of the area of discovery. The qualified paleontologist shall be contacted to evaluate the significance of the finding and determine an appropriate course of action. If avoidance of the resource(s) is not feasible, salvage operation requirements under State CEQA Guidelines Section 15064.5 shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.

4.8 Greenhouse Gas Emissions

The Greenhouse Gas Emissions analysis in this section is based on information included in the following report:

- *Rosemead and Rush Industrial Project, Air Quality, Global Climate Change, HRA, and Energy Impact Analysis,* Ganddini, February 16, 2024; see **Appendix A.**
- *Rosemead and Rush Industrial Project Memorandum – Updated Plan Set and Transportation, Noise, and Air Quality/Greenhouse Gas/Energy Impact Studies*, Ganddini Group Inc., August 15, 2024; see **Appendix A.**[19]

Threshold (a) Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact. The Project would generate GHG emissions from area sources, including on-site energy usage, mobile sources, waste, water, and the operation of construction equipment. The GHG emission threshold for the Project is the SCAQMD draft screening threshold of 3,000 MTCO2e[20] per year for all land uses.

Construction GHG Emissions

The proposed Project would generate direct short-term construction emissions of GHGs from construction equipment and the transport of materials and construction workers to and from the project site. The GHG emissions only occur during temporary construction activities and would cease once construction is complete. The Project's total GHG emissions are shown in **Table 4.8-1: Project Greenhouse Gas Emissions**.

Table 4.8-1: Project Greenhouse Gas Emissions

	Greenhouse Gas Emissions (Metric Tons/Year)					
Category	**Bio-CO2**	**NonBio-CO_2**	**CO_2**	**CH_4**	**N_2O**	**CO_2e**
Maximum Annual Operations	24.40	2,549.00	2,574.00	2.60	0.20	2,701.00
Construction[1]	0.00	16.47	16.47	0.00	0.00	16.67
Total Emissions	24.40	2,565.47	2,590.47	2.60	0.20	2,717.67
SCAQMD Draft Screening Threshold For All Land Uses						3,000
Exceeds Threshold?						**No**

Note: CalEEMod Version 2022.1.1.8 for Opening Year 2025.
(1) Construction GHG emissions CO2e based on a 30-year amortization rate.
Source: Ganddini Group Inc., 2024.

The SCAQMD recommends that construction emissions be amortized over a 30-year period. Therefore, projected GHGs from construction have been quantified and amortized over 30 years. The project's

[19] After preparation of the technical study, minor modifications to the plan set dated August 8, 2024 has resulted in a net reduction of square feet compared to the assumptions for the February 2024 study. These changes do not change the findings of the study as summarized in this Initial Study.

[20] MTCO2e – Metric tons of carbon dioxide equivalent.

amortized construction emissions would be approximately 17 $MTCO_2e$ per year. Once construction is complete, the generation of these GHG emissions would cease.

Operations GHG Emissions

Over its lifetime, the Project would generate long-term operational GHG emissions from direct sources such as project-generated vehicular traffic and the operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power, the energy required to convey water to, and wastewater from the project, the emissions associated with the project's solid waste, and any fugitive refrigerants from air conditioning or refrigerators.

Table 4.8-1 summarizes the Project's GHG emissions and indicates the Project's unmitigated construction and operational emissions would total approximately 2,718 $MTCO_2e$ per year and would not exceed the SCAQMD 3,000 $MTCO_2e$ per year threshold. Therefore, the Project would have a less than significant impact concerning GHG emissions.

Threshold (b) Would the Project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No Impact. The City does not have a Climate Action Plan; therefore, the Project has been compared to the goals of the CARB Scoping Plan and *Connect SoCal 2024* and *Connect SoCal 2020*.

2022 CARB Scoping Plan Consistency. The 2022 Scoping Plan lays out a path to achieve targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279. The transportation, electricity, and industrial sectors are the State's largest GHG contributors. The 2022 Scoping Plan intends to achieve the AB 1279 targets primarily through zero-emission transportation (e.g., electrifying cars, buses, trains, and trucks). Additional GHG reductions are achieved through decarbonizing the electricity and industrial sectors.

Statewide strategies to reduce GHG emissions in the latest 2022 Scoping Plan include implementing SB 100, which would achieve 100 percent clean electricity by 2045; achieving 100 percent zero-emission vehicle sales in 2035 through Advanced Clean Cars II; and implementing the Advanced Clean Fleets regulation to deploy zero-emission electric vehicle buses and trucks. Additional transportation policies include the Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, In-use Off-Road Diesel-Fueled Fleets Regulation, Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, and Amendments to the In-use Off-Road Diesel-Fueled Fleets Regulation. The 2022 Scoping Plan would continue to implement SB 375. GHGs would be further reduced through the Cap-and-Trade Program carbon pricing and SB 905. SB 905 requires CARB to create the Carbon Capture, Removal, Utilization, and Storage Program to evaluate, demonstrate, and regulate carbon dioxide removal projects and technology.

As the latest 2022 Scoping Plan builds upon previous versions, Project consistency with applicable strategies of the 2008, 2017, and 2022 Plan are assessed in **Table 4.8-2: Project Consistency with CARB Scoping Plan Policies and Measures**. As shown, the Project would not conflict with the applicable strategies within the Scoping Plans. Therefore, the Project would not conflict with any adopted GHG plans, policies, or regulations.

Table 4.8-2: Project Consistency with CARB Scoping Plan Policies and Measures

2008 Scoping Plan Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
California Light-Duty Vehicle Greenhouse Gas Standards – Implement adopted standards and planned second phase of the program. Align zero-emission vehicle, alternative and renewable fuel and vehicle technology programs with long-term climate change goals.	**No Conflict.** These are CARB-enforced standards; vehicles that access the project site (that are required to comply with the standards) will comply with the strategy.
Energy Efficiency – Maximize energy efficiency building and appliance standards; pursue additional efficiency including new technologies, policy, and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California.	**No Conflict.** The Project will comply with the current Title 24 standards.
Low Carbon Fuel Standard – Develop and adopt the Low Carbon Fuel Standard.	**No Conflict**. These are CARB-enforced standards; vehicles that access the project site (that are required to comply with the standards) will comply with the strategy.
Vehicle Efficiency Measures – Implement light-duty vehicle efficiency measures.	**No Conflict.** These are CARB-enforced standards; vehicles that access the project site (that are required to comply with the standards) will comply with the strategy.
Medium/Heavy-Duty Vehicles – Adopt medium and heavy-duty vehicle efficiency measures.	**No Conflict.** These are CARB-enforced standards; vehicles that access the project site (that are required to comply with the standards) will comply with the strategy.
Green Building Strategy – Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.	**No Conflict.** The California Green Building Standards Code (proposed Part 11, Title 24) was adopted as part of the California Building Standards Code in the CCR. Part 11 establishes voluntary standards, which are mandatory in the 2022 edition of the Code, on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants.
High Global Warming Potential Gases – Adopt measures to reduce high global warming potential gases.	**No Conflict.** CARB identified five measures that reduce HFC emissions from vehicular and commercial refrigeration systems; vehicles that access the project site that are required to comply with the measures will comply with the strategy.
Recycling and Waste – Reduce methane emissions at landfills. Increase waste diversion, composting, and commercial recycling. Move toward zero-waste.	**No Conflict**. The State is currently developing a regulation to reduce methane emissions from municipal solid waste landfills. The Project will be required to comply with City programs, such as City's recycling and waste reduction program, which comply, with the 75 percent reduction required by 2020 per AB 341.

Table 4.8-2: Project Consistency with CARB Scoping Plan Policies and Measures

2008 Scoping Plan Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
Water – Continue efficiency programs and use cleaner energy sources to move and treat water.	**No Conflict.** The Project will comply with all applicable City ordinances and CAL Green requirements.
2017 Scoping Plan Recommended Actions to Reduce Greenhouse Gas Emissions	**Project Compliance with Recommended Action**
Implement Mobile Source Strategy: Further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean Car regulations.	**No Conflict.** These are CARB-enforced standards; vehicles that access the project site (that are required to comply with the standards) will comply with the strategy.
Implement Mobile Source Strategy: At least 1.5 million zero emission and plug-in hybrid light-duty electric vehicles by 2025 and at least 4.2 million zero emission and plug-in hybrid light-duty electric vehicles by 2030.	**No Conflict.** These are CARB-enforced standards; vehicles that access the project site (that are required to comply with the standards) will comply with the strategy.
Implement Mobile Source Strategy: Innovative Clean Transit: Transition to a suite of to-be-determined innovative clean transit options. Assumed 20 percent of new urban buses purchased beginning in 2018 will be zero emission buses with the penetration of zero-emission technology ramped up to 100 percent of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the optional heavy-duty low-NOX standard.	**No Conflict.** These are CARB-enforced standards; vehicles that access the project site (that are required to comply with the standards) will comply with the strategy.
Implement Mobile Source Strategy: Last Mile Delivery: New regulation that would result in the use of low NOX or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California. This measure assumes ZEVs comprise 2.5 percent of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10 percent in 2025 and remaining flat through 2030.	**No Conflict.** These are CARB-enforced standards; vehicles that access the project site (that are required to comply with the standards) will comply with the strategy.
Implement SB 350 by 2030: Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.	**No Conflict**. The Project will be compliant with the current Title 24 standards.
By 2019, develop regulations and programs to support organic waste landfill reduction goals in the SLCP and SB 1383.	**No Conflict.** The Project will be required to comply with City programs, such as City's recycling and waste reduction program, which comply, with the 75 percent reduction required by 2020 per AB 341.
2022 Scoping Plan Priority Key Actions and Recommendations	**Project Compliance with Recommended Actions**
100 percent of light-duty vehicle sales are ZEVs by 2035.	**No Conflict.** This action is in regard to vehicle sales, with an aim to have 100 percent of light-duty vehicle sales be ZEVs by 2035. The proposed project is an industrial use and would not interfere with such policymaking.

Table 4.8-2: Project Consistency with CARB Scoping Plan Policies and Measures

2008 Scoping Plan Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
VMT per capita reduced 25 percent below 2019 levels by 2030 and 30 percent below 2019 levels by 2045.	**No Conflict**. The Project would not result in an unmitigated impact to VMT. The Project is an industrial use located near existing public transit, including LA Metro Route 266 and 287 bus stops along Rosemead Boulevard and Rush Street, and existing commercial uses.
All electric appliances in new construction beginning 2026 (residential) and 2029 (commercial).	**No Conflict.** The California Green Building Standards Code (proposed Part 11, Title 24) was adopted as part of the California Building Standards Code in the CCR. Part 11 establishes voluntary standards, which are mandatory in the 2022 edition of the Code, on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants.
For existing residential buildings, 80 percent of appliance sales are electric by 2030 and 100 percent of appliance sales are electric by 2035 (appliances replaced at end of life). For existing commercial buildings, 80 percent of appliance sales are electric by 2030 and 100 percent of appliance sales are electric by 2045 (appliances replaced at end of life)	**Not Applicable**. This action is about appliance sales and the proposed Project is a non-residential use and would not interfere with such policymaking. Further, although this action is not necessarily applicable on a project-specific basis, the proposed Project is subject to the California Green Building Standards Code (proposed Part 11, Title 24) which was adopted as part of the California Building Standards Code in the CCR. Part 11 establishes voluntary standards, which are mandatory in the 2022 edition of the Code, on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants.
Sources CARB Scoping Plan (2008, 2017, and 2022); Ganddini Group Inc., 2024.	

Connect SoCal 2024 and Connect SoCal 2020 Consistency. Development-related mobile sources are the most potent source of GHG emissions, and therefore, project comparison to *Connect SoCal 2024* and *Connect SoCal 2020* is an appropriate indicator of whether the Project would inhibit the State's post-2020 GHG reduction goals.[21]

Compliance with applicable State standards would ensure consistency with State and regional GHG reduction planning efforts. The *Connect SoCal 2024* and *Connect SoCal 2020* goals were used to determine consistency with the previously stated planning efforts. The project's consistency with *Connect SoCal 2024*

[21] Connect SoCal 2024 was approved by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) on May 10, 2024; however, it is still pending approval from CARB. Therefore, this analysis evaluates Project consistency with Connect SoCal 2024 and Connect SoCal 2020.

and *Connect SoCal 2020* goals is analyzed in **Table 4.8-3: Connect SoCal 2024 and Connect SoCal 2020 Consistency Analysis**. As indicated in **Table 4.8-3**, the Project would not conflict with the Connect SoCal 2024 and 2020 goals adopted to reduce GHG emissions. Therefore, the Project would not result in any significant impacts or interfere with SCAG's ability to achieve the region's GHG emissions reduction target of 19 percent by 2035.

Table 4.8-3: Connect SoCal 2024 and Connect SoCal 2020 Consistency Analysis

SCAG Goals	Compliance
Connect SoCal 2024[1]	
Mobility: Build and maintain an integrated multimodal transportation network.	
Support investments that are well-maintained and operated, coordinated, resilient and result in improved safety, improved air quality and minimized greenhouse gas emissions	**Not Applicable.** This policy is not project-specific; therefore, is not applicable.
Ensure that reliable, accessible, affordable, and appealing travel options are readily available while striving to enhance equity in the offerings in high-need communities	**Not Applicable.** This policy is not project-specific; therefore, is not applicable.
Support planning for people of all ages, abilities, and backgrounds	**Not Applicable.** This policy is not project-specific; therefore, is not applicable.
Communities: Develop, connect, and sustain communities that are livable and thriving	
Create human-centered communities in urban, suburban, and rural settings to increase mobility options and reduce travel distances	**Consistent**. The Project is in an urban area near existing employment centers and community services. Locating the Project in this area would reduce trip lengths, which would reduce air pollutants and GHG emissions. The Project is also within a short walking distance (400 feet) to local bus routes and is surrounded by connected sidewalks to allow for multimodal transportation.
Produce and preserve diverse housing types in an effort to improve affordability, accessibility, and opportunities for all households	**Not Applicable.** The Project does not propose any housing uses.
Environment: Create a healthy region for the people of today and tomorrow	
Develop communities that are resilient and can mitigate, adapt to, and respond to chronic and acute stresses and disruptions, such as climate change	**Consistent**. The Project's estimated GHG emissions do not exceed the SCAQMD's regional or localized thresholds. Projects that do not exceed the SCAQMD's LSTs would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and result in no criteria pollutant health impacts. Further, the project's emissions are below the SCAQMD's 3,000 $MTCO_2e$ screening threshold and would not contribute to a GHG/climate change impact.
Integrate the region's development pattern and transportation network to improve air quality, reduce greenhouse gas emissions and enable more sustainable use of energy and water	**Consistent**. While the Project is not a transportation improvement project, the Project's location within a developed area would reduce trip lengths, which would reduce GHG and air pollutant emissions. Additionally, the reduction of energy use, improvement of air quality, and promotion of more environmentally

Table 4.8-3: Connect SoCal 2024 and Connect SoCal 2020 Consistency Analysis

SCAG Goals	Compliance
	sustainable development are encouraged through the development of alternative transportation methods, green design techniques for buildings, and other energy-reducing techniques such as compliance with the provisions of the California Building Energy Efficiency Standards and the Green Building Standards Code (CALGreen).
Conserve the region's resources	**Consistent**. The Project is an infill development. The Project is not located on land that is designated for agricultural uses, natural resources, or conservation. Therefore, the Project would not result in a loss of the region's resources.
Economy: Support a sustainable, efficient, and productive regional economic environment that provides opportunities for all people in the region	
Improve access to jobs and educational resources	**Consistent**. The Project is in an urban area near existing employment centers and community services. Locating the Project within this area would improve access to jobs and educational resources.
Advance a resilient and efficient goods movement system that supports the economic vitality of the region, attainment of clean air and quality of life for our communities	**Not Applicable.** This policy is not project-specific; therefore, is not applicable.
Connect SoCal 2020[2]	
Goal 1: Encourage regional economic prosperity and global competitiveness.	**Not Applicable.** This policy is not project-specific; therefore, is not applicable. However, the Project is an urban infill development. Redevelopment of the site would contribute to regional economic prosperity.
Goal 2: Improve mobility, accessibility, reliability, and travel safety for people and goods.	**No Conflict.** The Project would be located near public transit, including Foothill Transit Route 269, LA Metro Routes 266 and 287 with bus stops near the intersections of Rosemead Boulevard and Garvey Avenue and Rush Street and Santa Anita Avenue. Therefore, the Project would contribute to mobility and accessibility.
Goal 3: Enhance the preservation, security, and resilience of the regional transportation system.	**Not Applicable.** This is not a project-specific policy; therefore, is not applicable.
Goal 4: Increase person and goods movement and travel choices within the transportation system.	**Not Applicable.** This is not a project-specific policy; therefore, is not applicable.
Goal 5: Reduce greenhouse gas emissions and improve air quality.	**Consistent.** The Project would locate industrial and retail uses in a developed area proximate to transit, which would help to reduce GHGs and air quality.
Goal 6: Support healthy and equitable communities	**Consistent**. The Project does not exceed State and LSTs. Projects that do not exceed the SCAQMD's LSTs would not violate any air quality standards or contribute substantially to an existing or projected air

Table 4.8-3: Connect SoCal 2024 and Connect SoCal 2020 Consistency Analysis

SCAG Goals		Compliance
		quality violation and result in no criteria pollutant health impacts. Further, the Project would provide industrial and retail uses which would contribute to the community's economy and help create an equitable community. The Project would not conflict with the surrounding community's ability to access healthy food or parks.
Goal 7:	Adapt to a changing climate and support an integrated regional development pattern and transportation network.	**Not Applicable.** This is not a project-specific policy; therefore, is not applicable.
Goal 8:	Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	**Not Applicable.** This is not a project-specific policy; therefore, is not applicable.
Goal 9:	Encourage development of diverse housing types in areas that are supported by multiple transportation options.	**Consistent.** The Project involves the development of warehouse and retail uses. The project is located within a short walking distance (400 feet) of local bus routes and is surrounded by connected sidewalks to allow for multimodal transportation.
Goal 10:	Promote conservation of natural and agricultural lands and restoration of habitats.	**Not Applicable.** This Project is located within an urban area and is not located on agricultural lands or within natural habitat.
Sources: Southern California Association of Governments, *Connect SoCal 2024*, 2024; Southern California Association of Governments, *Connect SoCal 2020*, 2020; Ganddini Group Inc., 2024.		

Mitigation Program

Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are applicable.

4.9 Hazards and Hazardous Materials

The analysis in this section is based in part on the following technical studies:

- *Phase I Environmental Site Assessment, 2200 North Rosemead Boulevard, South El Monte*, Ramboll US Corporation, Irvine, California, July 21, 2020; see **Appendix C**.
- *Phase I Environmental Site Assessment, 2212, 2218, and 2226 North Rosemead Boulevard, South El Monte*, Ramboll US Corporation, Irvine, California, July 21, 2020; see **Appendix C**.
- *Limited Soil and Soil Vapor Site Investigation Report, Rosemead Holding LLC – Phase 1 Development, 2200 North Rosemead Boulevard, South El Monte, California*, Leighton Consulting Inc., September 3, 2021 (Phase II Subsurface Investigation); see **Appendix C**.
- *Limited Soil Investigation Report, Rosemead Holding LLC, 2200-2226 North Rosemead Boulevard, South El Monte, California*, Leighton Consulting, Inc., April 25, 2023; see **Appendix C.**
- *Limited Soil Remediation Work Plan for the Eastern Portion of 2200 North Rosemead Boulevard, South El Monte, California*, Leighton Consulting, Inc., April 25, 2023; see **Appendix C.**
- *Soil Vapor Assessment Report, Former Pacific Drum Company (Rosemead Holding, LLC) 2200, 2212, 2218, and 2226 North Rosemead Boulevard, South El Monte, California 91733*, EEC Environmental, April 26, 2023; see **Appendix C.**
- *Limited Soil Remediation Work Plan Addendum for 2200-2226 N. Rosemead Boulevard, South El Monte, California*, Haley & Aldrich, Inc., April 2024; see **Appendix C.**

Background: Existing Conditions

The project site was used for agricultural purposes from about 1928 through 1948. The project site was then used for construction equipment storage until 1959 when Pacific Coast Drum Company (PCD) redeveloped a portion of the site as a steel drum reconditioning facility. PCD stopped operations in 1996 and leased that portion of the project site to Ditty Container, Inc. From 1996 to 2020, the western portion of the site was occupied by various auto body and repair shops, and the eastern portion of the site was used for metal drum and plastic tote cleaning and recondition operations that included underground storage tanks (USTs), aboveground storage tanks (ASTs), and sumps. Historical operations and recognized environmental conditions are summarized in the Phase I Environmental Site Assessments for 2200 North Rosemead Boulevard and 2212, 2218, and 2226 North Rosemead Boulevard, which are provided in **Appendix C**. The former buildings were demolished in February 2022 and the project site currently contains the former building concrete slabs and pavement with limited areas of exposed soil in the southern portion of the site.

The project site is located in an area of contaminated groundwater underlying the San Gabriel Valley that is designated by the U.S. EPA as the San Gabriel Valley Superfund site. The site is located in an area known as “Area 1”, which includes the South El Monte Operable Unit. Groundwater in the area is generally contaminated with volatile organic compounds (VOCs), in particular, Trichloroethylene (TCE), perchloroethylene (PCE), and carbon tetrachloride; perchlorate; 1,4-dioxane; and N-Nitrosodimethylamine (NDMA). According to the Environmental Database Report (EDR), the site of the former occupant (PCD) and numerous surrounding properties and other properties in the vicinity listed on the CPS-SLIC and Well Investigation Program (WIP) databases are located in San Gabriel Valley Area 1

and listed as Potentially Responsible Parties (PRPs) for contributing to the groundwater contaminant plume that comprises an area of approximately 11 square miles.[22]

Historically, numerous subsurface investigations consisting of soil, soil vapor, and groundwater sampling were conducted in connection with the WIP at the site and adjoining properties historically occupied by PCD. In 1998 the Los Angeles Regional Water Quality Control Board (Los Angeles RWQCB) determined that releases of liquid wastes at the site impacted the soil and groundwater beneath the site. However, further remediation or site-specific cleanup actions were not required by the Los Angeles RWQCB (the administrator of the WIP). As a result of PCD demonstrating stable or declining concentrations of VOCs in soil vapor, the Los Angeles RWQCB did not require additional investigation or remediation work at the site. The case was closed with a No Further Action (NFA) designation on March 17, 1998, and is listed as "case closed" in the Geotracker database as of November 17, 2014. However, the closure letter made clear that PCD was considered a PRP with regard to the South El Monte Operable Unit and urged PCD to continue to cooperate with U.S. EPA.

In 2012, a consent agreement between U.S. EPA/DTSC and numerous parties was signed pertaining to the South El Monte Operable Unit of the San Gabriel Valley Area 1 Superfund site. PCD was one of the parties that signed onto the consent agreement. The consent agreement, which was approved by the United State District Court for the Central District of California, resolves the complaint filed by U.S. EPA and DTSC for reimbursement of response costs incurred for response action taken in connection with releases of hazardous substances in the South El Monte Operable Unit. The consent agreement stated that contaminant concentrations exceed Maximum Contaminant Levels (MCLs) throughout a large portion of the South El Monte Operable Unit, including areas used for sources of drinking water. The defendants (including PCD) entered into the consent agreement to protect public health but did not admit liability arising out of any previous or current releases. Cleanup actions performed in relation to the San Gabriel Valley Area 1 Superfund site, including the South El Monte Operable Unit, are ongoing. Remediation of impacted groundwater within the areawide plume commenced in 2008 with the installation and operation of four separate groundwater pump and treat systems.

Past investigations conducted on the site from the 1980s through the early 2000s have revealed the presence of soil, soil vapor, and groundwater contamination, which was found to consist of generally low to moderate concentrations of VOCs (specifically, chlorinated solvents) and other compounds. The concentrations of various compounds that were detected in soil, soil vapor, and groundwater samples exceed current regulatory thresholds, likely resulting from prior on-site operations and off-site migrating sources. The project site and adjoining property to the north (2226 North Rosemead Boulevard) have a long history of use as a steel drum and tote reconditioning business, which operated since 1959 until the buildings on the site were demolished in late 2021 and early 2022. The western portion of the site was used by auto body shops that occupied the site since 1996. Both operations used and stored a variety of chemicals (e.g., paints, resins, varnishes, cleaners, degreasers, etc.) and generated a variety of hazardous wastes (solvents, oils). Based on prior activities, several areas of environmental concern have been identified, including the following: the wastewater treatment system (including three sumps/USTs and

[22] Phase I Environmental Site Assessment, 2200 North Rosemead Boulevard, South El Monte, Ramboll US Corporation, Irvine, California, July 21, 2020, page 38.

several ASTs, a 3-stage clarifier, paint storage areas, drum and plastic tote storage areas, a waste oil storage area, areas of surficial staining, and a former hazardous waste storage area.[23]

The following additional findings related to potential contamination concerns on the site were identified in the 2020 Phase I Environmental Site Assessment:

- Sump/Underground Storage Tank (UST) Closed-in-Place. One 3,300-gallon sump/UST located in the southcentral portion of the site was closed in place in 2004. The sump/UST (Tank No. 3), which formerly was used to contain cooling water for the wastewater treatment system, was cleaned out in 1993 and covered with a metal plate [the Los Angeles County Department of Public Works (DPW) treated the sump as a UST for closure purposes]. In order to assess any potential subsurface impacts, soil samples were collected and analyzed for VOCs, benzene, toluene, ethylbenzene and xylene (BTEX), and total petroleum hydrocarbon (TPH). Because the historical use of the sump/UST was for a cooling water sump and results indicated only minor impacts to soil, no additional sampling was recommended by the consultant and closure was requested. Decommissioning the sump/UST was completed on September 4, 2004 when the tank was filled with slurry and new concrete was poured over the concrete sump. Closure was granted by the Los Angeles DPW on September 8, 2004.[24]
- Wastewater Treatment System and Clarifier. Wastewater generated from the cleaning of drums was treated in the on-site wastewater treatment system and clarifier and subsequently discharged to the municipal sanitary sewer system. The wastewater treatment system comprised a 400-gallon wastewater sump/UST (Tank No. 2), a 1,500-gallon wastewater above ground storage tank (AST) (Tank No. 1), three empty ASTs, an 1,800-gallon hydrochloric acid AST, and a clarifier. Based on a visual inspection conducted during a 2020 site visit, no specific environmental concerns were noted apart from noting that the facility was old and that surface coverings were in poor to fair condition. However, during a soil gas survey conducted in the vicinity in 1991, a "hot spot" of elevated concentrations of vinyl chloride was identified just south of the wastewater treatment system. At the time of the 2020 Phase I Environmental Site Assessment, no sampling activities were known to have been conducted at the site for approximately 15-20 years (see below for recent sampling information). Further, compliance audits reviewed under operation by the former operator Ditty revealed the potential for spillage and infiltration in the areas of surface drainage and beneath the processing areas of the facility.[25]
- Groundwater Monitoring Wells. At the time of the 2020 site visit, Ramboll observed two monitoring wells on the southern portion of the site, MW-1 inside the waste oil storage area and MW-2 located to the south of the wastewater treatment system. The on-site wells reportedly were installed in 1988 pursuant to requirements from the Los Angeles DPW and subsequently were sampled several times between 1988 and 2002. The 1998 closure letter issued for the site by the Los Angeles RWQCB stated that the property owner was required to maintain the wells in good condition in anticipation of possible future sampling requirements from the U.S. EPA. The current status of groundwater monitoring wells is discussed below.

[23] Phase I Environmental Site Assessment, 2200 North Rosemead Boulevard, South El Monte, Ramboll US Corporation, Irvine, California, July 21, 2020, page 39.
[24] Ibid, page 40.
[25] Phase I Environmental Site Assessment, 2200 North Rosemead Boulevard, South El Monte, Ramboll US Corporation, Irvine, California, July 21, 2020, page 40.

Based on the information in the Phase I ESA,[26] a Phase II Subsurface Investigation[27] was completed in August and September 2020. Extensive investigations were undertaken on the project site in August and September 2020, including 37 borings that included soil and soil gas samples and 4 groundwater Hydropunch samples.

Based on the results of the Phase II Subsurface Investigation the following actions were recommended:

- Prepare a Soil Management and Contingency Plan (SMCP) to detail the handling, stockpiling, sampling, and reuse or disposal of soil with concentrations of chemicals of potential concern (COPCs) in excess of their respective San Francisco Bay RWQCB ESLs or site-specific soil cleanup levels that may be established as part of a Human Health Risk Assessment (HHRA) and integrated into the SMCP with Los Angeles RWQCB concurrence.
- Design and install a sub-slab vapor barrier to protect future workers from potential vapor intrusion by VOCs in the soil vapor which are likely to exist post demolition, and after site grading for the new construction.
- Prepare a Remedial Action Closure Report detailing the removal actions, sampling and disposal actions conducted during site redevelopment (construction), as well as details of the design of the sub-slab vapor mitigation system, and details on any unknown environmental liabilities detected and remediated.
- Request from the Los Angeles RWQCB the issuance of a 'No Further Action" letter once the remedial activities have been completed in concurrence with the approved SMCP.[28]

Following the Phase II Subsurface Investigation, additional assessment, evaluation, monitoring, and limited remediation activities have occurred at the project site as follows:

- To further delineate subsurface impacts at the project site, and to help prepare a limited soil remediation workplan, a limited soil investigation was conducted for the properties on the site located at 2200-2226 North Rosemead Boulevard in 2023. The limited soils investigation focused on the eastern portion of the site where elevated concentrations of metals, Polychlorinated Biphenyl (PCBs), VOCs, and TPH were identified by previous on-site investigations. The investigation confirmed that soil affected by COCs at concentrations above commercial environmental screening levels (i.e., lead, PCBs, ethylbenzene, and 1,4- dichlorobenzene) is primarily distributed at depths ranging from just below pavement to no deeper than 5 feet below ground surface (bgs). The investigation also confirmed that the lateral extent of soil affected by COCs does not extend beyond the eastern boundary of the project site and that further off-site investigation is not justified. Soil samples from the southernmost boring indicated they were not affected by COCs. As a result, further delineation to the south was not necessary or justified.
- Three new groundwater monitoring wells were installed in January 2023, based on the fact that the existing groundwater monitoring wells were dry. Based on the results of sampling, PCE, TCE, and vinyl chloride were detected below MCLs and significantly below concentrations in 1990.

[26] Phase I Environmental Site Assessment, 2200 North Rosemead Boulevard, South El Monte, Ramboll US Corporation, Irvine, California, July 21, 2020.

[27] Phase II Subsurface Investigation, Technical Memorandum, EEC Environmental, October 19, 2020.

[28] Limited Soil and Soil Vapor Site Investigation, Rosemead Holding LLC, Phase I Development, 2200 North Rosemead Boulevard, South El Monte, California, Leighton Consulting, Inc., September 3, 2021, pages 31-32.

Cis-1,2-DCE was measures slightly above its MCL but at concentrations over 95 percent lower than in 1990.

- A soil vapor extraction system (SVE) was installed in April 2022 to remediate VOCs in the subsurface associated with historical operations at the project site. SVE system operation began in July 2022 and was shut down in December 2022. A soil vapor assessment was conducted for the project site in 2023 to evaluate the effectiveness of the Soil Vapor Extraction (SVE) system in reducing concentrations of VOCs in soil vapor throughout the project site. The assessment also evaluated whether releases at the Chemrite property located adjacent to and south of the project site are the predominant source of VOC impacts to soil vapor and soil at the project site. Based on the results of the investigation, the VOCs in the soil vapor at the project site are sourced from the former Chemrite property adjacent to and south of the project site.

Based on the results of the 2023 Limited Soil Investigation Report, a Limited Soil Remediation Work Plan (LSRWP) for the eastern portion of the project site was prepared.[29] The work plan facilitates the proper characterization and handling of chemicals of concern (COC) affected soil that workers are likely to encounter during site remediation on the eastern portion of the site. Additionally, the work plan details procedures if previously unknown historical improvements such as USTs, clarifiers, sumps, interceptors, vaults, buried containers (e.g., 55-gallon drums), and/or piping are encountered during soil remediation. Consistent with applicable law, the consent decree the Applicant shall implement the LSRWP, as approved by the Los Angeles RWQCB.

Additional concerns to understand the soil vapor pathway for future construction and end users of the warehouse development were analyzed within the Summary of the Soil Vapor Assessment Report completed by EEC Environmental in April 2023. EEC Environmental's evaluation included identifying the effectiveness of the SVE system in reducing concentrations of VOCs in soil vapor throughout the project site and to understand if off-site sources, inclusive of the uses at the south adjacent Chemrite property, which continue to the source of VOC impacts to soil vapor and soil at the project site.

Based on the results of the 2023 Soil Vapor Assessment, soil vapor at the project site remains impacted by VOCs at concentrations above regulatory screening levels established for a commercial setting. EEC Environmental identified this due to migrating constituents from the adjacent Chemrite property. VOC concentrations of these constituents are generally one to two orders of magnitude higher near the former Chemrite site than at other portions of the project site. Recommendation within the report included removal of the SVE system and proper abandonment of the associated extraction wells. Additionally, where the highest concentration levels were identified within the project site, complete limited shallow soil excavation in the vicinity as part of the activities proposed under the Limited Soil Remediation Work Plan for the Eastern Portion of 2200 North Rosemead Boulevard (Leighton, 2023).

The above summaries of site assessments were conducted at the project site in support of an anticipated redevelopment of the property including review by the Los Angeles RWQCB and Office of Environmental Health Hazard Assessment (OEHHA) for assessing risk for future users. Due to the known exceedances of contamination an additional Limited Soil Remediation Work Plan Addendum (LSRWP Addendum) was completed by Haley & Aldrich in June 2024. The LSRWP Addendum included summarizing the above reports, completing additional soil sampling to aid in creating an excavation implementation plan, and

[29] Limited Soil Remediation Work Plan for the Eastern Portion of 2200 North Rosemead Boulevard, South El Monte, California, Leighton Consulting, Inc., April 25, 2023.

developing site-specific remedial action goals (RAGs) along with vapor intrusion mitigation pathway plans, which are summarized below.

- Excavation implementation plan:
  - Based on the historical soil sampling and sampling conducted as part of the LSRWP Addendum, approximately 4,999 cubic yards of impacted soil will be excavated at varying depths to a maximum of 8.5 feet within the eastern portion of the project site, which is deeper than identified within previous reports. Of this soil impacted with lead, arsenic, hexavalent chromium, and TPH, 4,670 cubic yards will be managed with the oversight of the Los Angeles RWQCB and 329 cubic yards will be managed through TSCA Clean-up from the U.S. EPA due to the impacts of PCBs.
  - All excavated soil will be sampled again from the segregated stockpiles for waste classification. Additionally, backfill for the excavation will include clean on-site overburden soil or stockpiled soil that meets remedial action goals (RAGs), which are defined below. If excavation volumes increase based on confirmation sample results and import soil is required, it will need to be sampled prior to on-site use.
- Site-specific remedial action goals:
  - The goal of this supplemental soil sampling program was to further delineate the lateral and vertical extent of soil impacts to support remediation planning and project site redevelopment. The characterization program included the collection and laboratory analysis of 82 soil samples from 23 soil boring locations, some of which included locations that were previously sampled. Each COC within the project site has specific RAGs, which will be implemented through risk management, confirmation sampling, and remedial excavation.
- Vapor intrusion mitigation pathway plans
  - Human Health Risk Evaluation Summary includes potential subsurface excavation scenarios and reasonably anticipated future land use scenarios. The results of the risk evaluation will be used to assist in identifying areas of the Site where remediation, or other forms of risk management, may be appropriate, with the overall goal of long-term protection of human health and the environment.
    - VOCs detected in soil vapor may require remediation, mitigation, or other form of risk management (e.g., institutional or engineering controls) prior to the redevelopment of the project site for future commercial/industrial land use purposes.
    - Levels of PCBs, lead, arsenic, and hexavalent chromium in soil at the project site may require some remediation, mitigation, or other form of risk management (e.g., institutional controls) prior to the redevelopment of the Site for future commercial/industrial land use purposes.
    - Levels of PCBs, lead, arsenic, and hexavalent chromium in soil at the project site may require some remediation, mitigation, or other form of risk management to protect the health of hypothetical future on-Site construction workers involved in the redevelopment of the Site for commercial/industrial land use purposes.

- Implementation of a Vapor Intrusion Mitigation System (VIMS) will be included in project site design to account for the abovementioned soil vapor as an engineering control. After the construction of the vapor barrier as a VIMS ongoing Operation, Maintenance, and Monitoring (OMM) plan.

As discussed above, multiple reports and investigations were conducted for the project site, including a Phase I, Phase II, and soil and soil vapor investigations. Based upon those reports, including refinements and clarifications based on later, more-detailed investigations, the following environmental impact analysis includes various mitigation measures to reduce potential hazardous material impacts to less than significant.

Threshold (a) Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. Project construction would require the normal and routine use of small amounts of hazardous materials, including fuels, greases, and other lubricants to maintain construction equipment and coatings such as paint. Such materials would be handled and used in accordance with applicable regulations for such materials.

The handling, use, transport, and disposal of hazardous materials during Project construction would be required to comply with existing regulations of several agencies including the U.S. EPA, Occupational Safety and Health Administration (OSHA), California Division of Occupational Safety and Health (Cal-OSHA), and the U.S. Department of Transportation. All work would be subject to SCAQMD Regulations including Rule 403, Rule 1166, and Rule 1466. The work would also be performed in accordance with and by contractors trained according to Cal-OSHA regulations, including 8 CCR 5192. Soil work would be performed under the oversight of regulatory agencies, including the U.S. EPA and the Los Angeles RWQCB. All handling, transportation, and disposal of regulated wastes, including any PCB remediation waste, Resource Conservation and Recovery Act (RCRA) hazardous waste, and non-RCRA hazardous waste, would be performed in accordance with applicable regulations, including the Toxic Substance Control Act (TSCA) (implementing regulations are located at 40 CFR, Part 761), RCRA (implementing regulations are located at 40 CFR, Part 262 and Part 263) and the California Hazardous Waste Control Law (HWCL) (implementing regulations located at Title 22 CCR, Division 4.5).

All on-site hazardous material excavation and handling activities would be conducted in accordance with SCAQMD Rules 403, 1166, and 1466. Hazardous soils would be stockpiled, profiled, treated and if required, transported and disposed of off the site in accordance with federal regulations under TSCA, RCRA, and HWCL regulations.

In addition to compliance with federal and State regulations, the licensed hazardous waste contractor would be required by law to maintain a contractor's license with the appropriate endorsements to handle and manage hazardous waste. Waste haulers must obtain and maintain appropriate licenses such as a commercial driver's license and take Department of Transportation training related to hauling hazardous waste. Because all work would be performed in accordance with applicable environmental, health, and safety regulations, the impact would be less than significant.

Once constructed and operational, the proposed warehouse would require routine maintenance and the use of janitorial cleaning materials such as cleaners, solvents, paints, and other custodial products that are potentially hazardous. These materials would be used in relatively small quantities, clearly labeled,

and stored in compliance with State and federal requirements. The Project does not propose and an end-user would not involve the storage, handling, or transport of hazardous materials as part of their daily operations. With the exercise of normal safety practices, the Project would not create a significant hazard to the public or the environment with the normal use of maintenance and janitorial products. The Project does not propose to manufacture or transport hazardous materials. Therefore, the Project would not have any significant routine transport, use, or disposal of hazardous materials and the impact would be less than significant.

Threshold (b) Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?

Less Than Significant Impact With Mitigation Incorporated.

Construction

Project construction activities would include the removal of existing building foundations, pavement, grading, site preparation, and landscaping. The Project's Phase I ESA concluded that the project site contained recognized environmental conditions (RECs) related to the San Gabriel Valley Superfund Site, prior industrial uses, and documented releases of hazardous substances at adjoining properties. Therefore, Project demolition and construction activities could create a significant hazard to the public or the environment through the potential release of hazardous materials into the environment.

Based on the information in the Phase I ESA,[30] a Phase II Subsurface Investigation[31] was completed in August and September 2020. Extensive investigations were undertaken on the project site in August and September 2020, including 37 borings that included soil and soil gas samples and 4 groundwater samples. The Phase II Subsurface Investigation concluded the contamination encountered at the project site can be remediated and would not prevent development. Based on the results of the Phase II Subsurface Investigation, a Limited Soil and Soil Vapor Site Investigation Report was prepared to address known and potential environmental impacts associated with redevelopment of the project site. The Limited Soil and Soil Vapor Investigation Report dated September 3, 2021 included the following recommendations:

- Prepare a Soil Management and Contingency Plan (SMCP) to detail the handling, stockpiling, sampling, and reuse or disposal of soil with concentrations of chemicals of potential concern (COPCs) in excess of their respective San Francisco Bay RWQCB Environmental Screening Levels (ESLs) or site-specific soil cleanup levels that may be established as part of a Human Health Risk Assessment (HHRA) and integrated into the SMCP with Los Angeles RWQCB concurrence.
- Design and install a sub-slab vapor barrier to protect future workers from potential vapor intrusion by volatile organic compounds (VOCs) in the soil vapor which are likely to exist post demolition, and after site grading for the new construction.
- Prepare a Remedial Action Closure Report detailing the removal actions, sampling, and disposal actions conducted during site redevelopment (construction), as well as details of the design of the sub-slab vapor mitigation system, and details on any unknown environmental liabilities detected and remediated.

[30] Phase I Environmental Site Assessment, 2200 North Rosemead Boulevard, South El Monte, Ramboll US Corporation, Irvine, California, July 21, 2020.
[31] Phase II Subsurface Investigation, Technical Memorandum, EEC Environmental, October 19, 2020.

- Request from the Los Angeles RWQCB the issuance of a 'No Further Action" letter once the remedial activities have been completed in concurrence with the approved SMCP.

In accordance with the Phase II Subsurface Investigation's recommendations, in April 2022, a soil vapor extraction system (SVE) was installed to remediate VOCs in the subsurface associated with prior operations at the project site. SVE system operation began in July 2022 and ended in December 2022. A Soil Vapor Assessment was conducted for the project site in 2023 to evaluate the effectiveness of the SVE system in reducing concentrations of VOCs in soil vapor throughout the project site. The Soil Vapor Assessment also evaluated whether releases at the Chemrite property, which is located adjacent to and south of the site, are the predominant source of VOC impacts to soil vapor and soil at the project site. Based on the results of the investigation, the source of VOCs in the soil vapor found the project site originate from the former Chemrite property. The SVE was determined to not be effective. Therefore, the Soil Vapor Assessment recommended the removal of the SVE system and proper abandonment of the associated extraction wells, and limited shallow soil excavation as outlined in MM HAZ-2.

In August 2022, the Los Angeles RWQCB provided comments on the September 2021 Limited Soil and Soil Vapor Site Investigation Report. To address those comments, a Limited Soil Remediation Work Plan for the Eastern Portion of 2200 North Rosemead Boulevard and a Limited Soil Investigation Report were prepared in April 2023. The work plan outlines the proper procedures for the characterization and handling of chemicals of concern affected soil that workers are likely to encounter during site remediation on the eastern portion of the site. Additionally, the work plan details procedures should previously unknown historical improvements such as (USTs), clarifiers, sumps, interceptors, vaults, buried containers (e.g., 55-gallon drums), and/or piping be encountered during soil remediation. An environmental consultant would conduct field screening, soil sampling, characterizing/profiling, dust monitoring (i.e., in compliance with SCAQMD Rules 402, 403, and 1466), VOC monitoring (in compliance with SCAQMD Rule 1166), and coordinating the handling and/or removal of materials affected by hazardous substances and/or petroleum products. Contractors for the Project would be provided with a copy of the Limited Soil Remediation Work Plan and required to monitor for potential unidentified environmental concerns in soil during the work. In addition, the contractors would be required to attend a "kick-off meeting" prior to initiation of on-site activities. MM HAZ-3 requires the Applicant to implement the Limited Soil Investigation Report as approved by the Los Angeles RWQCB.

In January 2024, additional soil samples were collected from the eastern portion of the project site to supplement the existing data and further characterize chemicals of potential concern in shallow soil. A Limited Soil Remediation Work Plan Addendum was prepared to supplement the Limited Soil Remediation Work Plan for the Eastern Portion of 2200 North Rosemead Boulevard by providing newly collected data and addressing Los Angeles RWQCB and Office of Environmental Health Hazard Assessment comments. The Limited Soil Remediation Work Plan Addendum's recommended vapor intrusion pathway mitigation plan is outlined in MM HAZ-4. Compliance with these requirements would reduce soil vapor impacts to a less than significant level.

The recommendations in the above-mentioned reports are provided as MM HAZ-1 through MM HAZ-4. These provisions would minimize the potential for hazardous materials to be released into the environment during Project construction. With the implementation of MM HAZ-1 through MM HAZ-4, impacts would be mitigated to a less than significant level.

Operations

Project operations would involve the use of typical hazardous materials/chemicals associated with commercial and industrial uses such as cleaners, paints, solvents, fertilizers, and pesticides for site landscaping. Any routine transport, use, and disposal of these materials during Project operations must adhere to federal, state, and local regulations for transport, handling, storage, and disposal of hazardous substances. Further, hazardous materials/chemicals such as household cleaners, paints, solvents, and fertilizers in low quantities do not pose a significant threat related to the release of hazardous materials into the environment. Therefore, Project operations would not create a significant hazard through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Impacts would be less than significant.

Threshold (c) Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. There are no schools within 0.25-mile of the project site. The closest school, Potrero Middle School, is located at 2611 Potrero Avenue, approximately 0.40-mile northeast of the project site. Notwithstanding, the routine transport, use, and disposal of hazardous materials during Project construction would be subject to federal, State, and local regulations for transport, handling, storage, and disposal of hazardous substances. Compliance with the regulatory framework would ensure Project construction activities would not create a significant hazard to nearby schools.

Additionally, the Project does not propose any uses that could generate hazardous emissions or involve the handling of hazardous materials, substances, or waste in significant quantities that could impact schools. The types of hazardous materials that would be routinely handled at the project site would be restricted to small quantities of cleaning solvents and paints used by facilities maintenance staff in accordance with normal operations. The materials used by facilities maintenance staff would be used in small quantities and stored in compliance with State and federal requirements. Therefore, compliance with the regulatory framework would ensure Project operations would not create a significant hazard to nearby schools. Impacts would be less than significant and no mitigation is required.

Threshold (d) Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and as a result, would create a significant hazard to the public or the environment?

No Impact. Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List, maintained by the DTSC and RWQCB. The Cortese List contains hazardous waste and substance sites including public drinking water wells with detectable levels of contamination, sites with known underground storage tanks (USTs) having a reportable release, solid waste disposal facilities from which there is a known migration, hazardous substance sites selected for remedial action, historic Cortese sites, and sites with known toxic material identified through the abandoned site assessment program. A regulatory database record search was conducted as part of the Phase I ESA prepared for the Project (see **Appendix C**) in accordance with Government Code Section 65962.5. The project site is not identified on the active Cortese List, which is the list of hazardous materials sites that is compiled pursuant to California Government Code Section 65962.5. Based on this threshold, no impact would occur.

Threshold (e) Would the Project be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?

Less Than Significant Impact. The San Gabriel Valley Airport is located at 4233 Santa Anita Avenue in the City of El Monte and approximately two miles northeast of the project site. The El Monte Airport Master Plan Report (Master Plan) reviews the Airport development's current status, anticipated future use, and proposed future flight path. The Master Plan must be consistent with the Los Angeles County Airport Land Use Commission (ALUC) and Federal Aviation Administration (FAA) regulations. Airport Land Use Compatibility Plans (ALUCP) cover aviation activities of 15 Los Angeles County public-use airports, including the San Gabriel Valley Airport. The ALUCP depicts the Airport's boundaries and development restrictions. According to Master Plan Figure 7A, Noise Contours Year 1993, which is the latest noise contour map, the airport's 65 CNEL noise contour extends approximately 0.06-mile south of I-10 and approximately 0.80-mile south of the San Gabriel Valley Airport's southern boundary. This 65 CNEL boundary is approximately 1.5 miles northeast of the project site and noise levels at this distance would not extend to and impact operations at the project site.

FAA design standards for ARC B-I/Small facilities, such as EI Monte Airport's Runway 1-19, specify that the Runway Safety Areas (RSA) be 120 feet wide the full length of the runway, and extend a minimum of 240 feet beyond the ends of the runway pavement. The RSA at the approach end of Runway 1 meets or exceeds this minimum standard. The RSA at the approach end of Runway 19 is truncated on its northwest corner by the Airport's chain link perimeter security fence, a public jogging path, and the Rio Hondo Flood Control Channel. Since removal of these obstacles is not feasible and relocation of the runway pavement end is not desirable, Declared Distances must be utilized to account for this nonstandard RSA configuration. The Declared Distances calculations for EI Monte Airport's Runway 1-19 are depicted in Figure 5B and that distance is 200 feet. Therefore, the RSAs do not extend off the boundary of the San Gabriel Valley Airport and would not impact the project site. According to the Master Plan, the two compatibility concerns that apply to the proposed Project are noise impacts and safety issues. As discussed above, the project site is approximately 1.5 miles southwest of the 1993 65 CNEL noise contour of the airport and would not be impacted by noise associated with current and future airport operations. As also discussed above, the Project would not be impacted by the RSAs of both runways 1 and 19, and the FAA required RSA distances to remain within the boundary of the airport and would not extend to or impact the project site. Therefore, Project employees and customers would not be exposed to excessive noise or safety impacts associated with current and future operations at the San Gabriel Valley Airport. Impacts would be less than significant and no mitigation is required.

Threshold (f) Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The project site is located in an urbanized area where adequate circulation and access are provided to facilitate emergency response. According to the County of Los Angeles Department of Public Works, Rosemead Boulevard is designated as an evacuation route.[32] Rosemead Boulevard borders the project site's western boundary. Construction activities are expected to be primarily contained within the project site boundaries and would not require the complete closure of any

[32] Los Angeles County Department of Public Works. (2024). *Disaster Route Maps (By City) -South El Monte.* Retrieved from https://pw.lacounty.gov/dsg/disasterroutes/city.cfm_

public or private streets or roadways during construction. The Project proposes warehouse and retail uses and would not include activities that would interfere with emergency response or evacuation plans.

The proposed building configuration would be subject to compliance with applicable fire codes, including proper emergency exists for residents and patrons; see Response 4.16a. As such, Project implementation would not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant and no mitigation is required.

Threshold (g) Would the Project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas?

No Impact. The project site is in an urban environment and is not contiguous or proximate to open space. According to the California Department of Forestry and Fire Protection's Fire and Resource Assessment Program,[33] the City of South El Monte is not in a Local or State Fire Hazard Severity Zone (FHSZ). Therefore, the Project would not expose and have no impact concerning employees or the warehouse building to a significant risk of loss, injury, or death due to a wildland fire.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

MM HAZ-1 Prior to the issuance of a grading permit, the Applicant shall implement a Soil Management and Contingency Plan (or equivalent document) as approved by the Los Angeles Regional Water Quality Control Board (Los Angeles RWQCB). The Soil Management and Contingency Plan (SMCP) (or equivalent document) shall specify the details regarding the handling, stockpiling, sampling, and reuse or disposal of soil with concentrations of Chemicals of Potential Concern (COPC) in excess of their respective San Francisco Bay RWQCB ESLs or site-specific remedial action goals (RAGs) levels that may be established as part of a Human Health Risk Assessment (HHRA) and integrated into the SMCP with Los Angeles RWQCB concurrence. Once approved, the SMCP (or equivalent document) shall be kept on site by the general contractor throughout construction and distributed to the grading contractor and other contractors that may be trenching or boring on the site.

- The SMCP shall Identify and implement accident prevention and control measures for demolition and remediation activities, and for ongoing operations that are protective of the health and safety of the public, and construction workers including a routine inspection program to ensure that such measures are being implemented during demolition and construction. At a minimum, such measures shall include compliance with all applicable federal, State, and local laws and regulations.

[33] CALFire. (2024). *Fire Hazard Severity Zones in State Responsibility Area.* Retrieved from https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones, Accessed July 30, 2024.

- The SMCP shall include the vapor intrusion mitigation system (VIMS) outlined in MM HAZ-4.

MM HAZ-2 Prior to the issuance of a grading permit by the City of South El Monte , the Applicant shall in accordance with the Soil Vapor Assessment Report for Former Pacific Drum Company (Rosemead Holdings, LLC) 2200, 2212, 2218, and 2226 North Rosemead Boulevard South El Monte, California 91733 (EEC Environmental, 2023) (included as Appendix C to this Initial Study):

- Remove the existing soil vapor extraction system (SVE) system and properly abandon the associated extraction wells in accordance with Los Angeles Regional Water Quality Control Board; and
- Perform limited shallow soil excavation in the vicinity of HP-4 as part of the activities proposed under the Limited Soil Remediation Work Plan for the Eastern Portion of 2200 North Rosemead Boulevard (Leighton, 2023).

MM HAZ-3 Prior to grading permit issuance, the Applicant shall demonstrate to the City of South El Monte Building and Safety Division implementation of the Limited Soil Remediation Work Plan for the Eastern Portion of 2200 North Rosemead Boulevard and Limited Soil Remediation Work Plan Addendum for 2200-2226 N. Rosemead Boulevard as approved by the Los Angeles Regional Water Quality Control Board. The Los Angeles Regional Water Quality Control Board shall provide oversight for implementation.

MM HAZ-4 Prior to the issuance of a grading permit, the City of South El Monte Building and Safety Department shall review the building plans to verify that a vapor intrusion mitigation system (VIMS) is included in the Project design in accordance with the Limited Soil Remediation Work Plan Addendum for 2200-2226 N. Rosemead Boulevard to minimize VOCs on the project site. A construction quality assurance program shall be developed and implemented during VIMS construction that includes a pre-construction meeting and routine meetings during construction of the system, observations of construction and testing activities, and pre-occupancy (post-construction) system inspection and performance monitoring. The construction quality assurance program shall be summarized on the final VIMS design drawings and detailed in a construction quality assurance plan. A VIMS Construction Completion Summary Report shall also be prepared and submitted to the Los Angeles RWQCB within 60 days of VIMS construction completion. The VIMS Construction Completion Summary Report shall include a summary of the construction quality assurance program and VIMS installation activities, as-built drawings, and VIMS Engineer certification that the VIMS was installed in general accordance with the design. The City of South El Monte Building and Safety Division shall have oversight/sign-off responsibility for the vapor barrier.

MM HAZ-5 In accordance with Los Angeles Regional Water Quality Control Board Comment No. 6 and requirements dated August 17, 2022, prior to the issuance of the first occupancy permit, baseline indoor air sampling involving at least two rounds of sampling shall be performed to account for seasonal fluctuation of contaminants in the indoor air. Air sampling results shall be submitted to and approved by the Los Angeles Regional Water Quality Control Board.

4.10 Hydrology and Water Quality

The analysis in this section is based on the following technical study and letter from the civil engineer:

- Preliminary Hydrology and Hydraulics and LID Report; see **Appendix D**.
- Tait & Associates, letter dated February 16, 2024; see **Appendix D** .

Threshold (a) Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact. Impacts to water quality of receiving waters generally range over three different phases of a project:

- During the earthwork and construction phase, when the potential for erosion, siltation, and sedimentation would be the greatest.
- Following construction and before the establishment of ground cover, when the erosion potential may remain relatively high.
- Following Project completion, when impacts related to sedimentation would decrease markedly, but those associated with urban runoff would increase.

Following is a discussion of the potential water quality impacts resulting from urban runoff that would be generated during Project construction and operations.

Construction. Construction-related activities that are primarily responsible for sediment releases are related to exposing previously stabilized soils to potential mobilization by rainfall/runoff and wind. Such activities include removing vegetation and impermeable surfaces from the site, project grading, and trenching for infrastructure improvements. Environmental factors that affect soil erosion include topography, type of soil, and rainfall characteristics. Non-sediment-related pollutants that are also of concern during construction relate to non-storm water flows and generally include construction materials (e.g., paint and stucco); chemicals, liquid products, and petroleum products used to maintain construction equipment during construction and/or the maintenance of heavy equipment; and concrete and related cutting or curing residues. Project construction-related activities would generate pollutants that could adversely affect the water quality of downstream receiving waters if appropriate and effective storm water and non-storm water management measures are not installed and maintained during construction to remove and minimize on-site pollutants from urban runoff from the site.

Construction activity subject to the Construction General Permit for Stormwater Discharge Associated with Construction Activity (Construction General Permit) includes any construction or demolition activity, including, but not limited to, clearing, grading, grubbing, or excavation, or any other activity that results in a land disturbance of equal to or greater than one acre. The proposed Project would disturb more than one acre of land surface and would therefore be required to obtain coverage under the NPDES storm water program. Construction activities would be required to comply with a Storm Water Pollution Prevention Plan (SWPPP) consistent with California State Water Resources Control Board (State Water Board), Order No. 99-08-DWQ, Los Angeles County MS4 Permit Order No. R4-2021-0105 and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS004004 (Permit) to minimize pollution of downstream storm water. To obtain coverage under the Construction General Permit, the Applicant is required to file with the State Water Board, Permit Registration Documents that include a Notice of Intent (NOI) and other compliance-related documents. The Construction General Permit

requires the development and implementation of a SWPPP and monitoring plan, which must include erosion-control and sediment-control best management practices (BMPs) that would meet or exceed measures required by the Construction General Permit to control potential construction-related pollutants. Erosion-control BMPs are designed to prevent erosion, whereas sediment BMPs are designed to trap sediment once it has been mobilized.

Additionally, the Project would be required to comply with Municipal Code Chapter 8.44, Stormwater Management and Discharge Control, which sets forth requirements for the construction and operation of developments within the City to ensure compliance with the City's current NPDES permit and to reduce pollutant loading in storm water discharges by the maximum extent practicable. Compliance with any conditions and requirements established by the City to meet federal and State water quality requirements related to storm water runoff would be verified during the plan check process. Municipal Code Chapter 8.44 contains guidelines on structural and non-structural BMPs for meeting the NPDES goals. These requirements would ensure that potential project impacts related to soil erosion, siltation, and sedimentation remain less than significant and avoid violation of any water quality standards or waste discharge requirements.

Operations. The proposed drainage pattern would be similar to the existing condition, except the site would drain to two Modular Wetland Systems before discharging to two existing catch basins in Rosemead Boulevard. Implementation of BMPs would manage and capture storm water runoff to reduce potential impacts on the County Flood Control District's storm water drainage system. To comply with the new development and redevelopment standards of the Los Angeles County Municipal NPDES Permit (MS4 Permit), a Low Impact Development Plan (LID) has been prepared to identify BMPs to manage and capture storm water runoff. The LID Plan assumes the project site would include an on-site retention (infiltration) basin in each of the two driveways, runoff harvest and use, and on-site biofiltration. The final BMPs to be implemented for the Project would be determined by the City through their review of the Final Hydrology and Hydraulics Report and the LID Plan.

Compliance with NPDES and Municipal Code requirements, which include implementation of LID BMPs, would ensure that Project operations would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impacts would be less than significant and no mitigation is required.

Threshold (b) Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?

Less Than Significant Impact. The SGVWC has a service area of approximately 45 square miles and currently derives its groundwater supplies from two groundwater basins, the Main San Gabriel Basin (Main Basin) and the Central Basin, with the Main Basin as San Gabriel's primary groundwater source. San Gabriel's water supply sources also include recycled water and a connection with the Metropolitan Water District of Southern California (MWD) for delivery of treated imported water.[34]

The SGVWC Final 2020 Urban Water Management Plan and Water Shortage Contingency states that water demands (potable and non-potable) in its service area for normal years would increase from 33,632 acre-

[34] San Gabriel Valley Water Company, June 2021 Final 2020 Urban Water Management Plan and Water Shortage Contingency.

feet per year (afy) in 2020 to approximately 38,700 afy in 2045.[35] The water company forecasts that it would have sufficient water supplies to meet water demands in its service area for normal, single-dry, and during a five consecutive year drought period.[36] The Project's water demand would be minimal and would not decrease groundwater supplies or significantly impact SGVWC's ability to provide water service to its service area through 2045. As stated in Response 4.7aiii, groundwater was encountered to depths of 48 feet. Project grading and construction are proposed to a maximum depth of approximately 10 feet below the existing ground surface on the eastern third of the site where undocumented fill exists and 5 feet below the existing ground surface on the rest of the site. As a result, Project grading would not encounter groundwater at a maximum depth of 10 feet below the surface. Therefore, dewatering that could lower the existing groundwater level would not be required. The Project would not impact the level of the local groundwater.

With the exception of very limited areas of remanent landscape vegetation, the site is impervious with pavement and concrete building pads. Upon implementation of the Project, the site would be approximately 96 percent impervious. Approximately four percent of the project site would be pervious associated with the proposed on-site landscaping. This change is considered negligible compared to existing site conditions. Therefore, implementation of the proposed Project would not deplete groundwater supplies or interfere with groundwater recharge. Impacts would be less than significant and no mitigation is required.

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

(i) Result in a substantial erosion or siltation on- or off-site.

Less Than Significant Impact. A significant impact would occur if the proposed Project would substantially alter the drainage pattern of the site or area, including through the alteration of the course of a stream or river, such that erosion or siltation would result. The proposed Project does not contain nor is adjacent to a stream or river. Further, the proposed Project would not result in a significant change to the site's drainage pattern. Project construction would temporarily expose on-site soils to surface water runoff. However, as discussed in Response 4.10a, the Project would be subject to compliance with NPDES and Municipal Code requirements, which include the implementation of erosion-control and sediment-control BMPs. Therefore, the Project would not cause substantial erosion or siltation on or off the site. A less than significant impact would occur and no mitigation is required.

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

No Impact. As demonstrated in **Appendix D**, the Project would reduce flows under 50-year storm events when compared to existing conditions. Because the Project would decrease surface runoff, it would not result in flooding on or off the site. No impact would occur and no mitigation is required.

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

[35] Ibid, Table 4-3, page 4-6.
[36] Ibid, page 4-2.

No Impact. The Project would reduce impervious surfaces, thereby reducing flows under 50-year storm events, as compared to the existing condition. Because the Project would decrease surface water runoff, it would not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems. No impact would occur and no mitigation is required.

(iv) Impede or redirect flood flows?

No Impact. The project site is not located within the 100-year hazard flood zone area. Flood Insurance Rate Map (FIRM) 06037C1665F indicates the project site is within Zone X, 0.2 percent chance of flood; areas with a one percent annual chance of flood with average depths of less than one foot or with drainage areas less than one square mile; or areas protected by levees from the one percent annual chance of flood.[37] Further, the Project would use a biofiltration device (i.e., Modular Wetland System) to treat runoff and minimize impacts to existing storm water drainage facilities. The project site is not subject to flooding and would not impede or redirect flood flows. No impact would occur and no mitigation is required.

Threshold (d) In flood hazard, tsunami, or seiche zones, would the Project risk release of pollutants due to project inundation?

No Impact. Tsunamis are sea waves that are generated in response to large-magnitude earthquakes. When these waves reach shorelines, they sometimes produce coastal flooding. Seiches are the oscillation of large bodies of standing water, such as lakes, which can occur in response to ground shaking. The project site is approximately 25 miles east of the Pacific Ocean and there are no nearby bodies of standing water. Therefore, the project site is not within a tsunami or seiche zone.

The Project proposes a warehouse and retail development that would involve the use of materials associated with routine maintenance of the property, such as janitorial supplies for cleaning purposes and/or herbicides and pesticides for landscaping. The Project is not within a flood hazard, tsunami, or seiche zone and would not risk the release of pollutants. No impacts would occur and no mitigation is required.

Threshold (e) Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact. Water quality in the City is regulated by the Los Angeles RWQCB and its Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties. Refer to Responses 4.10a and 4.10b. The Project would comply with regional and local regulations requiring the preparation of a SWPPP and would not obstruct existing water quality control plans or groundwater sustainable management plans. In addition, the Applicant would be required to comply with a project-specific water quality management plan during operation activities. Therefore, the Project would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant and no mitigation is required.

Mitigation Program

Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are applicable.

[37] United States, Federal Emergency Management Agency. (2024) Flood Insurance Rate Map 06037C1665F. Available at: https://msc.fema.gov/portal/home, Accessed July 26, 2024.

4.11 Land Use and Planning

Threshold (a) Would the Project physically divide an established community?

No Impact. Examples of projects that could physically divide an established community include a new freeway or highway that traverses an established neighborhood. The Project proposes industrial and commercial infill development in an urbanized area. The proposed Project would not include any roadway extensions or other development features through currently developed areas. No off-site improvements such as new roadways or infrastructure are proposed that could physically divide an established community. The Project would be developed within the existing boundary of the site. The Project would be compatible with the existing commercial and industrial uses adjacent to the site and would not disrupt or divide these established commercial and industrial communities surrounding the site. Therefore, given its nature and scope, the Project would not physically divide an established community. No impact would occur and no mitigation is required.

Threshold (b) Would the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact. The General Plan land use map depicts the City's land use designations and indicates the project site is designated Commercial Manufacturing. The Commercial Manufacturing land use designation provides areas where general commercial and limited industrial manufacturing uses can co-locate. The City of South El Monte Zoning Map depicts the City's zones and indicates the project site is zoned Commercial Manufacturing (C-M) Zone, which similarly provides areas within the City in which general commercial and limited manufacturing uses can be collocated. The Project proposes an approximately 156,877 sf concrete tilt-up warehouse with 113,703 sf of warehouse space, 7,879 sf of retail use, 20,305 sf of accessory warehouse office use, and 14,990 sf of warehouse storage. As such, the Project would be consistent with the project site's land use designation and zoning.

The General Plan addresses conflicts between residential and industrial land uses. Before 1997, zoning regulations identified residential uses in industrial zones as nonconforming uses subject to amortization and eventual removal. However, in response to community opposition to more aggressive City efforts to remove the nonconforming residential uses, in 1997 the City Council adopted regulations to permit legally established residential uses in industrial zones to continue and not be subject to removal.[38]

While this regulation preserves needed housing units in the City, it does not address the potential conflicts between residential and industrial uses. Issues of concern include truck traffic and associated safety concerns, hours of operation of industrial businesses, the potential for release of hazardous materials, and noise from manufacturing operations, among others. In attempts to strike a balance between land use compatibility and preservation of existing housing, the City's policy is to facilitate the removal of residential uses in industrial zones by providing housing opportunities in other City locations more suitable for residential use.[39]

As a result, the General Plan Land Use Element includes the following goals and associated policies to reduce potential land use conflicts between industrial and residential land uses within the industrial zone.

[38] City of South El Monte General Plan, Land Use Element, page 9.
[39] Ibid.

Table 4.11-1: General Plan Consistency Analysis evaluates the Project concerning the relevant General Plan goals and policies and concludes the Project would not conflict with the relevant General Plan goals and policies. Therefore, the Project would not result in a significant environmental impact concerning a conflict with the General Plan.

Table 4.11-1: General Plan Consistency Analysis

Land Use Element	
Goal 1: Maintain a balanced mix and distribution of land uses throughout South El Monte	
Policy 1.4: Create opportunities for two types of commercial development: (1) commercial uses that meet the retail and service needs of the local resident and employee populations, and (2) regional-serving retail commercial businesses that capture revenues from a broader population base.	**Consistent.** The Project proposes 7,879 sf of commercial retail on the ground level of the building fronting Rosemead Boulevard. Commercial retail space would be available for lease for offices and retail/services. The mix of proposed uses would serve local retail and service needs and would be consistent with the implementation of Policy 1.4.
Policy 1.5: Continue to provide opportunities for establishment and expansion of a broad range of industrial businesses within those areas of the City designated for industrial use.	**Consistent.** The Project proposes industrial and commercial uses on a site that has a General Plan land use designation of Commercial-Manufacturing use. Therefore, the Project is consistent with the implementation of Policy 1.5.
Goal 2: Focus new revenue-generating development in those areas of the City with high visibility.	
Policy 2.2 Expand development opportunities along Rosemead Boulevard by allowing for a broader range of commercial, as well as office uses. Rezone the east side of Rosemead Boulevard Commercial-Manufacturing.	**Consistent.** The proposed Project is located on the east side of Rosemead Boulevard in the C-M zone and would introduce a mix of commercial retail, warehouse, and office uses to the project site. The mix of uses would introduce additional development to the area and would be consistent with the implementation of Policy 2.2.
Goal 3.0: Accommodate new development that is compatible with and complements existing land uses.	
Policy 3.3: Require that industrial development provide adequate buffers (such as decorative walls and landscaped setbacks) at the designated boundaries with adjacent residential and commercial uses to prevent impacts on residences and commercial businesses due to noise, traffic, parking, light and glare, and differences in scale; to ensure privacy; and to provide visual compatibility.	**Consistent.** The Project would include fencing around the northern, southern, and eastern property boundaries. The proposed fencing would separate the development from existing off-site residential uses (i.e., mobile home park) and prevent impacts due to noise, traffic, parking, light, glare, and differences in scale. Further, the Project would prohibit all truck movement through the site and at the loading docks between 10:00 PM and 7:00 AM to minimize truck traffic noise to the residents south of the site. All lighting would be directed onto the site and oriented away from the mobile home park to the south to reduce the potential impacts from light and glare. Accordingly, the Project would be consistent with the implementation of Policy 3.3 and Policy 3.4.
Policy 3.4: Require that the external lighting of commercial and industrial properties be confined to the site to avoid adverse impacts on adjacent land uses due to light spillover or glare.	
Goal 4.0: Work toward the gradual elimination of residential land uses within areas designated and zoned for industrial use and development.	
Policy 4.3: Require that industrial development provide adequate buffers (such as decorative walls and landscaped setbacks) at the designated boundaries with adjacent existing residential uses so as to prevent impacts	**Consistent.** The Project proposes fencing around the northern, southern, and eastern property boundaries. The proposed fencing would separate the development from existing off-site residential

Table 4.11-1: General Plan Consistency Analysis

on residences due to noise, traffic, parking, light and glare, and differences in scale.	uses (i.e., mobile home park) and prevent impacts due to noise, traffic, parking, light, glare, and differences in scale. Further, the Project would prohibit all truck movement through the site and at the loading docks between 10:00 PM and 7:00 AM to minimize truck traffic noise to the residents south of the site. All lighting would be directed onto the site and oriented away from the mobile home park to the south to reduce the potential impacts from light and glare. Accordingly, the Project would be consistent with the implementation of Policy 4.3.
Circulation Element	
Goal 5.0: Provide adequate parking for existing and future vehicle demand.	
Policy 5.1: Ensure that parking regulations for industrial businesses are adequate to meet parking demands.	**Consistent.** Under Municipal Code Chapter 17.16, Off-Street Parking and Loading, the Project is required to provide 176 parking spaces. The Project proposes 176 parking spaces, including 167 standard stalls and nine parallel stalls, and meets the City's parking requirement. Accordingly, the Project would be consistent with the implementation of Policy 5.1.

Mitigation Program

Standard Conditions and Mitigation Measures

No conditions of approval or mitigation measures are required.

4.12 Mineral Resources

Threshold (a) Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

No Impact. The State of California State Geologist has identified four Mineral Resource Zone (MRZ) categories that reflect varying degrees of mineral resource potential. The four categories are MRZ-1, MRZ-2, MRZ-3, and MRZ-4. The four categories are described below:

- **MRZ-1.** Adequate information indicates that no significant mineral deposits are present or likely to be present.
- **MRZ-2.** Adequate information indicates that significant deposits are present or there is a high likelihood for their presence, and development should be controlled.
- **MRZ-3.** The significance of mineral deposits cannot be determined from the available data.
- **MRZ-4.** There is insufficient data to assign any other MRZ designation.

The project site is located in MRZ-3 and does not contain mineral resources of significant value. The project site and the surrounding areas are not developed with mineral resource recovery activities, and the City's General Plan Resources Element does not identify any mineral resources in the City. The Project would not eliminate or impact any mineral resource either on the site or on any of the adjacent surrounding land use. The Project would not have any mineral resource impacts.

Threshold (b) Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. As discussed in Section "3.12 a" of this Initial Study, there are no mining sites identified in the City of South El Monte General Plan. The Project would not result in the loss of availability of any delineated locally important mineral resource mining site. The Project would not have any mineral resource recovery impacts.

Mitigation Program

Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are applicable.

4.13 Noise

The analysis in this section is based in part on the following noise report and peer review letter and included in **Appendix E**:

- *Rosemead and Rush Industrial Project, Noise Impact Analysis*, Ganddini, June 15, 2023 (Rev. 1); see **Appendix E.**
- *Rosemead and Rush Industrial Project Memorandum – Updated Plan Set and Transportation, Noise, and Air Quality/Greenhouse Gas/Energy Impact Studies*, Ganddini Group Inc., August 15, 2024; see **Appendix A.**[40]

Background

The analysis describes sound in terms of amplitude (loudness) and frequency (pitch). The standard unit of sound amplitude measurement is the decibel (dB). The decibel scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound. The pitch of the sound is in relation to the frequency of the pressure vibration. Since the human ear is not equally sensitive to a given sound level at all frequencies, the A-weighted decibel scale (dBA) relates noise to human sensitivity. The A-weighted decibel scale provides this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear.

Noise, on the other hand, is unwanted sound. A typical noise environment consists of a base of steady ambient noise that is the sum of many distant and indistinguishable noise sources. Superimposed on this background noise is the sound from individual local sources. These can vary from an occasional aircraft or train passing by to virtually continuous noise from traffic on a major highway.

Several rating scales analyze the adverse effect of community noise on people. Since environmental noise fluctuates over time, these scales consider that the effect of noise on people is largely dependent on the total acoustical energy content of the noise as well as the time of day when the noise occurs. For example, the equivalent continuous sound level (L_{eq}) is the acoustic energy content of noise for a stated period; therefore, the L_{eq} of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure. The Day-Night Sound level (L_{dn}) is a 24-hour average L_{eq} with a 10 dBA "weighting" added to noise during the hours of 10:00 PM to 7:00 AM to account for noise sensitivity in the nighttime. The Community Noise Equivalent Level (CNEL) is a 24-hour average L_{eq} with a 10 dBA weighting added to noise during the hours of 10:00 PM and 7:00 AM and an additional 5 dBA weighting during the hours of 7:00 PM to 10:00 PM to account for noise sensitivity in the evening and nighttime.

Existing Setting

The project site noise environment is primarily characterized by roadway noise. The primary traffic noise source is from traffic on Rosemead Boulevard, which is west and adjacent to the project site. Secondary noise sources include parking lot noise, air handling equipment such as HVAC mechanical noise, and operational noise from surrounding commercial and industrial uses to the east, north, and west, and industrial use and a mobile home park to the south.

[40] After preparation of the technical study, minor modifications to the plan set dated August 8, 2024 has resulted in a net reduction of square feet compared to the assumptions for the June 2023 study. These changes do not change the findings of the study as summarized in this Initial Study.

Noise-Sensitive Receptors. Noise-sensitive receptors are generally considered to include those uses where noise exposure could result in health-related risks to individuals, as well as places where quiet is an essential element of their intended purpose. Certain land uses are particularly sensitive to noise and vibration. These uses include residences, schools, hospital facilities, houses of worship, and open space/recreation areas where quiet environments are necessary for the enjoyment, public health, and safety of the community. The nearest sensitive receptors to the project site are the residents of the mobile home park adjacent to and south of the site.

Ambient Noise Measurements. As shown in **Figure 10: Noise Measurement Locations**, six, 15-minute daytime noise measurements were taken between 11:13 AM and 2:14 PM on April 18, 2023, both on and proximate to the project site to determine the existing noise environment. In addition, one (1) long-term 24-hour noise measurement was taken from April 18-April 19, 2023.

Table 4.13-1: Short-Term Noise Measurement Summary (dBA) provides a summary of the short-term ambient noise data. Table 4.13-2: Exterior Noise Limits provides hourly interval ambient noise data from the long-term noise measurements. As shown, measured short-term ambient noise levels ranged between 54.1 and 72.3 dBA Leq. Long-term hourly noise measurement ambient noise levels ranged from 44.4 to 57 dBA Leq. The dominant noise source in the vicinity of the project site is vehicle traffic associated with Rosemead Boulevard, Rush Street, and other surrounding roadways.

Table 4.13-1: Short-Term Noise Measurement Summary (dBA)

Daytime Measurements[1]								
Site Location	**Time Started**	**Leq**	**Lmax**	**Lmin**	**L(2)**	**L(8)**	**L(25)**	**L(50)**
STNM1	11:13 AM	72.3	80.7	53.1	78.3	76.2	73.9	70.5
STNM2	11:54 AM	60.2	69.7	50.8	65.5	63.4	61.4	58.8
STNM3	12:20 PM	57.7	63.1	54.2	60.9	59.8	58.2	57.0
STNM4	12:46 PM	54.1	64.4	48.6	59.4	57.1	54.3	53.0
STNM5	1:24 PM	66.2	79.2	55.1	73.3	69.5	66.6	64.1
STNM6	1:59 PM	67.0	79.7	51.6	75.5	72.1	67.0	60.7

L_{eq}: equivalent noise level; L_{min}: minimum noise level; L_{max}: maximum noise level
Source: Ganddini Group Inc., 2024.



Source: Ganddini Group Inc.

Legend
NM 1 Noise Measurement Location
ST NM Short-Term Noise Measurement
LT NM Long-Term Noise Measurement

FIGURE 10
Noise Measurement Location Map

Regulatory Setting

City of South El Monte Municipal Code. Municipal Code Chapter 8.20, Noise Regulations, contains noise standards that are correlated with land use zoning classifications, meant to maintain identified ambient noise levels and to limit, mitigate, or eliminate intrusive noise that exceeds the ambient noise levels within a specific zone.

The City has also set restrictions to control noise impacts from construction activities. Municipal Code Section 8.20.030 (D) states, "No person shall operate or cause or authorize the operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work between the hours of ten PM and seven AM, or at any time on weekends or holidays, such that the sound therefrom creates a noise disturbance across the real property line of an adjacent or nearby property developed entirely or partially for residential use."

Although the Municipal Code limits the hours of construction, it does not provide specific noise level performance standards for construction. Municipal Code Section 8.20.020 identifies the maximum permissible sound levels for different land uses. The noise/land use compatibility guidelines for land uses in the City are presented in **Table 4.13-2**.

Table 4.13-2: Exterior Noise Limits

Receiving Land Zoning Category	Time Period	Noise Level Standard (dBA)
One- or two-family residential zone	10:00 PM to 7:00 AM	45
	7:00 AM to 10:00 PM	55
Multiple dwelling residential zone, public zone	10:00 PM to 7:00 AM	50
	7:00 AM to 10:00 PM	60
Commercial zone or commercial-manufacturing zone	10:00 PM to 7:00 AM	55
	7:00 AM to 10:00 PM	60
Manufacturing zone	Anytime	70
Receiving Land Use Category	**Time Period**	**Noise Level Standard (dBA)**
Property partially or entirely developed for one- or two-family residential uses	10:00 PM to 7:00 AM	45
Property partially or entirely developed for multi-family residential uses	10:00 PM to 7:00 AM	50

City of South El Monte Municipal Code Section 8.20.020 - Table 2 Exterior Noise Limits by Use.
Source: Ganddini Group Inc., 2024.

Threshold (a) Would the Project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact With Mitigation Incorporated.

Construction

Construction noise represents a short-term impact on ambient noise levels. Noise generated by equipment for demolition and construction equipment, including trucks, graders, bulldozers, concrete mixers, and portable generators can reach high levels. Construction activities on the project site would expose existing noise-sensitive uses would be exposed to increased noise levels. In typical construction projects, such as the proposed Project, the loudest noise generally occurs during grading activity because

it involves the largest equipment. Noise-sensitive receptors may be exposed to elevated noise levels during Project construction. However, construction noise would be acoustically dispersed throughout the project site and not concentrated in one area near surrounding sensitive uses. The City's Noise Ordinance does not establish quantitative construction noise standards. Instead, the Noise Ordinance has established allowable hours of construction. Construction activities cannot occur between 10:00 PM and 7:00 AM on weekdays, or at any time on weekends or holidays, such that the sound therefrom creates a noise disturbance across the real property line of an adjacent or nearby property developed entirely or partially for residential use. The Project would be required to comply with SC N-1, which requires the construction contractor to comply with noise regulations prescribing the hours allowed for construction activity identified in Municipal Code Chapter 8.20. SC N-2 would further minimize impacts from construction noise as it requires construction equipment to be equipped with properly operating and maintained mufflers and other State-required noise attenuation devices. Implementation of SC N-1 and SC N-2 would preclude significant construction-related impacts.

The Project would also generate noise at off-site locations from haul trucks moving debris and soil from the project site during demolition and grading activities; vendor trips; and worker commute trips. Given the project site's proximity to SR-164 (Rosemead Boulevard), SR-60, and I-10, it is anticipated that vendor and/or haul truck traffic would take the most direct route to the freeway ramps. Rosemead Boulevard currently handles approximately 31,650 to 33,400 average daily vehicle trips in the vicinity of the project site.[41] As noted in **Appendix F**, the greatest number of construction-related vehicle trips per day would be during building construction at up to 91 vehicle trips per day (i.e., 65 worker trips and 26 vendor trips). Therefore, vehicle traffic generated during Project construction is considered nominal relative to existing roadway volumes and would not result in the doubling of traffic volume necessary to increase noise levels by 3 dBA. Therefore, the Project's noise impacts concerning construction-related traffic would be less than significant.

Operation

Stationary Source Noise. The proposed Project consists of an approximately 156,877 sf concrete tilt-up warehouse with 113,703 sf of warehouse space, 7,879 sf of retail use, 20,305 sf of accessory warehouse office use, and 14,990 sf of warehouse storage.). Project operations would generate noise from mechanical equipment (e.g., HVAC, etc.), activities associated with loading/unloading trucks, parking areas (i.e., car door slamming, car radios, engine start-up, and car pass-by); and off-site traffic noise. These noise sources would be consistent with the existing noise sources in the project site vicinity.

Due to the relatively noisy urban environment, operational noise levels were modeled along the project site boundaries at adjacent land uses. Land uses not adjacent to the project site would not be affected by on-site project-generated operational noise, including the multi-family residential uses located approximately 547 feet to the southwest and single-family residential uses located approximately 297 feet to the west, 372 feet northwest, and 743 feet to the southwest of the project site. Land uses that may be affected by project operational noise are those that are adjacent to the project site, including the mobile home park to the south, and commercial/industrial land uses to the north, east, and west.

Based on the operational noise modeling, Project operation is expected to range between 47 and 54 dBA Leq at the project site boundaries. As shown in **Table 4.13-3: Project Compliance with Stationary Noise**

[41] Existing average daily traffic volumes were calculated from the PM peak hour intersection traffic counts provided in the Rosemead and Rush Industrial Project Transportation Impact Analysis, Ganddini Group Inc. (April 28, 2023)

Standards - Daytime and **Table 4.13-4: Project Compliance with Stationary Noise Standards - Nighttime,** the Project's operational noise would not exceed any of the City's adjusted daytime exterior noise source standards but would exceed the adjusted nighttime noise standards for single-family residential land uses (i.e., the mobile home park) located just south of the project site. To reduce the Project's operation-related noise levels, implementation of MM NOI-1 would be required, which requires either the construction of a 10-foot-tall concrete barrier along the southern property line or restricts the movement of trucks on-site between the hours of 10:00 PM and 7:00 AM to meet nighttime noise standards.

Table 4.13-3: Project Compliance with Stationary Noise Standards - Daytime

Project Site Property Line	Receptor # [1]	Receptor Land Use	Existing Daytime Measured Noise Levels (dBA Leq)[2]	Daytime Noise Standard (7:00 AM-10:00 PM) (dBA, Leq)	Adjusted Noise Standard, Daytime[3] (dBA, Leq)	Operational Noise Levels[1]	Exceeds Adjusted Daytime Noise Standards (Yes/No)
West	1	Commercial	72	70	75	31	No
North	2	Commercial	60	70	70	47	No
East	3	Industrial	58	n/a	n/a	46	No
South	4	Single-family residential	54	55	55	54	No
South	5	Commercial	54	70	55	49	No

(1) See Appendix D, Figure 6.
(2) See Appendix D, Table 1.
(3) Adjusted per City of South El Monte Municipal Code Section 8.20.020 Table 1 Exterior Noise Limits by Zone, note 2.
Source: Ganddini Group Inc., 2024.

Table 4.13-4: Project Compliance with Stationary Noise Standards - Nighttime

Receptor[1]	Measurement Period	Existing Nighttime Noise Levels[2]	Nighttime Noise Standard (7:00 AM – 10:00 PM dBA, Leq)	Adjusted Noise Standard, Nighttime[3] (dBA, Leq)	Operational Noise Levels[1]	Exceeds Adjusted Nighttime Noise Standards (Yes/No)
R-4 Single Family Residential South of Project Site	10:00 PM – 11:00 PM	48	50	50	54	Yes
	11:00 PM – 12:00 AM	49	50	50	54	Yes
	12:00 AM – 1:00 AM	47	50	50	54	Yes
	1:00 AM – 2:00 AM	47	50	50	54	Yes
	2:00 AM – 3:00 AM	44	45	45	54	Yes
	3:00 AM – 4:00 AM	46	50	50	54	Yes
	4:00 AM – 5:00 AM	48	50	50	54	Yes
	5:00 AM – 6:00 AM	51	50	55	54	No
	6:00 AM – 7:00 AM	53	50	55	54	No

(1) See Appendix D, Figure 6.
(2) See Appendix D, Table 2.
(3) Adjusted per Municipal Code Section 8.20.020, Table 1, Exterior Noise Limits by Zone, note 2.
Source: Ganddini Group Inc., 2024.

Mobile Source Noise. It is widely accepted that the average healthy human ear can barely perceive changes of 3 dBA in an outdoor environment and that a change of 5 dBA is readily perceptible. Therefore, the Project would have a significant impact if the addition of Project trips on surrounding roadways causes noise levels to increase by:

- 5 dBA in residential areas where the existing ambient noise level is less than or equal to a CNEL of 65 dBA; or,
- 3 dBA in residential areas where the existing ambient noise level exceeds a CNEL of 65 dBA.

Roadway noise levels were calculated at roadways based on the FHWA Traffic Noise Prediction Model methodology. During operation, the proposed Project is expected to generate approximately 523 average daily trips with 44 trips during the AM peak hour and 56 trips during the PM peak hour. Roadway noise levels were calculated for the following scenarios:

- Existing Without Project: This scenario refers to existing year traffic noise conditions.
- Existing Plus Project: This scenario refers to existing year plus Project traffic noise conditions.

Table 4.13-5: Increase in Existing Noise Levels Due to Project Generated Vehicle Traffic (dBA CNEL) shows the change in existing roadway noise levels with the addition of Project operational trips. As shown in Table 4.13-5, the modeled existing traffic noise levels range between 58-78 dBA CNEL and the modeled Existing Plus Project traffic noise levels range between 59-78 dBA CNEL at the right-of-way of each study roadway segment. The Project is anticipated to increase noise levels between 0.01 to 1.46 dB along the modeled roadway segments. Therefore, the addition of Project trips is not expected to change noise levels in excess of the applicable threshold at any of the study roadway segments. Impacts would be less than significant.

Table 4.13-5: Increase in Existing Noise Levels Due to Project Generated Vehicle Traffic (dBA CNEL)

Roadway	Segment	Distance from roadway centerline to right-of-way (feet)[2]	Modeled Noise Levels (dBA CNEL)[1]				
			Existing Without Project at right-of-way	Existing Plus Project at right-of-way	Change in Noise Level	Exceeds Standards[3]	Increase of 3 dB or More?
Klingerman Street	West of Rosemead Blvd	30	58.00	59.46	1.46	Yes	No
Rush Street	West of Rosemead Blvd	40	67.82	67.94	0.12	Yes	No
	East of Rosemead Blvd	40	72.88	72.92	0.04	Yes	No
Rosemead Boulevard	North of Klingerman St	50	77.93	77.96	0.03	Yes	No
	South of Klingerman St	50	77.93	77.98	0.05	Yes	No
	North of Project North Dwy	50	77.96	78.02	0.06	Yes	No
	Project North Dwy to Project South Dwy	50	77.96	78.01	0.05	Yes	No
	South of Project South Dwy	50	77.96	78.00	0.04	Yes	No
	North of Rush St	50	77.91	77.95	0.04	Yes	No
	South of Rush St	50	78.15	78.16	0.01	Yes	No

(1) Exterior noise levels calculated 5 feet above pad elevation, perpendicular to the subject roadway.
(2) Roadway right-of-way (ROW) from the City of South El Monte General Plan Circulation Element, Figure C-1 Roadway Classifications (October 2000).
(3) Per the City of South El Monte exterior daytime noise level limits for one- or two-family residential zones of 55 dBA CNEL (see **Table 4.13-2**)
Source: Ganddini Group Inc., 2024.

Threshold (b) Would the Project generate excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact With Mitigation Incorporated.

On-Site Construction Vibration. Construction equipment can produce groundborne vibration depending on the equipment and construction methods employed. While vibration spreads through the ground and diminishes in strength with distance, buildings on nearby soil can be affected. This ranges from no perceptible effects at the lowest levels, low rumbling sounds, perceptible vibration at moderate levels, and slight damage at the highest levels. **Table 4.13-6: Construction Equipment Vibration Source Levels** summarizes vibratory levels for common construction equipment.

Table 4.13-6: Construction Equipment Vibration Source Levels

Equipment	Approximate PPV at 25 feet (in/sec)
Pile Driver (impact)	0.644
Pile Drive (sonic)	0.170
Clam shovel drop (slurry wall)	0.202
Hydromill (slurry wall)	0.008
Vibratory Roller	0.210
Hoe Ram	0.089
Large Bulldozer	0.089
Caisson Drilling	0.089
Loaded Truck	0.076
Jackhammer	0.035
Small Bulldozer	0.003
Source: Ganddini Group Inc., 2024.	

Groundborne vibration would be generated by a number of construction activities at the project site. Groundborne vibration levels associated with Project construction are provided in **Table 4.13-7: Construction Vibration Levels at the Nearest Receptors**. As shown in **Table 4.13-7**, the residential threshold of 0.3 PPV in/sec would not be exceeded at the residential uses to the south of the project site. However, the commercial/industrial threshold of 0.5 PPV in/sec has the potential to be exceeded at the commercial/industrial land uses to the east, north, and south of the project site.

Therefore, implementation of MM NOI-2 is required, which prohibits the use of vibratory rollers, or other similar vibratory equipment, within 15 feet and large bulldozers within eight feet of the adjacent commercial/industrial structures. With MM NOI-2 incorporated, the Project's construction-related vibration impacts would be less than significant.

Table 4.13-7: Construction Vibration Levels at the Nearest Receptors

Receptor Location	Distance from Property Line to Nearest Structure (feet)[1]	Equipment	Vibration Level[2]	Threshold Exceeded?[3]	Vibration Level with BMPs[2,4]	Threshold Exceeded with BMPs?[3]
Industrial to the east (2315 Chico Ave)	1	Vibratory Roller	26.250	Yes	0.452	No
	1	Large Bulldozer	11.125	Yes	0.492	No
Commercial to the north (2310 Rosemead Blvd)	1	Vibratory Roller	26.250	Yes	0.452	No
	1	Large Bulldozer	11.125	Yes	0.492	No
Commercial to the west (2207 Rosemead Blvd)	132	Vibratory Roller	0.017	No	-	-
	132	Large Bulldozer	0.007	No	-	-
Commercial to the south (2128 Rosemead Blvd)	1	Vibratory Roller	26.250	Yes	0.452	No
	1	Large Bulldozer	11.125	Yes	0.492	No
Residential to the south (residential/trailer park use adjacent to south of project site)	46	Vibratory Roller	0.084	No	-	-
	46	Large Bulldozer	0.036	No	-	-

(1) The industrial uses located to the east, north, and south of the project site have existing buildings located adjacent to the property lines of the proposed project site. For modeling purposes, a distance of one foot was utilized.
(2) Vibration levels are provided in PPV in/sec.
(3) Caltrans identifies the threshold at which there is a risk to "architectural" damage older residential structures as 0.3 in/sec PPV and 0.5 in/sec PPV at modern industrial/commercial buildings.
(4) Best Management Practices (BMPs) for architectural damage include prohibiting the use of vibratory rollers, or other similar vibratory equipment, within 15 feet and large bulldozers within 8 feet of commercial/industrial structures surrounding the project site. This BMP is listed as Mitigation Measure NOI-2 of this Initial Study.
Source: Ganddini Group Inc., 2024.

Operations

Once operational, the Project would not be a significant source of groundborne vibration. Groundborne vibration surrounding the site currently results from heavy-duty vehicular travel (e.g., refuse trucks, heavy-duty trucks, delivery trucks, and transit buses) on the nearby local roadways. Project operations would include periodic truck deliveries. Due to the rapid drop-off rate of groundborne vibration and the short duration of the associated events, vehicular traffic-induced groundborne vibration is rarely perceptible beyond the roadway right-of-way, and rarely results in vibration levels that cause damage to buildings in the vicinity. According to the FTA's Transit Noise and Vibration Impact Assessment, trucks rarely create vibration levels that exceed 70 VdB (equivalent to 0.012 inches per second PPV) when they are on roadways. Therefore, trucks operating at the project site or along surrounding roadways would not exceed FTA thresholds for building damage or annoyance. Impacts would be less than significant and no mitigation is required.

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

Less Than Significant Impact. The San Gabriel Valley Airport is located at 4233 Santa Anita Avenue in the City of El Monte and approximately two miles northeast of the project site. The El Monte Airport Master Plan Report (Master Plan) reviews the Airport development's current status, anticipated future use, and proposed future flight path. The Master Plan must be consistent with the Los Angeles County Airport Land Use Commission (ALUC) and Federal Aviation Administration (FAA) regulations. Airport Land Use Compatibility Plans (ALUCP) cover aviation activities of 15 Los Angeles County public-use airports, including the San Gabriel Valley Airport. The ALUCP depicts the Airport's boundaries and development restrictions. According to Master Plan Figure 7A, Noise Contours Year 1993, which is the latest noise contour map, the airport's 65 CNEL noise contour extends approximately 0.06-mile south of I-10 and approximately 0.80-mile south of the San Gabriel Valley Airport's southern boundary. This 65 CNEL boundary is approximately 1.45 miles northeast of the project site and noise levels at this distance would not extend to and impact operations at the project site. Therefore, although the Project is within two miles of a public airport, it would not expose people residing or working in the project area to excessive noise levels. Impacts would be less than significant and no mitigation is required.

Mitigation Program

Standard Conditions

SC N-1 All construction activities should be limited to the hours between the hours of 7:00 AM and 10:00 PM on weekdays, or any time on weekends or holidays per City of South El Monte Municipal Code Chapter 8.20.

SC N-2 The Applicant shall ensure through contract specifications that construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels. Contract specifications shall be included in construction documents, which shall be reviewed by the City prior to issuance of a grading or building permit (whichever is issued first). The construction BMPs shall include the following:

- All equipment, whether fixed or mobile, will be equipped with properly operating and maintained mufflers, consistent with manufacturer standards.
- All stationary construction equipment will be placed so that emitted noise is directed away from the noise-sensitive receptors nearest the project site.
- As applicable, all equipment shall be shut off and not left idle when not in use.
- To the degree possible, equipment staging will be located in areas that create the greatest distance between construction-related noise and vibration sources and existing sensitive receptors.
- Jackhammers, pneumatic equipment, and all other portable stationary noise sources will be directed away and shielded from existing residences in the vicinity of the project site. Either one-inch plywood or sound blankets can be utilized for this purpose. They should reach up from the ground and block the line of sight between equipment and existing residences. The shielding should be without holes and cracks.
- No amplified music and/or voice will be allowed on the project site.
- Haul truck deliveries will not occur outside the hours presented as exempt for construction per City of South El Monte Municipal Code Section 8.20.030(D).

Mitigation Measures

MM NOI-1 Prior to issuance of any demolition or grading permit, the City of South El Monte Public Works Department shall verify that the Project plans and specifications include provisions that either: (1) require the installation of a 10-foot-high concrete masonry wall along the southern property line of the project site; or (2) prohibit truck movement and loading and unloading between the hours of 10:00 PM and 7:00 AM.

MM NOI-2 Prior to issuance of any demolition or grading permit, the City of South El Monte Public Works Department shall verify that the Project plans and specifications include provisions prohibiting the use of vibratory rollers, or other similar vibratory equipment, within 15 feet – or large bulldozers within 8 feet - of the project site's north, south, and east boundary.

4.14 Population and Housing

Threshold (a) Would the Project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure?

Less Than Significant Impact. Project construction would temporarily increase construction employment in the near-term and during future construction periods. While the size of the construction force would vary during the different phases of construction, workforce demand likely would be met with the existing and anticipated labor market in the City and surrounding region. As such, Project construction would not require a substantial number of workers to relocate from outside the region, and the Project would not induce substantial unplanned population growth in connection with construction activities. As proposed, the Project would construct an approximately 156,877-sf concrete tilt-up warehouse with 113,703 sf of warehouse space, 7,879 sf of retail use, 20,305 sf of accessory warehouse office use, and 14,990 sf of warehouse storage. No residential uses would be proposed as part of the Project's development. Further, given the Project's scale and nature, it is assumed that employment associated with the proposed uses would not induce substantial direct population growth. It is assumed the new jobs could be filled by local residents who already reside in the City. Additionally, the Project does not include the extension of roads or other infrastructure to unserved areas, which could induce indirect growth. Therefore, a less than significant impact would occur and no mitigation is required.

Threshold (b) Would the Project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. The project site is currently vacant. There are no habitable structures on the site and there are currently no plans for future residential development. As a result, the Project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. No impact would occur and no mitigation is required.

Mitigation Program

Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are applicable.

4.15 Public Services

Threshold (a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?

Less Than Significant Impact. Fire protection for the project site is provided by the Los Angeles County Fire Department (LACFD). The closest fire station to the site is Station 90, located at 10115 East Rush Street, approximately one mile southeast of the project site with a response time of approximately 3 minutes, which meets the response time goals of the Department.[42] Construction and operation of the proposed Project would increase the number of structures and employees in the Project area; however, as previously addressed in Response 4.14a, the Project would not directly or indirectly induce unplanned population growth in the City. Further, because the project site is currently served by fire protection services and is located in an urban setting where fire protection services and equipment/infrastructure are already in place, the Project does not propose and would not require new or physically altered fire protection facilities to maintain service objectives. Therefore, the Project would not result in adverse physical impacts associated with the construction of fire protection facilities.

As part of the development review process, the LACFD Fire Prevention Division would review the proposed project site plan and determine if access and water system requirements, which would enhance the proposed development's fire protection, are adequate. Further, the Project would be required to comply with standard LACFD conditions of approval. Specifically, the LACFD review addresses fire and life safety requirements for project construction at the fire plan check stage. This includes a review of the design details of the architectural, structural, mechanical, plumbing, and electrical systems. The Project would be required to comply with applicable City, County, and State code requirements for fire protection and be subject to pay any applicable fees. Municipal Code Chapter 15.14 adopts the Los Angeles County Fire Code by reference. Implementation of all Fire Code requirements would further reduce potential impacts concerning fire protection services. Therefore, impacts are less than significant and no mitigation is required.

Threshold (b) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?

Less Than Significant Impact. The project site is within the service area of the Los Angeles County Sheriff's Department's (LASD) Temple Station, located at 8838 Las Tunas Drive in Temple City, approximately 3.6 miles north of the project site. Construction and operation of the proposed Project would increase the number of structures and employees in the area; however, as previously addressed in Response 4.14a, the Project would not directly or indirectly induce unplanned population growth in the City. Further, because the project site is currently served by police protection services and is located in an urban setting where police protection services and equipment/infrastructure are already in place, the Project does not propose and would not require new or physically altered police protection facilities to maintain service

[42] County of Los Angeles Fire Department, Ronald Durbin, Forestry Division, letter dated May 25, 2023.

objectives. Therefore, the Project would not result in adverse physical impacts associated with the construction of police protection facilities.

The proposed Project would adhere to all California Building Code regulations. The City has incorporated the Los Angeles County Building Code standards under Municipal Code Section 15.02.010. Emergency access requirements would minimize site safety hazards and potential construction-related impacts to police services. Compliance with California Building Code requirements related to site security and building, and site safety design recommendations would ensure adequate police protection services can be provided to the project site. As a result, the proposed Project would not adversely impact service ratios or response times or require new or altered facilities. Additionally, as part of the development review process, the LASD would review the Project concerning emergency access and site/facility security requirements and recommendations. LASD would review Project plans to ensure compliance with applicable City regulations to ensure adequate site signage, lighting, and other crime safety preventative measures are implemented. The LASD review would ensure the development would conform to LASD emergency access requirements thereby reducing demands on law enforcement services. Additionally, the Project would be required to comply with applicable City, County, and State code requirements for police protection and be subject to pay any applicable fees. Therefore, the Project's impact on police protection services would be less than significant and no mitigation is required.

Threshold (c) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools?

Less Than Significant Impact. The project site is within the service area of the El Monte City School District (K-8) and the El Monte Union High School District (9-12). The Project proposes the construction of a warehouse with commercial uses and does not include any residential development. The proposed Project's employees would predominately come from the existing workforce in the City and would therefore not contribute to a significant population increase and associated student population influx to any specific school in the El Monte City School District or El Monte Union High School District service area. School funding comes predominantly from federal, State, and local contributions, including business and personal income taxes, sales tax, and property tax. However, the Project would be required to comply with SB 50 requirements, which allow school districts to collect impact fees from developers of new residential and nonresidential projects.

As stated in Government Code Section 65995(h), "The payment or satisfaction of a fee, charge, or other requirement levied or imposed …are hereby deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization …on the provision of adequate school facilities." Payment of these fees would offset impacts from increased demand for school services associated with development of the proposed Project by providing an adequate financial base to construct and equip new and existing schools. Overall, the Project would not contribute to a significant student population increase and payment of impact fees would ensure that impacts are offset and remain less than significant.

Threshold (d) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks?

Less Than Significant Impact. Refer to **Section 4.16: Recreation**.

Threshold (e) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities: libraries?

Less Than Significant Impact. The Los Angeles County Library system provides library services to over 3.4 million residents living in unincorporated areas and to residents of 49 of the 88 incorporated cities of Los Angeles County, inclusive of the City of South El Monte. The nearest library to the project site is the South El Monte Library, located at 1430 North Central Avenue, approximately 1.2 miles southeast of the project site. The proposed Project would not result in substantial permanent population growth and would not incrementally increase the demand for library services in the area. The threshold for determining impacts pursuant to CEQA is based upon whether a project would result in substantial adverse physical impacts associated with the provision or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios or other performance objectives. The impacts to the overall per capita availability of books, media, computers, and library public service space would not create significant physical or environmental impacts. Therefore, project-related impacts to library facilities would be less than significant and no mitigation is required.

Mitigation Program

Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are applicable.

4.16 Recreation

Threshold (a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Threshold (b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?

Less Than Significant Impact. The City operates three parks, three community centers, and an aquatic center. The nearest City park facility is Mary Van Dyke Park located at 1819 Central Avenue, approximately 1.7 miles southeast of the project site. The Project proposes a warehouse building with commercial retail uses. The Project is not a residential development that would generate a permanent increase of residents in the area leading to a demand for park services. Therefore, the proposed Project would not result in substantial physical deterioration of existing parks and recreational facilities and no new recreational facilities would be required. Impacts would be less than significant and no mitigation is required.

Mitigation Program

Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are applicable.

4.17 Transportation

The transportation analysis in this section is based on information included in the following reports:

- *Rosemead and Rush Industrial Project Transportation Impact Analysis*, Ganddini Group Inc., April 28, 2023; see **Appendix F**.
- *Rosemead and Rush Industrial Project Memorandum – Updated Plan Set and Transportation, Noise, and Air Quality/Greenhouse Gas/Energy Impact Studies*, Ganddini Group Inc., August 15, 2024; see **Appendix A.**[43]

Threshold (a) Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact. Please refer to **Table 4.11-1**, which evaluates the Project's consistency with the General Plan and concludes that the Project would not conflict with applicable Land Use Element and Circulation Element policies. Transit, roadway, bicycle, and pedestrian facilities are discussed further below.

Transit. As discussed in **Section 2.0: Project Description**, public transit service in the area is provided by LA Metro's network of regional and local bus transit options. Specifically, LA Metro Routes 266 and 287 serve the project site via two bus stops on both the east and west sides of Rosemead Boulevard approximately 400 feet north of the project site. The El Monte Station/San Bernardino Freeway Busway is located at 3501 Santa Anita Avenue to the north of the City, which provides a variety of public transit options and connections to most major destinations in the Los Angeles area. From the busway, riders can board Metrolink trains, other local transit lines, carpools, and vanpools. Proximity to transit opportunities would allow convenient access to future customers and employees of the proposed Project. Project construction and operation would not impact transit facilities. Therefore, the Project would not conflict with a program, plan, ordinance, or policy concerning transit facilities, and a less than significant impact would occur.

Roadways. Vehicular access to the project site would be provided via two driveways on Rosemead Boulevard. All roadway and driveway improvements would be constructed pursuant to LACFD requirements. There are no proposed off-site roadway improvements. Therefore, the Project would not conflict with a program, plan, ordinance, or policy concerning roadway facilities, and a less than significant impact would occur.

Bicycle Facilities. There are no bicycle facilities adjacent to the project site. The General Plan Circulation Element Bikeway Master Plan (Figure C-4) identifies existing and proposed bicycle facilities within the City. According to the General Plan Circulation Element, no bicycle facilities are proposed adjacent to the project site. Bike racks would be provided on the site. Therefore, the Project would not conflict with a program, plan, ordinance, or policy concerning bicycle facilities, and a less than significant impact would occur.

Pedestrian Facilities. A sidewalk is located adjacent to the project site along Rosemead Boulevard. The Project would not remove existing sidewalks or significantly impact pedestrian access or facilities.

[43] After preparation of the technical study, minor modifications to the plan set dated August 8, 2024 has resulted in a net reduction of square feet compared to the assumptions for the February 2024 study. These changes do not change the findings of the study as summarized in this Initial Study.

Therefore, the Project would not conflict with a program, plan, ordinance, or policy concerning pedestrian facilities, and a less than significant impact would occur.

The Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. The Project would result in a less than significant impact and no mitigation is required.

Threshold (b) Would the Project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?

Less Than Significant Impact With Mitigation Incorporated. SB 743, approved in 2013, required the Governor's Office of Planning and Research (OPR) to establish recommendations for identifying and mitigating transportation impacts within the CEQA framework. Generally, SB 743 moves away from using delay-based level of service (LOS) as the primary metric for identifying a project's significant impact to instead using vehicle miles traveled (VMT). On January 20, 2016, OPR released revisions to its proposed CEQA Guidelines for the implementation of SB 743, and the final review and rulemaking for the new guidelines were completed in December 2018. OPR allowed lead agencies an opt-in period to adopt VMT guidelines before the mandatory adoption date of July 1, 2020. These revisions to the CEQA Guidelines criteria for determining the significance of transportation impacts are primarily focused on projects within transit priority areas and shifts the focus from driver delay to reduction of GHG emissions, creation of multimodal networks, and promotion of a mix of land uses. VMT is a measure of the total number of miles driven to or from a development and is sometimes expressed as an average per trip or per person.

State CEQA Guidelines Section 15064.3(b)(1) provides that "VMT traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within 0.5 mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact."

The Project's VMT assessment was prepared using the San Gabriel Valley Council of Governments (SGVCOG) VMT Evaluation Tool based on screening criteria and thresholds adopted by the City. Because the proposed land use is predominantly industrial, VMT was calculated for home-based work VMT per employee. As established in the City's Transportation Study Guidelines, a project would result in a significant impact if the project's VMT exceeds 15 percent below the baseline SGVCOG average value of 18.62 VMT per worker, resulting in a threshold of 15.83 VMT per worker. The Project is anticipated to generate 16.4 VMT per worker, which exceeds the City-established threshold of 15.83 VMT per worker. Therefore, MM TRANS-1, which requires the implementation of a Commute Trip Reduction Marketing/Education Program, is required to reduce the Project's VMT impact to a less than significant level (i.e., 15.80 VMT per worker).

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

Less Than Significant Impact. Project construction may require temporary lane closures for utility hookups and loading of large equipment. However, no full lane closures are anticipated, and any closures would

be temporary and done in coordination with the City. Project construction activities would not increase hazards due to a geometric design feature or incompatible use.

Access to the project site would be provided from two 28-foot driveways along Rosemead Boulevard (see **Figure 6: Site Plan**). Driveway engineering would comply with the City's engineering standards to maintain an adequate line of sight, thereby reducing vehicle and pedestrian conflicts and hazards. Additionally, internal drive aisles would accommodate standard fire lane turning radiuses and hammerhead turnaround maneuvers would be designed for emergency vehicles and fire services. Project driveway and internal circulation improvements would be constructed according to City and LACFD standards. The Project proposes an industrial and commercial development within a portion of the City that is predominately urban development. The Project does not include the use of any incompatible vehicles or equipment on the site, such as farm equipment. Project operations would not include sharp curves or dangerous intersections, or introduce incompatible uses. Therefore, impacts are less than significant and no mitigation is required.

Threshold (d) Would the Project result in inadequate emergency access?

Less Than Significant Impact. Rosemead Boulevard provides direct access to the project site and would serve as a primary evacuation and emergency access route within the area. No changes to the existing roadway network would occur. The Project would not require the complete closure of any public or private streets or roadways during construction. Temporary construction activities would not impede use of the road for emergencies or access for emergency response vehicles. Additionally, all construction staging would occur within the project site's boundaries and would not interfere with circulation along Rosemead Boulevard. Therefore, the Project would not result in inadequate emergency access. No impact would occur and no mitigation is required.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

MM TRANS-1 Prior to the issuance of the first occupancy permit, the Applicant shall submit to the City of South El Monte Public Works Department a transportation demand management (TDM) program the purpose of which is to reduce VMT and vehicular trips to the project site and project area. The TDM program shall be implemented with the occupancy of the Project. The TDM program shall include the following strategy:

- **[T-5] Implement Commute Trip Reduction Program:** Implement a voluntary commute trip reduction (CTR) program to discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions. The voluntary CTR program must include the following elements:
  - Employer-provided services, infrastructure, and incentives for alternative modes such as ridesharing, discounted transit, bicycling, vanpool, and guaranteed ride homes.

- Information, coordination, and marketing for said services, infrastructure, and incentives.

4.18 Tribal Cultural Resources

Threshold a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or

No Impact. As discussed in Response 4.5a, the project site does not contain any features meeting the historic resources criteria and does not meet the definition of a historic resource pursuant to CEQA. Therefore, Project implementation would not result in any substantial adverse change in a tribal cultural resource defined pursuant to PRC Section 5020.1(k). No impact would occur.

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less Than Significant Impact With Mitigation Incorporated. Chapter 532 Statutes of 2014 (i.e., AB 52) requires that lead agencies evaluate a project's potential impact on "tribal cultural resources." Such resources include "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources." AB 52 also gives lead agencies the discretion to determine, based on substantial evidence, whether a resource qualifies as a "tribal cultural resource."

In compliance with PRC Section 21080.3.1(b), the City has provided formal notification to California Native American tribal representatives identified by the California Native American Heritage Commission. Native American groups may have knowledge about cultural resources in the area and may have concerns about the adverse effects of development on tribal cultural resources as defined in PRC Section 21074. On May 2, 2023, the City contacted the tribal representatives noted below.

- Anthony Morales, Gabrieleño/Tongva San Gabriel Band of Mission Indians
- Sandonne Goad, Gabrieleño/Tongva
- Charles Alvarez, Gabrieleño -Tongva Tribe
- Robert Dorame, Gabrieleño Tongva Indians of California Tribal Council
- Andrew Salas, Gabrieleño Band of Mission Indians-Kizh Nation
- Lovina Redner, Santa Rosa Band of Cahuilla Indians
- Scott Cozart, Soboba Band of Luiseno Indians

As of the release date of the Initial Study, the City received one request for consultation from Chairman Andrew Salas of the Gabrieleño Band of Mission Indians-Kizh Nation; consultation occurred on June 2,

2023. MM TCR-1, TCR-2, and TCR-3 have been identified to mitigate potential impacts to tribal cultural resources. Following compliance with MM TCR-1, impacts would be less than significant.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

MM TCR-1 Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.

A. The Applicant shall retain a Native American monitor from (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation (the "Kizh" or the "Tribe") - the direct lineal descendants of the project location. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project, at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

B. A copy of the executed monitoring agreement shall be provided to the City of South El Monte prior to the earlier of the commencement of any ground-disturbing activity for the project, or the issuance of any permit necessary to commence a ground-disturbing activity.

C. The Applicant shall provide the Tribe with a minimum of 30 days advance written notice of the commencement of any project ground-disturbing activity so that the Tribe has sufficient time to secure and schedule a monitor for the project.

D. The Applicant shall hold at least one pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where at a senior member of the Tribe will inform and educate the project's construction and managerial crew and staff members (including any project subcontractors and consultants) about the tribal cultural resources ("TCR") mitigation measures and compliance obligations, as well as places of significance located on the project site (if any), the appearance of potential TCRs, and other informational and operational guidance to aid in the project's compliance with the TCR mitigation measures.

E. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc. (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the City upon written request.

F. Native American monitoring for the project shall conclude upon the latter of the following: (1) written confirmation from a designated project point of contact to the Tribe that all ground-disturbing activities and all phases that may involve ground-disturbing activities on the project site and at any off-site project location are complete; or (2) written notice by the Tribe to the Applicant and City that no future, planned construction activity and/or development/construction phase (known by the Tribe at that time) at the project site and at any off-site project location possesses the potential to impact TCRs.

MM TCR-2 Discovery of TCRs, Human Remains, and/or Grave Goods

A. Upon the discovery of a TCR, all construction activities in the immediate vicinity of the discovery (i.e., not less than the surrounding 50 feet) shall cease. The Tribe shall be immediately informed of the discovery, and a Kizh monitor and/or Kizh archaeologist will promptly report to the location of the discovery to evaluate the TCR and advise the project manager regarding the matter, protocol, and any mitigating requirements. No project construction activities shall resume in the surrounding 50 feet of the discovered TCR unless and until the Tribe has completed its assessment/evaluation/recovery of the discovered TCR and surveyed the surrounding area.

B. The Tribe will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate in its sole discretion, and for any purpose the Tribe deems appropriate, including but not limited to, educational, cultural and/or historic purposes.

C. If Native American human remains and/or grave goods are discovered or recognized on the project site or at any off-site project location, then all construction activities shall immediately cease. Native American "human remains" are defined to include "an inhumation or cremation, and in any state of decomposition or skeletal completeness." (Public Resources Code [PRC] §5097.98 (d)(1).) Funerary objects, referred to as "associated grave goods," shall be treated in the same manner and with the same dignity and respect as human remains. (PRC §5097.98 (a), d)(1) and (2)).

D. Any discoveries of human skeletal material or human remains shall be immediately reported to the County Coroner (Health & Safety Code §7050.5(c); 14 Cal. Code Regs. §15064.5(e)(1)(B)), and all ground-disturbing project ground-disturbing activities on site and in any other area where the presence of human remains and/or grave goods are suspected to be present, shall immediately halt and remain halted until the coroner has determined the nature of the remains. (14 Cal. Code Regs. §15064.5(e).) If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.

E. Thereafter, construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or grave goods, if the Tribe determines in its sole discretion that resuming construction activities at that

distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Tribal monitor and/or archaeologist deems necessary). (14 Cal. Code Regs. §15064.5(f).)

F. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or grave goods.

G. Any historic archaeological material that is not Native American in origin (non-TCRs) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

H. Any discovery of human remains and/or grave goods discovered and/or recovered shall be kept confidential to prevent further disturbance.

MM TCR-3 Procedures for Burials, Funerary Remains, and Grave Goods

A. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented for all discovered Native American human remains and/or grave goods. Tribal Traditions include, but are not limited to, the preparation of the soil for burial, the burial of funerary objects and/or the deceased, and the ceremonial burning of human remains.

B. If the discovery of human remains includes four (4) or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.

C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated "grave goods" (aka, burial goods or funerary objects) are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, as well as other items made exclusively for burial purposes or to contain human remains. Cremations will either be removed in bulk or by means necessary to ensure complete recovery of all sacred materials.

D. In the case where discovered human remains cannot be fully recovered (and documented) on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to divert the project while keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.

E. In the event preservation in place is not possible despite good faith efforts by the Applicant and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or

ceremonial objects. The site of reburial/repatriation shall be agreed upon by the Tribe and the landowner, and shall be protected in perpetuity.

F. Each occurrence of human remains and associated grave goods will be stored using opaque cloth bags. All human remains, grave goods, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items will be retained and shall be reburied within six months of recovery.

G. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

4.19 Utilities and Service Systems

Threshold (a) Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electrical power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impact With Mitigation Incorporated.

Water Facilities

Water demand for construction of the Project would be required for dust control, cleaning of equipment, excavation/export, removal and re-compaction, etc. During construction, the contractor would bring their own portable bathroom and wash stations which would have their own self-contained water source and wastewater storage. These facilities would not connect to the adjacent sewer or water infrastructure for those uses. The temporary water usage is far less than the proposed water demand and therefore poses no significant impact.

The Project would require the construction of new on-site water facilities, as well as limited connections to existing off-site/adjacent infrastructure. Although the Project would require relocation or construction of new on-site water facilities, these improvements would be limited to connections to existing facilities near the project site, the construction of which would not cause significant environmental effects.

SGVWC would supply water to the project site via the existing public six-inch water main in Rosemead Boulevard. The Project would connect to the existing six-inch water line in Rosemead Boulevard for potable water service for the Project and the existing 10-inch water line in Rush Street for fire protection. The existing water main in Rosemead Boulevard and Rush Street would not need to be upsized to accommodate the Project. The Project would be subject to all pertinent local, regional, and State-level regulations concerning any new connections, laterals, or trenching.

The Project would require the construction of new on-site water facilities, as well as limited connections to existing off-site/adjacent infrastructure. As such, the Project would result in the construction of water facilities, which could cause significant environmental effects. Although the Project would require relocation or construction of new on-site water facilities, these improvements would be limited to connections to existing facilities near the project site; their construction would not cause significant environmental effects. Further, the environmental effects associated with the construction of the proposed water facility improvements are discussed as part of the overall environmental analyses in **Sections 4.1** through **4.21**. As concluded in these sections, the Project's environmental effects would be reduced to less than significant through compliance with the established regulatory framework and mitigation. Therefore, with mitigation incorporated, the Project would result in less than significant environmental effects associated with the construction of the proposed water facilities.

Wastewater Conveyance Facilities

Wastewater generated in the City is collected by the City's local sewer collection system that connects with the Los Angeles County Sanitation Districts (LACSD) regional trunk sewers and is treated at the Whittier Narrows Water Reclamation Plant (WRP) at 301 N. Rosemead Boulevard in the City of El Monte or the Los Coyotes WRP located in the City of Cerritos. The Whittier Narrows WRP has a design capacity of 15 million gallons per day (mgd) and an average recycled flow of 8.3 mgd. The Los Coyotes WRP has a

capacity of 37.5 mgd and currently processes an average recycled flow of 17.5 mgd.[44] The Project is estimated to generate approximately 10,095 gpd of wastewater, including warehouse, retail, and office space.[45] As such, sufficient capacity exists at the existing WRPs to serve the Project's wastewater treatment demand in addition to the provider's existing commitments. Sewer lines would not need to be upsized to accommodate the Project. The Project would be subject to compliance with all pertinent local, regional, and State-level regulations concerning new connections, laterals, or trenching, and the payment of fees to the LACSD.

The Project would require the construction of new on-site wastewater conveyance facilities (i.e., pipes), as well as limited connections to existing off-site/adjacent infrastructure. Although the Project would require relocation or construction of new on-site wastewater conveyance facilities, these improvements would be limited to connections to existing LACSD facilities near the project site; their construction or relocation would not cause significant environmental effects. Further, the environmental effects associated with the construction of the proposed wastewater improvements are discussed as part of the overall environmental analyses in **Sections 4.1** through **4.21**. As concluded in these sections, the Project's environmental effects would be reduced to less than significant through compliance with the established regulatory framework and mitigation. Therefore, with mitigation incorporated, the Project would result in less than significant environmental effects associated with the construction of the proposed wastewater facilities.

Wastewater Treatment Facilities

As concluded above, adequate capacity exists to serve the Project's wastewater treatment demand in addition to the provider's existing commitments. Therefore, the Project would not result in the construction of wastewater treatment facilities, which could cause significant environmental effects. A less than significant impact would occur and no mitigation is required.

Storm Water Drainage Facilities

The proposed drainage pattern is similar to the existing condition, except the proposed site would incorporate source control measures to reduce potential off-site impacts. Site runoff would be directed to an on-site infiltration system before entering existing storm drains in Rosemead Boulevard. Additionally, the Project would implement source control measures including storm drain messaging and signage, outdoor trash storage/waste handling areas, outdoor loading/unloading dock areas, and efficient landscape irrigation to reduce pollutant sources in storm water runoff. Under the post-development condition, through the addition of permeable landscape areas, the site would be 96 percent impervious and 4 percent pervious. The proposed drainage system would connect to existing storm drainage facilities and Project implementation would not require the construction of new storm drainage facilities. Impacts would be less than significant and no mitigation is required.

Electric/Natural Gas/Telecommunication Facilities

There are existing electrical, natural gas, and telecommunication facilities in surrounding roadways. Project implementation would connect to existing infrastructure and would not require the construction of new facilities beyond point of connections. No new facilities or relocation of existing utility infrastructure would be required; therefore, no impact would occur.

[44] Los Angeles County Sanitation Districts, Donna Curry, letter dated April 4, 2023.
[45] Ibid.

Threshold (b) Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. SGVWC's Final 2020 Urban Water Management Plan (UWMP) water demand forecasts are based on adopted general plans. Therefore, because the Project is consistent with the existing General Plan land use designation, its estimated water usage was accounted for in the UWMP. Therefore, because SGVWC's Final 2020 UWMP states it would have sufficient water supplies to meet proposed growth for normal, single-dry, and during a five consecutive year drought period, SGVWC would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. A less than significant impact would occur and no mitigation is required.

Threshold (c) Would the Project result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the project's Projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. As discuss above under Response 4.19a, the WRP has adequate capacity to serve the Project's estimated wastewater treatment demand in addition to the provider's existing commitments. A less than significant impact would occur and no mitigation is required.

Threshold (d) Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Threshold (e) Would the Project comply with federal, State, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. The City's Environmental Services Division addresses all matters related to solid waste collection, hazardous waste, and recycling programs provided to the residents and businesses of the City. The City contracts with Athens Services for residential trash collection. Athens Services is responsible for collection, materials recovery facility (MRF) processing, recycling, and disposal of non-recyclable solid waste. The Athens MRF is in the City of Industry. Solid waste not diverted for recycling at the MRF are disposed of at landfills within the greater Southern California region, specifically in San Bernardino County.[46]

The Project proposes to remove the existing concrete building pads and construct/operate a 156,877 SF warehouse and retail development. State law requires a 65 percent diversion rate for Construction and Demolition (C&D) projects. Municipal Code Chapter 3.12, Solid Waste Handling and Recycling Services, addresses solid waste disposal, including requirements for C&D projects. In accordance with Municipal Code Section 13.12.730, Recycling Plan, prior to receiving a permit from the City for construction or demolition, the contractor shall develop and submit a plan to recycle and salvage the projected C&D debris to the greatest extent feasible. **Table 4.19-1: Estimated Project Solid Waste Generation** shows the proposed Project's approximate solid waste generation using CalRecycle's estimated solid waste by land

[46] City of South El Monte, *Proposed Third Amendment to Solid Waste Collection Agreement with Athens Waste*, Available at: https://www.cityofsouthelmonte.org/DocumentCenter/View/2470/Staff-Report-sept-142021-PDF, Accessed March 23, 2021.

use.[47] As shown in **Table 4.19-1**, the proposed Project would generate 789 pounds of solid waste per year or 0.39 tons per year.

Table 4.19-1: Estimated Project Solid Waste Generation

Land Use	Generation Rate	Project Square Feet (sf)	Solid Waste Generation (lbs/yr)
Warehouse/Warehouse Storage	5 lbs/ksf/day	128,515 sf	643
Retail	2.5 lbs/ksf/day	7,879 sf	20
Warehouse Office	6 lbs/ksf/day	20,305 sf	122
		Total	**785**

ksf = 1,000 square feet; lbs = pounds; sf = square feet
Source: CalRecycle. (2019). Estimated Solid Waste Generation Rates. Available at https://www2.calrecycle.ca.gov/wastecharacterization/general/rates.

Project implementation would increase solid waste disposal demands over existing conditions. Solid waste within the City is primarily disposed of at the Mid-Valley Sanitary Landfill located at 2390 Alder Avenue in the City of Rialto. In 2019, approximately 90 percent of solid waste from South El Monte was disposed of at the Mid-Valley Sanitary Landfill and 20 percent was disposed of at the San Timoteo Sanitary Landfill. Mid-Valley Sanitary Landfill has a maximum permitted throughput of 7,500 tons per day. The facility's maximum capacity is 101,300,000 cubic yards and has a remaining capacity of 54,219,377 cubic yards.[48] Therefore, the 0.001 tons per day of solid waste generated from the Project could be accommodated at the Mid-Valley Sanitary Landfill or a combination of the disposal facilities currently receiving solid waste from the City. Therefore, the Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Impacts would be less than significant, and no mitigation is required.

Mitigation Program

Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are applicable.

[47] CalRecycle, Estimated Solid Waste Generation Rates, Available at: https://www2.calrecycle.ca.gov/wastecharacterization/general/rates, Accessed July 30, 2024.

[48] CalRecycle, SWIS Facility/Site Activity Details, Mid-Valley Sanitary Landfill (36-AA-0055), https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1880?siteID=2662, Accessed July 30, 2024.

4.20 Wildfire

Threshold (a) **If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?**

Threshold (b) **If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

Threshold (c) **If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

Threshold (d) **If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

No Impact. The project site is in a highly urbanized area and is not classified as Very High Fire Hazard Severity Zone (VHFHSZ).[49] The Project is a warehouse and retail development that would tie into existing infrastructure and would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities. The project site and surrounding vicinity are relatively flat. There are no known landslides near the site nor is the site in the path of any known or potential landslides. Therefore, the Project would result in no impact concerning wildfire.

Mitigation Program

Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are applicable.

[49] CALFire. (2024). *Fire Hazard Severity Zones in State Responsibility Area.* Retrieved from https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones, Accessed July 30, 2024.

4.21 Mandatory Findings of Significance

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

Less than Significant Impact. On the basis of the foregoing analysis, the Project does not have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten or eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The project site is bordered by existing development in an urbanized area of the City of South El Monte. The proposed Project is consistent with the General Plan and Municipal Code. Therefore, the Project would not have a significant impact on any sensitive, rare, or endangered plant/wildlife community.

Threshold (b) Does the Project have possible environmental effects which are individually limited, but cumulatively considerable?

Less Than Significant Impact. The Project does not have impacts that are individually limited, but cumulatively considerable. Incremental impacts resulting from development and operation of the proposed Project and other cumulative projects that would be under construction include air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, and tribal cultural resources. The analysis concluded that these incremental impacts are each less than significant or can be mitigated to a less than significant level. When viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects, these impacts are not cumulatively considerable. No cumulative impacts are anticipated in connection with this or other projects. The Project complies with long-term regional air quality plans, and regional population forecasts, and is within the service capabilities of utility purveyors. No significant adverse environmental impacts have been identified. The analysis contained in this Initial Study evaluated existing conditions, potential impacts associated with Project development, and possible environmental cumulative impacts. The Project does not have any impact on projected growth or planned projects for the City of South El Monte or neighboring jurisdictions known as of the date of this analysis.

Threshold (c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant Impact. There are no known substantial adverse effects on human beings that would be directly or indirectly caused by the proposed Project. The environmental evaluation has concluded that no significant environmental impacts would result from the Project.

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APPENDIX A

AIR QUALITY, GLOBAL CLIMATE CHANGE, HRA, AND ENERGY IMPACT ANALYSIS

APPENDIX B

GEOTECHNICAL INVESTIGATION

APPENDIX C

HAZARDOUS MATERIALS REPORTS

APPENDIX D

HYDROLOGY STUDIES

APPENDIX E

NOISE IMPACT ANALYSIS

APPENDIX F

TRAFFIC IMPACT ASSESSMENT

2222 ROSEMEAD BOULEVARD WAREHOUSE DEVELOPMENT PROJECT

MITIGATION MONITORING AND REPORTING PROGRAM

Prepared for	City of South El Monte 1415 Santa Anita Avenue South El Monte, California 91733
Prepared by	Kimley-Horn and Associates, Inc. 1100 W Town and Country Road, Suite 700 Orange, California 92868

Date: November 2024

PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that all public agencies establish monitoring and/or reporting procedures for mitigation adopted as conditions of approval in order to mitigate or avoid significant environmental impacts. This Mitigation Monitoring and Reporting Program (MMRP) has been developed to provide a vehicle by which to monitor standard conditions (SCs) and mitigation measures (MMs) identified in the 2222 Rosemead Boulevard Warehouse Development Project (Project) Initial Study/Mitigated Negative Declaration (IS/MND). This MMRP has been prepared in conformance with Public Resources Code Section 21081.6. Specifically, Public Resources Code Section 21081.6 states:

> (a) When making findings required by paragraph (1) of subdivision (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:
>
> (1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program.
>
> (2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.
>
> (b) A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or incase of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.
>
> (c) Prior to the close of the public review period for a draft environmental impact report or mitigated negative declaration, a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit the authority of the responsible agency or an agency having jurisdiction over natural

> resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

State CEQA Guidelines Section 15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during Project implementation. The City of South El Monte (City) is the Lead Agency for the Project and is therefore responsible for ensuring the implementation of the MMRP. The MMRP has been drafted as a fully enforceable monitoring program to meet Public Resources Code Section 21081.6 requirements.

The MMRP is comprised includes measures to implement and monitor the Mitigation Program. The MMRP defines the following for each MM:

- **Definition of Mitigation.** The MM contains the criteria for mitigation, either in the form of adherence to certain adopted regulations or identification of the steps to be taken in mitigation.
- **Responsible Party or Designated Representative.** Unless otherwise indicated, an applicant would be the responsible party for implementing the mitigation, and the City or its designated representative is responsible for monitoring the performance and implementation of the mitigation measures. To guarantee that the mitigation will not be inadvertently overlooked, a supervising public official acting as the designated representative is the official who grants the permit or authorization called for in the performance. Where more than one official is identified, permits or authorization from all officials shall be required.
- **Time Frame.** In each case, a time frame is provided for the performance of the mitigation or the review of evidence that mitigation has taken place. The performance points selected are designed to ensure that impact-related components of project implementation do not proceed without establishing that the mitigation is implemented or ensured. All activities are subject to the approval of all required permits from agencies with permitting authority over the specific activity.

The MM numbering system in the table corresponds with the MM numbering system in the IS/MND. The MMRP table's last column will be used by the parties responsible for documenting when MM implementation has been completed. The ongoing documentation and monitoring of mitigation compliance will be completed by the City. The completed MMRP and supplemental documents will be kept on file at the Community Development Department, Planning Division.

2222 ROSEMEAD BOULEVARD WAREHOUSE DEVELOPMENT PROJECT
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
Cultural Resources					
MM CUL-1: Prior to the issuance of the first grading permit or permit for ground disturbance activities, the Applicant shall provide evidence to the City of South El Monte that a qualified archaeologist has been retained. The selection of the qualified archaeologist shall be subject to approval by the City. The archaeologist shall train project construction workers on the types of archaeological resources that could be found in site soils.	Prior to first Grading Permit Issuance or permit for ground disturbance activities	Verify Retention of a Qualified Professional	Community Development Department, Planning Division; Building & Safety Division		
The archaeologist shall periodically monitor ground-disturbing activities. If cultural resources are inadvertently unearthed during excavation and grading activities of any future development project, the contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery (the distance shall be determined by the archaeologist) and the archaeologist shall be contacted to evaluate the significance of the find. Work can continue beyond the find. For finds that are not significant, work may resume immediately after the find is documented and removed at the direction of the archaeologist. If a find is significant, a mitigation plan shall be developed and approved by the City of South El Monte Planning Manager and all required mitigation completed prior to ground disturbance activity continuing within the established buffer radius.	During excavation and grading activities	If cultural resources are unearthed, evaluate significance of findings If a find is significant, a mitigation plan is required	Qualified Archaeologist		
Geology and Soils					
MM GEO-1: Prior to the issuance of grading permits, the City of South El Monte Building and Safety Division shall review all Project plans for grading, foundation, structural, infrastructure, and all other relevant construction permits to ensure compliance with the applicable recommendations from the Geotechnical Investigation.	Prior to Grading Permit issuance	Verify compliance on project plans	Community Development Department, Building & Safety Division		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
MM GEO-2: Prior to the issuance of the first grading permit for ground-disturbing activities, the Applicant shall provide evidence to the City of South El Monte Building and Safety Division that a qualified paleontologist has been retained. The selection of the qualified paleontologist shall be subject to the acceptance of the City. If paleontological resources are encountered, the contractor shall immediately cease all earth-moving activities within a 100-foot radius of the area of discovery. The qualified paleontologist shall be contacted to evaluate the significance of the finding and determine an appropriate course of action. If avoidance of the resource(s) is not feasible, salvage operation requirements under State CEQA Guidelines Section 15064.5 shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.	Prior to Grading Permit issuance	Verify retention of a qualified Paleontologist If paleontological resources are unearthed; evaluate significance of findings	Community Development Department, Planning Division; Building & Safety Division Qualified Paleontologist		
Hazards and Hazardous Materials					
MM HAZ-1: Prior to the issuance of a grading permit, the Applicant shall submit a Soil Management Plan (or equivalent document) for approval by the Los Angeles Regional Water Quality Control Board (Los Angeles RWQCB). The Soil Management Plan (SMP) (or equivalent document) shall specify the details regarding the handling, stockpiling, sampling, and reuse or disposal of soil with concentrations of Chemicals of Potential Concern (COPC) in excess of their respective site-specific remedial action goals (RAGs) or re-use criteria that were established as part of a Human Health Risk Assessment (HHRA) and integrated into the SMP. Once approved, the SMP (or equivalent document) shall be kept on site by the general contractor throughout construction and distributed to the grading contractor and other contractors that may be trenching or boring on the site.	Prior to Grading Permit issuance	Verify Soil Management Plan (or equivalent document) has been approved	Los Angeles RWQCB Community Development Department, Building & Safety Division		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
▪ The SMP shall Identify and implement accident prevention and control measures for soil disturbance and remediation activities, and for ongoing operations that are protective of the health and safety of the public (i.e., vapor intrusion mitigation system [VIMS]), and construction workers including a routine inspection program to ensure that such measures are being implemented during construction. At a minimum, such measures shall include compliance with applicable federal, State, and local laws and regulations.					
MM HAZ-2: Prior to the issuance of a grading permit by the City of South El Monte, the Applicant shall in accordance with the Soil Vapor Assessment Report (EEC Environmental, 2023), Limited Soil Remediation Work Plan (Leighton, 2023), Limited Soil Remediation Work Plan Addendum (Haley & Aldrich, 2024a), and TSCA Application for Risk-Based Clean-up (Haley & Aldrich, 2024b) (included as Appendix C to the Initial Study): ▪ Remove the existing soil vapor extraction system (SVE) system and properly abandon the associated extraction wells in accordance with Los Angeles Regional Water Quality Control Board; and ▪ Perform limited shallow soil excavation in the eastern portion of the site in coordination with the Los Angeles RWQCB and U.S. EPA.	Prior to Grading Permit issuance	Verify compliance on grading plans Verify SVE system removal and associated extraction well abandonment Verify soil excavation	Community Development Department, Building & Safety Division Los Angeles RWQCB Los Angeles RWQCB and U.S. EPA		
MM HAZ-3: Prior to grading permit issuance, the Applicant shall demonstrate to the City of South El Monte Building and Safety Division implementation of the Limited Soil Remediation Work Plan for the Eastern Portion of 2200 North Rosemead Boulevard and Limited Soil Remediation Work Plan Addendum for 2200-2226 N. Rosemead Boulevard as approved by the Los Angeles Regional Water Quality Control Board, and the TSCA Application for Risk-Based Clean-up as approved by the U.S. EPA. The Los Angeles Regional Water Quality Control Board and U.S. EPA shall provide	Prior to Grading Permit issuance	Verify implementation of the Limited Soil Remediation Work Plan	Community Development Department, Building & Safety Division Los Angeles RWQCB and U.S. EPA		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
oversight for the implementation of soil remediation and mitigation activities performed.					
MM HAZ-4: Prior to the issuance of a grading permit, the City of South El Monte Building and Safety Division shall review the building plans to verify that a vapor intrusion mitigation system (VIMS) is included in the Project design in accordance with the Limited Soil Remediation Work Plan Addendum for 2200-2226 N. Rosemead Boulevard to minimize vapor intrusion risks from VOC impacted soil and soil vapor on the project site. A construction quality assurance program shall be developed and implemented during VIMS construction that includes a pre-construction meeting and routine meetings during construction of the system, observations of construction and testing activities, and pre-occupancy (post-construction) system inspection and performance monitoring. The construction quality assurance program shall be summarized on the final VIMS design drawings and detailed in a Construction Quality Assurance Plan (CQAP). A VIMS Construction Completion Summary Report shall also be prepared and submitted to the Los Angeles RWQCB within 60 days of VIMS construction completion. The VIMS Construction Completion Summary Report shall include a summary of the construction quality assurance program and VIMS installation activities, as-built drawings, and VIMS Engineer certification that the VIMS was installed in general accordance with the design. The City of South El Monte Building and Safety Division shall have oversight/sign-off responsibility for the vapor barrier.	Prior to Grading Permit issuance During VIMS construction Within 60 days of VIMS construction completion	Verify vapor intrusion mitigation system (VIMS) is included in the Project design Verify Construction Quality Assurance Program on final VIMS design drawing and CQAP Monitor during construction Verify submittal of VIMS Construction Completion Summary Report	Community Development Department, Building & Safety Division Building & Safety Division Community Development Department, Building & Safety Division Los Angeles RWCQB		
MM HAZ-5: In accordance with Los Angeles Regional Water Quality Control Board Comment No. 6 and requirements dated August 17, 2022, prior to the issuance of the first occupancy permit, baseline indoor air sampling involving at least two rounds of sampling shall be performed to account for seasonal fluctuation of contaminants	Prior to First Occupancy Permit issuance	Submit two rounds of Air Sampling data for approval to the Los Angeles RWQCB	Community Development Department, Building & Safety Division		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
in the indoor air. Air sampling results shall be submitted to and approved by the Los Angeles Regional Water Quality Control Board.			Los Angeles RWQCB		
Noise					
MM NOI-1: Prior to issuance of any demolition or grading permit, the City of South El Monte Public Works Department shall verify that the Project plans and specifications include provisions that either: (1) require the installation of a 10-foot-high concrete masonry wall along the southern property line of the project site; or (2) prohibit truck movement and loading and unloading between the hours of 10:00 PM and 7:00 AM.	Prior to Demolition or Grading Permit issuance	Verify compliance on project plans	Community Development Department, Planning Division Public Works Department		
MM NOI-2: Prior to issuance of any demolition or grading permit, the City of South El Monte Public Works Department shall verify that the Project plans and specifications include provisions prohibiting the use of vibratory rollers, or other similar vibratory equipment, within 15 feet – or large bulldozers within 8 feet of the project site's north, south, and east boundary.	Prior to Demolition or Grading Permit issuance	Verify compliance on project plans Monitor during grading and construction	Public Works Department		
Transportation					
MM TRANS-1: Prior to the issuance of the first occupancy permit, the Applicant shall submit to the City of South El Monte Public Works Department a transportation demand management (TDM) program the purpose of which is to reduce VMT and vehicular trips to the project site and project area. The TDM program shall be implemented with the occupancy of the Project. The TDM program shall include the following strategy: ▪ [T-5] Implement Commute Trip Reduction Program: Implement a voluntary commute trip reduction (CTR) program to discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG	Prior to First Occupancy Permit issuance Annually After Project Occupancy	Verify Submittal of TDM Program Verify implementation of Commute Trip Reduction Program	Public Works Department		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
emissions. The voluntary CTR program must include the following elements: o Employer-provided services, infrastructure, and incentives for alternative modes such as ridesharing, discounted transit, bicycling, vanpool, and guaranteed ride homes. o Information, coordination, and marketing for said services, infrastructure, and incentives.					
Tribal Cultural Resources					
MM TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities. A. The Applicant shall retain a Native American monitor from (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation (the "Kizh" or the "Tribe") - the direct lineal descendants of the project location. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project, at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. B. A copy of the executed monitoring agreement shall be provided to the City of South El Monte prior to the earlier of the commencement of any ground-disturbing activity for the project, or the issuance of any permit necessary to commence a ground-disturbing activity. C. The Applicant shall provide the Tribe with a minimum of 30 days advance written notice of the commencement of any project ground-disturbing activity so that the Tribe has	Prior to ground disturbing activities Monitoring during grading	Retention of an approved Native American Monitor; Executed Monitoring Agreement Monitoring during ground disturbance activities Pre-Construction Sensitivity/Educational Meeting Daily Tribal Monitoring Logs	Community Development Department, Planning Division Community Development Department, Building & Safety Division Kizh Monitor and/or Kizh Archaeologist		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
sufficient time to secure and schedule a monitor for the project. D. The Applicant shall hold at least one pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where at a senior member of the Tribe will inform and educate the project's construction and managerial crew and staff members (including any project subcontractors and consultants) about the tribal cultural resources ("TCR") mitigation measures and compliance obligations, as well as places of significance located on the project site (if any), the appearance of potential TCRs, and other informational and operational guidance to aid in the project's compliance with the TCR mitigation measures. E. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc. (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the City upon written request. F. Native American monitoring for the project shall conclude upon the latter of the following: (1) written confirmation from a designated project point of contact to the Tribe that all ground-disturbing activities and all phases that					

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
may involve ground-disturbing activities on the project site and at any off-site project location are complete; or (2) written notice by the Tribe to the Applicant and City that no future, planned construction activity and/or development/construction phase (known by the Tribe at that time) at the project site and at any off-site project location possesses the potential to impact TCRs.					
MM TCR-2: Discovery of TCRs, Human Remains, and/or Grave Goods A. Upon the discovery of a TCR, all construction activities in the immediate vicinity of the discovery (i.e., not less than the surrounding 50 feet) shall cease. The Tribe shall be immediately informed of the discovery, and a Kizh monitor and/or Kizh archaeologist will promptly report to the location of the discovery to evaluate the TCR and advise the project manager regarding the matter, protocol, and any mitigating requirements. No project construction activities shall resume in the surrounding 50 feet of the discovered TCR unless and until the Tribe has completed its assessment/evaluation/recovery of the discovered TCR and surveyed the surrounding area. B. The Tribe will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate in its sole discretion, and for any purpose the Tribe deems appropriate, including but not limited to, educational, cultural and/or historic purposes. C. If Native American human remains and/or grave goods are discovered or recognized on the project site or at any off-site project location, then all construction activities shall immediately cease. Native American "human remains" are defined to include "an inhumation or cremation, and in any state of decomposition or skeletal completeness."	During construction, if human remains are found	Kizh Monitor and/or Kizh Archaeologist assigned and on site, if remains are found	Community Development Department, Planning Division; Building & Safety Division Kizh Monitor and/or Kizh Archaeologist		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
(Public Resources Code [PRC] §5097.98 (d)(1).) Funerary objects, referred to as "associated grave goods," shall be treated in the same manner and with the same dignity and respect as human remains. (PRC §5097.98 (a), d)(1) and (2)). D. Any discoveries of human skeletal material or human remains shall be immediately reported to the County Coroner (Health & Safety Code §7050.5(c); 14 Cal. Code Regs. §15064.5(e)(1)(B)), and all ground-disturbing project ground-disturbing activities on site and in any other area where the presence of human remains and/or grave goods are suspected to be present, shall immediately halt and remain halted until the coroner has determined the nature of the remains. (14 Cal. Code Regs. §15064.5(e).) If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed. E. Thereafter, construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or grave goods, if the Tribe determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Tribal monitor and/or archaeologist deems necessary). (14 Cal. Code Regs. §15064.5(f).) F. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or grave goods.					

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
G. Any historic archaeological material that is not Native American in origin (non-TCRs) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes. H. Any discovery of human remains and/or grave goods discovered and/or recovered shall be kept confidential to prevent further disturbance.					
MM TCR-3: Procedures for Burials, Funerary Remains, and Grave Goods A. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented for all discovered Native American human remains and/or grave goods. Tribal Traditions include, but are not limited to, the preparation of the soil for burial, the burial of funerary objects and/or the deceased, and the ceremonial burning of human remains. B. If the discovery of human remains includes four (4) or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created. C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated "grave goods" (aka, burial goods or funerary objects) are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, as well as other items made exclusively for burial purposes or to contain human	During construction, if remains are found	Compliance with Koo-nas-gna Burial Policy	Community Development Department, Planning Division; Building & Safety Division Kizh Monitor and/or Kizh Archaeologist		

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
remains. Cremations will either be removed in bulk or by means necessary to ensure complete recovery of all sacred materials. D. In the case where discovered human remains cannot be fully recovered (and documented) on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to divert the project while keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. E. In the event preservation in place is not possible despite good faith efforts by the Applicant and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. The site of reburial/repatriation shall be agreed upon by the Tribe and the landowner, and shall be protected in perpetuity. F. Each occurrence of human remains and associated grave goods will be stored using opaque cloth bags. All human remains, grave goods, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items will be retained and shall be reburied within six months of recovery. G. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is					

Mitigation Measures (MMs)	Implementation Timing	Monitoring/Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.					

Standard Conditions (SCs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
Biological Resources					
SC BIO-1: Nesting Migratory Birds. During construction, grubbing, brushing, or tree removal shall be conducted outside of the state identified nesting season for migratory birds (i.e., typically March 15 through September 1), if possible. If construction activities cannot be conducted outside of nesting season, a Pre-Construction Nesting Bird Survey within and adjacent to the project site shall be conducted by a qualified biologist within three days prior to initiating construction activities. If active nests are found during the Pre-Construction Nesting Bird Survey, a Nesting Bird Plan (NBP) shall be prepared by a qualified biologist and implemented during construction. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, nesting sage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.	Three days prior to first site disturbance, if during migratory bird nesting season	Verify requirements included on grading and construction plans Verify pre-construction nesting bird survey conducted and nesting bird plan prepared, if required	Community Development Department, Planning Division; Building & Safety Division Qualified Biologist		

Standard Conditions (SCs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
Cultural Resources					
SC CUL 1: California Health and Safety Code Section 7050.5 through 7055, and Public Resources Code Sections 5097.98 and 5097.99 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered within the project site, disturbance of the site shall be halted until the coroner has conducted an investigation into the circumstances, manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.	In the event of an accidental discovery of human remains	Verify Requirements on Construction Plans; Verify Coroner Investigation, if required	Community Development Department, Planning Division; Building & Safety Division Los Angeles County Coroner Native American Heritage Commission, if remains are Native American		
Noise					
SC N-1: All construction activities should be limited to the hours between the hours of 7:00 AM and 10:00 PM on weekdays, or any time on weekends or holidays per City of South El Monte Municipal Code Chapter 8.20.	During grading and construction	Verify requirements on construction plans Conduct Site Inspections	Community Development Department, Planning Division; Building & Safety Division		
SC N-2: The Applicant shall ensure through contract specifications that construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels. Contract specifications shall be included in construction documents, which shall be reviewed by the City prior to issuance of	Prior to Grading or Building Permit issuance, whichever issued first	Verify requirements on construction plans Conduct Site Inspections	Community Development Department, Planning Division;		

Standard Conditions (SCs)	Implementation Timing	Monitoring/ Reporting Methods	Responsible for Approval/ Monitoring	Verification	
				Date	Initials
a grading or building permit (whichever is issued first). The construction BMPs shall include the following: • All equipment, whether fixed or mobile, will be equipped with properly operating and maintained mufflers, consistent with manufacturer standards. • All stationary construction equipment will be placed so that emitted noise is directed away from the noise-sensitive receptors nearest the project site. • As applicable, all equipment shall be shut off and not left idle when not in use. • To the degree possible, equipment staging will be located in areas that create the greatest distance between construction-related noise and vibration sources and existing sensitive receptors. • Jackhammers, pneumatic equipment, and all other portable stationary noise sources will be directed away and shielded from existing residences in the vicinity of the project site. Either one-inch plywood or sound blankets can be utilized for this purpose. They should reach up from the ground and block the line of sight between equipment and existing residences. The shielding should be without holes and cracks. • No amplified music and/or voice will be allowed on the project site. • Haul truck deliveries will not occur outside the hours presented as exempt for construction per City of South El Monte Municipal Code Section 8.20.030(D).			Building & Safety Division		

Kimley»Horn

Responses to Public Comments on the 2222 Rosemead Boulevard Warehouse Development Project Initial Study and Mitigated Negative Declaration

Introduction

The purpose of this memo is to transmit the public comments and responses to these comments received on the Initial Study and Mitigated Negative Declaration (IS/MND) for the 2222 Rosemead Boulevard Warehouse Development Project located in the City of South El Monte. The Draft IS/MND was released for public review and comment by the City of South El Monte on October 1, 2024, for a 30-day public comment period ending on October 30, 2024.

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15074, the City of South El Monte, as the Lead Agency, must consider the IS/MND together with any comments received during the public review process. Written responses have been prepared to comments received during and after the public review period.

CEQA Requirements Regarding Comments and Responses

State CEQA Guidelines Section 15204(b) states that "persons and public agencies should focus on the proposed finding that the project will not have a significant effect on the environment. If persons and public agencies believe that the project may have a significant effect, they should:

1. Identify the specific effect,
2. Explain why they believe the effect would occur, and
3. Explain why they believe the effect would be significant."

State CEQA Guidelines Section 15204(c) further advises, "Reviewers should explain the basis for their comments and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to State CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence." State CEQA Guidelines Section 15204(d) states, "Reviewing agencies or organizations should include with their comments the name of a contact person who would be available for later consultation if necessary. Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency's statutory responsibility." State CEQA Guidelines Section 15204(e) states, "This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section."

List of Respondents

The comment letters received during and after the public review period are listed below and provided in **Appendix A: Comment Letters**.

Letter Number / Author / Date

1. Marjan R. Abubo, Lozeau Drury, LLP (on behalf of Supporters Alliance for Environmental Responsibility ["SAFER"] and its members in and around the City), October 29, 2024.
2. Aidan P. Marshall, Adams Broadwell Joseph & Cardozo Attorneys at Law (on behalf of Coalition for Responsible Equitable Economic Development Los Angeles ["CREED LA"]), October 30, 2024.
3. Patricia Horsley, Environmental Planner, Facilities Planning Department, Los Angeles County Sanitation Districts, October 28, 2024.
4. Sam Wang, Program Supervisor, CEQA IGR, South Coast Air Quality Management District, October 30, 2024.
5. Anthony Higgins, Acting LDR Branch Chief, California Department of Transportation – District 7, November 5, 2024.

Responses to Comments

Responses have been provided to comments on significant environmental points to describe the disposition of issues and new information or clarifications, as appropriate. When comments did not address the completeness or adequacy of the environmental documentation or did not raise significant environmental issues, the receipt of the comment is noted; no further response is provided.

Kimley»Horn

RESPONSE TO COMMENT LETTER 1

Marjan R. Abubo, Lozeau Drury, LLP (on behalf of Supporters Alliance for Environmental Responsibility ["SAFER"] and its members in and around the City), October 29, 2024.

1-1 The comment states that the Supporters Alliance for Environmental Responsibility (SAFER) believes that the IS/MND is improper under CEQA due to the IS/MND's failure to adequately analyze and review the Project's potentially significant impacts. The comment states there is substantial evidence of a fair argument that the Project may have adverse environmental impacts related to noise and air quality. SAFER requests that an EIR be prepared for the Project rather than an MND to ensure that potentially significant impacts of this project are fully disclosed, analyzed, and mitigated.

The City respectfully disagrees. An EIR is not required for the Project because all potentially significant impacts would be mitigated to a less than significant level under the MND, and the commenter has not provided any evidence to the contrary. The commenter is referred to the entirety of the IS/MND, which provides a full analysis of the project's elements and an evaluation of both project construction and operations. The IS/MND also identifies multiple mitigation measures to reduce impacts to less than significant levels.

1-2 This comment reiterates the Project Description. No response is required.

1-3 The commenter describes the legal standard for Negative Declarations. No response is required.

1-4 The comment asserts that an EIR is required because substantial evidence in the record indicates a fair argument that the Project may have significant noise impacts. The comment states the Project underestimates noise and vibration impacts, and that correcting these errors reveals the Project's potentially significant noise and vibration impacts that must be disclosed and mitigated. Because this comment does not contain any specific comments about the environmental analysis or conclusions contained in the IS/MND. This is factually incorrect; responses to specific comments are provided below.

1-5 See Response to Lozeau Drury Comment Letter Dated October 29, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 5.

1-6 See Response to Lozeau Drury Comment Letter Dated October 29, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 6.

1-7 See Response to Lozeau Drury Comment Letter Dated October 29, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 7.

1-8 See Response to Lozeau Drury Comment Letter Dated October 29, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 8.

1-9 See Response to Lozeau Drury Comment Letter Dated October 29, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 9.

1-10 See Response to Lozeau Drury Comment Letter Dated October 29, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 10.

1-11 See Response to Lozeau Drury Comment Letter Dated October 29, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 11.

1-12 See Response to Lozeau Drury Comment Letter Dated October 29, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 12.

1-13 This comment refers to a comment letter prepared by the Office of Environmental Health Hazard Assessment (OEHHA) dated July 12, 2023, regarding their review of the Limited Soil Remediation Work Plan for the Eastern Portion of 2200 North Rosemead Boulevard, South El Monte, California (April 2023 LSRWP). A Limited Soil Remediation Work Plan Addendum for 2200-2226 N. Rosemead Boulevard, South El Monte, California, was prepared by Haley & Aldrich, Inc., dated April 2024 (LSRWP Addendum) and was provided in IS/MND Appendix C, which supplements the April 2023 Soil Remediation Workplan with additional soil samples collected in January 2024 and addresses Los Angeles Regional Water Quality Board (LARWQCB) and OEHHA comments, including those in the July 12, 2023 letter. The OEHHA comment letter dated July 12, 2023, provided in the Lozeau Drury letter, was specifically addressed in Appendix A of the LSRWP Addendum, which was also provided as Appendix C of the IS/MND provided for public review and was approved by the LAWRQCB on October 2, 2024 (see Appendix B).

The commenter is incorrect in their statement that the IS/MND fails to disclose, analyze, or mitigate impacts related to cancer risk and hazard index as they are addressed in detail in Appendix C and IS/MND Section 4.9: Hazards and Hazardous Materials. Specifically, as concluded in the human health risk assessment, it is noted that current levels of chemicals of concern (COCs) in soil required risk management prior to site redevelopment for future commercial/industrial land use and states that soil excavation and removal was the selected remedy to address the threat to human health and groundwater quality. The proposed soil remediation will include excavation and removal of COC-impacted soils. PCB-impacted soils will be regulated by the United States Environmental Protection Agency (USEPA) 40 CFR 761 and will be managed with the USEPA

as the lead agency in accordance with the Toxic Substances Control Act (TSCA) Cleanup Plan that was submitted to the USEPA. Other COCs are generally co-located with PCB shallow soil impacts and will be removed during the TSCA remedial excavation. Additionally, the commenter is incorrect in their statement that these impacts are not mitigated. Mitigation measures (MM) HAZ-1 through HAZ-4 specifically address soil contamination.

MM HAZ-1 requires the Applicant to submit a Soil Management Plan for approval by the LARWQCB that specifies details regarding the handling, stockpiling, sampling, and reuse or disposal of soil with concentrations of Chemicals of Potential Concern (COPC) in excess of their respective site-specific remedial action goals (RAGs) or re-use criteria that were established as part of a Human Health Risk Assessment (HHRA) and integrated into the SMP. In accordance with MM HAZ-1, a SMP dated October 11, 2024 was approved by the LARWQCB on November 5, 2024 that establishes guidelines and recommended procedures including air quality monitoring requirements, soil management procedures, and worker health and safety requirements that manage risks to human health and the environment during soil disturbance activities associated with the redevelopment. The LARWQCB SMP Approval Letter is provided as Appendix B, which states the primary objectives of the SMP are to (1) appropriately manage risks to human health and the environment due to soil disturbance activities; and (2) provide a framework to evaluate and manage potentially impacted soil during disturbance activities.

Further, MM HAZ-3 requires the Applicant to demonstrate to the City of South El Monte Building and Safety Division implementation of the LSRWP and LSWRP Addendum as approved by the LARWQCB, the TSCA Application for Risk-Based Clean-up as approved by the USEPA. MM HAZ-3 further states that the LARWQCB and USEPA shall provide oversight for the implementation of soil remediation and mitigation activities. This is further supported in Appendix B, which requires a technical report documenting implementation of the proposed remediation be submitted to the LARWQCB after implementation of the LSWRP and LSWRP Addendum.

Finally, MM HAZ-4 requires a vapor intrusion mitigation system to be included in the Project design in accordance with the LSWRP Addendum to minimize vapor intrusion risks from VOC impacted soil and soil vapor on the project site. This is further supported in Appendix B, which states that construction of the warehouse cannot begin until the VIMS work plan has been approved by the LARWQCB.

Therefore, the IS/MND accurately considers the health risks and impacts associated with required remediation efforts, and as concluded in the IS/MND and approved by the LARWQCB, with implementation of MM HAZ-1 through MM HAZ-4, impacts concerning the release of hazardous materials into the environment would be less than significant.

1-14 See Response to Lozeau Drury Comment Letter Dated October 29, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 14.

1-15 See Response to Lozeau Drury Comment Letter Dated October 29, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 15.

1-16 See Response to Lozeau Drury Comment Letter Dated October 29, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 16.

1-17 See Response to Lozeau Drury Comment Letter Dated October 29, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 17.

1-18 See Response to Lozeau Drury Comment Letter Dated October 29, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 18.

1-19 This comment states that for the reasons set forth above, SAFER requests that the City prepare and circulate an EIR for the Project prior to approval. See responses 1-1 through 1-18 above. This is a generalized comment that does not require a response.

1-20 This comment introduces Wilson Ihrig's review of the Noise Impact Analysis and provides background information concerning adverse effects of noise. This comment does not specifically state concerns or issues with the environmental analysis in the IS/MND.

1-21 Refer to Comment Response No. 1-5.

1-22 Refer to Comment Response No. 1-6.

1-23 Refer to Comment Response No. 1-9.

1-24 Refer to Comment Response No. 1-8.

1-25 This comment provides a closing to the Wilson Ihrig comment letter and does not raise any new issues regarding the adequacy of the IS/MND.

1-26 This comment introduces Clark and Associates review of the project and provides a summary of the project description. Note that this comment incorrectly identifies the project as within the City of El Monte. The project is in the City of South El Monte.

1-27 Refer to Comment Response No. 1-12.

1-28 Refer to Comment Response No. 1-15.

1-29 Refer to Comment Response No. 1-17.

Kimley»Horn

1-30 Refer to Comment Response No. 1-17.

1-31 This comment provides a closing to the Clark & Associates comment letter and does not raise any new issues regarding the adequacy of the IS/MND.

1-32 Refer to Comment Response No. 1-13.

MEMORANDUM

TO: Dana Privett | KIMLEY-HORN & ASSOCIATES, INC.

FROM: Roma Stromberg, Katie Wilson, Giancarlo Ganddini | GANDDINI GROUP, INC.

DATE: November 13, 2024

SUBJECT: Response to Lozeau Drury Comment Letter Dated October 29, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618)

On behalf of Supporters Alliance for Environmental Responsibility (SAFER), the law firm of Lozeau Drury, LLP submitted a comment letter dated October 29, 2024 regarding the Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed 2222 Rosemead Boulevard Warehouse Development project. This memorandum contains responses to comments relating to the technical studies prepared by Ganddini Group.

RESPONSE TO COMMENTS 1-3

These comments consist of introductory text, the project description, and legal standards. There are no comments relating to the technical studies prepared by Ganddini Group.

RESPONSE TO COMMENT 4

This comment notes that Wilson Ihrig was retained by the commenter to review the proposed project, MND, and the noise impact analysis prepared by Ganddini Group. The commenter claims that noise and vibration impacts are underestimated and correcting these errors would result in a potentially significant noise and vibration impacts that must be disclosed and mitigated.

Because the comment does not contain any specific comments or questions about the environmental analysis or conclusions contained in the Draft EIR, no further response is required. Responses to specific comments are provided below.

RESPONSE TO COMMENT 5

The Project's Technical Noise Analysis[1] estimated project construction noise levels using the Federal Transit Administration (FTA) methodologies and significance thresholds found in the *Transit Noise and Vibration Impact Assessment Manual (FTA Manual)* (2018). Specifically, project construction would be significant if it exceeds 80 dBA L_{eq} for an 8-hour period at residential land uses.

Page 45 of the FTA Manual discusses how noise modeling for operational noise sources on a large site and how all of the different noise sources should not be lumped together as one source at the center of the site because in reality, each operational noise source is typically situated in one area of the site over the life of the project. This does not apply to construction noise because construction equipment moves all over the project

[1] Rosemead and Rush Industrial Park Noise Impact Analysis (Ganddini Group, June 15, 2023).

site throughout any particular day and the location of temporary stationary noise sources will also shift from hour to hour and day to day. That is why the FTA manual includes instructions to model construction noise sources from the center of the site. This is a way of averaging the noise over the construction period, which is appropriate for an 8-hour L_{eq}. The Project's Technical Noise Analysis modeled all of the likely noise sources associated with each construction phase using well documented noise reference levels at the center of the site and projected that noise to nearby land uses. Well researched usage factors provided in the Caltrans Department of Transportation Technical Noise Supplement (2013) that are also used in the frequently used Road Construction Noise Model (RCNM). This was the appropriate methodology.

The comment concerning General vs. Detailed construction noise FTA methodologies is incorrect. A General Assessment was not conducted. As shown in Appendix D of the technical noise study prepared for the project, Detailed Construction Analysis methodologies were used to the degree possible. Specifically, the construction noise analysis includes noise level calculations of each piece of equipment at each receptor, during each phase and provides a cumulative noise level for each phase.

The construction noise methodology described by Wilson Ihrig's is inappropriate to use with an 8-hour Leq, because it is highly unlikely that one piece of equipment is going to be operating in the same place for the entire day. The whole purpose of the 8-hour threshold is to average noise levels that will move closer and farther from each sensitive receptor throughout the day.

As stated in page 1 of the Technical Noise Analysis, even though Project construction noise levels were found to be less than significant, the following Best Management Practices (BMPs) are included on project plans and will be adopted as Conditions of Approval.

1. All equipment, whether fixed or mobile, will be equipped with properly operating and maintained mufflers, consistent with manufacturer standards.

2. All stationary construction equipment will be placed so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

3. As applicable, all equipment shall be shut off and not left to idle when not in use.
4. To the degree possible, equipment staging will be located in areas that create the greatest distance between construction-related noise and vibration sources and existing sensitive receptors.

5. All other portable stationary noise sources will be directed away and shielded from existing residences in the vicinity of the project site. Either one-inch plywood or sound blankets can be utilized for this purpose. They should reach up from the ground and block the line of sight between equipment and existing residences. The shielding should be without holes and cracks.

6. No amplified music and/or voice will be allowed on the project site.

7. Haul truck deliveries will not occur outside of the hours presented as exempt for construction per City of South El Monte Municipal Code Section 8.20.030(D).

RESPONSE TO COMMENT 6

A detailed roof plan was not available when the Technical Noise Analysis was prepared. It has since been provided and is part of the application package. As shown in the roof plan and mechanical plans, HVAC units are only proposed on the western rooftop of the proposed building over office spaces and will not require warehouse sized units. Ceiling fans are proposed for warehouse ventilation.

Dana Privett
KIMLEY-HORN & ASSOCIATES, INC.
November 13, 2024

RESPONSE TO COMMENT 7

As stated in the Technical Noise Analysis, in regard to vibration, the City of South El Monte's Municipal Code Section 8.20.020(B) states that no person shall operate or permit the operation of any device or machine that creates a vibration above the vibration perception threshold when measured at or beyond the property boundary of the source. However, because the City does not provide a numerical threshold of significance concerning groundborne vibration, groundborne vibration impacts were based on guidance from the *Transportation and Construction Vibration Guidance Manual* (California Department of Transportation, 2020). This manual provides direction for addressing vibration issues associated with the construction, operation, and maintenance of projects.[2] Both the architectural damage and annoyance thresholds utilized from this manual were developed from a synthesis of various vibration criteria. Therefore, these thresholds are based on the use of scientific methods and mathematics supported by multiple other vibration studies including *International Standards Organization (ISO) Guide to the Evaluation of Human Exposure to Vibration and Shock in Buildings* (ISO 1981), *Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment* (2018), *Vibration Criteria for Historic Buildings Journal of Construction Engineering and Management* (Konon 1985), *A Survey of Traffic-Induced Vibrations* (Whiffen 1971), *American Association of State Highway and Transportation Officials (AASHTO) Standard Recommended Practice for Evaluation of Transportation-Related Earthborne Vibrations* (1990), *National Cooperative Highway Research Program (NCHRP) Current Practices to Address Construction Vibration and Potential Effects to Historic Buildings Adjacent to Transportation Projects* (2021), and many others (see Chapter 6 of the Caltrans Manual). Furthermore, the vibration levels associated with the project were calculated based on vibration propagation equations and construction equipment source levels obtained from the *FTA Transit Noise and Vibration Impact Assessment Manual* (2018). These equations and vibration source levels are widely accepted for use in vibration related analyses. Therefore, the analysis used to assess the Project's construction vibration is supported by industry accepted methodology and standards.

The commenter states that *"even when an accepted method and standards are used to assess a significant impact, the EIR's analysis can nevertheless be rejected if a reviewing court concludes its characterization of a significant impact does not provide information sufficient to give the public and decisionmakers a complete picture of its nature and scope."* However, the comment does not provide any substantial evidence or fair arguments that the groundborne vibration methodology is insufficient or does not disclose the full nature of the impacts. There is no specific evidence provided by the commenter regarding errors or omissions in the project analysis that result in an incomplete picture of the potential impacts. As stated above, the analysis calculated the Project's vibration levels at all of the nearest receptors and then compared them to adopted thresholds. Both the calculation methodology and thresholds are founded in data consistently utilized in this type of analysis and based on scientific evidence. Furthermore, Mitigation Measure NOI-2 was provided to reduce any potential significant impacts related to architectural damage due to construction vibration. With incorporation of mitigation, the Project's vibration levels are less than significant as they do not exceed the identified vibration thresholds. Therefore, the Project correctly analyzes the potential vibration related construction impacts and no additional analysis is required.

RESPONSE TO COMMENT 8

Please also see response to Comment 7 above. Commercial and industrial uses are not considered vibration-sensitive land uses. Therefore, the annoyance threshold applies only to the residential receptors to the south of the project site. As shown in Table 17 of the Technical Noise Analysis, the nearest residential uses would have vibration levels that reach up to 0.084 PPV in/sec. Therefore, even if the analysis used the lower

[2] https://dot.ca.gov/programs/environmental-analysis/noise-vibration/guidance-manuals

"strongly perceptible" annoyance threshold of 0.10 PPV in/sec instead of the "severe" annoyance threshold of 0.4 PPV in/sec, the project would still not exceed vibration related annoyance significance thresholds.

The last few sentences of the comment state the "highest rung of FTA Manual thresholds." The project utilizes thresholds from the Caltrans manual not the FTA Manual; these are two different manuals. Furthermore, comment incorrectly claims that the use of the "highest rung" of thresholds potentially results in a vibration level that would be deemed a significant impact under the next level of thresholds. As demonstrated above, vibration levels at the residential uses do not exceed the more stringent "strong perceptible" annoyance threshold level.

Although construction is anticipated to last one year, due to the nature of construction, equipment moves within and around a project site. Therefore, one piece of equipment would not be at the modeled closest distance to the receptor for the entirety of project construction. Rather, the modeled annoyance levels would only occur during times that that particular piece of equipment is within the specified closest distance. At other times construction equipment would be further away resulting in lower vibration levels. Therefore, receptors will not be subjected to high levels of annoyance from vibration for the full year of construction.

With the statements above, the project does in fact disclose the potential impacts of project related vibration annoyance and the use of the "strongly perceptible" vibration threshold would not create a change in the significance level of the project nor would it result in the need to add any additional mitigation measures. No revisions or additional mitigation measures are necessary.

RESPONSE TO COMMENT 9

It is not necessary to model every piece of construction equipment, but rather provide a representative analysis. Therefore, it is common practice to model the highest vibration producing equipment that is anticipated to be utilized during a project, which provides the highest potential vibration level that may occur at the nearest sensitive receptors. Furthermore, it is not anticipated that pile drivers are to be utilized during project construction; however, a Condition of Approval is to be added to the Project and within the project plans that prohibits the use of pile drivers on the project site during project construction.

RESPONSE TO COMMENT 10

The Technical Noise Analysis Appendix G includes the vibration calculations for the project. These calculations are based on the reference equations from the *Transportation and Construction Vibration Guidance Manual*, (California Department of Transportation, April 2020, page 37). The last two sheets of Appendix G of the Technical Noise Analysis include modeling the vibration level at the specified distances provided in Mitigation Measure NOI-2. These two sheets provide evidence that implementation of the mitigation measure would result in groundborne vibration levels that do not exceed the damage threshold. Therefore, evidence is provided that the mitigation measure would reduce vibration impacts to below the threshold of significance.

It is not anticipated that pile drivers are to be utilized during project construction; however, a Condition of Approval is to be added to the Project and within the project plans that prohibits the use of pile drivers on the project site during project construction.

RESPONSE TO COMMENT 11

Because the comment does not contain any specific comments or questions about the environmental analysis or conclusions contained in the Draft EIR, no further response is required. Responses to specific comments are provided below.

RESPONSE TO COMMENT 12

The analysis of potential hazards due to on-site contamination has been addressed in Section 4.9 Hazards and Hazardous Materials, on pages 64 through 77 of the 2222 Rosemead Boulevard Warehouse Development IS-MND dated October 2024. This type of analysis is not part of an air quality analysis, is not required by the SCAQMD and is not included in CalEEMod modeling. Analysis and mitigation measures contained in the IS-MND in Section 4.9 Hazards and Hazardous Materials address impacts to workers.

RESPONSE TO COMMENT 13

See response to comment 12 above.

RESPONSE TO COMMENT 14

See response to comment 12 above.

RESPONSE TO COMMENT 15

Per the project Applicant, there are no back-up generators (BUGs) in the approved design. The project includes an electrical fire pump and would only be used on an as-needed (emergency) basis. As the fire pump is electrical, there would be no generation of emissions of criteria pollutants or toxic air contaminants. Any increase in the energy use from the emergency use of the electrical fire pump would be negligible. No additional analysis is warranted or required.

RESPONSE TO COMMENT 16

See response to comment 12 above.

RESPONSE TO COMMENT 17

In his construction HRA conducted for this SAFER comment letter, Dr. Clark has made errors in the calculations for determining the emission rate for the input into the AERMOD model. In the calculations, he showed in a Table that the duration of the project's construction will be 269 days; however, during another part of his calculation, he only used a construction duration of 259 days. As this number was used in the denominator of a calculation, the actual result (using 269 days) for the emissions rate came out to 4.45×10^{-7} grams/hour per m^2; whereas the emissions rate that Dr. Clark used was 3.67×10^{-6} lbs per hour of operation. One pound (lb) is equal to 453.6 grams. As Dr. Clarks emissions factor is in lbs/hour per m^2 and not grams/hour per m^2, and also off by a factor of 10, the results of the dispersion modeling with AERMOD would not be correct and would over-estimate the construction health risk by at least a factor of 10. Therefore, as the results are not reliable, the conclusions of a signficant impact from construction equipment TACs cannot be relied upon either, as the data inputs were incorrect. Addittionally, the Google Drive link that was included in the comment letter to access the output data for the modeling was not accessible/denied and access needed to be requested. This data should have been provided with the comment letter, or via a non-access-restricted link.

Neither the City of South El Monte nor the SCAQMD require projects to conduct construction-related health risk assessments. The SCAQMD leave the decision up to the Lead Agency. Futhermore, as the project site is relatively small, 5.14 acres, the project will not be using a large amount of construction equipment at any one time. The SCAQMD have also commented on this project (see SCAQMD comment letter dated October 30th,

2024) and they have not requested or required that either a construction HRA or operational HRA be conducted for this project. Therefore, no construction HRA is warranted or required.

RESPONSE TO COMMENT 18

See response to comment 17 above.

CONCLUSION

We appreciate the opportunity to assist you on this project. Should you have any questions or if we can be of further assistance, please contact us at 714-795-3100.

Respectfully submitted,
GANDDINI GROUP, INC.



Giancarlo Ganddini
Principal Traffic Engineer



Roma Stromberg, MS
Senior Noise Analyst



Katie Wilson, MS
Senior Air Quality Analyst

Kimley»Horn

RESPONSE TO COMMENT LETTER 2

Aidan P. Marshall, Adams Broadwell Joseph & Cardozo Attorneys at Law (on behalf of Coalition for Responsible Equitable Economic Development Los Angeles ["CREED LA"]), October 30, 2024.

2-1 This introductory comment provides a summary of the proposed project and states that the IS/MND's project description is inaccurate, preventing meaningful review of the Project's impacts and that substantial evidence supports a fair argument that the Project would have potentially significant public health, air quality, energy, GHG emissions, transportation, noise, and public utilities impacts that are not adequately mitigated by the mitigation proposed in the IS/MND. However, the commenter does not provide any explanation concerning how the project description is inaccurate or any substantial evidence that impacts are not adequately mitigated.

Individual responses to the comments raised in the comment letter are provided in the responses below. As discussed below, none of the issues identified in the comment letter change the conclusions of the IS/MND, and therefore, an Environmental Impact Report (EIR) is not required. Impacts remain less than significant with implementation of mitigation measures.

2-2 This comment identifies individuals and labor organizations that are part of CREED LA and the association's interest in enforcing environmental laws. This comment also states that CREED LA supports the development of commercial, mixed-use, and medical office projects where properly analyzed and carefully planned to minimize impacts on public health, climate change, and the environment. It notes that projects should avoid adverse impacts to air quality, public health, climate change, noise, and traffic, and must incorporate all feasible mitigation so that any remaining adverse impacts are reduced to the maximum extent feasible. The City acknowledges the individuals and organizations that are part of CREED LA. However, the comment does not address the adequacy or accuracy of the IS/MND. No further response is required.

2-3 This commenter incorrectly states that the IS/MND does not include an accurate and complete Project Description and summarizes the CEQA requirements and case law related to describing a project. The commenter's criticism of the IS/MND is unsupported and does not identify any specific concerns or provide evidence that the Project Description is incomplete. The City agrees with the commenter that a Project Description must be "accurate, stable, and finite," which is what is provided in the IS/MND. The Response to Comments below addresses specific comments related to the Project Description and demonstrates that the IS/MND includes an accurate and complete Project Description that adequately meets CEQA requirements.

2-4 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 4.

2-5 This comment states that the IS/MND is internally inconsistent regarding whether truck movement, loading, and unloading activities would be authorized between the hours of 10:00 PM

and 7:00 AM. As a point of clarification, should the Applicant decide to install a 10-foot-high concrete masonry wall in accordance with MM NOI-2, truck movement and loading and unloading between the hours of 10:00 PM and 7:00 AM would be allowed.

2-6 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 6.

2-7 This comment summarizes the purpose, goal, and requirements of CEQA, as well as when an EIR is required. The comment explains the fair argument standard with regards to the preparation of an EIR and an MND. The comment also states that the IS/MND for the proposed project does not satisfy the basic purposes of CEQA; does not adequately disclose, investigate, and analyze the proposed project's potentially significant impacts; and does not provide substantial evidence to conclude that impacts would be mitigated to a less than significant level. The comment states that substantial evidence shows that the proposed project may result in potentially significant impacts and that a fair argument can be made that the Project may cause significant impacts requiring the preparation of an EIR.

The IS/MND evaluates the proposed project's potential environmental impacts associated with 21 environmental factors identified in State CEQA Guidelines Appendix G. The City will consider the analysis in the IS/MND prior to making a decision on whether to adopt the MND and approve the project and, thus, the IS/MND meets the purpose and goal of CEQA.

The IS/MND identifies, discusses, and summarizes the documents and databases that were used to substantiate the analysis and conclusions of the environmental impacts, along with the models that were used in the environmental analysis. The documents and programs that were used to support the no impact and less than significant impacts (with and without mitigation measures) are from applicable regulatory agencies associated with the environmental factors that were discussed in the IS/MND, including the South Coast Air Quality Management District, California Department of Transportation, U.S. Department of Fish and Wildlife Services, California Department of Fish and Wildlife, California Department of Conservation, California Department of Toxic Substances Control, California Water Resources Control Board, Southern California Association of Governments, San Gabriel Valley Water Company, and CalRecycle. Site-specific evaluations were also conducted (e.g., Air Quality, Global Climate Change, HRA, and Energy Impact Analysis, Geotechnical Investigation, Phase I Environmental Site Assessment, Limited Soil and Soil Vapor Site Investigation Report, Limited Soil Investigation Report, Soil Vapor Assessment Report, Limited Soil Remediation Work Plan Addendum, Preliminary Hydrology and Hydraulics and LID Report, and Transportation Impact Analysis) to determine whether the proposed project would result in any potentially significant impacts. As analyzed throughout the IS/MND, the proposed project would either result in no impact or less than significant impacts (with and without mitigation measures). Thus, there is substantial evidence that the proposed project

would not have a significant effect on the environment with implementation of mitigation measures.

2-8 Refer to Comment Response No. 2-7.

2-9 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 9.

2-10 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 10.

2-11 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 11.

2-12 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 12.

2-13 The commenter states the requirements from State CEQA Guidelines Sections 15130(a), 15065(a)(3), and 15355(b) regarding cumulative impacts and the importance of a proper cumulative impact analysis. This comment does not raise any issues concerning the environmental analysis provided in the IS/MND, and thus no further response is required.

2-14 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 14.

2-15 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 15.

2-16 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 16.

2-17 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 17.

2-18 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) – Response to Comment 18.

2-19 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 19.

2-20 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 20.

2-21 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 21.

2-22 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 22.

2-23 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 23.

2-24 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 24.

2-25 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 25.

2-26 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 26.

2-27 The commenter asserts that the IS/MND fails to analyze the Project's fire flow requirement or the availability of existing infrastructure to supply adequate fire flow, and without an evaluation of these factors, the public utility impact remains unanalyzed and potentially significant. As stated on IS/MND page 99, "As part of the development review process, the LACFD Fire Prevention Division would review the proposed project site plan and determine if access and water system requirements, which would enhance the proposed development's fire protection, are adequate. Further, the Project would be required to comply with standard LACFD conditions of approval.

Specifically, the LACFD review addresses fire and life safety requirements for project construction at the fire plan check stage. This includes a review of the design details of the architectural, structural, mechanical, plumbing, and electrical systems. The Project would be required to comply with applicable City, County, and State code requirements for fire protection and be subject to pay any applicable fees. Municipal Code Chapter 15.14 adopts the Los Angeles County Fire Code by reference. Implementation of all Fire Code requirements would further reduce potential impacts concerning fire protection services." As described in the IS/MND, the Project would implement applicable Fire Code requirements, which include requirements concerning fire flow. The LACFD has reviewed the proposed project's site plan and has determined that the project would meet City fire flow requirements.

2-28 This comment states the City lacks substantial evidence to support the reliance on an MND, and there is substantial evidence supporting a fair argument that an EIR must be prepared for the Project. The commenter urges the City to fulfill its responsibilities under CEQA by withdrawing the IS/MND and preparing an EIR to address the issues raised in the letter. As discussed in the above responses for Comment Letter No. 2, the MND fully disclosed and mitigated potentially significant impacts to less than significant levels, and that substantial evidence was used to support the analysis and conclusions of the Initial Study. Therefore, the preparation of an EIR is not required for the Project. This comment is noted for the record and will be forwarded to the decision-makers for their review and consideration.

2-29 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 29.

2-30 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 31.

2-31 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 31.

2-32 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 32.

2-33 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 33.

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2-34 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 34.

2-35 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 35.

2-36 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 36.

2-37 See Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024 Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618) - Response to Comment 37.

MEMORANDUM

TO: Dana Privitt | KIMLEY-HORN & ASSOCIATES, INC.

FROM: Roma Stromberg, Katie Wilson, Giancarlo Ganddini | GANDDINI GROUP, INC.

DATE: November 13, 2024

SUBJECT: Response to Adams Broadwell Joseph & Cardozo Comment Letter Dated October 30, 2024, Regarding IS/MND Technical Studies for the 2222 Rosemead Boulevard Warehouse Development
(GGI Project No. 19618)

On behalf of Coalition for Responsible Equitable Economic Development Los Angeles (CREED LA), the law firm of Adams Broadwell Joseph & Cardozo submitted a comment letter dated October 30, 2024 regarding the Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed 2222 Rosemead Boulevard Warehouse Development project. This memorandum contains responses to comments relating to the technical studies prepared by Ganddini Group.

RESPONSE TO COMMENTS 1-3

These comments consist of introductory text, the project description, and legal standards. There are no comments relating to the technical studies prepared by Ganddini Group.

RESPONSE TO COMMENT 4

Part of this comment claims that the ITE Land Use Code 150 (Warehousing) *"is just one of many land use codes potentially applicable to the Project, and does not reflect all reasonably foreseeable uses of the Project."*

As noted on page 18 of the traffic impact analysis for the project (IS/MND Appendix F), ITE Land Use Code 150 was determined to adequately represent the warehousing component of the proposed project based on review of the ITE land use descriptions. The current edition of the ITE Trip Generation Manual (11th Edition) provides the following description for Land Use Code 150:

> *"A warehouse is primarily devoted to the storage of materials, but it may also include office and maintenance areas. High-cube transload and short-term storage warehouse (Land Use 154), high-cube fulfillment center warehouse (Land Use 155), high-cube parcel hub warehouse (Land Use 156), and high-cube cold storage warehouse (Land Use 157) are related uses."*

Furthermore, at 156,877 square feet, the proposed project falls squarely within the range of data points used by ITE to establish the average trip rate for ITE Land Use Code 150.

The comment also provides a comparison to trip rates for other warehousing land uses, including Fulfillment Center Warehouse – Non-Sort, Cold Storage Warehouse, Parcel Hub Warehouse, and Fulfillment Center

Warehouse – Sort. These land uses fall under the High-Cube Warehouse category (ITE Land Use Codes 154 through 157). ITE describes a high-cube warehouse as follows:

> *"A high-cube warehouse (HCW) is a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses."*

Furthermore, the ITE data plots for the various high-cube warehousing land uses show that the average trip rates for these land use codes are derived from developments with a minimum of 200,000 square feet. At 156,877 square feet, the proposed project falls outside the range of data points. Therefore, comparison to trip rates for these other warehousing land uses (Fulfillment Center Warehouse – Non-Sort, Cold Storage Warehouse, Parcel Hub Warehouse, and Fulfillment Center Warehouse – Sort) is not appropriate since the ITE land use description and data plots are only applicable to warehousing buildings larger than 200,000 square feet and thus are not representative of the proposed project.

Additionally, per the Applicant, there will not be any cold storage at this facility and the building is not designed as such; therefore, an analysis of the facility as a refrigerated warehouse and analysis of emissions from TRUs is not warranted or required. The project can be conditioned to prohibit cold storage, if required, by the City Planning Department.

Based on the above, use of ITE Land Use Code 150 (Warehousing) as evaluated in the IS/MND provides the most conservative daily trip rate for trucks (0.6 daily truck trips per thousand square feet) when compared to other industrial ITE codes, except for high-cube cold-storage warehousing which is not proposed, and therefore represents the most conservative scenario when analyzing mobile source emissions.

RESPONSE TO COMMENT 5

This comment does not contain any issues relating to the technical studies prepared by Ganddini Group.

RESPONSE TO COMMENT 6

Per the project Applicant, there are no back-up generators in the approved design. The project includes an electrical fire pump and would only be used on an as-needed (emergency) basis. As the fire pump is electrical, there would be no emissions of criteria pollutants or toxic air contaminants. Any increase in the energy use from the emergency use of the electrical fire pump would be negligible. No additional analysis is warranted or required.

RESPONSE TO COMMENT 7

This comment does not contain any issues relating to the technical studies prepared by Ganddini Group.

RESPONSE TO COMMENT 8

This comment does not contain any issues relating to the technical studies prepared by Ganddini Group.

RESPONSE TO COMMENT 9

The commenter states that "the Office of Environmental Health Hazard Assessment's ("OEHHA") risk assessment guidelines also recommend a formal health risk analysis ("HRA") for short-term construction

exposures to TACs lasting longer than 2 months and exposures from projects lasting more than 6 months should be evaluated for the duration of the project." This is a recommendation from OEHHA and the determination of whether or not to require the analysis of short-term construction HRAs is left up to discretion of the Air District. The SCAQMD leaves the decision up to the Lead Agency. Furthermore, as the project site is relatively small, 5.14 acres, the project will not be using a large amount of construction equipment at any one time.

Neither the City of South El Monte nor the SCAQMD require projects to conduct construction-related health risk assessments.

The SCAQMD has also commented on this project (see SCAQMD comment letter dated October 30th, 2024) and they have not requested or required that either a construction HRA or operational HRA be conducted for this project. As stated in response to comment 4 above, the trip generation analyzed for the project is correct. The project will not have any cold storage facilities and will not have any TRUs. ITE code used in the Traffic Analysis for the ISMND would be most conservative since the project does not include cold storage (please see response to comment 4 above).

The ISMND does not fail to quantify sensitive receptors exposure to TACs and whether significance thresholds would be exceeded for the following reasons: As the project would generate only 89 truck trips per day, would not have cold storage or TRUs, and does not exceed the CAPCOA and CARB advisory recommendations to avod siting sensitive uses within 1,000 feet of distribution centers that have 100 or more trucks per day, a full dispersion-modeled (quantitative) HRA is not warranted or required. Furthermore, CARB's recommendation is based on health studies and air quality modeling and monitoring studies (see pages 12-15 of the CARB 2005 *Air Quality and Land Use Handbook: A Community Health Perspective*. A project with less than 100 trucks would not exceed the 10 in a million threshold. Please see response to comment 6 regarding TAC-related impacts from generators and fire pumps.

As stated above, neither the City nor SCAQMD require a construction health risk assessment to quantify TAC-related impacts to sensitive receptors. SCAQMD have used the LST analysis to show whether there will be any local impacts to sensitive receptors. SCAQMD LST thresholds were created to ensure that local sources of emissions don't create localized adverse air quality impacts. The project-specific LST analysis analyzes both PM10 and PM2.5 emissions emitted on-site. Diesel particulate matter (DPM) exhaust is a component of PM10 and PM2.5. As the project's emissions do not exceed the SCAQMD LST thresholds, which are screening thresholds and are, per SCAQMD, conservative by design, that is, the predicted impacts tend to overestimate the actual impacts, the DPM component of PM10 and PM2.5 would also not cause any impacts and SCAQMD MICR thresholdswould also not be exceeded duirng construction or operation.

As stated above, SCAQMD have reviewed the analysis for the project, provided comments, but have not requested or required any additional toxic air contaminant (TAC) analysis.

For the reasons given above, sensitive receptors near the project site, including the mobile home park residents south of the site, would not be exposed to significant TAC-related health risks from construction activities and would not be exposed to significant lifetime (30-year) health risks during operation.

RESPONSE TO COMMENT 10

Please see response to comment 8 above addressing the CAPCOA guidance and the number of trucks that would trigger an HRA. The entry and exit points for the project site are located along Rosemead Boulevard and would not be in close proximity to the closest sensitive receptors, located south of the project boundary. Please see the response to comment 8 above regarding construction HRAs. Furthermore, because the project

would not exceed the 10 in a million threshold (see response to comment 9 above), the project would not result in an excess incremental cancer risk. SCAQMD have stated in their HRA Cumulative Threshold Working Group that "unless the cancer risk from a project is greater than 10 in a million, no further analysis of cumulative impacts from air toxics is required."[1]

RESPONSE TO COMMENT 11

SCAQMD LST thresholds were created to ensure that local sources of emissions don't create localized adverse air quality impacts. The project-specific LST analysis analyzes both PM10 and PM2.5 emissions emitted on-site. Diesel particulate matter (DPM) exhaust (the main source of TACs) is a component of PM10 and PM2.5. As the project's emissions do not exceed the SCAQMD LST thresholds, which are screening thresholds and are, per SCAQMD, conservative by design, that is, the predicted impacts tend to overestimate the actual impacts, the DPM component of PM10 and PM2.5 would also not cause any impacts. Construction-related DPM emissions and their significance is addressed on page 40 and 41 of the ISMND; operational TACs are addressed on page 40 of the ISMND.

As stated above, SCAQMD has reviewed the analysis for the project, provided comments, but has not requested or required any additional toxic air contaminant (TAC) analysis.

RESPONSE TO COMMENT 12

Please see response to comments 4, 8, 9, and 10 above. The analysis for the project meets SCAQMD and CEQA requirements for analysis and disclosure of impacts. No additional analyses are warranted or required.

RESPONSE TO COMMENT 13

Comment noted. This comment cites CEQA provisions and case law regarding cumulative impacts analysis but does not contain any specific issues relating to the technical studies prepared by Ganddini Group.

RESPONSE TO COMMENT 14

The project was evaluated for cumulative impacts per currently approved SCAQMD methodology. As the project is not significant on a project level, per SCAQMD guidance, the project will not contribute cumulatively considerable emissions either. In regards to TACs, as the project does not generate enough traffic to require a full operational HRA (see response to comments 4, 9, 10 and 11 above), then the project would not exceed the SCAQMD Maximum Incremental Cancer Risk (MICR) threshold of 10 in a million either, and no further analysis of cumulative impacts from air toxics is required.[2] No additional analyses are warranted or required. The CaEnviroscreen score of 78.4 for PM and 91.6 for DPM are included in the ISMND for informational purposes and are not associated with any cumulative thresholds.

RESPONSE TO COMMENT 15

See response to comment 14. Additionally, the Attorney General's Guidance cites the 2019 CARB Concept Paper for Frieght Handbook, page 22, Table 5, where it states in the Local Governments and Air Districts column, that they are to "Establish screening criteria to evaluate a freight facility's contribution to a cumulatively considerable air quality impact including but not limited to identifying impacted areas, adopting local thresholds of significance, and developing standardized modeling parameters." As mentioned previously

[1] https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-6-20241106.pdf?sfvrsn=13. Slide 11.

[2] https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-6-20241106.pdf?sfvrsn=13

that the SCAQMD is in the process of developing cumulative thresholds, in their Cumulative Impacts from Air Toxics for CEQA Projects Working Group. As stated previously, in their latest meeting (#6) the Working Group has stated that "unless the cancer risk from a project is greater than 10 in a million, no further analysis of cumulative impacts from air toxics is required." Please see response to comment 10.

RESPONSE TO COMMENT 16

See response to comment 15.

RESPONSE TO COMMENT 17

The ISMND included an energy analysis (see Section 6. Energy, pages 48 through 51 of the ISMND). The energy analysis for the project discusses and quantitatively analyzes (using CalEEMod) the project's energy use during construction and operation and answers the threshold questions a) Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation? And b) Would the Project conflict with or obstruct a State or local plan for renewable energy or energy efficiency? There are no quantitative (numerical) thresholds for an energy analysis.The project will comply with current State and City requirements for energy efficient building standards and Green building standards. Fuel efficiency for project-related construction equipment and project-related vehicular traffic is regulated at the State level. The project is required to comply with State and local regulations for energy efficiency. Impacts are considered to be less than signficant. No further analysis is warranted or required.

RESPONSE TO COMMENT 17

The project does not have significant environmental impacts. See response to comment 15.

RESPONSE TO COMMENT 18

The commenter asserts that the MND's energy analysis fails to investigate energy conservation measures and, therefore, violates CEQA. The commenter is incorrect. First, the MND adequately assesses whether the project would result in wasteful, inefficient, or unnecessary energy consumption. The analysis of that issue is not simply limited to whether a project incorporates energy conservation measures (none are suggested by the commenter), but collectively whether the project, based on its features, uses and design, would result in wasteful, inefficient, or unnecessary energy consumption. The MND considered those factors and concluded that the project would not unnecessarily use energy because (a) the project would comply with the requirements of the California Building Code, which includes robust energy efficient measures (including, now, solar mandates – a form of renewable energy), (b) state regulations related to industrial uses, and (c) whether the project would use energy in a manner inconsistent with expectations. As compared to similar projects, the project would not unnecessarily or wastefully use energy. Also, as discussed above, the current CBC includes more robust provisions to ensure energy efficiency (than were in existence at the time the CEQA analyses in cases cited by commenter were completed []. CBC Section 140.0 establishes both performance and prescriptive compliance approaches to energy efficient for non-residential buildings. Each approach, as outlined in the CBC, requires a project to demonstrate energy efficiency for proposed buildings. The prescriptive approach, for instance, identifies multiple requirements to ensure energy efficiency, such as solar reflectance, PV and battery storage requirements, skylights and daylighting requirements, space conditioning controls, and water heating and indoor lighting, among other things. Thus, the updated CBC includes many of the concepts identified by commenter, including solar facilities, passive energy efficient measures, and

building design considerations.[3] Moreover, with each iteration of the CBC (updated every three years), the CBC's mandates exponentially increase efficiency. The MND concluded that these measures ensure the project would not result in wasteful, inefficient, or unnecessary energy use, and also reflect the considerations identified in CEQA Guidelines Appendix F. Thus, no discussion of mitigation is required. (CEQA Guidelines § 15126.4(a)(1)(C) [measures shall be discussed "when relevant"].) The MND properly evaluates potential energy impacts and commenter presents no evidence that an energy impact may result.

RESPONSE TO COMMENT 19

See response to comment 18.

RESPONSE TO COMMENT 20

The project does not have significant environmental impacts. See response to comment 17.

RESPONSE TO COMMENT 21

See reponses to comments 17 through 20 above. No additional energy analyses are warranted or required.

RESPONSE TO COMMENT 22

See reponses to comments 17 through 20 above. No additional energy analyses are warranted or required.

RESPONSE TO COMMENT 23

The core point of this comment is that the IS/MND fails to fully mitigate the Project's significant VMT impact.

First, the comment claims that the IS/MND incorrectly reports the project-generated VMT as 16.4 VMT per worker. Appendix H of the traffic impact analysis for the project (IS/MND Appendix F) contains the SGVCOG VMT Evaluation Tool Report used to assess the project's VMT impacts in accordance with the City of South El Monte methodology. As shown on the SGVCOG VMT Evaluation Tool Report (page Apx-104), the proposed project is estimated to generate 16.4 VMT per worker. The comment claims that the correct project-generated VMT value should be 16.5; however, this is incorrectly based on the "without project" value.

Next the comment claims that the 4.0% VMT reduction associated with mitigation measure TRANS-1 (implementation of a commute trip reduction program) is unsupported because such measures *"would not apply to project workers during night shifts, resulting in lower reductions."* The supporting "Marshall Comments" letter claims that there will be some regular employees who work nighttime hours when transit and rideshare services are not available and who therefore should be excluded from the percentage of employees eligible for the commute trip reduction program. Mitigation measure TRANS-1 requires that the commute trip reduction program be provided to City of South El Monte Public Works Department prior to project occupancy. Depending on the tenant-specific needs, the Public Works Department may require the commute trip reduction program to include trip reduction measures that are applicable to nighttime workers, such as services or incentives that encourage walking, biking, and carpooling, all of which would be available even when transit services are not. Therefore, MM-TRANS-1 enables the City to ensure the voluntary commute trip reduction program includes components that are applicable to 100% of employees.

[3] The California Energy Commission's website for Title 24 explains that the Building Energy Efficiency Standards (part of the CBC) "serve to reduce wasteful, uneconomical, and unnecessary uses of energy for the state." See also https://www.energy.ca.gov/sites/default/files/2021-08/CEC_2022_EnergyCodeUpdateSummary_ADA.pdf.

Lastly, the comment claims that mitigation measure TRANS-1 insufficiently reduces the project-generated VMT to 15.84 VMT per worker, which still exceeds the threshold value of 15.8. This calculation is based on rounding precision that is not supported by the SGVCOG VMT Evaluation Tool. As shown on the SGVCOG VMT Evaluation Tool Report (page Apx-104), the project VMT is reported with a precision of one decimal point. Therefore, calculating the VMT reduction to two decimal points inappropriately adds a significant digit. Furthermore, the project-generated VMT value noted by the commenter appears to be calculated based on the incorrect baseline VMT value of 16.5 for "without project." As explained above, the correct project-generated VMT value is 16.4 VMT per worker. Therefore, VMT calculations have been verified to be correct and the project's VMT impact is fully mitigated as documented by the SGVCOG VMT Evaluation Tool Report provided in Appendix H of the traffic impact analysis for the project (IS/MND Appendix F).

RESPONSE TO COMMENT 24

The IS/MND does apply the correct noise standards in the municipal code. Although the City ordinance does not outright exempt construction noise from compliance with the numerical standards presented in Table 1 Exterior Noise Limits by Zone, it is quite clear that that a sound level limit of 55 dBA for construction activity would be unreasonable, as 55 dBA is half as loud as normal conversation (65 dBA). Further, the City Planning Manager, Gerado Marquez has provided the following clarification regarding the implementation of City Ordinance 8.20.020 and 8.20.030. The email correspondence is attached.

> *"The intent of the code is to regulate any type of construction noise during times that would not customarily have construction activities taking place. To clarify the code section 8.20.030(D) is meant to prohibit the omission of construction noises between 10:00 pm and 7:00 am. It was not the intent of the City to regulate construction noise outside of that time. With that said code enforcement officers would only respond to noise complaints based on the verbage of the municipal code that calls for prohibited acts. 8.20.030."*

The intent of the code is to regulate any type of construction noise during times that would not customarily have construction activities taking place. To clarify, the code section 8.20.030(D) is meant to prohibit the omission of construction noises between 10:00 PM and 7:00 AM and it was not the intent of the City to regulate construction noise outside of that time. It should also be noted that the City has consistently interpreted and applied section 8.20.030(D) as an exemption for construction noise from the noise standards applicable to other, non-construction sources (section 8.20.020). The approved Starlite Residential Development MND, for instance, recognized that section 8.20.030(D) exempted construction noise occurring during the hours specified.

This is not to say that construction noise impacts were not evaluated quantitatively, in absence of a City adopted quantitative noise threshold for construction noise that occurs during daytime hours, which are exempt from the Exterior Noise Standards in Table 1, construction noise was evaluated using widely accepted Federal Transit Administration (FTA) methodologies and significance thresholds found in the *Transit Noise and Vibration Impact Assessment Manual* (2018). Specifically, construction noise levels were modeled for all expected pieces of equipment by phase and the threshold applied was an eight-hour L_{eq} at residential land uses. Project construction noise levels were found to be less than significant. The same analysis (utilizing the FTA's noise standard) is regularly used by the City to evaluate potential construction noise impacts, including for the approved Starlite Residential Development MND. The FTA Manual notes that "[g]enerally local noise ordinances are not very useful for evaluating construction noise impact. They usually relate to nuisance and hours of allowed activity, and sometimes specify limits in terms of maximum levels, but are generally not practical for assessing the impact of a construction project." "While it is not the purpose of this manual to specify standardized criteria for construction noise impact, the following guidelines can be considered

reasonable criteria for assessment. If these criteria are exceeded, there may be adverse community reaction." Thus, the City's use of the FTA thresholds is reasonable and supported by substantial evidence. As stated in page 1 of the technical noise study prepared for the project,[4] even though project impacts would be less than significant the following Best Management Practices (BMPs) are included on project plans and will be adopted as Conditions of Approval.

1. All equipment, whether fixed or mobile, will be equipped with properly operating and maintained mufflers, consistent with manufacturer standards.

2. All stationary construction equipment will be placed so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

3. As applicable, all equipment shall be shut off and not left to idle when not in use.
4. To the degree possible, equipment staging will be located in areas that create the greatest distance between construction-related noise and vibration sources and existing sensitive receptors.

5. All other portable stationary noise sources will be directed away and shielded from existing residences in the vicinity of the project site. Either one-inch plywood or sound blankets can be utilized for this purpose. They should reach up from the ground and block the line of sight between equipment and existing residences. The shielding should be without holes and cracks.

6. No amplified music and/or voice will be allowed on the project site.

7. Haul truck deliveries will not occur outside of the hours presented as exempt for construction per City of South El Monte Municipal Code Section 8.20.030(D).

RESPONSE TO COMMENT 25

Regarding the argument that the magnitude of an increase was not considered: measured daytime noise levels in the project vicinity range between 54.1 and 72.3 dBA L_{eq} and modeled project operational noise is expected to range between 31 and 54 dBA L_{eq} without mitigation. When adding two of the same noise levels, the resulting 3 dBA increase is considered a barely perceptible increase (per Caltrans Technical Noise Supplement to the Traffic Noise Analysis Protocol). Operational noise levels without mitigation would not exceed existing daytime ambient noise levels (see MND Appendix E – Noise Impact Analysis, Table 12); therefore, the project-related noise level change would not exceed a barely perceptible increase of 3 dBA and the project impact is less than significant. The project's daytime noise would be even less with proposed Mitigation Measure NOI-1. During the quietest nighttime hour, noise levels at the single-family residential south of the project site were measured at 44.4 dBA (see MND Appendix E – Noise Impact Analysis, Table 12) and mitigated project operational noise would not exceed 45 dBA at this receptor, well below the 50 dBA noise standard. Also, the project-related noise level change is considered barely perceptible at an approximately 3 dBA increase (which would also remain below the applicable 50 dBA standard) and the project impact is less than significant.

Notwithstanding the above, with mitigation, the MND concluded that operational noise would not result in a significant impact because it would not exceed applicable standards. California courts have upheld an analysis that is based in applicable standards. (Mount Shasta Bioregional Ecology Center v. County of Siskiyou (2012) 210 Cal.App.4th 184, 205-207.) The finding of a less than significant impact is supported by compliance with the applicable plans, policies and ordinances.

[4] Rosemead and Rush Industrial Project Noise Impact Analysis. Ganddini Group Inc., June 15, 2023.

Further, regarding the referenced case Keep our Mountains Quiet v. County of Santa Clara was decided in 2015. Revisions made to the California Environmental Quality Act (CEQA) Appendix G checklist questions that were made in 2018 revised the previously ambiguous CEQA checklist question as to what qualifies as a substantial increase in noise levels. The clarification that was added to the CEQA checklist question was to add the underlined text below.

"Would the project generate 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?

Also, the commentor does not provide substantial evidence or make a fair argument that operational noise would result in substantial increases in noise levels under this threshold. The referenced case law determines that "Relevant personal observations of area residents on nontechnical subjects may qualify as substantial evidence." (*Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 928, 21 Cal.Rptr.3d 791.) "For example, an adjacent property owner may testify to traffic conditions based upon personal knowledge." (*Citizens Assn. for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151, 173, 217 Cal.Rptr. 893.). However, no relevant observations have been provided that would challenge the validity of the operational noise modeling.

Furthermore, the case that is referenced repeatedly and that other case law builds upon *(Berkeley Keep Jets Over the Bay Com. v. Board of Port Cmrs.* (2001) 91 Cal.App.4th 1344, 111 Cal.Rptr.2d 598) does not apply to the proposed project. This case is in relation to the use of a 24-hour weighted noise standard (CNEL) for aircraft noise. Use of the weighted CNEL can easily mask relatively short noise events associated with aircraft flyovers that wake residents from sleep. However, the City applies shorter, more appropriate noise standards for stationary noise sources that may impact other nearby land uses. In this case, the City is applying appropriate criteria and additional criteria is not necessary.

To the extent the commenter is asserting that construction noise should have been assessed using an ambient increase standard, the commenter is incorrect. As discussed above, the FTA Manual's thresholds are reflective of the limited duration of temporary construction activities and the fact that construction is a common component of the urban environment. The City regularly issues building permits for construction within the City, which is mostly built-out with existing and new developments in close proximity. Thus, the use of the FTA thresholds accounts for reasonable expectations during daytime and nighttime hours and also include absolute noise levels that are intended to protect human health.

RESPONSE TO COMMENT 26

See response to comment 24 and 25.

RESPONSE TO COMMENT 27

These comments are related to public facilities. This comment does not contain any issues relating to the technical studies prepared by Ganddini Group.

RESPONSE TO COMMENT 28

These comments consist of conclusory text. This comment does not contain any issues relating to the technical studies prepared by Ganddini Group.

(EXHIBIT A – NORMAN MARSHALL LETTER)

RESPONSE TO COMMENT 29

This comment summarizes the findings of the review, including claims that the project trip generation and truck trip generation could be higher than assumed, the project VMT is incorrectly reported, and that the proposed mitigation measure is insufficient. These claims are refuted in response to the more specific comments below.

RESPONSE TO COMMENT 30

See Response to Comment 4. As noted in Response to Comment 4, comparison to high-cube warehouse trip generation rates is not applicable to the proposed project based on the ITE land use descriptions and data plots. Per the Applicant, there will not be any cold storage at this facility and the building is not designed as such; therefore, an analysis of the facility as a refrigerated warehouse and analysis of emissions from TRUs is not warranted or required. The project can be conditioned to prohibit cold storage, if required, by the City Planning Department.

RESPONSE TO COMMENT 31

This comment claims that the truck trip generate rate used in the MND is lower than the rates for some warehouse types and provides cold storage warehouse as an example; however, the cold storage warehouse example provided is based on rates for ITE Land Use Code 157 (High-Cube Cold Storage Warehouse). The comment claims that a toxic air contaminant analysis should be prepared since the project truck trip generation would exceed 100 trips per day for the cold storage warehouse use provided as an example.

As noted in Response to Comment 4, comparison to high-cube warehouse trip generation rates is not applicable to the proposed project based on the ITE land use descriptions and data plots.

As also noted in Response to Comment 4, per the Applicant, there will not be any cold storage at this facility and the building is not designed as such; therefore, an analysis of the facility as a refrigerated warehouse and analysis of emissions from TRUs is not warranted or required. The project can be conditioned to prohibit cold storage, if required, by the City Planning Department.

As also noted in Response to Comment 4, use of ITE Land Use Code 150 (Warehousing) as evaluated in the IS/MND provides the most conservative daily trip rate for trucks (0.6 daily truck trips per thousand square feet) when compared to other industrial ITE codes, except for high-cube cold-storage warehousing which is not proposed. Therefore, the project truck trip generation would not exceed 100 truck trips per day and TAC impacts would be less than significant.

RESPONSE TO COMMENT 32

The comment incorrectly claims there is a discrepancy between the MND and the VMT Evaluation Tool. Appendix H of the traffic impact analysis for the project (IS/MND Appendix F) contains the SGVCOG VMT Evaluation Tool Report used to assess the project's VMT impacts in accordance with the City of South El Monte methodology. As shown on the SGVCOG VMT Evaluation Tool Report (page Apx-104), the proposed project is estimated to generate 16.4 VMT per worker. The comment claims that the correct project-generated VMT value should be 16.5; however, this is incorrectly based on the "without project" value. Therefore, there is no discrepancy between the MND and VMT Evaluation Tool results.

RESPONSE TO COMMENT 33

The comment correctly notes a minor discrepancy on page 104 of the MND, which refers to implementation of a Commute Trip Reduction Marketing/Education Program, whereas the formal description of MM-TRANS-1 on page 105 of the MND requires implementation of a voluntary commute trip reduction program (CTR). The comment correctly notes that CAPCOA Measure T-7 is a component of CAPCOA Measure T-5 and the MND is proposing implementation of a voluntary commute trip reduction program consistent with CAPCOA Measure T-5.

RESPONSE TO COMMENT 34

The comment claims that a 4.0% VMT reduction associated with the proposed MM-TRANS-1 insufficiently reduces the project-generated VMT to 15.84 VMT per worker, which still exceeds the threshold value of 15.8. This calculation is based on rounding precision that is not supported by the SGVCOG VMT Evaluation Tool. As shown on the SGVCOG VMT Evaluation Tool Report (page Apx-104), the project VMT is reported with a precision of one decimal point. Therefore, calculating the VMT reduction to two decimal points inappropriately adds a significant digit. Furthermore, the project-generated VMT value noted by the commenter appears to be calculated based on the incorrect baseline VMT value of 16.5 for "without project." As explained above, the correct project-generated VMT value is 16.4 VMT per worker. Therefore, VMT calculations have been verified to be correct and the project's VMT impact is fully mitigated as documented by the SGVCOG VMT Evaluation Tool Report provided in Appendix H of the traffic impact analysis for the project (IS/MND Appendix F).

RESPONSE TO COMMENT 35

The comment claims that the 4.0% VMT reduction associated with MM-TRANS-1 is unsupported because there will be some regular employees who work nighttime hours when transit and rideshare services are not available and who therefore should be excluded from the percentage of employees eligible for the commute trip reduction program. MM-TRANS-1 requires that the commute trip reduction program be provided to City of South El Monte Public Works Department prior to project occupancy. Depending on the tenant-specific needs, the Public Works Department may require the commute trip reduction program to include trip reduction measures that are applicable to nighttime workers, such as services or incentives that encourage walking, biking, and carpooling, all of which would be available even when transit services are not. Therefore, MM-TRANS-1 enables the City to ensure the voluntary commute trip reduction program includes components that are applicable to 100% of employees.

RESPONSE TO COMMENT 36

The comment correctly notes that the CAPCOA Handbook precludes taking separate reductions for CAPCOA Measures T-5 and T-7. The comment incorrectly claims that CAPCOA Measure T-5 provides insufficient VMT mitigation and suggests implementation of CAPCOA Measure T-6 - Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring).

VMT reductions were calculated using the SGVCOG VMT Evaluation Tool in accordance with City of South El Monte guidelines and is the tool used by most, if not all, of the 27 jurisdictions within the San Gabriel Valley Council of Governments. While the tool adapts much of the guidance and supporting evidence from the CAPCOA Handbook, each reduction measure includes direct citations to source materials and the tool is not relegated to the CAPCOA Handbook.

Additionally, the project's VMT reduction calculation does not combine reduction credits for measures T-5 and T-7. As shown on the SGVCOG VMT Evaluation Tool Report (IS/MND Appendix F, page Apx-105 and Apx-106), the VMT reductions applied consist of SGVCOG VMT Evaluation Tool measures PK02 (Provide Bicycle Parking Facilities) and TP04 (CTR Marketing and Education). Measure PK02 was applied as a project design feature based on nine (9) bicycle parking spaces proposed. TP04 consists of commute trip reduction marketing/education, which is only one component of the more robust requirements in MM-TRANS-1. Therefore, the project's VMT impact is sufficiently mitigated with implementation of MM-TRANS-1; no additional mitigation is necessary to reduce the project's impact to a less than significant level.

RESPONSE TO COMMENT 37

This comment claims that the TDM program required for project VMT reduction should be prepared now and included in the EIR for public review to ensure the TDM measures will reduce VMT to less than significant levels. The comment also claims that the TDM program must go beyond CAPCOA Measure T-5.

This comment omits the full text of MM-TRANS-1 which specify additional requirements of the TDM program, including that the program must include the following elements:

- Employer-provided services, infrastructure, and incentives for alternative modes such as ridesharing, discounted transit, bicycling, vanpool, and guaranteed ride homes.
- Information, coordination, and marketing for said services, infrastructure, and incentives.

Therefore, MM-TRANS-1 sufficiently outlines requirements of the TDM program necessary to achieve the VMT reduction associated with a voluntary commute trip reduction program as supported by the guidance for Measure T-5 of the CAPCOA Handbook. To achieve maximum efficacy, the commute trip reduction program should be tailored to tenant-specific needs and characteristics. Thus, the TDM program is best-suited to be prepared prior to tenant occupancy at which time tenant-specific needs and characteristics can be taken into consideration. MM-TRANS-1 enables the Public Works Department to ensure the program sufficiently complies with the requirements of MM-TRANS-1.

The TDM program does not require additional measures beyond those specified in MM-TRANS-1 to sufficiently mitigate the project's VMT impact to less than significant levels; see Response to Comment 36.

CONCLUSION

We appreciate the opportunity to assist you on this project. Should you have any questions or if we can be of further assistance, please contact us at 714-795-3100.

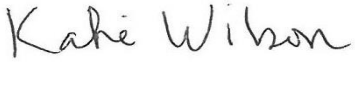
Respectfully submitted,
GANDDINI GROUP, INC.



Giancarlo Ganddini
Principal Traffic Engineer



Roma Stromberg, MS
Senior Noise Analyst



Katie Wilson, MS
Senior Air Quality Analyst

Kimley»Horn

RESPONSE TO COMMENT LETTER 3

Patricia Horsley, Environmental Planner, Facilities Planning Department, Los Angeles County Sanitation Districts, October 28, 2024.

3-1 This comment introduces the Los Angeles County Sanitation Districts' (Districts) response to the Project's Notice of Intent. This comment does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.

3-2 This comment notes that the wastewater flow originating from the proposed project would discharge to a local sewer line, which is not maintained by the Districts for conveyance to the Districts' Rush Street Trunk Sewer, located in Rush Street at Rosemead Boulevard. The Districts' 15-inch diameter trunk sewer has a capacity of 1.4 million gallons per day (mgd) and conveyed a peak flow of 1.0 mgd when last measured in 2013. This comment is acknowledged and does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.

3-3 This comment states that the expected average wastewater flow from the project is 8,066 gallons per day and provides a link to the District's average wastewater generation factors. The ISMND analyzed an average wastewater flow of 10,095 gallons per day for the project and concluded that sufficient capacity exists at existing facilities to treat the project's wastewater. This comment is acknowledged and does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.

3-4 This comment states that the wastewater generated by the proposed project will be treated at the Whittier Narrows Water Reclamation Plant (WRP) located near the City of South El Monte, which has a capacity of 15 mgd and currently processes an average recycled flow of 9 mgd, or at the Los Coyotes WRP located in the City of Cerritos, which has a capacity of 37.5 mgd and currently processes an average recycled flow of 19.1 mgd. This comment is acknowledged and does not change the IS/MND's analysis concerning adequate wastewater treatment capacity to serve the project's projected demand in addition to the provider's existing commitments and impacts would remain less than significant.

3-5 This comment provides information regarding the Districts' connection fees. This comment does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.

3-6 This comment provides background information concerning the Districts' wastewater treatment facility capacities. This comment does not address the IS/MND's adequacy or raise a significant environmental issue. As such, no further response is necessary.

Kimley»Horn

RESPONSE TO COMMENT LETTER 4

Sam Wang, Program Supervisor, CEQA IGR, South Coast Air Quality Management District, October 30, 2024.

4-1 See Response to SCAQMD Letter Dated October 30, 2024 Regarding the IS/MND for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618)

4-2 See Response to SCAQMD Letter Dated October 30, 2024 Regarding the IS/MND for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618)

4-3 See Response to SCAQMD Letter Dated October 30, 2024 Regarding the IS/MND for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618)

4-4 See Response to SCAQMD Letter Dated October 30, 2024 Regarding the IS/MND for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618)

MEMORANDUM

TO: Dana Privett | KIMLEY-HORN & ASSOCIATES, INC.

FROM: Katie Wilson | GANDDINI GROUP, INC.

DATE: November 7, 2024

SUBJECT: Response to SCAQMD Letter Dated October 30, 2024 Regarding the IS/MND for the 2222 Rosemead Boulevard Warehouse Development
(GGI Project No. 19618)

The South Coast Air Quality Management District (SCAQMD) submitted a comment letter dated October 30, 2024, regarding the Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed 2222 Rosemead Boulevard Warehouse Development project. This memorandum contains responses to the comments received from SCAQMD.

COMMENT 1

> *Warehouse Cold Storage Land Use and the Associated Emissions from Transport Refrigeration Units (TRU)*

The project description in the MND does not specify whether the Proposed Project includes allocating warehouse land for cold storage. Cold storage warehouses typically utilize more trucks and trailers equipped with TRUs compared to those without cold storage. Therefore, it is recommended that the Lead Agency revise the project description in the Final MND to clarify if cold storage would be a part of the Proposed Project, and additionally, the Final MND should provide an estimate for the number of TRU trucks and trailers that would be involved in the operation of the warehouses with cold storage. If TRUs are planned to be used, the Lead Agency should also update the emissions calculations in the Final MND to include the emissions from the TRUs in addition to the those from truck operation.

RESPONSE

Within Section 2.0 Project Description under the subheading Section 2.4 Project Characteristics of the IS/MND, it is stated that the project does not proposed refrigeration as part of the warehouse operations. Therefore, no additional emissions calculations or other revisions are needed regarding warehouse cold storage.

COMMENT 2

> *Rule 2305: Warehouse Indirect Source Rule - Warehouse Actions and Investments To Reduce Emissions (WAIRE) Program*

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NOx) and

particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt in to earn Points on behalf of their tenants if they so choose because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Since the Proposed Project consists of the development of a 643,419 square foot warehouse, the Proposed Project's warehouse owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation.[1] South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at (909) 396-3140 or waire-program@aqmd.gov. For implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage.[2]

RESPONSE

The project proposes to construct an approximately 156,877 square foot concrete tilt-up warehouse and 13 dock doors. Of the 156,877 square feet, the project would have 113,703 square feet of warehouse space, 7,879 square feet of retail use, 20,305 square feet of accessory warehouse office use, and 14,990 square feet of warehouse storage. As the project includes over 100,000 thousand square feet of warehouse use, it will be required to comply with Rule 2305 once occupied. As this comment is a recommendation, it is up to the project applicant to decide whether, at this time, they want to determine the potential WAIRE points and compliance obligations of the warehouse to identify any potential measures that can be implemented at this stage of the project in order to assist the future warehouse operators in meeting compliance with Rule 2305. Compliance with Rule 2305 is required and can be part of the City's Conditions of Approval for the project.

COMMENT 3

South Coast AQMD Air Permits and Role as a Responsible Agency

If the implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, spray booths, and etc., air permits from South Coast AQMD will be required and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections15086, the Lead Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final MND should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

[1] South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf.

[2] South Coast AQMD WAIRE Program. Accessed at: http://www.aqmd.gov/waire.

The Final MND should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at: http://www.aqmd.gov/home/permits.

RESPONSE

Per the project Applicant, there are no back-up generators in the approved design. The project includes an electrical fire pump and would only be used on an as-needed (emergency) basis. As the fire pump is electrical, there would be no emissions of criteria pollutants or toxic air contaminants. Any increase in the energy use from the emergency use of the electrical fire pump would be negligible. No additional analysis is warranted or required.

CONCLUSION

We appreciate the opportunity to assist you on this project. Should you have any questions or if we can be of further assistance, please contact us at 714-795-3100.

Respectfully submitted,
GANDDINI GROUP, INC.

Katie Wilson

Katie Wilson, M.S.
Senior Air Quality Analyst

RESPONSE TO COMMENT LETTER 5

Anthony Higgins, Acting LDR Branch Chief, California Department of Transportation – District 7, November 5, 2024.

Comments 5-1 through 5-6: See Response to Caltrans Letter Dated November 5, 2024 Regarding the IS/MND for the 2222 Rosemead Boulevard Warehouse Development (GGI Project No. 19618)

MEMORANDUM

TO: Dana Privett | KIMLEY-HORN & ASSOCIATES, INC.

FROM: Giancarlo Ganddini | GANDDINI GROUP, INC.

DATE: November 7, 2024

SUBJECT: Response to Caltrans Letter Dated November 5, 2024 Regarding the IS/MND for the 2222 Rosemead Boulevard Warehouse Development
(GGI Project No. 19618)

The California Department of Transportation (Caltrans) submitted a comment letter dated November 5, 2024, regarding the Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed 2222 Rosemead Boulevard Warehouse Development project. This memorandum contains responses to the comments received from Caltrans.

COMMENT 1

Dear Gerardo Marquez:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced environmental document. The Project would result in the construction of an approximately 156,877-square-foot (sf) concrete tilt-up warehouse with 13 dock doors. Of the 156,877 sf, the Project would have 113,703 sf of warehouse space, 7,879 sf of retail use, 20,305 sf of accessory warehouse office use, and 14,990 sf of warehouse storage. The proposed warehouse would be at a maximum height of 48 feet 10 inches and have a site coverage of approximately 55 percent with a Floor-Area Ratio of 0.7. Access to the site would be from two driveways on Rosemead Boulevard.

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Senate Bill 743 (2013) has codified into CEQA law and mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. You may reference the Governor's Office of Planning and Research (OPR) for more information:

https://opr.ca.gov/ceqa/#guidelines-updates

As a reminder, VMT is the standard transportation analysis metric in CEQA for land use projects after July 1, 2020, which is the statewide implementation date.

RESPONSE

This comment consists of introductory text, the project description, and information regarding current CEQA provisions requiring the evaluation of VMT. This comment does not contain any issues relating to the technical studies prepared by Ganddini Group.

COMMENT 2

Caltrans is aware of challenges that the region faces in identifying viable solutions to alleviating congestion on State and Local facilities. With limited room to expand vehicular capacity, this project should incorporate multi-modal and complete streets transportation elements that will actively promote alternatives to car use and better manage existing parking assets. Prioritizing and allocating space to efficient modes of travel such as bicycling and public transit can allow streets to transport more people in a fixed amount of right-of-way.

Caltrans encourages city planning that promotes complete streets and pedestrian safety through measures like road diets, recognized for enhancing safety and being cost-effective when combined with street resurfacing. City planning should focus on reducing single-occupancy vehicle trips, improving safety, lowering vehicle miles traveled (VMT), and cutting greenhouse gas emissions.

RESPONSE

This comment consists of general recommendations for the City's consideration with respect to multi-modal planning and reducing VMT. This comment does not contain any issues relating to the technical studies prepared by Ganddini Group; no additional response is necessary.

COMMENT 3

The project site is served by LA Metro Routes 266 and 287, with bus stops on both sides of Rosemead Boulevard, approximately 400 feet north of the site. Further transit access is available via the El Monte Station/San Bernardino Freeway Busway at 3501 Santa Anita Avenue, providing connections to Metrolink, regional transit, carpools, and vanpools. Sidewalks along Rosemead Boulevard will remain intact, preserving pedestrian access. There are no bicycle facilities adjacent to the project site. The project site will include bike racks to accommodate cyclists. Given the industrial nature of the proposed use, the project's VMT per worker (16.4) exceeds the city threshold of 15.83, necessitating MM TRANS-1, a Commute Trip Reduction Marketing/Education Program, to mitigate VMT impacts to a level of 15.80 VMT per worker, meeting the established criteria for significance.

MM TRANS-1 is a mitigation requirement that, before the first occupancy permit is issued, the Applicant submits a Transportation Demand Management (TDM) program to the City of South El Monte Public Works Department to reduce Vehicle Miles Traveled (VMT) and vehicle trips associated with the project. The program, implemented upon occupancy, includes a Commute Trip Reduction (CTR) strategy, which offers incentives and infrastructure to encourage alternative transportation methods like carpooling, transit, and biking, along with services such as ridesharing support, discounted transit, and guaranteed rides home for employees.

RESPONSE

This comment accurately summarizes the transit, pedestrian, and bicycle setting in the project vicinity and summarizes the project's VMT impact and proposed mitigation measure. This comment does not cite any issues/deficiencies with the technical studies prepared by Ganddini Group; no additional response is necessary.

COMMENT 4

Given the project's VMT of 15.8, which is very close to the city threshold of 15.83, a post-development VMT analysis is recommended to confirm project impacts and aid in future VMT threshold adjustments. If the analysis indicates any significant traffic impacts, additional mitigation measures should be implemented. The analysis, potentially

including surveys of project occupants, could capture data such as trip origins, timing, transportation modes, and mode selection reasons. This data would be valuable for validating existing thresholds, setting future VMT benchmarks, and identifying effective Transportation Demand Management (TDM) measures for future applications.

RESPONSE

This comment recommends post-development VMT analysis to "*confirm project impacts and aid in future VMT threshold adjustments*" since the project's mitigated VMT is close to the threshold. As documented by the IS/MND, the project VMT impact is sufficiently mitigated below the City-established threshold of significance with implementation of mitigation measure TRANS-1. Requiring preparation of a post-development VMT analysis would place an undue burden on the project with no nexus to a significant impact. While such data may be "*valuable for validating existing thresholds, setting future VMT benchmarks, and identifying effective Transportation Demand Management (TDM) measures for future applications,*" such information is beyond the scope of assessing the project's impacts. This comment does not cite any issues/deficiencies with the VMT analysis prepared by Ganddini Group; no revisions or additional analysis are necessary.

COMMENT 5

A sight distance analysis was performed, confirming that both the desired and minimum stopping sight distances will be met, assuming no landscape obstructions. To maintain these sightlines in accordance with the Highway Design Manual and California MUTCD standards, it is recommended that on-street parking be prohibited on both sides of the project driveways along Rosemead Boulevard (Route 164). This prohibition should extend six feet from the curb return to ensure adequate visibility for vehicles entering and exiting the driveways.

RESPONSE

This comment accurately summarizes the sight distance analysis and recommendations included in the traffic impact analysis prepared for the project (IS/MND Appendix F); no revisions or additional analysis are necessary.

COMMENT 6

Please be reminded that any work performed within the State Right-of-way will require an Encroachment Permit from Caltrans. Any modifications to State facilities must meet all mandatory design standard and specifications. A project (EA 39410) along Rosemead Boulevard (Route 164) is set to install a traffic signal at the intersection of Klingerman Street. It is essential to update the traffic impact assessment to incorporate this improvement when submitting the encroachment permit application.

As a reminder, any transportation of heavy construction equipment and/or materials which require use of oversized transport vehicles on State highways will need a Caltrans transportation permit. We recommend large-size truck trips be limited to off-peak commute periods. Truck drivers should cover construction trucks with tarpaulin to avoid debris spillage onto the State Highway.

RESPONSE

This comment includes general information regarding permits required to be obtained from Caltrans. This comment does not contain any issues relating to the technical studies prepared by Ganddini Group; no additional response is necessary.

Dana Privett
KIMLEY-HORN & ASSOCIATES, INC.
November 7, 2024

CONCLUSION

We appreciate the opportunity to assist you on this project. Should you have any questions or if we can be of further assistance, please contact us at 714-795-3100.

Respectfully submitted,

GANDDINI GROUP, INC.



Giancarlo Ganddini, PE, PTP
Principal

APPENDIX A

Comment Letters

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Via Email

October 29, 2024

Gerardo Marquez, Planning Manager
City of South El Monte
1415 Santa Anita Avenue
South El Monte, CA 91733
gmarquez@soelmonte.org

Re: Comment on the Initial Study/Mitigated Negative Declaration
2222 Rosemead Blvd. Warehouse Development Project

Dear Mr. Marquez:

1-1 I am writing on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") and its members in and around the City of South El Monte ("City") regarding the Initial Study and Mitigated Negative Declaration ("MND" or "IS/MND") prepared for the 2222 Rosemead Boulevard Warehouse Project ("Project").

After careful review of the IS/MND and its accompanying documents prepared by Kimley-Horn & Associates, Inc. ("KHA") and Phil Martin and Associates, Inc., SAFER believes that the MND is improper under the California Environmental Quality Act, and that an environmental impact report ("EIR") is required. As explained in more detail below, the MND fails to adequately analyze and review the Project's impacts. Further, there is substantial evidence of a fair argument that the Project may have adverse environmental impacts related to noise and air quality. SAFER's review of the MND was assisted by Jack Meighan of acoustical consulting firm Wilson Ihrig and Dr. James Clark of Clark & Associates Environmental Consulting, Inc. Wilson Ihrig and Dr. Clark's expert comments and CVs are attached as Exhibits A and B.

SAFER requests that the City not proceed with approving the MND and to instead prepare an EIR to ensure that potentially significant adverse impacts of this Project are fully disclosed, analyzed, and mitigated.

PROJECT DESCRIPTION

1-2 The Applicants propose to construct of a 156,877-square-foot (sf) concrete tilt-up warehouse with 13 dock doors, and is anticipated to operate 24 hours a day, seven days a week. The Project site is immediately adjacent to a residential neighborhood, where the closest resident is only 45 feet away. Of the 156,877 sf, the Project would have 113,703 sf of warehouse space,

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7,879 sf of retail use, 20,305 sf of accessory warehouse office use, and 14,990 sf of warehouse storage. The building would be at a maximum height of 48 feet 10 inches and have a site coverage of approximately 55 percent with a Floor-Area Ratio of 0.7. Access to the site would be from two driveways on Rosemead Boulevard.

The 5.14-acre project site is in the City of South El Monte at 2200, 2212, 2218, and 2226 Rosemead Boulevard (Assessor Parcel Numbers 8102-039-029, 8102-039-030, 8102-039-031, 8102-039-035). The project site is accessed off Rosemead Boulevard (State Route 164 [SR-164]), which is located adjacent to the project site; SR-60, which is 0.9-mile south of the project site; and Interstate 10 (1-10), which is approximately 1.3 miles north of the project site.

LEGAL STANDARD

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As the California Supreme Court has held "[i]f no EIR has been prepared for a nonexempt project, but substantial evidence in the record supports a fair argument that the project may result in significant adverse impacts, the proper remedy is to order preparation of an EIR." (*Communities for a Better Env't v. South Coast Air Quality Mgmt. Dist.* (2010) 48 Cal.4th 310, 319-320 [citing *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75, 88; *Brentwood Assn. for No Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal.App.3d 491, 504–505].) "Significant environmental effect" is defined very broadly as "a substantial or potentially substantial adverse change in the environment." (Pub. Res. Code § 21068; *see also* 14 CCR § 15382.)

The EIR is the very heart of CEQA. *Bakersfield Citizens for Local Control v. City of Bakersfield (*2004) 124 Cal.App.4th 1184, 1214 (*Bakersfield Citizens*); *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 927. The EIR is an "environmental 'alarm bell' whose purpose is to alert the public and its responsible officials to environmental changes before they have reached the ecological points of no return." *Bakersfield Citizens*, 124 Cal.App.4th at 1220. The EIR also functions as a "document of accountability," intended to "demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action." *Laurel Heights Improvements Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 392. The EIR process "protects not only the environment but also informed self-government." *Pocket Protectors*, 124 Cal.App.4th at 927.

An EIR is required if "there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment." (PRC § 21080(d); see also *Pocket Protectors*, *supra*, 124 Cal.App.4th at 927.) An MND rather than an EIR is proper *only* if the project revisions would avoid or mitigate the potentially significant effects identified in the initial study "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." PRC §§ 21064.5 and 21080(c)(2); *Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 331. In that context, "may" means a reasonable possibility of a significant effect on the environment. PRC §§ 21082.2(a), 21100, 21151(a); *Pocket Protectors*, 124

1-3 cont.

Cal.App.4th at 927; *League for Protection of Oakland's etc. Historic Res. v. City of Oakland* (1997) 52 Cal.App.4th 896, 904–05.

An EIR must be prepared rather than an MND "whenever it can be fairly argued on the basis of substantial evidence that the project may have a significant environmental impact." (*No Oil, Inc. v City of Los Angeles* (1974) 13 Cal.3d 68, 75.) Under the "fair argument" standard, an EIR is required if any substantial evidence in the record indicates that a project may have significant environmental impacts —even if contrary evidence exists to support the agency's decision. 14 CCR § 15064(f)(1); *Pocket Protectors,* 124 Cal.App.4th at 931; *Stanislaus Audubon Society v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 150-51; *Quail Botanical Gardens Found., Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602. The "fair argument" standard creates a "low threshold" favoring environmental review through an EIR rather than through issuance of negative declarations or notices of exemption from CEQA. *Pocket Protectors*, 124 Cal.App.4th at 928. The "fair argument" standard is virtually the opposite of the typical deferential standard accorded to agencies. As a leading CEQA treatise explains:

> This 'fair argument' standard is very different from the standard normally followed by public agencies in making administrative determinations. Ordinarily, public agencies weigh the evidence in the record before them and reach a decision based on a preponderance of the evidence. [Citations]. The fair argument standard, by contrast, prevents the lead agency from weighing competing evidence to determine who has a better argument concerning the likelihood or extent of a potential environmental impact. The lead agency's decision is thus largely legal rather than factual; it does not resolve conflicts in the evidence but determines only whether substantial evidence exists in the record to support the prescribed fair argument.
>
> Kostka & Zischke*, Practice Under CEQA*, §6.29, pp. 273–74.

The Courts have explained that "it is a question of law, not fact, whether a fair argument exists, and the courts owe no deference to the lead agency's determination. Review is de novo, with *a preference for resolving doubts in favor of environmental review*." *Pocket Protectors*, 124 Cal.App.4th at 928 (emphasis in original).

DISCUSSION

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I. There is Substantial Evidence of a Fair Argument that the Project May Have Significant Noise Impacts.

An EIR is required because substantial evidence in the record indicates a fair argument that the Project may have significant noise impacts. Jack Meighan of Wilson Ihrig reviewed the Project, MND, and the Noise Impact Analysis prepared by Ganddini ("Ganddini Noise Report"). Wilson Ihrig concluded that the Project not only underestimates noise and vibration impacts, but that correcting these errors reveals the Project's potentially significant noise and vibration impacts that must be disclosed and mitigated.

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For the following reasons set forth below, the City should not approve the MND and must instead prepare and circulate an EIR for the Project.

A. The MND Fails to Adequately Evaluate the Project's Noise Impacts.

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The MND's noise analysis relies on the Ganddini Noise Report to conclude that the Project will not have significant noise impacts. However, the Ganddini Noise Report's analysis is misleading and inaccurate. Residents of a mobile home park abut the Project site. (MND, p. 87.) According to Footnote 3 of the Ganddini Noise Report's Construction Noise Model Worksheets, the Project site the "[d]istance to receptor [is] calculated from center of site. Construction noise projected from the center of the project site to nearest sensitive use (property line)." (Ganddini Noise Report, p. 109.) However, the Ganddini Noise Report conducts measurements of noise impacts from the acoustical center of the Project site and applies an incorrect usage factor, which underestimates the Project's noise impacts. As Wilson Ihrig explains, "[a] project site with large dimensions cannot be characterized in such a way since the noise source will be unrepresentatively far from the closest receivers." (Ex. A, p. 2.) "Since the threshold of the detailed assessment is used in the IS/MND, it stands to reason that the distance to each receiver should be used in the calculation. The document's approach of using the detailed assessment thresholds while utilizing part of the general assessment methodology significantly underestimates the potential impact of construction noise." (*Id*., p. 3.)

The Project site is 5.14 acres large, and so measuring noise levels from the center (over 200 feet away from the nearest sensitive receptor) would not provide an accurate representation of the noise levels on adjacent sensitive receptors – a residential neighborhood. Correcting the above errors, Wilson Ihrig concludes that when noise levels are more accurately calculated at 45 feet, which is the distance of the closest sensitive residential receptor, the noise levels would be 88.2 decibels (dBA). (*Id*.) This would exceed the daytime noise significance threshold cited in the Ganddini Noise Report of 80 dBA, as well as the nighttime threshold, which is lower. Therefore, a more accurate measurement of noise levels on sensitive receptors reveals potentially significant impacts that must be disclosed and mitigated in an EIR.

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Furthermore, the Ganddini Noise Report relies on unrealistic assumptions when analyzing operational noise impacts. For instance, the Ganddini Noise Report assumes that ten 5-ton HVAC units will be included for Project operations (Ganddini Noise Report, p. 23.) However, as Wilson Ihrig identified, this severely underestimates the required amount that would be required to operate the warehouse:

> For warehouses, The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) minimum ventilation rate is 0.06 CFM per square foot, per person, which must be adjusted for occupancy rates, indoor air quality, and other factors. [citation] According to the IS/MND, the project will build 156,999 square feet of industrial warehouse space [citation. A simple calculation using a rule of thumb for industrial buildings (1 ton of cooling per 500-600 sq. ft. of commercial space) [citation] shows that a warehouse of this size would need 125 5-ton units (spread out across the roof) to properly ventilate the space. 63 5-ton units – or 13 25-ton units – would be

1-6 cont.

> required to cool the space. The current analysis uses ten 5-ton units, underestimating source noise. Typically, but not always, 25-ton units are used for warehouses for this reason. **Either way, the analysis assumes an unrealistically low amount of cooling power, and thus a low source noise level.** (emph. added.)

(Ex. A, p. 3.) Because of this underestimation of operational noise impacts, Wilson Ihrig suggests that the City revise the MND to better reflect the amount of HVAC units required for the Project to operate. Until and unless the MND properly evaluates the operational noise impacts, the City cannot proceed with the Project or approve the MND.

B. The MND's Selected Vibration Threshold Impermissibly Obscures the Project's Potentially Significant Impacts.

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"[A] threshold of significance cannot be applied in a way that would foreclose the consideration of other substantial evidence tending to show the environmental effect [] might be significant." (*Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1109.) Even when an accepted method and standards are used to assess a significant impact, the EIR's analysis can nevertheless be rejected if a reviewing court concludes its characterization of a significant impact does not provide information sufficient to give the public and decisionmakers a complete picture of its nature and scope. (See *Sierra Club v County of Fresno* (2018) 6 Cal.5th 502 [reliance on air pollution control district's standard of significance coupled with description of potential health impacts found inadequate]; *City of Long Beach v City of Los Angeles* (2018) 19 Cal.App.5th 465, 483 [use of industry-accepted protocol to assess project's air pollution impacts provided incomplete analysis of frequency and duration of excessive pollution]; *Berkeley Keep Jets Over the Bay Comm. v Board of Port Comm'rs* (2001) 91 Cal.App.4th 1344, 1372 [EIR's analysis of significance of aircraft noise impacts using standard industry methodology for measuring cumulative noise rejected because single event noise was not also considered].)

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The City improperly fails to disclose and mitigate potentially significant vibration impacts. Specifically, the MND exclusively relies on the "severe" annoyance threshold of the Caltrans Transportation and Construction Vibration Guidance Manual ("FTA Manual") despite other thresholds that may offer additional analysis on the Project's impacts on human health and comfort. According to Wilson Ihrig, "[s]ince the purpose of CEQA is not only to prevent damage but also to improve quality of life, using a 'strongly perceptible' vibration threshold better aligns with CEQA's goals of minimizing adverse effects. A 'severe' threshold might only address more extreme cases of disturbance, overlooking smaller but still important quality-of-life issues." (Ex. A, p. 4.) For instance, Wilson Ihrig concluded that had the MND used the "strongly perceptible" threshold of 0.1 PPV for Continuous/Frequent Intermittent Sources from the FTA Manual, the measurements in the Ganddini Noise Report would exceed significance thresholds. (*Id*.) Because construction is anticipated to last one year, the Project's construction vibration levels would be continuous and frequent on nearby sensitive receptors. Therefore, the MND's reliance on the highest rung of the FTA Manual thresholds as the sole threshold for analyzing construction vibration levels violates CEQA because it forecloses the possibility of other vibration levels to be deemed as a significant impact, no matter how strong.

1-8 cont.

Measured vibration levels on nearby sensitive receptors will exceed the "strongly perceptible" thresholds under the FTA Manual. (*Id*.) This is a significant impact that the City must consider, disclose, and mitigate.

II. The MND's Proposed Mitigation Measures are Inadequate and Ineffective.

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The Project's only proposed mitigation measures for vibration impacts are inadequate because they do not adequately analyze all vibration-producing machines that may be used for the Project. To reduce vibration impacts to a level below significance, the MND states that Mitigation Measure NOI-2 would be required. (MND, p. 97.) However, Wilson Ihrig notes that the MND and Ganddini Noise Report do not analyze the impacts and levels associated with the use of a pile driver, which may create vibration impacts that exceed significance thresholds. (Ex. A, p. 4.) There is nothing in the MND or Ganddini Noise Report to conclude that pile driving operations would not be used for the Project, and so "[a]s it stands now, pile driving would represent an undisclosed significant impact, as it would exceed all levels presented in Table 17." (*Id*.) If the Project requires pile-driving, such impacts must be disclosed and mitigated in the MND.

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Even assuming that pile driving would be used, Mitigation Measure NOI-2 merely limits the use of impact-causing vibratory equipment. Specifically, the measure states that the City "shall verify that the Project plans and specifications include provisions prohibiting the use of vibratory rollers, or other similar vibratory equipment, within 15 feet – or large bulldozers within 8 feet - of the project site's north, south, and east boundary." (MND, p. 97.) However, there is no substantial evidence in the MND or Ganddini Noise Report to conclude that prohibiting the use of vibratory equipment to 15 feet from the boundary would effectively reduce vibration impacts to a level below significance. Mitigation Measure NOI-2 provides an express ban on vibratory rollers "or other similar vibratory equipment." (*Id*.) "[A] vibratory roller could generate up to 0.21 in/sec PPV at 25 feet and operation of a large bulldozer could generate up to 0.089 PPV at a distance of 25 feet (two of the most vibratory pieces of construction equipment)." (Ganddini Noise Report, p. 24.) In contrast, a pile driver could generate up to 1.518 in/sec PPV at 25 feet. (*Id*., p. 28.) This level is nearly eight times the vibration impact as that of vibratory roller. As such, pile drivers are unlike "other similar vibratory equipment" as suggested to be covered under Mitigation Measure NOI-2, and the City must adequately evaluate the vibration impacts for pile drivers.

Therefore, this potentially unanalyzed vibration impact renders Mitigation Measure NOI-2 inadequate. The MND must be revised to reflect this impact.

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III. There is Substantial Evidence of a Fair Argument that the Project May Have Significant Air Quality Impacts.

An EIR is required because substantial evidence in the record indicates a fair argument that the Project may have significant air quality impacts. Dr. James Clark reviewed the Project, MND, and the Air Quality, Global Climate Change, HRA, and Energy Impact Analysis prepared by Ganddini ("Ganddini AQ Report"). Dr. Clark additionally reviewed a letter prepared by the Office of Environmental Health Hazard Assessment ("OEHHA") to the South Coast Air Quality Management District ("SCAQMD"), attached as Exhibit C. Dr. Clark concluded that the Project not only underestimates and fails to include analysis of air quality and health risk impacts, but that correcting these errors reveals the Project's potentially significant air quality impacts that must be disclosed and mitigated.

For the following reasons set forth below, the City should not approve the MND and must instead prepare and circulate an EIR for the Project.

A. The MND Fails to Adequately Evaluate the Project's Health Risk Impacts from Soil Contamination.

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To support its conclusion that the Project will not have significant air quality impacts, the MND for the Project relies on emissions calculated from the California Emissions Estimator Model ("CalEEMod"). (MND, p. 37.) The model is used to generate a project's construction and operational emissions. Dr. Clark reviewed the Project's CalEEMod output files and found that the values input into the model was inadequate. According to the MND, the Project will require extensive remediation efforts due to historical contamination of the Project site and adjacent areas. (MND, pp. 64-68.) For instance, "[t]he site is located in an area known as "Area 1", which includes the South El Monte Operable Unit. Groundwater in the area is generally contaminated with volatile organic compounds (VOCs), in particular, Trichloroethylene (TCE), perchloroethylene (PCE), and carbon tetrachloride; perchlorate; 1,4-dioxane; and N-Nitrosodimethylamine (NDMA), many of which are cancer-causing chemicals. According to the Environmental Database Report (EDR), the site of the former occupant (PCD) and numerous surrounding properties and other properties in the vicinity listed on the CPS-SLIC and Well Investigation Program (WIP) databases are located in San Gabriel Valley Area 1 and listed as Potentially Responsible Parties (PRPs) for contributing to the groundwater contaminant plume that comprises an area of approximately 11 square miles. [footnote]." (MND, pp. 64-65.) As Dr. Clark explains, extensive work that must be performed will have significant health risk impacts to construction workers and outdoor workers. (Ex. B, p. 6.)

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OEHHA found that the [cancer] risk to construction workers and outdoor workers at the Project Site were 3.4 in 1,000,000 and 23 in 1,000,000 respectively. The acute risk (represented as the Hazard Index (HI)) was 6.8 and 1.9, respectively. This means that construction workers are 6.8 times more likely to have an acute health impact and outdoor workers are nearly 2 times more likely to have an acute health impact due to the presence of the chemicals on site. The risk drivers were arsenic, Arochlor 1248 (a PCB),

1-13 tetrachloroethene (a chlorinated VOC), and naphthalene (a semi-VOC).

(*Id*., p. 5.)

Table 2: OEHHA's Partial Risk and Hazard Estimates

Exposure Scenarios	OEHHA risk	OEHHA HI
Construction Worker	3.4E-6	6.8
Outdoor Worker	2.3E-5	1.9

Table Notes: Risk estimates are presented in scientific notation. For example, a cancer risk of 1 in a million (0.000001) is written as 1E−6. HI is the estimated hazard index. The modifier "partial" is in the title to indicate that some COPCs were omitted due to lack of statistical analysis.

1-14 (Ex. C, p. 4.) According to the South Coast Air Quality Management District ("SCAQMD"), the significance thresholds for maximum incremental cancer risk is 10 in one million, and the threshold for chronic and acute hazard index is 1.0.[1] The Project would exceed both thresholds for construction workers outdoor workers, representing a significant impact that is not disclosed, analyzed, or mitigated. (Ex. C, p. 4.) Yet, the MND fails to disclose or analyze these impacts or related impacts associated with the required remediation efforts. (*Id*., p. 6.) This omission results in an inadequate MND document and fails to accurately represent the Project's emissions and health risks associated with remediating the Project site. As such, the MND's conclusion that the Project will not have health risk or air quality impacts, regardless of implementation of mitigation measures, is deficient. The City must revise and recirculate an updated document that accurately models the Project's emissions and considers the health risks and impacts associated with required remediation efforts.

1-15 Similarly, the MND fails to analyze the impacts of installing fire pump systems and a back-up generator (BUG) on the Project site. "In addition to the testing emissions the air quality analysis in the MND must include the substantial increase in operational emissions from BUGs in the Air Basin due to unscheduled events, including but not limited to Public Safety Power Shutoff (PSPS) events and extreme heat events. Nowhere in the City's analysis of the operational emissions of stationary equipment (i.e., fire pumps and or BUGs) or emissions from those sources included in the CalEEMOD analysis." (Ex. B, p. 7.) As such, the CalEEMod did not account for these additional emissions, which are required to comply with the California Fire Code and local fire authorities. (Id.)

1-16 The MND cannot conclusively state that the Project will have less than significant air quality and health impacts because it fails to adequate analyze, measure, and potentially mitigate health related impacts stemming from the Project. This is not surprising given the area's prevalence and increased activity surrounding heavy-duty trucks and warehouse operations. Therefore, the MND lacks substantial evidence to support a finding that the Project will not have significant impacts on human health. As such, an EIR is required.

[1] south-coast-aqmd-air-quality-significance-thresholds.pdf

B. The Project Will Have Significant Health Impacts from Unanalyzed Exposure to Toxic Air Contaminants.

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Project construction will generate toxic air contaminants ("TAC") like diesel particulate matter ("DPM"), and nearby residences located on adjacent parcels will be exposed to these emissions. (Ex. B, p. 8.) As a cancer-causing agent of concern, DPM contains 40 toxic chemicals, including benzene, arsenic and lead.[2] DPM is listed separately by the State of California as a toxic air contaminant known to cause cancer in humans.[3] According to the US Environmental Protection Agency, "[e]xposure to diesel exhaust can lead to serious health conditions like asthma and respiratory illnesses and can worsen existing heart and lung disease, especially in children and the elderly. These conditions can result in increased numbers of emergency room visits, hospital admissions, absences from work and school, and premature deaths."[4]

Despite this potentially significant impact on human health, the MND failed to analyze health risks to nearby sensitive receptors only 45-feet away during Project construction as a result of DPM emissions. (Ex. B, p. 8.)



Figure 1: DPM concentrations during construction (red) (Ex. B, p. 13.)

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Dr. Clark performed an analysis using the American Meteorological Society/Environmental Protection Agency Regulatory Model Improvement Committee's Dispersion Model ("AERMOD"). (Ex. B, p. 11.) According to Dr. Clark, the Project will cause a

[2] www.p65warnings.ca.gov/fact-sheets/diesel-engine-exhaust.
[3] https://oehha.ca.gov/media/downloads/proposition-65//p65chemicalslistsinglelisttable2021p.pdf.
[4] https://www.epa.gov/dera/learn-about-impacts-diesel-exhaust-and-diesel-emissions-reduction-act-dera.

1-18 cont.

cancer risk for infants of 16.4 per one million, which exceeds SCAQMD's threshold of significance of 10 per million. (Ex. B, p. 13.) "Using the maximum averaged concentrations modeled, the cumulative risk for exposure of infants during the 1.0 years of construction is 10.9 in 1,000,000, much greater than the 10 in 1,000,000 significance threshold outlined by SCAQMD, resulting in a significant impact." (*Id*.) Dr. Clark's comments are substantial evidence that the Project's construction will significantly impact human health. Since the City failed to analyze this impact, it lacks substantial evidence to conclude that the impact will be less than significant. The Project's analysis must be revised to analyze and mitigate this impact in an EIR**.**

CONCLUSION

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For the reasons set forth above, SAFER respectfully requests that the City prepare and circulate an EIR for the Project prior to approval.

Sincerely,

Marjan R. Abubo
LOZEAU DRURY LLP

Exhibit A

WILSON IHRIG
ACOUSTICS, NOISE & VIBRATION

CALIFORNIA
WASHINGTON
NEW YORK

WI #24-001.20

November 21st, 2024

Marjan Kris Abubo
Lozeau | Drury LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612

SUBJECT: 2222 Rosemead Blvd Warehouse IS/MND
South El Monte, California
Review and Comment on Noise Study

1-20

Dear Mr. Abubo,

Per your request, Wilson Ihrig has reviewed the information and noise impact analysis in the following documents:

2222 ROSEMEAD BOULEVARD WAREHOUSE DEVELOPMENT
Initial Study and Mitigation Negative Declaration (IS/MND)
October 2024

With Emphasis on Appendix E, The Noise Impact Analysis prepared by Gandini Group Inc.

The Proposed Project is a 150,000+ square foot warehouse, expected to operate 24 hours a day, seven days a week. The Project site is surrounded by noise sensitive uses, most notably single-family houses directly south of the property, and warehouse buildings that are against the adjoining property line.

Wilson Ihrig, Acoustical Consultants, has practiced exclusively in the field of acoustics since 1966. During our 58 years of operation, we have prepared hundreds of noise studies for Environmental Impact Reports and Statements. We have one of the largest technical laboratories in the acoustical consulting industry. We also utilize industry-standard acoustical programs such as Roadway Construction Noise Model (RCNM), SoundPLAN, and CADNA. In short, we are well qualified to prepare environmental noise studies and review studies prepared by others.

1-20 cont.

Adverse Effects of Noise[1]

Although the health effects of noise are not taken as seriously in the United States as they are in other countries, they are real and, in many parts of the country, pervasive.

Noise-Induced Hearing Loss. If a person is repeatedly exposed to loud noises, he or she may experience noise-induced hearing impairment or loss. In the United States, both the Occupational Health and Safety Administration (OSHA) and the National Institute for Occupational Safety and Health (NIOSH) promote standards and regulations to protect the hearing of people exposed to high levels of industrial noise.

Speech Interference. Another common problem associated with noise is speech interference. In addition to the obvious issues that may arise from misunderstandings, speech interference also leads to problems with concentration fatigue, irritation, decreased working capacity, and automatic stress reactions. For complete speech intelligibility, the sound level of the speech should be 15 to 18 dBA higher than the background noise. Typical indoor speech levels are 45 to 50 dBA at 1 meter, so any noise above 30 dBA begins to interfere with speech intelligibility. The common reaction to higher background noise levels is to raise one's voice. If this is required persistently for long periods of time, stress reactions and irritation will likely result.

Sleep Disturbance. Noise can disturb sleep by making it more difficult to fall asleep, by waking someone after they are asleep, or by altering their sleep stage, e.g., reducing the amount of rapid eye movement (REM) sleep. Noise exposure for people who are sleeping has also been linked to increased blood pressure, increased heart rate, increase in body movements, and other physiological effects. Not surprisingly, people whose sleep is disturbed by noise often experience secondary effects such as increased fatigue, depressed mood, and decreased work performance.

Cardiovascular and Physiological Effects. Human's bodily reactions to noise are rooted in the "fight or flight" response that evolved when many noises signaled imminent danger. These include increased blood pressure, elevated heart rate, and vasoconstriction. Prolonged exposure to acute noises can result in permanent effects such as hypertension and heart disease.

Impaired Cognitive Performance. Studies have established that noise exposure impairs people's abilities to perform complex tasks (tasks that require attention to detail or analytical processes), and it makes reading, paying attention, solving problems, and memorizing more difficult. This is why there are standards for classroom background noise levels and why offices and libraries are designed to provide quiet work environments.

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Construction Noise Impacts are Underestimated

The Noise Memo in Appendix E errs at identifying significant impacts by focusing the analysis at the acoustical center of the project site. A project site with large dimensions cannot be characterized in such a way since the noise source will be unrepresentatively far from the closest receivers. The analysis also incorrectly applies the significance thresholds of the cited Federal Transit Administration (FTA) document.

[1] More information on these and other adverse effects of noise may be found in *Guidelines for Community Noise*, eds B Berglund, T Lindvall, and D Schwela, World Health Organization, Geneva, Switzerland, 1999. (https://www.who.int/publications/i/item/a68672)

1-21 cont.

Appendix E states that "Based on the FTA criteria, project construction noise would be considered significant if it exceeds 80 dBA Leq for an 8-hour period at residential and noise-sensitive outdoor areas" and that "as shown in Table 11, project construction noise levels would not exceed the FTA residential threshold" (Appendix E, Page 30).

Table 11 presents the results of this modeling, which is expanded upon in Appendix D. A footnote says "distance to receptor calculated from center of site. Construction noise projected from the center of the project site to nearest sensitive use" (Appendix E, Apx-58). Usage Factors - defined as the percentage of time during a construction noise operation that a piece of construction equipment is operating at full power - are presented as well.

However, it should be noted that the Federal Transit Administration advises using a usage factor of 1 when analyzing construction equipment from the acoustical center of a project site in the Transit Noise and Vibration Impact Assessment Manual (FTA manual, page 177)[2] in a **general** assessment. The usage factors are then utilized in the **detailed** assessment, where worst-case distances are considered between the construction source and the property line (FTA, page 178). Since the threshold of the detailed assessment is used in the IS/MND, it stands to reason that the distance to each receiver should be used in the calculation. The document's approach of using the detailed assessment thresholds while utilizing part of the general assessment methodology significantly underestimates the potential impact of construction noise.

This is particularly crucial given the large footprint of the project, where the nearest receiver is 219 feet away from the center of the proposed construction site. Distance correction factors are provided in Appendix D of Appendix E, where 12.8 decibels of reduction are calculated from the center of the construction site to the receivers to the south. The closest façade of the sensitive single-family receivers to the south is 45 feet away from the edge of the project site. Using a simple distance correction, a source that produces a level of 74.5 dBA at 219 feet – as presented in Appendix D of Appendix E in the IS/MND – adjusts to a new level of 88.2 dBA at 45 feet. This is above the significance threshold presented in the IS/MND and represents an undisclosed impact. As such, an EIR is required to study potential mitigation options, such as a temporary sound wall.

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Operational Noise Impact Analysis Underestimates HVAC

The operational noise analysis includes ten 5-ton HVAC units (appendix E, page 23). For warehouses, The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) minimum ventilation rate is 0.06 CFM per square foot, per person, which must be adjusted for occupancy rates, indoor air quality, and other factors.[3] According to the IS/MND, the project will build 156,999 square feet of industrial warehouse space (Appendix E, page iii). A simple calculation using a rule of thumb for industrial buildings (1 ton of cooling per 500-600 sq. ft. of commercial space)[4] shows that a warehouse of this size would need 125 5-ton units (spread out across the roof) to properly ventilate the space.

[2] https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf
[3] https://www.ashrae.org/file%20library/technical%20resources/standards%20and%20guidelines/standards%20addenda/62_1_2013_p_20150707.pdf
[4] https://airfixture.com/resources/blog/ton-per-square-footage-commercial-hvac

1-22 cont.

$$156{,}999 \text{ sq. ft} \div 500 \text{ sq. ft. per ton} = \sim 314 \text{ ton load}$$
$$313 \text{ ton load} \div 5 \text{ tons per unit} = \sim 63 \text{ units}$$

63 5-ton units – or 13 25-ton units – would be required to cool the space. The current analysis uses ten 5-ton units, underestimating source noise. Typically, but not always, 25-ton units are used for warehouses for this reason. Either way, the analysis assumes an unrealistically low amount of cooling power, and thus a low source noise level. This should be corrected in an updated MND or in an EIR.

1-23

Not all Construction Vibration Sources Considered

In Table 10 of Appendix E, construction vibration source levels are presented. Among them is a Pile Driver, which creates the most intrusive vibration levels. However, Table 17, which presents the results of the analysis, does not include the use of a pile driver. This may be intentional – pile driving is not used on every project. However, there is no discussion of why this is or is not the case. As it stands now, pile driving would represent an undisclosed significant impact, as it would exceed all levels presented in Table 17. The MND should be updated to either expand mitigation measure VIB-1 to include distances where pile driving cannot be used, or a Project Design Feature should be included which explicitly bans the use of pile driving.

1-24

Construction Vibration May Use Improper Annoyance Threshold

The IS/MND states "Groundborne vibration levels generated by the project have the potential to cause severe annoyance to people living or working in nearby buildings by exceeding a PPV of 0.4 in/sec" (Appendix E, page 33). This is from the Caltrans Transportation and Construction Vibration Guidance Manual. However, several annoyance thresholds are presented, from 'severe' through 'strongly perceptible' and 'distinctly perceptible' to 'barely perceptible'.

CEQA aims to minimize significant environmental impacts, including those affecting human health and comfort. Since the purpose of CEQA is not only to prevent damage but also to improve quality of life, using a 'strongly perceptible' vibration threshold better aligns with CEQA's goals of minimizing adverse effects. A 'severe' threshold might only address more extreme cases of disturbance, overlooking smaller but still important quality-of-life issues.

If a 'strongly perceptible' threshold is used, the levels presented in Table 17 of Appendix E would be over the 'strongly perceptible' threshold of 0.1 PPV for Continuous/Frequent Intermittent Sources. As such, this would be considered a significant impact, and mitigation, such as a vibration control plan prepared by a qualified acoustic engineer, should be studied in an EIR.

1-25

Conclusion

The project may result in potentially significant noise construction impacts, and mitigation should be addressed. The construction noise analysis improperly uses FTA methodology, potentially underrepresents the HVAC noise source levels, and does not consider all equipment and proper thresholds in the construction vibration analysis. We believe these errors should be fixed in an Environmental Impact Report.

Please feel free to contact me with any questions regarding this information.

Very truly yours,
WILSON IHRIG



Jack Meighan
Associate

2222 rosemead blvd warehouse comments on noise analysis.docx

WILSON IHRIG
ACOUSTICS, NOISE & VIBRATION



JACK MEIGHAN

Associate

Jack joined Wilson Ihrig in 2021 and works out of our Los Angeles office. He is an experienced acoustical engineer with expertise in projects involving rail transit systems, highways, CEQA analysis, environmental noise reduction, mechanical drawing reviews, and construction noise and vibration mitigation. He has hands-on experience with project management, including client coordination and presentations, as well as in designing, developing, and testing MATLAB code used in acoustics applications. His expertise includes field measurements, developing test plans and specifying, purchasing, setting up and repairing acoustic measurement equipment. He has experience in using Traffic Noise Model (TNM), CadnaA, EASE, Visual Basic, LabView, and CAD software.

Education

- B.S. in Mechanical Engineering, University of Southern California, Los Angeles, CA

Project Experience

LA Metro Regional Connector, Los Angeles CA
Planned, took, and processed measurements as part of a team to determine the effectiveness of floating slab trackwork for a new subway in downtown Los Angeles that travels below the Walt Disney Concert Hall and the Colburn School of Music.

Rodeo Credit Enterprise CEQA Analysis for New Construction, Palmdale, CA
Wrote an accepted proposal and executed it for a noise study project to determine noise mitigation requirements on a new housing development. Led all aspects of the project and managed the budget during all phases of project completion. Completed five separate projects of this type for this company.

Blackhall Studios, Santa Clarita, CA
Led the vibration measurement effort for a new soundstage directly adjacent to an existing freight and commuter rail line. Tested equipment, processed data, and analyzed results to determine the vibration propagation through the soil to the proposed soundstage locations, and was part of the team that developed mitigation techniques for the office spaces directly next to the rail line.

Octavia Residential Condos CEQA Study, San Francisco, CA
Calculated the STC ratings for the proposed windows to meet Title 24 requirements, modeled the acoustic performance of floor and ceiling structures, researched noise codes, helped with a mechanical design review, and wrote a report summarizing the results for a new Condominium project being developed in San Francisco.

ARRIVE San Diego Airport Terminal 1 Replacement, CA
Conducted interior noise and vibration measurements, analyzed measurement data to help determine project criteria, modeled the existing and future terminals in CadnaA, and was part of a team that did a complete HVAC analysis of the entire terminal, as part of a CEQA analysis where a new terminal for the airport is being designed.
Five Points Apartments Noise Study, Whittier, CA

Conducted measurements, researched sound data and solutions, and recommended mitigation for a new apartment complex that was located next to an existing car wash, as part of a CEQA review.

USC Ellison Vibration Survey, Los Angeles, CA
Conducted vibration measurements as part of a survey to determine the effectiveness of vibration isolation platforms that are used to insulate cell growth in a cancer research facility. Determined the effectiveness and presented this information to the client. Researched and recommended a permanent monitoring system so the client could view data in real time.

TEN50 Condos Noise Investigation, Los Angeles, CA
Was part of a team that investigated the noise source of an unwanted popping noise in luxury condominiums in Downtown Los Angeles. Helped isolate the noise source location with accelerometers to determine where vibrations were occurring first and used an acoustic camera to determine where in the condo the noise was coming from.

2000 University Mixed-Use Building, Berkely, CA
Wrote a construction noise monitoring plan based on environmental noise calculations, as required by CEQA, wrote a report summarizing the results, and attended a client meeting to discuss options.

Bay Area Rapid Transit (BART) On-Track, CA, San Francisco Bay Area, CA*
Day to day project manager, responsible for meetings, presentations, and coordination with the client for an ongoing noise study on the BART system. Developed MATLAB code to process measurements and determine areas where high corrugation was present, contributing to excessively high in-car noise levels. Performed noise measurements inside both the right of way and the vehicle cabin, in addition to rail corrugation measurements.

California I-605/SR-60 Interchange Improvement, Los Angeles, CA*
Developed a noise model of the area that predicted sound levels for abatement design, in addition to conducting noise measurements and analysis. Led the Team in use of the FHWA Traffic Noise Model Software for the project, involving three major highways and two busy interchanges extending over 17 miles in southern California.

Sound Transit On-Track, Seattle, WA*
Took measurements, fixed equipment, and developed software in MATLAB to process Corrugation Analysis Trolley measurements as part of an ongoing noise study on the Sound Transit Link system. Tested vibration data to determine the best measurement and processing techniques to store the data in an online database for in-car measurements.

LA Metro CRRC Railcar Testing, Los Angeles, CA*
Led the effort to plan the measurements, determine measurement locations and finalize the test plan. Formulated a method to capture speed data directly from legacy train vehicles. Executed noise and vibration specification measurements for new rail cars delivered by CRRC.

City of Los Angeles, Pershing Square Station Rehabilitation Noise Monitoring, CA*
Built noise models, wrote a construction noise plan, and assisted in on-site construction noise issues as they arose for a renovation of the Pershing Square metro station in downtown Los

Angeles. Trained construction personnel in techniques for noise reduction and how to conduct noise monitoring measurements to meet project specifications.

City of Orange Metrolink Parking Garage Construction Monitoring, CA*
Wrote an adaptive management vibration monitoring plan, set up equipment to monitor live vibration levels, and generated weekly reports as part of an effort to build a new parking garage. Designed, planned, and completed measurements to predict and mitigate pile driving construction impacts at three historic building locations adjacent to the construction site. Coordinated with the client whenever an on-site problem arose.

LA Metro Westside Subway Construction, Los Angeles, CA*
Planned, organized, and processed noise measurements for the Purple Line extension construction. Implemented both long term microphones to measure noise levels and accelerometers to measure vibration levels in existing subway tunnels. Oversaw noise monitoring at sensitive construction sites for the project and worked with the contractor to find ways to reduce construction noise levels by approximately 10dB.

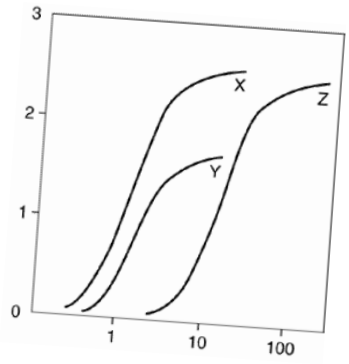
Montreal Réseau Express Métropolitain, Canada*
Conducted vibration propagation measurements used to create models to predict operational vibration levels for an under-construction transit line. Managed equipment, solved problems in the field, and wrote parts of the report summarizing the findings of the acoustic study.

NCHRP Research Report 882 & 886, Multiple Locations (Dayton and Columbus, OH)
Took on-highway measurements and wrote, designed, developed, and tested MATLAB code to identify specific spectrograms to use for analyses for a project evaluating barrier reflected highway traffic noise differences in the presence of a single absorptive or reflective noise barrier.

Siemens Railcar Testing for Sound Transit, Seattle, WA*
Measured in-car noise and vibration for new rail cars delivered by Siemens. Developed new internal techniques for measurements based on the written specifications. Contributed to the team that helped identify issues that new cars had in meeting the Sound Transit specifications for noise and vibration. Participated in developing the test plan and specified then acquired new equipment for the measurement.

Toronto/Ontario Eglinton Crosstown Light Rail, Final Design, Canada*
Assisted in vibration propagation measurements, analysis, and recommendations for mitigation for a 12-mile light-rail line both on and under Eglinton Avenue. Set up and ran equipment for at-grade measurements with an impact hammer for underground measurements with an impact load cell that was used during pre-construction borehole drilling.

Exhibit B



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Ocotber 24, 2024

Lozeau Drury LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612

Attn: Mr. Marjan Abubo

Subject: Comment Letter on Draft Initial Study/Mitigated Negative Declaration (IS/MND) For The 2222 Rosemead Boulevard Warehouse Project, City of El Monte, California

Dear Mr. Drury:

At the request of Lozeau Drury LLP (Lozeau Drury), Clark and Associates (Clark) has reviewed materials related to the above referenced project.

Clark's review of the materials in no way constitutes a validation of the conclusions or materials contained within the IS/MND. If we do not comment on a specific item, this does not constitute acceptance of the item.

Project Description:

The Project would construct an approximately 156,877-sf concrete tilt-up warehouse and 13 dock doors. Of the 156,877 sf, the Project would have 113,703 sf of warehouse space, 7,879 sf of retail use, 20,305 sf of accessory warehouse office use, and 14,990 sf of warehouse storage. The building would have a maximum height of 48 feet 10 inches. The City of El Monte (the City) states that the retail and

1-26

warehouse end users are unknown at this time. The hours of operation would be determined by the lessee; however, at this time, the hours are proposed to be seven days a week and operate 24 hours a day. However, all on-site truck movement and loading and unloading activities at the proposed loading docks, which are located behind electronic gates, would be prohibited from 10:00 PM to 7:00 AM. The Project does not propose refrigeration as part of the warehouse operations. The Project proposes to install an 18,144-sf solar-ready zone on the roof.



Figure 1: Project Site Location

Project construction is anticipated to take approximately 12 months. For this environmental analysis, Project construction is estimated to begin in fall/winter 2024. Construction would occur in the following sequence:

- Site clearing (removal of existing vehicle storage and containers and trees);
- Site preparation;

1-26

- Grading. Approximately 11,951 cubic yards (cy) of cut and 14,561 cy of fill with 2,610 cy of net export, including on-site grading and installation of infrastructure within existing rights-of-way. All infrastructure (i.e., storm drain, water, wastewater, dry utilities, and street improvements) would be installed within the existing rights-of-way with connections to the project site;
- Building construction; and
- Paving, architectural coating, and landscaping.

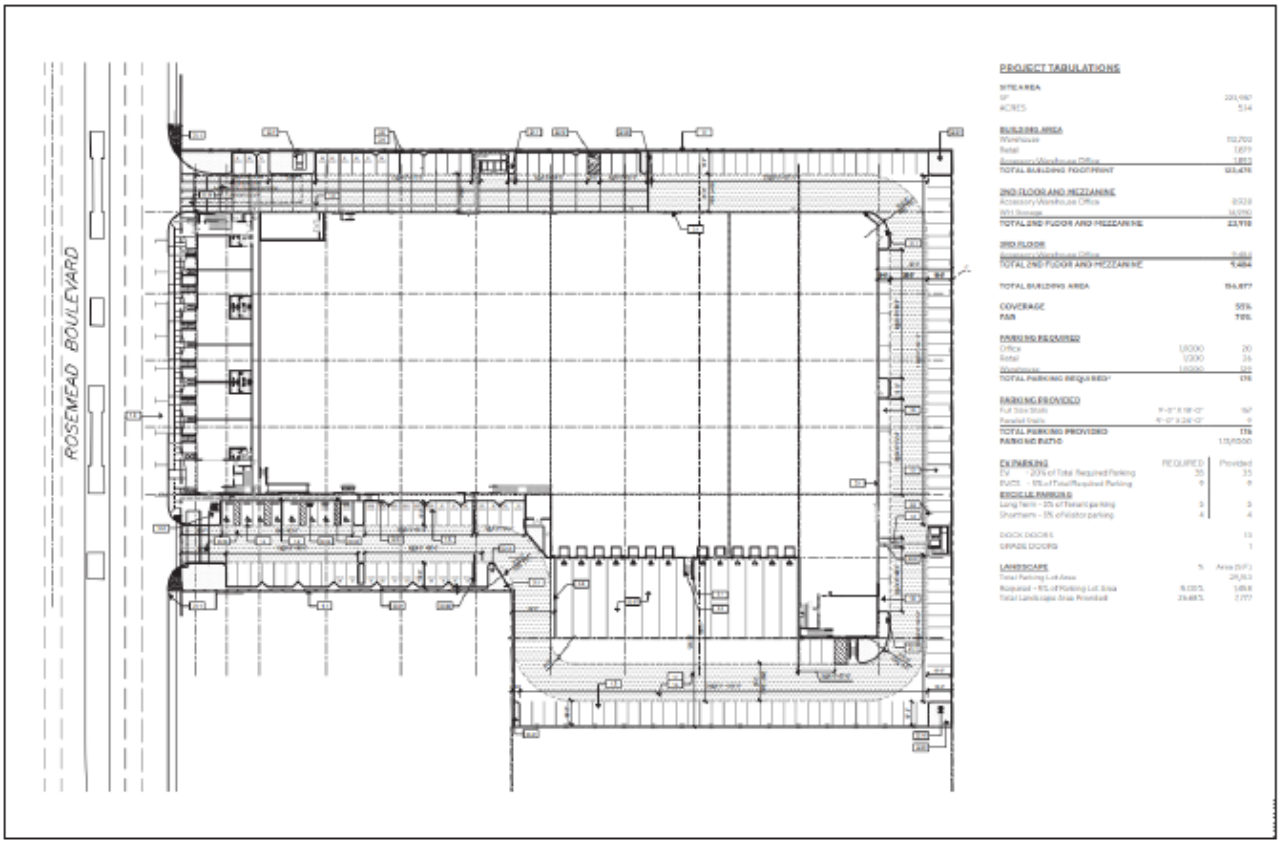


Figure 2: Conceptual Site Plan

The IS/MND concludes that no mitigation is required to prevent impacts from the project on air quality in the area and that there are no hazards from chemicals that would be significant with mitigation. This conclusion is in conflict with the facts provided within the IS/MND.

1-27

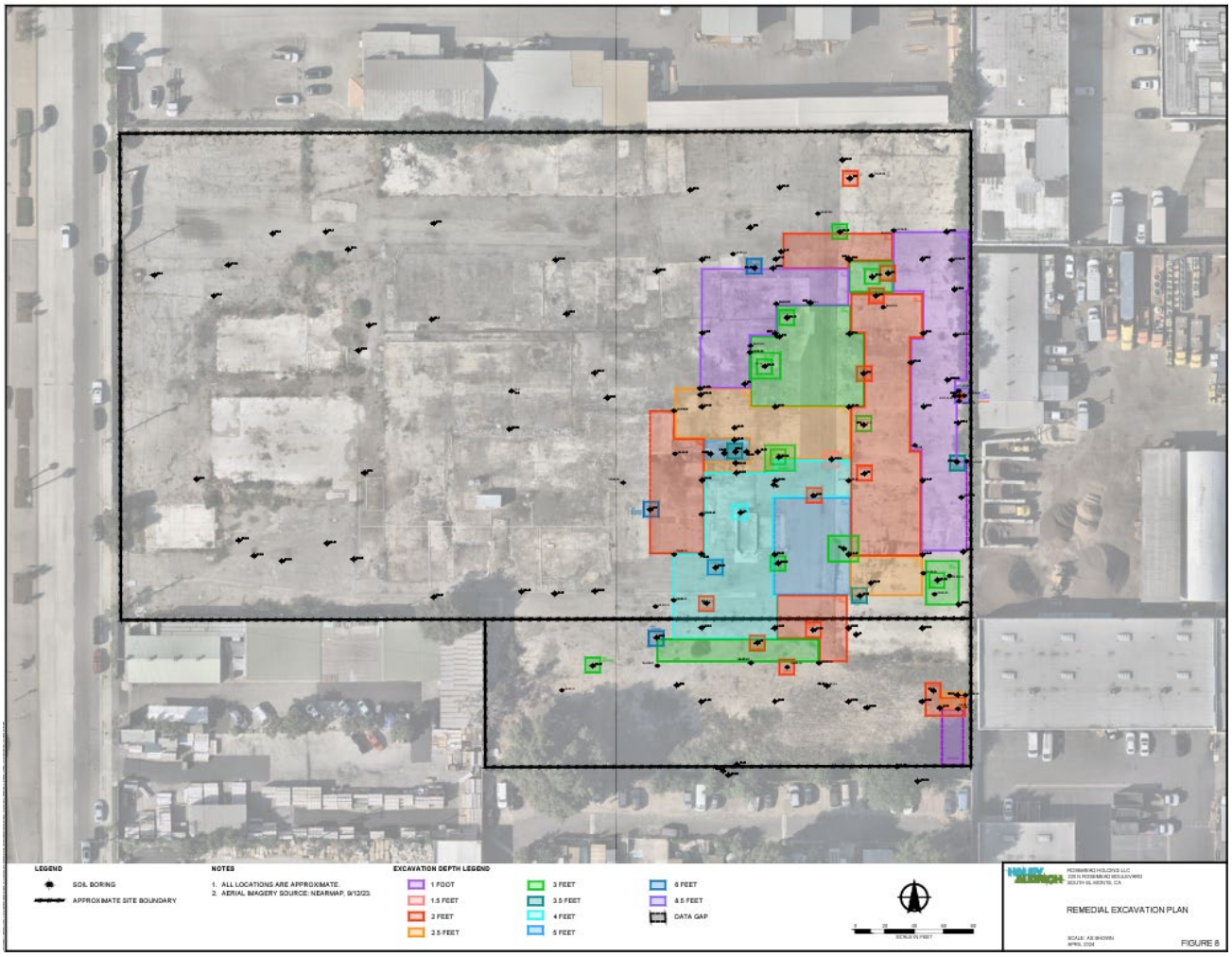
Specific Comments:

1. **The Site On Which The Project Will Be Constructed Is Currently Under Investigation By The Los Angeles Regional Water Quality Control Board (LA-RWQCB) And The Office Of Environmental Health And Hazard Assessment (OEHHA) For Hazardous Chemicals. The Site Requires Excavation of Impacted Soils And Long-Term Soil Vapor Extraction. These Necessary Steps Were Not Included In The Air Quality Analysis Of The Construction Phase Or Operational Phase Of The Project.**

According to Section 4.9 Hazards and Hazardous Materials of the IS/MND, the Project Site will require remediation prior to the development of the Site. Investigations of the Project Site determined that elevated concentrations of metals, Polychlorinated Biphenyl (PCBs), Volatile Organic Compounds (VOCs), total petroleum hydrocarbons (TPH), and toxic metals (including lead, arsenic, and hexavalent chromium) were present in soils to depths of 8.5 feet below ground surface (bgs) above regulatory health thresholds . VOCs have also been measured in soil vapor, which would migrate into structures above the vapor plume, above regulatory health thresholds. The IS/MND assumes that the with the implementation of a Limited Soil Remediation Work Plan Addendum (LSRWP Addendum) and a Vapor Intrusion Mitigation System (VIMS) the potential hazardous materials impacts would be reduced to less than significant.

The excavation plan will require the removal of 4,999 cubic yards of impacted soils, at varying depths to a maximum of 8.5 feet within the eastern portion of the project site, which is deeper than identified within previous reports. The areas to be excavated at included in the figure below. Soil impacted with lead, arsenic, hexavalent chromium, and TPH, 4,670 cubic yards will be managed under the oversight of the Los Angeles RWQCB and 329 cubic yards of PCB impacted soil will be managed through the TSCA Application for Risk-Based Cleanup Approval under the oversight of the U.S. EPA since PCBs are federally regulated. Approval of the LSRWP from the LA-RWQCB was received by the remediation consultant on October 2, 2024. The letter from LA-RWQCB requires the work to be completed and an investigation report be submitted to the agency by December 31, 2024.

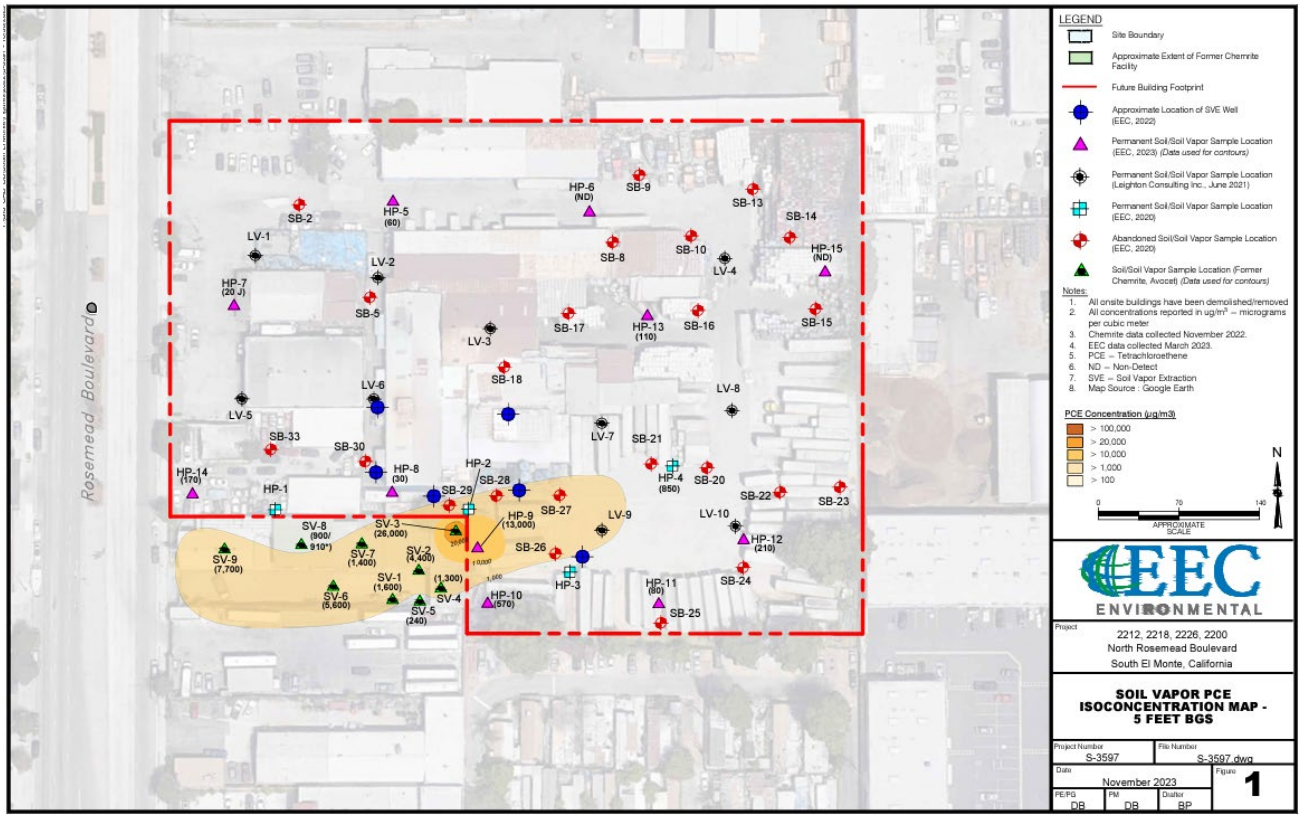
1-27



In a July 12, 2023 letter from OEHHA to LA-RWQCB, OEHHA found that the risk to construction workers and outdoor workers at the Project Site were 3.4 in 1,000,000 and 23 in 1,000,000 respectively. The acute risk (represented as the Hazard Index (HI)) was 6.8 and 1.9, respectively. This means that construction workers are 6.8 times more likely to have an acute health impact and outdoor workers are nearly 2 times more likely to have an acute health impact due to the presence of the chemicals on site. The risk drivers were arsenic, Arochlor 1248 (a PCB), tetrachloroethene (a chlorinated VOC), and naphthalene (a semi-VOC).

The workplan for the VIMS has yet been published. Currently consultants for the Project Site have stopped (discontinued in December 2022) due to the migration of VOCs from the adjacent Chemrite site. The figure below indicates the last isopleth from monitoring of soil vapor wells onsite and at the Chemrite site for the shallowest wells.

1-27



In order to control vapors across the site, the Proponent must include a vapor mitigation system. Whether the system is passive or active, the plan will require the construction of the system prior to the building phase of the Project.

A review of the Air Quality analysis for the Project shows five distinct phases of the Construction Schedule. No where in the schedule is there a specific analysis for the emissions from the soil remediation efforts or the installation of the vapor control system.

5.1. Construction Schedule

Phase Name	Phase Type	Start Date	End Date	Days Per Week	Work Days per Phase	Phase Description
Demolition	Demolition	11/1/2023	11/29/2023	5.00	20.0	—
Grading	Grading	11/30/2023	12/27/2023	5.00	20.0	—
Building Construction	Building Construction	12/28/2023	9/10/2024	5.00	184	—
Paving	Paving	9/5/2024	10/2/2024	5.00	20.0	—
Architectural Coating	Architectural Coating	9/29/2024	11/1/2024	5.00	25.0	—

The Air Quality analysis clearly is deficient, since it fails to include logically and statutorily required steps in the construction phase. The IS/MND must be replaced with an environmental impact report that details all of the required steps for the Project construction and operational phases.

1-28

2. The Air Quality Analysis Of The Operational Phase Of The Project Fails To Include Back-Up Generators And Fire Pumps In The Analysis.

To be compliant with the California Fire Code (CFC) and local fire authorities, the Project will be required to install fire pump systems and are likely to have a back-up generator (BUG) onsite. The fire pump and BUG will need to be tested and maintained annually. Under the California Air Resources Board (CARB) Airborne Toxic Control Measure (ATCM) for Stationary Compression Ignition Engines Guidance, the District may allow a new stationary emergency standby diesel-fueled Cl engine (> 50 hp) to operate up to 100 hours per year for maintenance and testing purposes on a site-specific basis, provided the diesel PM emission rate is less than or equal to 0.01 g/bhp-hr. In addition to the testing emissions the air quality analysis in the MND must include the substantial increase in operational emissions from BUGs in the Air Basin due to unscheduled events, including but not limited to Public Safety Power Shutoff (PSPS) events and extreme heat events. Nowhere in the City's analysis of the operational emissions of stationary equipment (i.e., fire pumps and or BUGs) or emissions from those sources included in the CalEEMOD analysis.

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor
			~~1~~ 42~~1~~50			

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5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

Figure 3: CalEEMOD Analysis Of Operational Emissions

This failure to include the emissions from the fire pumps and BUGS are a significant unaddressed emission source for the Project. The City's analysis is therefore incomplete and must be corrected in an EIRfor the Project.

1-29

3. The Air Quality Analysis Of The Project Fails To Perform A Health Risk Analysis Of The Toxic Air Contaminants (TACs) That Will Be Emitted From The Construction Phase Of The Project.

The Air Quality Analysis fails to perform a health risk analysis of the construction and the operational phases of the Project. The language in the MND and Air Quality is vague and there is not quantitative analysis of the potential health risks from TACs that will be emitted from the Project Site. Appendix A to the MND includes the February 16, 2024 revised Air Quality Analysis[1] for the Project regarding the Project. The report states in the Executive Summary that "Given the temporary and short-term construction schedule, the project would not result in a long-term (i.e., lifetime or 30-year) exposure to Toxic Air Contaminants (TACs) as a result of project construction. Furthermore, construction-based particulate matter (PM) emissions (including diesel exhaust emissions) do not exceed any local or regional thresholds. Therefore, impacts from TACs during construction would be less than significant."[2]

This qualitative assessment is meaningless since the potential for developing cancer from exposure to TACs must be quantitatively assessed. The City therefore lacks supporting evidence for its conclusion that the Project would not result in significant health effects. The City's failure to perform such an analysis is clearly a major flaw in the IS/MND and may be placing the residents of the adjacent structures at risk from the construction phase of the Project.

Diesel exhaust, in particular diesel particulate matter (DPM), is classified by the State of California as a TAC. TACs, including DPM, contribute to a host of respiratory impacts and may lead to the development of various cancers. Failing to quantify the carcinogenic and other health risk impacts places the community at risk for unwanted adverse health impacts. Even brief exposures to the TACs could lead to the development of adverse health impacts over the life of an individual.

Diesel exhaust contains nearly 40 toxic substances, including TACs, and may pose a serious public health risk for residents in the vicinity of the Project. TACs are airborne substances that are capable of causing short-term (acute) and/or long-term (chronic or carcinogenic, i.e., cancer causing) adverse human health effects (i.e., injury or illness). TACs include both organic and inorganic

[1] Gandinni. 2024. Rosemead and Rush Industrial Project Air Quality, Global Climate Chanes, HRA, And Energy Impact Analysis from Ganddini Group, Inc. to the City of South El Monte. Pg iv.

[2] *Ibid.*

1-29 chemical substances. The current California list of TACs includes approximately 200 compounds, including particulate emissions from diesel-fueled engines.

Diesel exhaust has been linked to a range of serious health problems including an increase in respiratory disease, lung damage, cancer, and premature death. Fine DPM is deposited deep in the lungs in the smallest airways and can result in increased respiratory symptoms and disease; decreased lung function, particularly in children and individuals with asthma; alterations in lung tissue and respiratory tract defense mechanisms; and premature death. Exposure to DPM increases the risk of lung cancer. It also causes non-cancer effects including chronic bronchitis, inflammation of lung tissue, thickening of the alveolar walls, immunological allergic reactions, and airway constriction. DPM is a TAC that is recognized by state and federal agencies as causing severe health risk because it contains toxic materials, unlike $PM_{2.5}$ and PM_{10}.

The inherent toxicity of TACs requires the City to first quantify the concentration released into the environment at each of the sensitive receptor locations through air dispersion modeling, calculate the dose of each TAC at that location, and quantify the cancer risk and hazard index for each of the chemicals of concern. Following that analysis, then the City can make a determination of the relative significance of the emissions. The City must assess the potential impacts from DPM in an EIR.

1-30 **4. Using The Data From The CalEEMOD Analysis Of The Construction Phase Of The Project, An Air Dispersion Model Of Potential Releases of DPM Shows The Annual Average Concentration Of DPM At The Nearest Receptor Would Exceed 0.067 ug/m^3 During The Construction Phase, Resulting In A Cancer Risk In Excess Of 10 in 1,000,000 At The Closest Residential Receptor(s).**

Using the CalEEMOD analysis supplied in Gandinni Air Quality Report[3] it is possible to calculate potential emissions of DPM at the nearest receptor to the Project site during the construction phase of the Project. In 2024, the CalEEMOD model calculated 42 work days in 2023 and 227 days in 2024. The duration of exposure for the residents living across from the construction site would therefore be approximately 1 year.

[3] *Ibid.*

1-30

Phase	Year	Daily DPM Emissions	Duration	Total DPM Emissions For Phase
		lbs/day	days	lbs
Demolition	2023	1.2	20	24
Grading	2023	0.94	20	18.8
Building Construction	2023	3.95	2	7.9
Building Construction	2024	0.59	182	107.38
Paving	2024	0.39	20	7.8
Architectural Coating	2024	0.03	25	0.75
Total			269	158.08

Using the emission rate calculated in the CalEEMOD model for each construction phase, the total amount of DPM emitted from off-road equipment would be equal to the number of work days multiplied by the emission rate calculated in the CalEEMOD model.

$$DPM\ (lbs) = \sum Emission\ Rate\ \left(\frac{lbs}{day}\right) * Number\ Of\ Work\ Days\ (days)$$

The total amount of emissions over the site was calculated to be 158.08 lbs of DPM. The total amount emitted, 158.08 lbs was converted to grams by multiplying the pounds of DPM emitted by 453.49 grams per pound.

$$DPM\ (g) = CF\ \left(\frac{453.59\ g}{lbs}\right) * DPM\ (lbs)$$

To calculate the daily emission rate of DPM for the construction period (259 days), the total mass of DPM emitted was divided by the area of the construction site (20,8000 square meters (m^2)) divided by the number of hours of construction (2,072 hours = 8 hours/day * 259 days) corrected to seconds (3,600 seconds per hour).

$$Emission\ Rate\ For\ Model\ \left(\frac{g}{\text{sec} * m^2}\right) = \frac{Emission\ (g)}{Duration\ (sec) * Area\ (m^2)}$$

Limiting the emissions to an 8-hour period during weekdays, the emission rate was calculated to be 3.67×10^{-6} lbs per hour of operation per square meter.

Assuming that emissions will be limited to an eight-hour period during weekdays, it is possible to calculate an averaged emissions over the whole construction site. Using AERMOD, the US EPA's

1-30 preferred air dispersion model, it is possible to calculate the concentrations of DPM from the construction area at the closest receptors near the construction site.

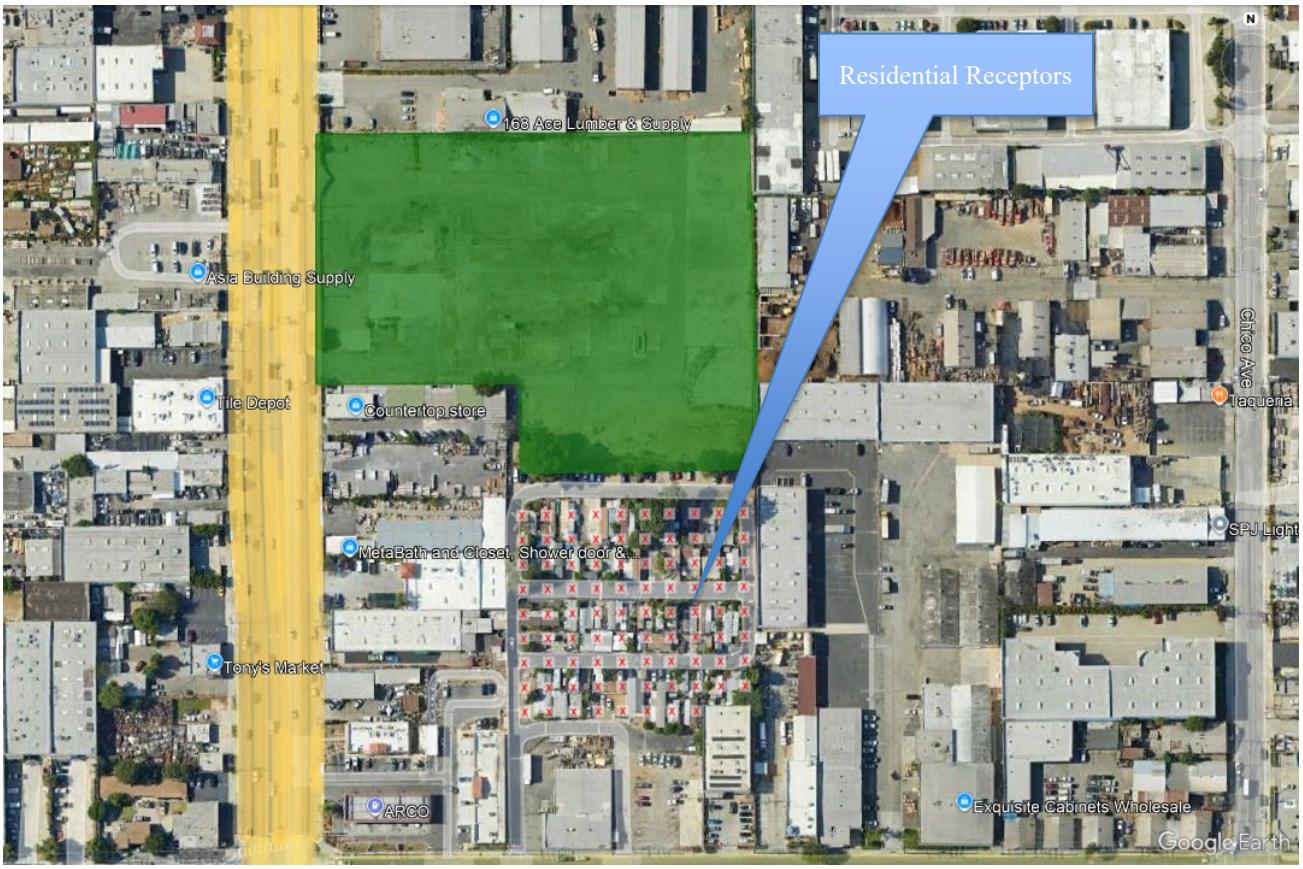


Figure 4: Receptors In Model

AERMOD is an acronym for the American Meteorological Society/Environmental Protection Agency Regulatory Model Improvement Committee's Dispersion Model. AERMOD contains the necessary algorithms to model air concentrations from a wide range of emission source types, including stack-based point sources, fugitive area sources, and volume sources. The modeling domain with the building around the Project site are indicated in the figure below. The green area is the source area of DPM from construction of the Project.

1-30



Figure 5: Model Domain

Using the meteorological data from SCAQMD for the Pico Rivera monitoring station (closest met station to the Project site), the digital elevation model for the El Monte region, limiting the emissions to an 8-hour period on weekdays, the concentrations at the residences immediate across the street from the Project site were calculated and are summarized below. The model results are included as an Exhibit to this letter.

Table 2: DPM Concentrations Modeled For Construction Phase

Receptor	1st Year of Met Data	2nd Year of Met Data	3rd Year of Met Data	4th Year of Met Data	5th Year of Met Data
	ug/m^3	ug/m^3	ug/m^3	ug/m^3	ug/m^3
Residences south of Project Site	5.41E-02	4.30E-02	6.53E-02	7.08E-02	1.00E-01

Based on the assumptions detailed above, the maximum concentration of DPM from the construction phase of the project is 0.0996 ug/m^3 and is received at a residential point directly across

1-30 from the Project Site. The maximum averaged concentration within the residential receptor points identified above is 0.067 ug/m^3.



Figure 6: Model output showing DPM concentrations During Construction Phase

Using the algorithm outlined in OEHHA's HARP 2 Standalone Risk software, the cancer risk to the most sensitive population, infants less than 3 years old was calculated. Using the maximum concentration modeled, the cumulative risk for exposure of infants during the 1.0 year of construction is 16.4 in 1,000,000, much greater than the 10 in 1,000,000 significance threshold outlined by SCAQMD, resulting in a significant impact. Using the maximum averaged concentrations modeled, the cumulative risk for exposure of infants during the 1.0 years of construction is 10.9 in 1,000,000, much greater than the 10 in 1,000,000 significance threshold outlined by SCAQMD, resulting in a significant impact. For adults the risk from exposure to DPM from the construction phase of the project (using the average and maximum concentrations) is 0.25 in 1,000,0000 to 1.1 in 1,000,000. The results of the air model and the health risk analysis are attached as an appendix to this letter. The City must quantify and disclose these significant impacts in an EIR for the Project.

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Conclusion

The facts identified and referenced in this comment letter lead me to reasonably conclude that the Project could result in significant impacts if allowed to proceed. An EIR should be prepared to address these substantial concerns.

Sincerely,



NOTE: A link to access the output data for Dr. Clark's analysis can be accessed here: https://drive.google.com/file/d/1_JLQz1Zjjj-CakGvc1gTqMA7wu2ZlWdS/view?usp=drive_web

Risk Calculations For Diesel Exhaust

$Risk_{inh\text{-}res} = Dose_{air} * CPF * ASF * ED/AT$

$Dose_{air} = C_{air} * \{BR/BW\} * A * EF * 10^{-6}$

Variable	Description	Units	Value
$Risk_{inh\text{-}air}$	Residential inhalation cancer risk	Unitless	Calculated
$Dose_{air}$	Daily inhalation dose	mg/kg-day	Calculated
CPF	Inhalation cancer potency factor	$(mg/kg\text{-}day)^{-1}$	Chemical Specific
ASF	Age sensitivity factor for a specified age group	Unitless	Calculated
ED	Exposure duration (in years) for a specified age group	years	Calculated
AT	Averaging time for lifetime caner risk	years	70
FAH	Fraction of time spent at home	Unitless	Calculated

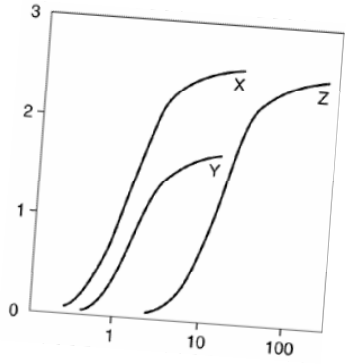
Variable	Description	Units	Value	
$Dose_{air}$	Daily inhalation dose	mg/kg-day	Calculated	
C_{air}	Concentration in air	ug/m^3	**0.066632806**	0.0666328
{BR/BW}	Daily Breathing rate normalized to body weight	L/kg body weight-day	Calculated	
A	Inhalation absorption fraction	Unitless	1	
EF	Exposure frequency (days/365 days)	Unitless	Calculated	
10^{-6}	migrograms to milligrams conversion, liters to cubic meters conversion	Unitless	Calculated	

0.00E+00

Residential Exposures

Age Group	Risk	Age Sensitivity	FAH	ED	CPF	Dose Air	Cair	BR/BW	A	EF
3rd Trimester	0.00E+00	10	1	0	1.1	2.31E-05	0.067	361	1	0.958904
0-1	1.09E-05	10	1	1	1.1	6.96E-05	0.067	1090	1	0.958904
1-2	0.00E+00	10	1	0	1.1	6.96E-05	0.067	1090	1	0.958904
2-3	0.00E+00	3	1	0	1.1	3.65E-05	0.067	572	1	0.958904
3-4	0.00E+00	3	1	0	1.1	3.65E-05	0.067	572	1	0.958904
2<9	0.00E+00	3	0.72	0	1.1	5.50E-05	0.067	861	1	0.958904
2<16	0.00E+00	3	0.72	0	1.1	4.76E-05	0.067	745	1	0.958904
16<30	2.46E-07	1	0.73	1	1.1	2.14E-05	0.067	335	1	0.958904
16-70	0.00E+00	1	0.73	0	1.1	1.85E-05	0.067	290	1	0.958904

3rd trimeseter to 4.	1.09E-05
3rd trimester to 30	0.00E+00
3rd trimester to 70	**1.12E-05**



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James J. J. Clark, Ph.D.

Principal Toxicologist

Toxicology/Exposure Assessment Modeling

Risk Assessment/Analysis/Dispersion Modeling

Education:

Ph.D., Environmental Health Science, University of California, 1995

M.S., Environmental Health Science, University of California, 1993

B.S., Biophysical and Biochemical Sciences, University of Houston, 1987

Professional Experience:

Dr. Clark is a well recognized toxicologist, air modeler, and health scientist. He has 20 years of experience in researching the effects of environmental contaminants on human health including environmental fate and transport modeling (SCREEN3, AEROMOD, ISCST3, Johnson-Ettinger Vapor Intrusion Modeling); exposure assessment modeling (partitioning of contaminants in the environment as well as PBPK modeling); conducting and managing human health risk assessments for regulatory compliance and risk-based clean-up levels; and toxicological and medical literature research.

Significant projects performed by Dr. Clark include the following:

LITIGATION SUPPORT

Case: James Harold Caygle, et al, v. Drummond Company, Inc. Circuit Court for the Tenth Judicial Circuit, Jefferson County, Alabama. Civil Action. CV-2009

Client: Environmental Litgation Group, Birmingham, Alabama

Dr. Clark performed an air quality assessment of emissions from a coke factory located in Tarrant, Alabama. The assessment reviewed include a comprehensive review of air quality standards, measured concentrations of pollutants from factory, an inspection of the facility and detailed assessment of the impacts on the community. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Rose Roper V. Nissan North America, et al. Superior Court of the State Of California for the County Of Los Angeles – Central Civil West. Civil Action. NC041739

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to multiple chemicals, including benzene, who later developed a respiratory distress. A review of the individual's medical and occupational history was performed to prepare an exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to respiratory irritants. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: O'Neil V. Sherwin Williams, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to petroleum distillates who later developed a bladder cancer. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Summary judgment for defendants.

Case: Moore V., Shell Oil Company, et al. Superior Court of the State Of California for the County Of Los Angeles

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to chemicals while benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Raymond Saltonstall V. Fuller O'Brien, KILZ, and Zinsser, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Richard Boyer and Elizabeth Boyer, husband and wife, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-7G.

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: JoAnne R. Cook, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-9R

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of an individual exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Patrick Allen And Susan Allen, husband and wife, and Andrew Allen, a minor, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-W

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Michael Fahey, Susan Fahey V. Atlantic Richfield Company, et al. United States District Court Central District of California Civil Action Number CV-06 7109 JCL.

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Constance Acevedo, et al., V. California Spray-Chemical Company, et al., Superior Court of the State Of California, County Of Santa Cruz. Case No. CV 146344

Dr. Clark performed a comprehensive exposure assessment of community members exposed to toxic metals from a former lead arsenate manufacturing facility. The former manufacturing site had undergone a DTSC mandated removal action/remediation for the presence of the toxic metals at the site. Opinions were presented regarding the elevated levels of arsenic and lead (in attic dust and soils) found throughout the community and the potential for harm to the plaintiffs in question.

Case Result: Settlement in favor of defendant.

Case: Michael Nawrocki V. The Coastal Corporation, Kurk Fuel Company, Pautler Oil Service, State of New York Supreme Court, County of Erie, Index Number I2001-11247

Client: Richard G. Berger Attorney At Law, Buffalo, New York

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the

known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Judgement in favor of defendant.

SELECTED AIR MODELING RESEARCH/PROJECTS

Client – Confidential

Dr. Clark performed a comprehensive evaluation of criteria pollutants, air toxins, and particulate matter emissions from a carbon black production facility to determine the impacts on the surrounding communities. The results of the dispersion model will be used to estimate acute and chronic exposure concentrations to multiple contaminants and will be incorporated into a comprehensive risk evaluation.

Client – Confidential

Dr. Clark performed a comprehensive evaluation of air toxins and particulate matter emissions from a railroad tie manufacturing facility to determine the impacts on the surrounding communities. The results of the dispersion model have been used to estimate acute and chronic exposure concentrations to multiple contaminants and have been incorporated into a comprehensive risk evaluation.

Client – Los Angeles Alliance for a New Economy (LAANE), Los Angeles, California

Dr. Clark is advising the LAANE on air quality issues related to current flight operations at the Los Angeles International Airport (LAX) operated by the Los Angeles World Airport (LAWA) Authority. He is working with the LAANE and LAX staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

Client – City of Santa Monica, Santa Monica, California

Dr. Clark is advising the City of Santa Monica on air quality issues related to current flight operations at the facility. He is working with the City staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

Client: Omnitrans, San Bernardino, California

Dr. Clark managed a public health survey of three communities near transit fueling facilities in San Bernardino and Montclair California in compliance with California Senate Bill 1927. The survey included an epidemiological survey of the effected communities, emission surveys of local businesses, dispersion modeling to determine potential emission concentrations within the communities, and a comprehensive risk assessment of each community. The results of the study were presented to the Governor as mandated by Senate Bill 1927.

Client: Confidential, San Francisco, California

Summarized cancer types associated with exposure to metals and smoking. Researched the specific types of cancers associated with exposure to metals and smoking. Provided causation analysis of the association between cancer types and exposure for use by non-public health professionals.

Client: Confidential, Minneapolis, Minnesota

Prepared human health risk assessment of workers exposed to VOCs from neighboring petroleum storage/transport facility. Reviewed the systems in place for distribution of petroleum hydrocarbons to identify chemicals of concern (COCs), prepared comprehensive toxicological summaries of COCs, and quantified potential risks from carcinogens and non-carcinogens to receptors at or adjacent to site. This evaluation was used in the support of litigation.

Client – United Kingdom Environmental Agency

Dr. Clark is part of team that performed comprehensive evaluation of soil vapor intrusion of VOCs from former landfill adjacent residences for the United Kingdom's Environment

Agency. The evaluation included collection of liquid and soil vapor samples at site, modeling of vapor migration using the Johnson Ettinger Vapor Intrusion model, and calculation of site-specific health based vapor thresholds for chlorinated solvents, aromatic hydrocarbons, and semi-volatile organic compounds. The evaluation also included a detailed evaluation of the use, chemical characteristics, fate and transport, and toxicology of chemicals of concern (COC). The results of the evaluation have been used as a briefing tool for public health professionals.

EMERGING/PERSISTENT CONTAMINANT RESEARCH/PROJECTS

Client: Ameren Services, St. Louis, Missouri

Managed the preparation of a comprehensive human health risk assessment of workers and residents at or near an NPL site in Missouri. The former operations at the Property included the servicing and repair of electrical transformers, which resulted in soils and groundwater beneath the Property and adjacent land becoming impacted with PCB and chlorinated solvent compounds. The results were submitted to U.S. EPA for evaluation and will be used in the final ROD.

Client: City of Santa Clarita, Santa Clarita, California

Dr. Clark is managing the oversight of the characterization, remediation and development activities of a former 1,000 acre munitions manufacturing facility for the City of Santa Clarita. The site is impacted with a number of contaminants including perchlorate, unexploded ordinance, and volatile organic compounds (VOCs). The site is currently under a number of regulatory consent orders, including an Immanent and Substantial Endangerment Order. Dr. Clark is assisting the impacted municipality with the development of remediation strategies, interaction with the responsible parties and stakeholders, as well as interfacing with the regulatory agency responsible for oversight of the site cleanup.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of perchlorate in environment. Dr. Clark evaluated the production, use, chemical characteristics, fate and transport, toxicology, and remediation of perchlorate. Perchlorates form the basis of solid rocket fuels and have recently been detected in water supplies in the United States. The results of this research

were presented to the USEPA, National GroundWater, and ultimately published in a recent book entitled *Perchlorate in the Environment.*

Client – Confidential, Los Angeles, California

Dr. Clark is performing a comprehensive review of the potential for pharmaceuticals and their by-products to impact groundwater and surface water supplies. This evaluation will include a review if available data on the history of pharmaceutical production in the United States; the chemical characteristics of various pharmaceuticals; environmental fate and transport; uptake by xenobiotics; the potential effects of pharmaceuticals on water treatment systems; and the potential threat to public health. The results of the evaluation may be used as a briefing tool for non-public health professionals.

PUBLIC HEALTH/TOXICOLOGY

Client: Brayton Purcell, Novato, California

Dr. Clark performed a toxicological assessment of residents exposed to methyl-tertiary butyl ether (MTBE) from leaking underground storage tanks (LUSTs) adjacent to the subject property. The symptomology of residents and guests of the subject property were evaluated against the known outcomes in published literature to exposure to MTBE. The study found that residents had been exposed to MTBE in their drinking water; that concentrations of MTBE detected at the site were above regulatory guidelines; and, that the symptoms and outcomes expressed by residents and guests were consistent with symptoms and outcomes documented in published literature.

Client: Confidential, San Francisco, California

Identified and analyzed fifty years of epidemiological literature on workplace exposures to heavy metals. This research resulted in a summary of the types of cancer and non-cancer diseases associated with occupational exposure to chromium as well as the mortality and morbidity rates.

Client: Confidential, San Francisco, California

Summarized major public health research in United States. Identified major public health research efforts within United States over last twenty years. Results were used as a briefing tool for non-public health professionals.

Client: Confidential, San Francisco, California

Quantified the potential multi-pathway dose received by humans from a pesticide applied indoors. Part of team that developed exposure model and evaluated exposure concentrations in a comprehensive report on the plausible range of doses received by a specific person. This evaluation was used in the support of litigation.

Client: Covanta Energy, Westwood, California

Evaluated health risk from metals in biosolids applied as soil amendment on agricultural lands. The biosolids were created at a forest waste cogeneration facility using 96% whole tree wood chips and 4 percent green waste. Mass loading calculations were used to estimate Cr(VI) concentrations in agricultural soils based on a maximum loading rate of 40 tons of biomass per acre of agricultural soil. The results of the study were used by the Regulatory agency to determine that the application of biosolids did not constitute a health risk to workers applying the biosolids or to residences near the agricultural lands.

Client – United Kingdom Environmental Agency

Oversaw a comprehensive toxicological evaluation of methyl-*tertiary* butyl ether (M*t*BE) for the United Kingdom's Environment Agency. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of M*t*BE. The results of the evaluation have been used as a briefing tool for public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of *tertiary* butyl alcohol (TBA) in municipal drinking water system. TBA is the primary breakdown product of M*t*BE, and is suspected to be the primary cause of M*t*BE toxicity. This evaluation will include available information on the production, use, chemical characteristics, fate and transport in the environment, absorption, distribution, routes of detoxification, metabolites, carcinogenic potential, and remediation of TBA. The results of the evaluation were used as a briefing tool for non-public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of methyl *tertiary* butyl ether (MTBE) in municipal drinking water system. MTBE is a chemical added to gasoline to increase the octane

rating and to meet Federally mandated emission criteria. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of MTBE. The results of the evaluation have been were used as a briefing tool for non-public health professionals.

Client – Ministry of Environment, Lands & Parks, British Columbia

Dr. Clark assisted in the development of water quality guidelines for methyl tertiary-butyl ether (MTBE) to protect water uses in British Columbia (BC). The water uses to be considered includes freshwater and marine life, wildlife, industrial, and agricultural (e.g., irrigation and livestock watering) water uses. Guidelines from other jurisdictions for the protection of drinking water, recreation and aesthetics were to be identified.

Client: Confidential, Los Angeles, California

Prepared physiologically based pharmacokinetic (PBPK) assessment of lead risk of receptors at middle school built over former industrial facility. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client: Kaiser Venture Incorporated, Fontana, California

Prepared PBPK assessment of lead risk of receptors at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

RISK ASSESSMENTS/REMEDIAL INVESTIGATIONS

Client: Confidential, Atlanta, Georgia

Researched potential exposure and health risks to community members potentially exposed to creosote, polycyclic aromatic hydrocarbons, pentachlorophenol, and dioxin compounds used at a former wood treatment facility. Prepared a comprehensive toxicological summary of the chemicals of concern, including the chemical characteristics, absorption, distribution, and carcinogenic potential. Prepared risk characterization of the carcinogenic and non-carcinogenic chemicals based on the exposure assessment to quantify the potential risk to members of the surrounding community. This evaluation was used to help settle class-action tort.

Client: Confidential, Escondido, California

Prepared comprehensive Preliminary Endangerment Assessment (PEA) of dense non-aqueous liquid phase hydrocarbon (chlorinated solvents) contamination at a former printed circuit board manufacturing facility. This evaluation was used for litigation support and may be used as the basis for reaching closure of the site with the lead regulatory agency.

Client: Confidential, San Francisco, California

Summarized epidemiological evidence for connective tissue and autoimmune diseases for product liability litigation. Identified epidemiological research efforts on the health effects of medical prostheses. This research was used in a meta-analysis of the health effects and as a briefing tool for non-public health professionals.

Client: Confidential, Bogotá, Columbia

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of a 13.7 hectares plastic manufacturing facility in Bogotá, Colombia The risk assessment was used as the basis for the remedial goals and closure of the site.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally cadmium) and VOCs from soil and soil vapor at 12-acre former crude oilfield and municipal landfill. The site is currently used as a middle school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and was used as the basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Managed remedial investigation (RI) of heavy metals and volatile organic chemicals (VOCs) for a 15-acre former manufacturing facility. The RI investigation of the site included over 800 different sampling locations and the collection of soil, soil gas, and groundwater samples. The site is currently used as a year round school housing approximately 3,000 children. The Remedial Investigation was performed in a manner

that did not interrupt school activities and met the time restrictions placed on the project by the overseeing regulatory agency. The RI Report identified the off-site source of metals that impacted groundwater beneath the site and the sources of VOCs in soil gas and groundwater. The RI included a numerical model of vapor intrusion into the buildings at the site from the vadose zone to determine exposure concentrations and an air dispersion model of VOCs from the proposed soil vapor treatment system. The Feasibility Study for the Site is currently being drafted and may be used as the basis for granting closure of the site by DTSC.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally lead), VOCs, SVOCs, and PCBs from soil, soil vapor, and groundwater at 15-acre former manufacturing facility. The site is currently used as a year round school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and will be basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of VOC vapor intrusion into classrooms of middle school that was former 15-acre industrial facility. Using the Johnson-Ettinger Vapor Intrusion model, the evaluation determined acceptable soil gas concentrations at the site that did not pose health threat to students, staff, and residents. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client –Dominguez Energy, Carson, California

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of 6-acre portion of a 500-acre oil and natural gas production facility in Carson, California. The risk assessment was used as the basis for closure of the site.

Kaiser Ventures Incorporated, Fontana, California

Prepared health risk assessment of semi-volatile organic chemicals and metals for a fifty-year old wastewater treatment facility used at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

ANR Freight - Los Angeles, California

Prepared a comprehensive Preliminary Endangerment Assessment (PEA) of petroleum hydrocarbon and metal contamination of a former freight depot. This evaluation was as the basis for reaching closure of the site with lead regulatory agency.

Kaiser Ventures Incorporated, Fontana, California

Prepared comprehensive health risk assessment of semi-volatile organic chemicals and metals for 23-acre parcel of a 1,100-acre former steel mill. The health risk assessment was used to determine clean up goals and as the basis for granting closure of the site by lead regulatory agency. Air dispersion modeling using ISCST3 was performed to determine downwind exposure point concentrations at sensitive receptors within a 1 kilometer radius of the site. The results of the health risk assessment were presented at a public meeting sponsored by the Department of Toxic Substances Control (DTSC) in the community potentially affected by the site.

Unocal Corporation - Los Angeles, California

Prepared comprehensive assessment of petroleum hydrocarbons and metals for a former petroleum service station located next to sensitive population center (elementary school). The assessment used a probabilistic approach to estimate risks to the community and was used as the basis for granting closure of the site by lead regulatory agency.

Client: Confidential, Los Angeles, California

Managed oversight of remedial investigation most contaminated heavy metal site in California. Lead concentrations in soil excess of 68,000,000 parts per billion (ppb) have been measured at the site. This State Superfund Site was a former hard chrome plating operation that operated for approximately 40-years.

Client: Confidential, San Francisco, California

Coordinator of regional monitoring program to determine background concentrations of metals in air. Acted as liaison with SCAQMD and CARB to perform co-location sampling and comparison of accepted regulatory method with ASTM methodology.

Client: Confidential, San Francisco, California

Analyzed historical air monitoring data for South Coast Air Basin in Southern California and potential health risks related to ambient concentrations of carcinogenic metals and volatile organic compounds. Identified and reviewed the available literature and calculated risks from toxins in South Coast Air Basin.

IT Corporation, North Carolina

Prepared comprehensive evaluation of potential exposure of workers to air-borne VOCs at hazardous waste storage facility under SUPERFUND cleanup decree. Assessment used in developing health based clean-up levels.

Professional Associations

American Public Health Association (APHA)
Association for Environmental Health and Sciences (AEHS)
American Chemical Society (ACS)
California Redevelopment Association (CRA)
International Society of Environmental Forensics (ISEF)
Society of Environmental Toxicology and Chemistry (SETAC)

Publications and Presentations:

Books and Book Chapters

Sullivan, P., **J.J. J. Clark,** F.J. Agardy, and P.E. Rosenfeld. (2007). *Synthetic Toxins In The Food, Water and Air of American Cities*. Elsevier, Inc. Burlington, MA.

Sullivan, P. and **J.J. J. Clark**. 2006. *Choosing Safer Foods, A Guide To Minimizing Synthetic Chemicals In Your Diet*. Elsevier, Inc. Burlington, MA.

Sullivan, P., Agardy, F.J., and **J.J.J. Clark**. 2005. *The Environmental Science of Drinking Water*. Elsevier, Inc. Burlington, MA.

Sullivan, P.J., Agardy, F.J., **Clark, J.J.J.** 2002. *America's Threatened Drinking Water: Hazards and Solutions*. Trafford Publishing, Victoria B.C.

Clark, J.J.J. 2001. "TBA: Chemical Properties, Production & Use, Fate and Transport, Toxicology, Detection in Groundwater, and Regulatory Standards" in *Oxygenates in the Environment.* Art Diaz, Ed.. Oxford University Press: New York.

Clark, J.J.J. 2000. "Toxicology of Perchlorate" in *Perchlorate in the Environment.* Edward Urbansky, Ed. Kluwer/Plenum: New York.

Clark, J.J.J. 1995. Probabilistic Forecasting of Volatile Organic Compound Concentrations At The Soil Surface From Contaminated Groundwater. UMI.

Baker, J.; **Clark, J.J.J.**; Stanford, J.T. 1994. Ex Situ Remediation of Diesel Contaminated Railroad Sand by Soil Washing. Principles and Practices for Diesel Contaminated Soils, Volume III. P.T. Kostecki, E.J. Calabrese, and C.P.L. Barkan, eds. Amherst Scientific Publishers, Amherst, MA. pp 89-96.

Journal and Proceeding Articles

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equialency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. Organohalogen Compounds, Volume 70 (2008) page 002254.

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. Organohalogen Compounds, Volume 70 (2008) page 000527

Hensley A.R., Scott, A., Rosenfeld P.E., **Clark, J.J.J.** (2007). "Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." *Environmental Research.* 105:194-199.

Rosenfeld, P.E., **Clark, J. J.,** Hensley, A.R., and Suffet, I.H. 2007. "The Use Of An Odor Wheel Classification For The Evaluation of Human Health Risk Criteria For Compost Facilities" Water Science & Technology. 55(5): 345-357.

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Exhibit C

1-32

MEMORANDUM

TO: Shervin Milani, Water Resource Control Engineer
Los Angeles Regional Water Quality Control Board
320 West 4th St., Suite 200
Los Angeles, CA 90013

FROM: Jim Carlisle, DVM, Staff Toxicologist
Air and Site Assessment and Climate Indicators Branch
Office of Environmental Health Hazard Assessment

DATE: July 12, 2023

SUBJECT: REVIEW OF LIMITED SOIL REMEDIATION WORK PLAN FOR THE EASTERN PORTION OF 2200 NORTH ROSEMEAD BOULEVARD, SOUTH EL MONTE, CALIFORNIA
SWRCB # R4-22-056 **OEHHA # 880660-00**

Document Reviewed

Limited Soil Remediation Work Plan for the Eastern Portion of 2200 North Rosemead Boulevard, South El Monte, California 91733, dated April 25, 2023, prepared by Leighton Consulting, Inc.

Scope and Limitations of Review

The Office of Environmental Health Hazard Assessment (OEHHA) was requested to review the above document with specific attention to the use of the 95% upper confidence limit on the mean (UCL) as an exposure metric. OEHHA recommends the UCL as the workplace exposure metric for both baseline assessment and post-remediation verification. The lead target, originally 320 milligrams per kilogram (mg/kg), is changed to 500 mg/kg reflecting a change in the DTSC screening level) for lead.

OEHHA did not review threats to groundwater from soil contaminants nor classification, stockpiling, and disposal of excavated soils. Soil for re-use should be evaluated just as it would be in a baseline assessment and should be subject to post-remedial verification.

1-32 An accurate risk assessment depends on adequate site characterization. Since OEHHA was not involved in the characterization of this Site, we reviewed this report assuming the available data accurately reflect the conditions at the Site.

In this memo, risk estimates are presented in scientific notation. For example, a risk of 1 per million (0.000001) is written as 1E−6, and 1 in 10,000 (0.0001) is written as 1E−4.

Site Description and Background

The site is generally located north of Rush Street and east of Rosemead Boulevard in the City of South El Monte, California. The easternmost and most significant portion of the site was occupied by Ditty Container, Inc. Ditty subleased the property from Pacific Coast Drum Company (PCD) from 1996 and has left the site. Both PCD and Ditty cleaned, refurbished, and in some cases, repainted drums and refurbished plastic tote containers since the 1940s, primarily for the food industry. The northwestern-most portion of the site was formerly operated by BJ's Tire Spot and used for tire and truck tire repairs. The two buildings south of BJ's Tire Spot were occupied by DreamWorks Auto Center and were used for auto body repair. Some of the building office space was shared with both Ditty and DreamWorks Auto Center.

The recent soil investigation report indicates high levels of lead in shallow soil. Construction of a new warehouse is planned for this commercial site. There are mobile homes to the southern portion of the site. A soil vapor extraction system is currently operating.

Chemicals of Potential Concern (COPCs)

Environmental assessments indicated the presence of metals, polychlorinated biphenyls (PCBs), petroleum hydrocarbons (TPH) , and volatile organic compounds (VOCs) in soil. COPCs are organic compounds detected in soil at concentrations above laboratory reporting limits and inorganic compounds detected at concentrations exceeding both background levels and screening levels. OEHHA does not recommend comparisons with screening levels as a basis for exclusion of chemicals as COPCs.

The only elements selected in soil as COPCs were antimony, arsenic, hexavalent chromium (Cr+6), cobalt, lead, and molybdenum. In addition to these, barium, cadmium, chromium, copper, mercury, nickel, silver, and zinc also exceeded background levels and should be evaluated as COPCs.

Exposure Concentrations (EPCs)

For arsenic and molybdenum, all Arochlors, and TPH-g, the reported 95% upper confidence limits (UCLs) are less than the mean concentrations for detects.

1-32

Conceptual Site Model

Leighton evaluated soil exposure and associated risks and hazards to onsite outdoor workers and onsite construction workers. Soil gas exposure was not evaluated.

Soil Risk Assessment

Leighton

In their baseline soil risk assessment, Leighton used the UCL as the exposure concentration when it could be calculated, otherwise the maximum detected concentration. Exposure parameters were standard values from HHRA Note 1 (DTSC, 2019a) except that the exposure duration for the construction worker was 91 days rather than the usual 1 year, resulting in a four-fold reduction in risk. No site-specific basis for this departure from standard exposure parameters was provided. This

The calculated risk for outdoor workers exposed to contaminants in soil and dust through the ingestion, dermal, and inhalation pathways was 2E-5, exceeding the benchmark of 1E-5. The calculated risk for construction workers exposed to contaminants in soil and dust through these pathways was 1E-5, equaling the benchmark of 1E-5. The risk driver identified in soil was Cr+6. Although not widely dispersed throughout the site, Cr+6 contributed 97% and 67% of the estimated cancer risk for construction workers and outdoor workers, respectively. The hazard index (HI) for construction workers exceeded the benchmark of 1. The lead UCL was 1443 mg/kg, exceeding the DTSC screening level of 500 mg/kg.

Table 1: Leighton Risk and Hazard Estimates

Exposure Scenarios	Estimated Risk	Estimated HI
Construction Worker	1E-5	2
Outdoor Worker	2E-5	0.6

Table Notes: Risk estimates are presented in scientific notation. For example, a cancer risk of 1 in a million (0.000001) is written as 1E−6. HI is the estimated hazard index.

OEHHA

To calculate cumulative risk and hazard for chemicals in soil, OEHHA used the equations from DTSC's Preliminary Endangerment Assessment Manual (DTSC 2015, Section 2.5). Values for exposure parameters were taken from DTSC's HERO Note 1 (DTSC 2019a) and toxicity values were from Note 10 (DTSC 2019b). This was done for all metals detected, except lead. Exposure concentrations were the UCLs. OEHHA entered the petroleum hydrocarbon data as TPH gasoline, TPH diesel, and TPH motor oil, rather than converting these values to assumed fractions. OEHHA's results differed from Leighton's results, as shown in Table 2:

1-32

Table 2: OEHHA's Partial Risk and Hazard Estimates

Exposure Scenarios	OEHHA risk	OEHHA HI
Construction Worker	3.4E-6	6.8
Outdoor Worker	2.3E-5	1.9

Table Notes: Risk estimates are presented in scientific notation. For example, a cancer risk of 1 in a million (0.000001) is written as 1E−6. HI is the estimated hazard index. The modifier "partial" is in the title to indicate that some COPCs were omitted due to lack of statistical analysis.

OEHHA Both Leighton and OEHHA predicted construction worker risks below 1E-5 and outdoor worker risks exceeding 1E-5. Both Leighton and OEHHA predicted HIs above 1 for construction workers. OEHHA's HI for outdoor workers exceeded 1. Risk drivers were arsenic, Arochlor 1248, tetrachloroethene, and naphthalene. OEHHA did not assess the metals that were rejected as COPCs because no statistics were supplied for these metals. Risk and hazard estimates would be higher if all the metals that were detected above background were included.

Risk-based Concentrations (RBCs)

Leighton's Table 13 lists RBCs five metals five Arochlors, and six TPH ranges plus a background-based goal for arsenic. OEHHA has the following comments:

- OEHHA agrees that the RBCs for antimony, cobalt, hexavalent chromium, molybdenum, and the Arochlors yield risk estimates of 1E-5 or hazard quotients (HQs) of 1 when used as EPCs in a one-at-a-time forward calculation. But see comment below regarding additivity.
- The TPH RBCs yield HQs ranging from 0.41 to 1200. Only the RBC for TPH aliphatic high is less than 1.
- The construction worker risk estimates at the RBCs meet the target of 1E-5 only because of the shorter-than-usual exposure duration. If the standard exposure duration is used the RBC for hexavalent chromium would be 21 mg/kg..
- The Work Plan does not state what exposure metric (e.g. UCL or maximum) will be compared to the RBCs. This should be discussed with the Water Board.
- Since the RBC for arsenic (10.63 mg/kg) is based on the 95th percentile of background, the 95th percentile of current and post-remedial arsenic concentrations should be the metric to be compared to the clean-up goal for comparison, not the UCL.
- The RBCs should be applied in an additive manner, i.e., the ratios of the exposure concentrations to the respective RBCs for all carcinogens and other

1-32

chemicals that may act in an additive manner should be added and the total compared to 1 (unity). An example follows:

  - Risk index = EPCa/RBCa + EPCb/RBCb + EPCn/RBCn
  - Risk index should be less than or equal to 1.
  - Hazard index = EPCa/RBCa + EPCb/RBCb + EPCn/RBCn
  - Hazard index should be less than or equal to 1.

- Lead is considered separately; it may be compared directly to the DTSC (2022) screening level of 500 mg/kg.
- Verification of post-remedial risk and hazards should be conducted in a manner similar to baseline risk assessment, i.e., the assessment should include all chemicals remaining on-site, not just those that were COPCs. Risk should be the cumulative risk from remaining concentrations of all carcinogens. The hazard index should be the combined HQs of all compounds that have the same target organ or the same mechanism of action.

Risk Management

The request notes that the USEPA lead RSL for protection of groundwater is 14 mg/kg, lower than the San Francisco Bay Regional Water Quality Control Board's 320 mg/kg Environmental Screening Level (ESL, SFBRWQCB, 2019) for direct exposure to soil for protection of human health. OEHHA defers to the Los Angeles Regional Water Quality Control Board regarding protection of groundwater. Leighton proposes to remove contaminated soil until the lead UCL concentration is 500 mg/kg or less. OEHHA agrees with this approach.

Leighton discusses risk management in Section 7.0 of Appendix B. OEHHA defers to the Los Angeles Regional Water Quality Control Board regarding risk management.

Conclusions

- OEHHA cannot support Leighton's baseline risk assessment because it does not include all metals that were detected above background. Risk and hazard estimates would be higher if all the metals that were detected above background were included.
- RBCs will be needed for all metals detected above background. DTSC (2022) Note 3 screening levels may be used.
- Leighton should provide the basis for the reduced exposure duration for construction workers if this value is to be used in the verification assessment.
- OEHHA cannot support Leighton's RBCs for TPH.
- RBCs should be employed in an additive manner as noted above.
- Verification of post-remedial risk and hazards should include all remaining chemicals, not just those that were COPCs and should be based on cumulative risk and hazard indices.

Reviewed by

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Staff Toxicologist

Carmen Milanes, M.P.H.
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Re: Preliminary Comments on the Initial Study/Mitigated Negative Declaration for the 2222 Rosemead Boulevard Warehouse Development Project (SCH No. 2024100046)

2-1

Dear Mr. Arreola and Ms. Marquez:

We are writing on behalf of Coalition for Responsible Equitable Economic Development Los Angeles ("CREED LA") to provide preliminary comments on the Initial Study/Mitigated Negative Declaration ("IS/MND") prepared by the City of South El Monte ("City") for the 2222 Rosemead Boulevard Warehouse Development Project (SCH No. 2024100046) ("Project"), proposed by Tait & Associates, Inc. ("Applicant").

The Project would construct an approximately 156,877 square foot ("SF") concrete tilt-up warehouse and 13 dock doors. Of the 156,877 SF, the Project would have 113,703 SF of warehouse space, 7,879 SF of retail use, 20,305 SF of accessory warehouse office use, and 14,990 SF of warehouse storage. The Project site is located at 2200, 2212, 2218, and 2226 Rosemead Boulevard in the northwestern portion of the City of South El Monte, Los Angeles County, California. The approximately 5.14-acre project site includes four parcels (Assessor Parcel Numbers 8102-039-029, 8102-039-030, 8102-039-031, and 8102-039-035).

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2-1 cont.

We reviewed the IS/MND with the assistance of transportation expert Norm Marshall.[1] The City must separately respond to these technical comments.

Based upon our review of the IS/MND and supporting documentation, the IS/MND's project description is inaccurate, preventing meaningful review of the Project's impacts. Further, substantial evidence supports a fair argument that the Project would have potentially significant public health, air quality, energy, GHG emissions, transportation, noise, and public utilities impacts that are not adequately mitigated by the mitigation proposed in the IS/MND. The City cannot approve the Project until the errors in the IS/MND are remedied by preparing an environmental impact report ("EIR") which fully discloses and mitigates the Project's potentially significant impacts.

We reserve the right to supplement these comments at later proceedings and hearings related to the Project.[2]

I. STATEMENT OF INTEREST

2-2

CREED LA is an unincorporated association of individuals and labor organizations formed to ensure that the construction of major urban projects in the Los Angeles region proceeds in a manner that minimizes public and worker health and safety risks, avoids or mitigates environmental and public service impacts, and fosters long-term sustainable construction and development opportunities. The association includes South El Monte residents Alejando Ayala and Jose Francis, the Sheet Metal Workers Local 105, International Brotherhood of Electrical Workers Local 11, Southern California Pipe Trades District Council 16, and District Council of Iron Workers of the State of California, along with their members, their families, and other individuals who live and work in the City of South El Monte and Los Angeles County.

Individual members of CREED LA live in the City of South El Monte, and work, recreate, and raise their families in the City and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health, and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist on site.

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[1] Mr. Marshall's comments and curricula vitae and are attached hereto as **Exhibit A** ("Marshall Comments").

[2] Gov. Code § 65009(b); PRC § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield ("Bakersfield")* (2004) 124 Cal. App. 4th 1184, 1199-1203; *see Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.

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2-2 cont.

CREED LA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

CREED LA supports the development of commercial, mixed use, and medical office projects where properly analyzed and carefully planned to minimize impacts on public health, climate change, and the environment. These projects should avoid adverse impacts to air quality, public health, climate change, noise, and traffic, and must incorporate all feasible mitigation to ensure that any remaining adverse impacts are reduced to the maximum extent feasible. Only by maintaining the highest standards can commercial development truly be sustainable.

I. THE PROJECT DESCRIPTION IS INADEQUATE

2-3

The IS/MND does not meet CEQA's requirements because it fails to include an accurate and complete Project description, rendering the entire analysis inadequate. California courts have repeatedly held that "an accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR."[3] CEQA requires that a project be described with enough particularity that its impacts can be assessed.[4] Without a complete project description, the environmental analysis under CEQA is impermissibly limited, thus minimizing the project's impacts and undermining meaningful public review.[5] Accordingly, a lead agency may not hide behind its failure to obtain a complete and accurate project description.[6]

CEQA Guidelines section 15378 defines "project" to mean "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment."[7] "The term "project" refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental

[3] *Stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 17; *Communities for a Better Environment v. City of Richmond* ("*CBE v. Richmond*") (2010) 184 Cal.App.4th 70, 85–89; *County of Inyo v. City of Los Angeles* (3d Dist. 1977) 71 Cal.App.3d 185, 193.
[4] 14 CCR § 15124; *see, Laurel Heights I, supra,* 47 Cal.3d 376, 192-193.
[5] *Id.*
[6] *Sundstrom v. County of Mendocino* ("*Sundstrom*") (1988) 202 Cal.App.3d 296, 311.
[7] CEQA Guidelines § 15378.

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2-3 cont.

agencies. The term project does not mean each separate governmental approval."[8] Courts have explained that a complete description of a project must "address not only the immediate environmental consequences of going forward with the project, but also all "*reasonably foreseeable* consequence[s] of the initial project."[9] "If a[n]…EIR…does not adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project, informed decision-making cannot occur under CEQA and the final EIR is inadequate as a matter of law."[10]

A. The IS/MND Fails to Analyze Reasonably Foreseeable Warehouse Uses

2-4

The MND explains that the Project is proposed as a speculative warehouse without specific end uses or tenants,[11] yet the IS/MND fails to describe or analyze the Project's reasonably foreseeable end uses, in violation of CEQA. The IS/MND explains that, of the Project's 156,877 SF, the Project would have 113,703 SF of warehouse space, 7,879 SF of retail use, 20,305 SF of accessory warehouse office use, and 14,990 SF of warehouse storage.[12] However, the IS/MND states that "the retail and warehouse end users are unknown at this time."[13] In the absence of more specific information or restrictions on the types of retail and warehouse uses that will occur after Project buildout, the City has a duty to analyze the impacts of *all* reasonably foreseeable uses of the Project site.[14] Instead, the IS/MND limits its analysis to the least intensive categories of warehouse use, thereby omitting an analysis of impacts from common warehouse uses that would result in more severe air quality, transportation, energy and noise impacts.

Transportation expert Norm Marshall explains that warehouse trip generation rates and air quality impacts vary greatly by type of warehouse.[15] In order to determine the trips generated by the proposed Project, the IS/MND utilizes statistics published in the Institute of Transportation Engineers ("ITE") Trip Generation Manual for the proposed Project's land uses.[16] The IS/MND

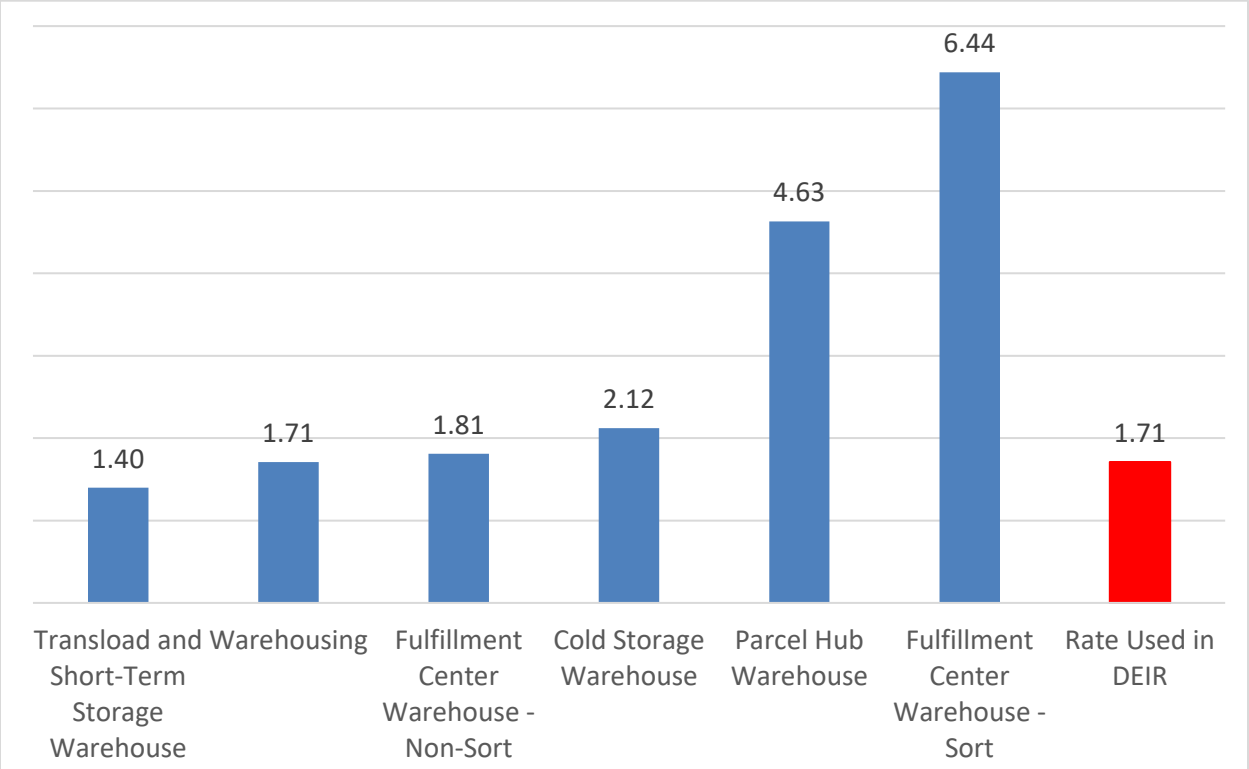
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[8] *Id.*, § 15378(c).
[9] *Laurel Heights I,* 47 Cal. 3d 376, 398 (emphasis added); *see also Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 449-50.
[10] *Riverwatch v. Olivenhain Municipal Water Dist.* (2009) 170 Cal. App. 4th 1186, 1201.
[11] IS/MND, pg. 5.
[12] *Id.*
[13] *Id.*
[14] *Sundstrom,* 202 Cal.App.3d at 311.
[15] Marshall Comments, pg. 2.
[16] IS/MND, Appendix A, Table 2, PDF pg. 5; Appendix F, pg. 18.

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2-4 cont.

characterizes this Project as ITE land use code 150 (Warehousing).[17] Mr. Marshall explains that this land use code is just one of many land use codes potentially applicable to the Project, and does not reflect all reasonably foreseeable uses of the Project.[18] The figure below shows other warehousing land use codes and compares trips generated by each land use.[19]



The IS/MND lacks evidence to support the City's assumption that the other warehouse land use codes shown above would be inapplicable to the Project. Rather, it the opposite. The IS/MND lacks sufficient information about the Project's end uses and configuration for the public and decisionmakers to exclude any of these end uses from its impact analysis. For example, the IS/MND states that "[t]he Project does not propose refrigeration as part of the warehouse operations," but the IS/MND does not identify any conditions of approval or mitigation measures preventing cold storage uses. Cold storage is therefore a reasonably foreseeable use of the Project site. Similarly, there is no restriction prohibiting subsequent parcel hub or fulfillment center uses. The Project could therefore be used as a parcel hub

[17] *Id.*
[18] Marshall Comments, pg. 4.
[19] *Id.* at 2.

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2-4 cont.

or fulfillment center warehouse – two highly common warehouse uses by large warehouse distributors such as Amazon, Walmart, and grocery chains – which would result in more intensive land uses and impacts than the "Warehouse" category analyzed in the IS/MND. Since the Project's future uses are broadly described as warehouse and retail, CEQA requires the City to analyze and mitigate the impacts associated with all reasonably foreseeable warehouse and retail uses, including high-intensity uses like those outlined by Mr. Marshall.

Courts have held in situations such as this that "the identity of a tenant is irrelevant to CEQA review."[20] The court in *Maintain Our Desert Environment v. Town of Apple Valley* explained that "land use entitlements such as conditional use permits and development approvals run with the land and do not belong to the permittee…. had [the developer] developed the Project and then held it out for sale to any interested buyer, no additional CEQA review would have been necessary for the new owner so long as the use was consistent with that that had already been approved."[21] Here, the project analyzed in the IS/MND is a Conditional Use Permit and Lot Merger to develop an 156,877 sf warehouse, which could be used for many potential warehousing end uses. Because the IS/MND fails to analyze the full range of uses that would be authorized under these entitlements, the IS/MND's project description is inadequate.

The defects in the project description affect the IS/MND's environmental impacts, as different types of warehousing have differing severities of environmental impacts. For example, Mr. Marshall explains that the land use code selected by the IS/MND would underestimate the number of car and truck trips generated by the Project. As shown above, the IS/MND applies a rate of 1.71 daily trips per 1000 sq. ft. of warehouse.[22] The daily trips would be significantly higher if the Project includes cold storage uses or is developed as a parcel hub or fulfillment center. Mr. Marshall explains that whereas the ITE Warehouse category used in the IS/MND results in an estimated 89 daily truck trips, the Cold Storage Warehouse rate is estimated to generate daily 111.6 truck trips.[23] By underestimating the overall trips generated by the Project, the IS/MND underestimates the Project's health risk, air quality, GHG, and VMT impacts.

[20] *Am. Canyon Cmty. United for Responsible Growth v. City of Am. Canyon* (2006) 145 Cal. App. 4th 1062, 1074 (citing *Maintain Our Desert Environment v. Town of Apple Valley* (2004) 124 Cal.App.4th 430, 443–449)).
[21] *Maintain Our Desert Environment v. Town of Apple Valley, supra,* 124 Cal.App.4th at 444.
[22] Marshall Comments, pg. 2.
[23] Marshall Comments, pg. 3.

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2-4 cont.

The IS/MND's assumption that the Project will include no cold storage uses results in underestimation of health risk, air quality, energy, GHG, and noise impacts. Cold storage generates more trips per square foot and has higher energy impacts due to the low temperatures required by the facility's transport refrigeration units ("TRUs") and on-site storage. TRUs are refrigeration systems powered by integral diesel engines.[24] The refrigeration systems are used to control the environment of temperature-sensitive products transported in insulated trucks, trailers, shipping containers, or railcars. The California Air Resources Board ("CARB") states that TRUs emit diesel particulate matter ("DPM"), fine particulate matter ("PM2.5"), oxides of nitrogen ("NOx"), and GHGs while in transit and during stationary operation at refrigerated warehouses or distribution centers, grocery stores, seaport facilities, intermodal railyards, and other locations of operation. CARB explains that communities near facilities where TRUs operate bear a disproportionate health burden:

> PM2.5 pollution contributes to more fatalities than other air pollutants and can lodge deep in the lungs or pass through the lungs to enter the blood stream and affect the heart, brain, and other organs. Adverse health effects from long-term exposure to PM2.5 pollution include increased risk of heart attacks and heart disease, impaired lung development in children, the development and exacerbation of asthma, and premature death. NOx is a precursor to ozone, which can cause irritation and damage lung tissue, worsen asthma and chronic illnesses including obstructive pulmonary disease and reduce lung function.[25]

CARB also explains that TRUs' emissions of GHGs contribute towards climate change,[26] and that TRUs generate noise impacts: "TRU operations produce noise that can be problematic when deliveries that often occur late evening or early morning are near residential neighborhoods, hotels, hospitals, and elder care facilities… One study conducted by LSA Associates found that a diesel-powered TRU operating at high idle produces an A-weighted decibel (dBA) noise rating of 104 dBA, while a diesel truck at idle produces a noise rating of 96 dBA."[27]

In the California Attorney General's ("AG") guidance for warehouse projects, the AG recommends that, if the agency intends to prohibit cold storage, unless a developer adopts mitigation measures limiting cold storage impacts, the developer

[24] California Air Resources Board, 2022 TRU Technology Assessment, pg. 1, https://ww2.arb.ca.gov/sites/default/files/2022-10/CARB%202022%20TRU%20Technology%20Assessment%2010-14-22.pdf.
[25] California Air Resources Board, 2022 TRU Technology Assessment, pg. 10.
[26] California Air Resources Board, 2022 TRU Technology Assessment, pg. 10.
[27] California Air Resources Board, 2022 TRU Technology Assessment, pg. 17-18.

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2-4 cont.

should record a covenant on the title of the underlying property to ensuring that the property cannot be used to provide refrigerated warehouse space.[28] No such mitigation or land use covenants are described in the IS/MND. If the City intends to prohibit cold storage during Project operations, the City should include such title restrictions for this Project. Alternatively, the City must prepare an EIR that analyzes and mitigates impacts associated with reasonably foreseeable cold storage uses and all other reasonably foreseeable intensive warehousing uses at the Project site.

B. The IS/MND Is Unclear Regarding the Project's Hours of Operation

2-5

The IS/MND is internally inconsistent regarding whether truck movement, loading, and unloading activities would be authorized between the hours of 10:00 PM and 7:00 AM. The IS/MND states:

> The retail and warehouse end users are unknown at this time. The hours of operation would be determined by the lessee; however, at this time, the hours are proposed to be seven days a week and operate 24 hours a day. However, all on-site truck movement and loading and unloading activities at the proposed loading docks, which are located behind electronic gates, would be prohibited from 10:00 PM to 7:00 AM.[29]

This statement is contradicted by Mitigation Measure ("MM") NOI-1, which states that the nighttime prohibition of onsite truck activities is optional:

> Prior to issuance of any demolition or grading permit, the City of South El Monte Public Works Department shall verify that the Project plans and specifications include provisions that either: (1) require the installation of a 10-foot-high concrete masonry wall along the southern property line of the project site; or (2) prohibit truck movement and loading and unloading between the hours of 10:00 PM and 7:00 AM.[30]

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[28] *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act (Updated September 2022)*, pg. 9, available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf ("Unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks.").

[29] IS/MND, pg. 5; *see* pg. 6 ("As previously noted, the gates would be closed between 10:00 PM and 7:00 AM.").

[30] IS/MND, pg. 97.

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2-5 The IS/MND is internally inconsistent because it states that truck movement, loading, and unloading would be prohibited from 10:00 PM to 7:00 AM[31] while also stating that such activities would be authorized if a masonry wall is constructed. Clarity on whether nighttime truck activities are proposed by the Project is necessary because the noise study shows that nighttime operations would result in significant noise impacts unless mitigation is adopted.[32]

C. Use of Back-Up Generators is a Reasonably Foreseeable Consequence of the Project that the IS/MND Fails to Describe

2-6 The IS/MND fails to disclose that the Project would include back-up generators in its discussion of the Project's air quality and health risk impacts. The IS/MND's CalEEMod analysis of criteria air pollutants fails to include emissions from backup generators,[33] and the IS/MND's qualitative discussion of health risk impacts fails to disclose use of back-up generators.[34] The use of backup generators is a reasonably foreseeable activity during Project operation due to the prevalence of power safety shutoffs, extreme heat events, and other emergencies which lead to temporary losses of power.

In *East Oakland Stadium Alliance v. City of Oakland*,[35] the Court of Appeal upheld an EIR's analysis of emissions from backup generators. The EIR's analysis assumed that generators would operate for 50 hours of testing and maintenance annually, while allocating no time for actual emergency use. In discussing the lead agency's duty to analyze backup generator emissions, the Court stated that "if the annual need for emergency generator use is reasonably foreseeable, the EIR was not entitled to disregard such use merely because it would occur at unpredictable times."[36] The Court explained that use of a generator was reasonably foreseeable because, "[a]s noted in the EIR, some parts of the Bay Area are subject to predictable, sustained power outages undertaken to reduce the risk of fire."[37] Thus, "[t]he EIR was required to make neither a generally applicable nor a worst-case assumption; rather it was required to make a reasonable estimate of likely annual use of the generators at the project site."[38]

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[31] IS/MND, pg. 5.
[32] IS/MND, Appendix E, pg. iii, iv.
[33] IS/MND, Appendix A, PDF pg. 160.
[34] IS/MND, pg. 40-41; Appendix A, pg. 56.
[35] (2023) 889 Cal. App. 5th 1226.
[36] *Id.* at 1252.
[37] *Id.* at 1253.
[38] *Id.*

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2-6 cont.

Here, as in *East Oakland Stadium Alliance*, backup generator emissions are a reasonably foreseeable consequence of the Project due to increasingly common Public Safety Power Shutoff ("PSPS") events and extreme heat events ("EHE"). EHEs are defined as periods where in the temperatures throughout California exceed 100 degrees Fahrenheit.[39] From January 2019 through December 2019, Southern California Edison reported 158 of their circuits underwent a PSP event.[40] In Los Angeles County, two circuits had 4 PSPS events during that period, lasting an average of 35 to 38 hours. The total duration of the PSPS events lasted between 141 hours to 154 hours in 2019. According to the California Public Utilities Commission ("CPUC") de-energization report[41] in October 2019, there were almost 806 PSPS events that impacted almost 973,000 customers (~7.5% of households in California) of which ~854,000 of them were residential customers. The California Air Resources Board estimates that with 973,000 customers impacted by PSPS events in October 2019, approximately 125,000 back-up generators were used by customers to provide electricity during power outages.[42] The widespread use of back-up generators to adapt to PSPS and EHE events suggests that back-up generators are a reasonably foreseeable consequence of the Project. In addition to emergency use, any generators included in the Project would be operated for routine testing.

Generators can emit criteria air pollutants, greenhouse gases, and toxic air contaminants. This equipment commonly relies on fuels such as natural gas or diesel,[43] and thus can significantly impact public health through DPM emissions.[44]

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[39] Governor of California. 2021. Proclamation of a state of emergency. June 17, 2021.
[40] SCAQMD. 2020. Proposed Amendment To Rules (PARS) 1110.2, 1470, and 1472. Dated December 10, 2020. http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1110.2/1110-2_1470_1472/par1110-2_1470_wgm_121020.pdf?sfvrsn=6.
[41] https://www.cpuc.ca.gov/deenergization/ as cited in CARB, 2020. Potential Emission Impact of Public Safety Power Shutoff (PSPS), Emission Impact: Additional Generator Usage associated With Power Outage.
[42] California Air Resources Board, Emission Impact: Additional Generator Usage Associated with Power Outage (January 30, 2020), available at https://ww2.arb.ca.gov/resources/documents/emissions-impact-generator-usage-during-psps.
[43] SCAQMD, Fact Sheet on Emergency Backup Generators, http://www.aqmd.gov/home/permits/emergency-generators ("Most of the existing emergency backup generators use diesel as fuel").
[44] California Air Resources Board, Emission Impact: Additional Generator Usage Associated with Power Outage (January 30, 2020), available at https://ww2.arb.ca.gov/resources/documents/emissions-impact-generator-usage-during-psps (showing that generators commonly rely on gasoline or diesel, and that use of generators during power outages results in excess emissions); California Air Resources Board, Use of Back-up Engines for Electricity Generation During Public Safety Power Shutoff Events (October 25, 2019), available at https://ww2.arb.ca.gov/resources/documents/use-back-engines-electricity-generation-during-public-safety-power-shutoff ("When electric utilities de-energize their electric lines, the demand for back-up

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2-6 This equipment can emit significant amounts of NOx, sulfur dioxides ("SO2"), particulate matter ("PM10"), carbon dioxide ("CO2"), carbon monoxide ("CO"), volatile organic compounds ("VOC"), particulate matter less than 10 microns ("PM_{10}"), PM less than 2.5 microns ("$PM_{2.5}$"), and air toxins such as DPM.[45] the IS/MND's omission of an impact analysis for an onsite generator system thus results in an underestimation of the Project's air quality, greenhouse gas, and health risk impacts.[46]

II. THE CITY MUST PREPARE AN ENVIRONMENTAL IMPACT REPORT TO COMPLY WITH CEQA

2-7 CEQA requires that lead agencies analyze any project with potentially significant environmental impacts in an EIR.[47] "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR protects not only the environment, but also informed self-government."[48] The EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return."[49]

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power increases. This demand for reliable back-up power has health impacts of its own. Of particular concern are health effects related to emissions from diesel back-up engines. Diesel particulate matter (DPM) has been identified as a toxic air contaminant, composed of carbon particles and numerous organic compounds, including over forty known cancer-causing organic substances. The majority of DPM is small enough to be inhaled deep into the lungs and make them more susceptible to injury. Much of the back-up power produced during PSPS events is expected to come from engines regulated by CARB and California's 35 air pollution control and air quality management districts (air districts)").

[45] University of California, Riverside Bourns College of Engineering—Center for Environmental Research and Technology, Air Quality Implications Of Backup Generators In California, (March 2005), pg. 8, available at https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=84c8463118e4813a117db3d768151a8622c4bf6b; South Coast AQMD, Fact Sheet on Emergency Backup Generators ("Emissions of Nitrogen Oxides (NOx) from diesel-fired emergency engines are 200 to 600 times greater, per unit of electricity produced, than new or controlled existing central power plants fired on natural gas. Diesel-fired engines also produce significantly greater amounts of fine particulates and toxics emissions compared to natural gas fired equipment."), available at http://www.aqmd.gov/home/permits/emergency-generators#Fact2.

[46] Clark Comments, pg. 5.

[47] *See* Pub. Resources Code, § 21000; CEQA Guidelines, § 15002.

[48] *Citizens of Goleta Valley v. Bd. of Supervisors* ("*Goleta Valley*") (1990) 52 Cal.3d 553, 564, internal citations omitted.

[49] *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.

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2-7 cont.

CEQA's purpose and goals must be met through the preparation of an EIR, except in certain limited circumstances.[50] CEQA contains a strong presumption in favor of requiring a lead agency to prepare an EIR. This presumption is reflected in the "fair argument" standard. Under that standard, a lead agency "shall" prepare an EIR whenever substantial evidence in the whole record before the agency supports a fair argument that a project may have a significant effect on the environment.[51]

In contrast, a mitigated negative declaration may be prepared only when, after preparing an initial study, a lead agency determines that a project may have a significant effect on the environment, but:

> (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and initial study are released for public review *would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur*, and (2) 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.[52]

Courts have held that if "no EIR has been prepared for a nonexempt project, but substantial evidence in the record supports a fair argument that the project may result in significant adverse impacts, the proper remedy is to order preparation of an EIR."[53] The fair argument standard creates a "low threshold" favoring environmental review through an EIR, rather than through issuance of a negative declaration.[54] An agency's decision not to require an EIR can be upheld only when there is no credible evidence to the contrary.[55]

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[50] *See* Pub. Resources Code, § 21100

[51] Pub. Resources Code, §§ 21080, subd. (d), 21082.2, subd. (d); CEQA Guidelines, §§ 15002, subd. (k)(3), 15064, subds. (f)(1), (h)(1); *Laurel Heights Improvement Assn. v. Regents of the Univ. of Cal.* ("*Laurel Heights II*") (1993) 6 Cal.4th 1112, 1123; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75, 82; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 150-151; *Quail Botanical Gardens Found., Inc. v. City of Encinitas* ("*Quail Botanical*") (1994) 29 Cal.App.4th 1597, 1601- 1602.

[52] Pub. Resources Code, § 21064.5 (emphasis added).

[53] *See, e.g., Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 319-320.

[54] *Citizens Action to Serve All Students v. Thornley* (1990) 222 Cal.App.3d 748, 754

[55] *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th, 1307, 1318; *see also Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1002 ("*Friends of B Street*") ("If there was substantial evidence that the proposed project might have a significant environmental impact, evidence to the contrary is not sufficient to support a decision to dispense with preparation of an EIR and adopt a

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2-7 cont.

"Substantial evidence" required to support a fair argument is defined as "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached."[56] According to the CEQA Guidelines, when determining whether an EIR is required, the lead agency is required to apply the principles set forth in Section 15064, subdivision (f):

> [I]n marginal cases where it is not clear whether there is substantial evidence that a project may have a significant effect on the environment, the lead agency shall be guided by the following principle: If there is disagreement among expert opinion supported by facts over the significance of an effect on the environment, the Lead Agency shall treat the effect as significant and shall prepare an EIR.[57]

Furthermore, CEQA documents, including EIRs and MNDs, must mitigate significant impacts through measures that are "fully enforceable through permit conditions, agreements, or other legally binding instruments."[58] Deferring formulation of mitigation measures to post-approval studies is generally impermissible.[59] Mitigation measures adopted after Project approval deny the public the opportunity to comment on the Project as modified to mitigate impacts.[60] If identification of specific mitigation measures is impractical until a later stage in the Project, specific performance criteria must be articulated and further approvals must be made contingent upon meeting these performance criteria.[61] Courts have held that simply requiring a project applicant to obtain a future report and then comply with the report's recommendations is insufficient to meet the standard for properly deferred mitigation.[62]

2-8

With respect to this Project, the IS/MND fails to satisfy the basic purposes of CEQA. The IS/MND fails to adequately disclose, investigate, and analyze the Project's potentially significant impacts, and fails to provide substantial evidence to conclude that impacts will be mitigated to a less than significant level. Because the

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negative declaration, because it could be 'fairly argued' that the project might have a significant environmental impact").

[56] CEQA Guidelines, § 15384, subd. (a).

[57] Pub. Resources Code, § 21064.5.

[58] CEQA Guidelines, § 15126.4, subd. (a)(2).

[59] *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308-309; Pub. Resources Code, § 21061.

[60] *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1393; *Quail Botanical*, *supra*, 29 Cal.App.4th at pg. 1604, fn. 5.

[61] *Id.*

[62] *Id.*

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2-8 cont.

IS/MND lacks basic information regarding the Project's potentially significant impacts, the IS/MND's conclusion that the Project will have a less than significant impact on the environment is unsupported.[63] Moreover, substantial evidence shows that the Project may result in potentially significant impacts that are not reduced to less than significant levels with the mitigation measures included in the IS/MND. Therefore, a fair argument can be made that the Project may cause significant impacts requiring the preparation of an EIR.

A. The IS/MND Fails to Disclose and Mitigate Significant Health Risk Impacts

2-9

Project construction and operation would generate DPM, a type of toxic air contaminant ("TAC").[64] DPM would be emitted during construction by heavy equipment and diesel trucks, and likely during operations by a diesel backup generator or other diesel-fueled stationary equipment.[65] DPM has been linked to a range of serious health problems including an increase in respiratory disease, lung damage, cancer, and premature death. The Project's emissions of DPM would impact sensitive receptors near the Project site, including residents of a mobile home park directly south of the Project site. The IS/MND fails to analyze and mitigate health risk impacts from construction activities or evaluate the combined lifetime risk of exposure to both the Project's construction and operational TAC emissions.

CEQA requires analysis of human health impacts. CEQA Guidelines Section 15065(a)(4) provides that the City is required to find a project will have a significant impact on the environment and prepare an EIR if the environmental effects of a project will cause a substantial adverse effect on human beings.[66] The Supreme Court has also explained that CEQA requires the lead agency to disclose the health consequences that result from exposure to a project's air emissions.[67] Courts have held that an environmental review document must disclose a project's potential health risks to a degree of specificity that would allow the public to make the correlation between the project's impacts and adverse effects to human health.[68]

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[63] Pub. Resources Code, § 21064.5.
[64] SCAQMD, Classification of Diesel PM as a Carcinogen, https://www.aqmd.gov/home/rules-compliance/compliance/toxic-hot-spots-ab-2588/iws-facilities/dice/dice-b2; OEHHA, Health Effects of Diesel Exhaust (May 21, 2001), https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf.
[65] *Id.*
[66] PRC § 21083(b)(3), (d).
[67] *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 516, 523.
[68] *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184.

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2-9 cont.

In *Bakersfield Citizens for Local Control v. City of Bakersfield*, the court found that the EIR's description of health risks were insufficient and that after reading them, "the public would have no idea of the health consequences that result when more pollutants are added to a nonattainment basin."[69] Likewise, in *Sierra Club*, the California Supreme Court held that the EIR's discussion of health impacts associated with exposure to the named pollutants was too general and the failure of the EIR to indicate the concentrations at which each pollutant would trigger the identified symptoms rendered the report inadequate.[70] Some connection between air quality impacts and their direct, adverse effects on human health must be made. As the Court explained, "a sufficient discussion of significant impacts requires not merely a determination of whether an impact is significant, but some effort to explain the nature and magnitude of the impact."[71] CEQA mandates discussion, supported by substantial evidence, of the nature and magnitude of impacts of air pollution on public health.[72]

For development projects like this one, the Office of Environmental Health Hazard Assessment's ("OEHHA") risk assessment guidelines also recommend a formal health risk analysis ("HRA") for short-term construction exposures to TACs lasting longer than 2 months and exposures from projects lasting more than 6 months should be evaluated for the duration of the project.[73] In an HRA, lead agencies must first quantify the concentration released into the environment at each of the sensitive receptor locations through air dispersion modeling, calculate the dose of each TAC at that location, and quantify the cancer risk and hazard index for each of the chemicals of concern.[74] Following that analysis, then the City can make a determination of the relative significance of the emissions. Here, the IS/MND states that exposure to TACs would be significant if it would result in an incremental cancer risk of 10 in one million or greater.[75]

Here, the IS/MND fails to quantify the magnitude of TACs that would be emitted by the Project's operations and construction. The IS/MND also fails to

[69] *Id.* at 1220.
[70] *Sierra Club*, at 521.
[71] *Id.* at 519, citing *Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2017) 3 Cal.5th 497, 514–515.
[72] *Sierra Club*, 6 Cal.5th at 518–522.
[73] Office of Environmental Health Hazard Assessment (OEHHA), Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments, February 2015 (OEHHA 2015), Section 8.2.10: Cancer Risk Evaluation of Short Term Projects, pp. 8-17/18; https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf; https://oehha.ca.gov/air/crnr/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0.
[74] *Id.*
[75] IS/MND, Appendix A, pg. 25.

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2-9 cont.

quantify sensitive receptors' exposure to TACs and whether significance thresholds would be exceeded. As such, the MND fails to adequately connect the Project's emissions and their direct, adverse effects on human health.[76]

The IS/MND reasons that health risks from exposure to TACs emitted during operations would be less than significant because "[t]he most recent Health Risk Assessment for Proposed Land Use Projects prepared by CAPCOA (July 2009) recommends avoiding siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week)."[77] The IS/MND states that because the Project is estimated to generate 89 truck trips a day, "significant TAC impacts from the project-related operational DPM sources are not anticipated and no significant long-term operations-related TAC impacts from the proposed project to nearby sensitive receptors would occur."[78]

This reasoning is not supported by substantial evidence. First, as explained by Mr. Marshall, the Project could foreseeably generate more than 89 daily truck trips, depending on the warehouse's ultimate uses. As shown herein, the 89-truck trip estimate assumes that the Project would be used for a relatively low intensity warehousing use (ITE 150). Mr. Marshall shows that the Project's warehouse component could result in more than 100 daily truck trips if different ITE land use codes are applied.[79] And because there is no restriction on cold storage at the Project site, the Project may generate over 40 TRUs. Thus, the Project's criteria pollutant, TAC, and GHG emissions may be substantially higher than assumed in the IS/MND.

Second, the IS/MND's focus on daily truck trips ignores that the Project would foreseeably include other sources of TAC emissions. Emissions from a backup generator and fire pump would combine with truck trip emissions to result in potentially significant health risks to nearby sensitive receptors.

2-10

Third, the IS/MND fails to properly apply the California Air Pollution Control Officers Association ("CAPCOA") guidance cited in the IS/MND. CAPCOA's siting guidance states:

[76] *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184.
[77] IS/MND, Appendix A, pg. 43.
[78] IS/MND, Appendix A, pg. 43.
[79] Marshall Comments, pg. 2-3.

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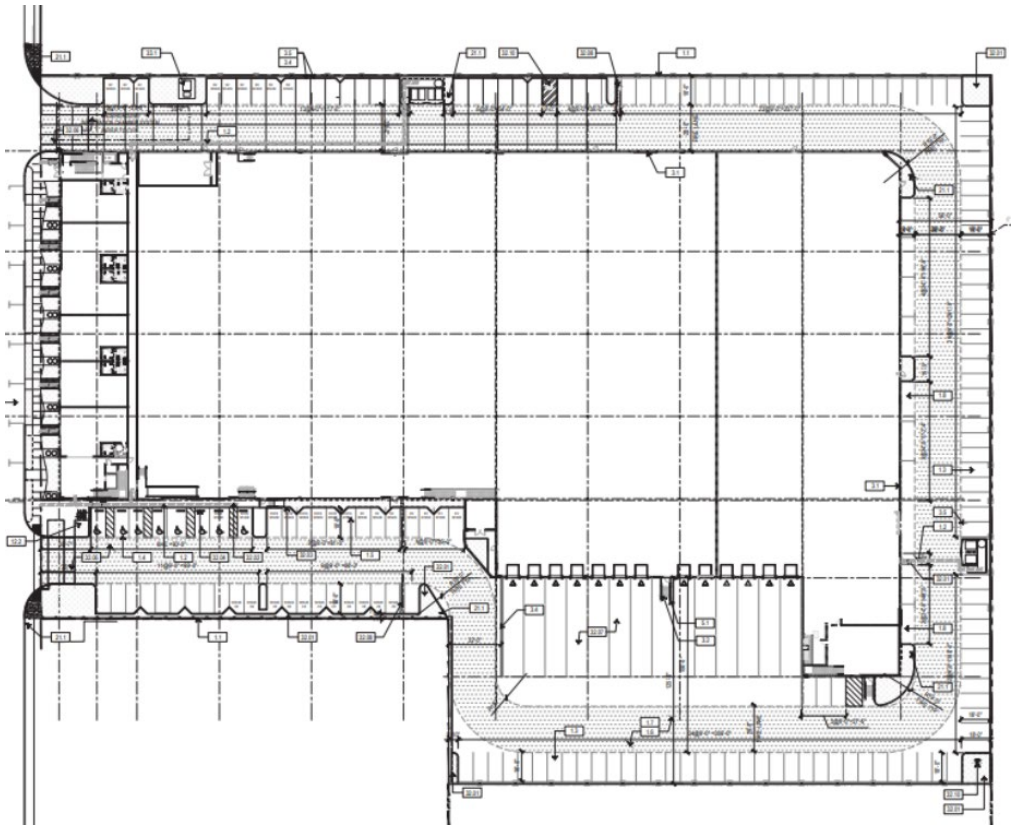
2-10 cont.

- Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week).
- Take into account the configuration of existing distribution centers and avoid locating residences and other new sensitive land uses near entry and exit points.[80]

The IS/MND purports to follow the CAPCOA guidance, but fails to conduct the second half of the CAPCOA's recommended analysis by failing to take into account existing distribution centers. As will be discussed in more detail below, the IS/MND fails to identify cumulative projects or otherwise characterize the Project's combined effects with other industrial projects in the area. The IS/MD also fails to consider the location of the Project's entry and exit points in relation to sensitive receptors. As shown below, the Project's loading docks would be located near the southern border of the Project site.[81] Trucks would access these loading docks via a driveway along the southern property line. Directly across the southern border of the Project site are mobile homes.

[80] CAPCOA, Health Risk Assessments for Proposed Land Use Projects, Table 2, Recommendations on Siting New Sensitive Land Uses Such As Residences, Schools, Daycare Centers, Playgrounds, or Medical Facilities, available at https://ww2.valleyair.org/media/glsdzpx3/capcoa_hra_lu_guidelines_8-6-09.pdf.
[81] Excerpt of Figure 6, Site Plan, IS/MND, PDF pg. 24.

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2-10 cont.

By locating the loading docks and a driveway by the southern property line, emissions from truck idling and movement would be generated nearby residential sensitive receptors. Per the CAPCOA siting guidance, this Project's configuration would result in heightened health risk impacts. The Project's configuration is therefore a factor justifying preparation of an HRA pursuant to the guidance relied upon by the City.

Regarding exposure to construction TACs, the IS/MND states that "[g]iven the temporary and short-term construction schedule (approximately 12 months), the project would not result in a long-term (i.e., lifetime or 30-year) exposure as a result of project construction."[82] This reasoning ignores that OEHHA guidance explains that health risks from construction activities lasting for as little as two months can result in significant health risk impacts. The Project's one-year construction schedule exceeds OEHHA's two-month threshold for preparing an HRA. OEHHA's guidance explains that exposure to TACs is a function of the breathing rate, the exposure frequency, and the concentration of a substance in the air.[83] The exposure

[82] IS/MND, Appendix A, pg. 30.
[83] OEHHA, Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments, pg. 5-23.

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2-10 cont.

frequency and concentration of TACs near sensitive receptors increase the closer construction activities occur to sensitive receptors.[84] Because emissions of TACs during construction would occur across the property line from residences, sensitive receptors' exposure to TACs is potentially significant.

2-11

The IS/MND states that Project construction-source emissions would not exceed applicable Localized Significance Thresholds ("LSTs").[85] But analysis of LSTs does not address DPM and other TACs that would be emitted by the Project.[86] LSTs are based on the number of pounds of emissions per day that can be generated by a project that would cause or contribute to adverse localized air quality impacts. But LSTs only apply to four criteria pollutants: NO_x, CO, PM_{10}, and $PM_{2.5}$. LSTs do not apply to DPM and other TACs, which contain carcinogenic compounds not found in criteria pollutants, and thus do not disclose the magnitude of the Project's health impacts from exposure to the Project's air emissions. Thus, the IS/MND's analysis of LSTs does not answer the question required by CEQA Appendix G as to whether the Project would "expose sensitive receptors to substantial pollutant concentrations"[87] and is no substitute for the IS/MND's failure to analyze health risk impacts from exposure to TACs.

2-12

The IS/MND thus fails to meet CEQA's information and analytical requirements, and the Project's health risk impacts remain potentially significant and unmitigated. These potentially significant impacts must be analyzed and mitigated in an EIR.

B. The IS/MND Fails to Adequately Disclose, Analyze and Mitigate the Project's Cumulative Impacts

[84] *Id.* at 1-3 ("The process by which Districts identify priority facilities for risk assessment involves consideration of potency, toxicity, quantity of emissions, and proximity to sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences.").
[85] IS/MND, Appendix A, pg. iv.
[86] SCAQMD, Localized Significance Thresholds, http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/localized-significance-thresholds; SCAQMD, Final Localized Significance Threshold Methodology (June 2003, revised June 2008), available at www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=2.
[87] CEQA Appendix G, III(d).

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2-13 An EIR must evaluate a cumulative impact if the project's incremental effect combined with the effects of other projects is "cumulatively considerable."[88] This determination is based on an assessment of the project's incremental impacts "viewed in connection with the effects of past project, the effects of other current projects, and the effects of probable future projects."[89] Proper cumulative impact analysis is vital because "the full environmental impact of a proposed project cannot be gauged in a vacuum. One of the most important environmental lessons that has been learned is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact."[90]

1. The IS/MND's Cumulative Air Emissions Analysis Does Not Comply with CEQA or Attorney General Warehouse Guidance

2-14 The IS/MND fails to adequately analyze the significance of the Project's cumulative air quality emissions. The IS/MND asserts that, under South Coast Air Quality Management District ("SCAQMD") guidance, that a project would not have cumulatively-considerable impacts if its individual emissions of criteria air pollutant that fall below SCAQMD's threshold for individual projects.[91] Similarly, the IS/MND provides that projects' health risk impacts that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable, and vice versa.[92]

This reasoning contravenes CEQA because projects that do not have significant individual impacts may nonetheless create significant cumulative impacts.[93] In addition, a proper cumulative impact analysis considers whether a project has a cumulatively considerable impact in the context of a particular existing cumulative impact.[94]

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[88] CEQA Guidelines § 15130(a).
[89] *Id.*, §§ 15065(a)(3), 15355(b).
[90] *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 114.
[91] IS/MND, Appendix A, pg. 41.
[92] *Id.*
[93] *See Kings Cty. Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 720.
[94] Cal. Code Regs., tit. 14, § 15065, subd. (a)(3). ("The project has possible environmental effects that are individually limited but cumulatively considerable. 'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.")

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2-14 cont.

In *People of the State of California v. City of Fontana,* the Attorney General's petition for writ of mandate challenged an MND that erroneously applied SCAQMD guidance in the same way as the instant IS/MND.[95] The petition explained:

> [T]he MND's cumulative air quality impact analysis does not account for—or even acknowledge—the multitude of other warehouses near the Project. Rather than consider the environmental setting within which the Project will be situated, the MND simply states that the Project will not result in a cumulatively considerable increase in emissions because the Project's individual air quality impacts will be less than significant. The MND even applies this reasoning to its analysis of health impacts from localized emissions, despite making no attempt to determine or disclose the severity of the existing health impacts from localized emissions in the community.[96]

The Attorney General further explained that merely citing to SCAQMD guidance does not justify a failure to analyze a Project's cumulative impacts:

> The MND cites Appendix D of an August 2003 white paper published by the South Coast Air Quality Management District ("SCAQMD") entitled "White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution" ("2003 SCAQMD White Paper"). **To the extent that the 2003 SCAQMD White Paper asserts that any project with less than significant individual air quality impacts also necessarily has less than significant cumulative air quality impacts, it is inconsistent with CEQA** for at least the reasons stated above. Moreover, the 2003 SCAQMD White Paper lacks substantial evidence to support such a contention, and thus the MND's reliance on it violates CEQA. (Cal. Code Regs., tit. 14, § 15064.7, subd. (c).) The MND further violated CEQA by failing to provide substantial evidence to support its reliance on the 2003 SCAQMD White Paper, Appendix D as "guidance." (Ibid.) Finally, even if the MND's reliance on the 2003 SCAQMD White Paper were proper and supported by substantial evidence, the MND did not consider other evidence—such as public comments and the existence of many other sources of pollution near the Project site—showing that the Project could have a

[95] *People of the State of California v. City of Fontana,* Case No. CIVSB2121829, Petition for Writ of Mandate, available at https://climatecasechart.com/wp-content/uploads/case-documents/2021/20210723_docket-CIVSB2121829_petition-for-writ-of-mandate.pdf.
[96] *People of the State of California v. City of Fontana,* Case No. CIVSB2121829, Petition for Writ of Mandate, pg. 9, paragraph 32.

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2-14 cont.

> significant cumulative air quality impact. (See Cal. Code Regs., tit. 14, § 15064, subd. (b).) [emphasis added][97]

The Attorney General's litigation resulted in a settlement which requires compliance with an ordinance adopted on April 12, 2022, that establishes sustainability standards for warehouses in Fontana, including standards intended to address cumulative air quality impacts. For example, the standards include requirements that rooftop solar panels supply 100% of power for non-refrigerated portions of facilities with buildings over 400,000 square feet, trees in automobile parking areas, zero emission motorized operational equipment, other equipment electrification requirements, and solar-ready buildings roofs.[98] The City of Fontana's decision to suspend its erroneous reliance on SCAQMD's drop-in-the-bucket approach and to address the cumulative impacts of warehouse projects in the City as a component of its settlement with the Attorney General's office reflects an approach consistent with CEQA. The Fontana settlement also demonstrates that there is feasible mitigation available to reduce cumulative air quality impacts from warehouse projects, in compliance with CEQA.

Here, the IS/MND's analysis fails to account for health risks resulting from emissions of TACs from existing industrial development in the vicinity of the proposed Project site. The IS/MND acknowledges that there are multiple existing and proposed warehouses in the vicinity of the proposed Project site, but does not describe these projects or consider them in its analysis of the Project's cumulative impacts.[99] The IS/MND discloses the CalEnviroScreen scores for the census tract, which reflect the census tract's pollution burden compared to other census tracts in the state, but fails to account for this information in its cumulative impacts analysis. This census tract scores 78.4 for particulate matter and 91.6 for DPM.[100] These are high scores that demonstrate that the Project's emissions of air pollutants would contribute to cumulative impacts on nearby sensitive receptors.[101] The IS/MND's cumulative impacts analysis violates CEQA by failing to take this context into account.

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[97] *People of the State of California v. City of Fontana,* Case No. CIVSB2121829, Petition for Writ of Mandate, pg. 13, paragraph 49.
[98] *Id.*, Stipulation For Entry Of Final Judgment On Consent, available at https://climatecasechart.com/wp-content/uploads/case-documents/2022/20220414_docket-CIVSB2121605-CIVSB2121829_stipulation.pdf.
[99] IS/MND, Appendix A, pg. 41 ("There are a number of cumulative projects in the project area that have not yet been built or are currently under construction").
[100] IS/MND, Appendix E, pg. PDF pg. 163-164.
[101] *Id.* (The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.).

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2-15 In addition to violating CEQA, the SCAQMD approach used in the IS/MND also directly conflicts with the recent Attorney General guidance document setting forth best practices for evaluating the environmental impacts of warehouse projects like this one under CEQA.[102] With respect to cumulative air quality and GHG emissions analysis, the Attorney General's guidance states that best practices include "[w]hen analyzing cumulative impacts, thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, *even if the project's individual impacts alone do not exceed the applicable significance threshold* [emphasis added]."[103]

2-16 The IS/MND also fails to note that SCAQMD's cumulative impacts significance thresholds, adopted in 2003, are being revised to reflect current conditions.[104] The updates are statedly being prepared in response to recent CEQA cases such as *People of the State of California v. City of Fontana.*[105] The updated cumulative impacts significance thresholds will reflect projects' existing background MATES cancer risk and additional criteria such as whether the project would generate a high volume of diesel-fueled trucks.[106]

In sum, the IS/MND's cumulative air quality impacts analysis does not comply with CEQA. The City must prepare an EIR that properly evaluates and mitigates such impacts.

2-17 **C. The IS/MND Fails to Include Sufficient Investigation into Energy Conservation Measures**

The IS/MND does not include sufficient investigation into energy conservation measures that might be available or appropriate for the Project. The IS/MND concludes that operational energy impacts of the Project would be less than significant because the buildings would be designed and constructed in accordance

[102] *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* (Updated September 2022), available at https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf .
[103] *Id.*, pg. 7.
[104] See e.g., http://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-3_20230124.pdf?sfvrsn=6.
[105] San Bernardino Superior Court, Case No. CIVSB2121829; SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) pg. 6
[106] SCAQMD Working Group Meeting # 4, Cumulative Impacts from Air Toxics for CEQA Projects (June 6, 2023) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-4_20230602_final.pdf?sfvrsn=16; SCAQMD Working Group Meeting #5, Cumulative Impacts from Air Toxics for CEQA Projects (March 20, 2024) https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-5-20240320-final.pdf?sfvrsn=20.

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2-17 cont.

with the State's Title 24 guidelines and regulations.[107] However, compliance with Title 24 regulations alone does not support a conclusion that energy impacts are less than significant, and the IS/MND does not sufficiently consider energy conservation measures like solar facilities, use of alternate fuel sources, or passive energy efficiency measures to ensure the Project's energy consumption would not be wasteful, inefficient, or unnecessary. This lack of analysis violates CEQA.

2-18

CEQA requires an environmental document to discuss mitigation measures for significant environmental impacts, including "measures to reduce the wasteful, inefficient, and unnecessary consumption of energy."[108] The CEQA Guidelines require discussion of energy conservation measures when relevant, and provide examples in Appendix F:[109]

1) Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
2) The potential of siting, orientation, and design to minimize energy consumption, including transportation energy, increase water conservation and reduce solid waste.
3) The potential for reducing peak energy demand.
4) Alternate fuels (particularly renewable ones) or energy systems.
5) Energy conservation which could result from recycling efforts.

Courts have rejected CEQA documents that fail to include adequate analysis investigation into energy conservation measures that might be available or appropriate for a project.[110] In *California Clean Energy Commission v. City of Woodland* ("*CCEC*"),[111] the Court of Appeal reviewed an EIR for a shopping center on undeveloped agricultural land. Similar to the IS/MND here, the EIR in *CCEC* concluded that, due to the proposed project's compliance with Title 24 guidelines and regulations, the project would be expected to have a less-than-significant impact regarding the wasteful, inefficient, or unnecessary consumption of energy. But the lead agency's EIR did not include discussion regarding the different renewable energy options that might be available or appropriate for the project. The Court held "the City's EIRs failed to comply with the requirements of

[107] IS/MND, pg. 50.
[108] Pub. Resources Code, § 21100(b)(3); *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 930.
[109] 14 Cal. Code Regs., § 15126.4(a)(1)(C) (stating "'Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant.").
[110] *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 CA4th 256; *Spring Valley Lake Ass'n v. City of Victorville* (2016) 248 CA4th 91.
[111] (2014) 225 CA4th 173.

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2-18 cont.

Appendix F to the Guidelines by not discussing or analyzing renewable energy options."[112] The lead agency argued that compliance with the Building Code sufficed to address energy impact concerns for the project.[113] But the Court explained:

> Although the Building Code addresses energy savings for components of a new commercial construction, it does not address many of the considerations required under Appendix F of the CEQA Guidelines… These considerations include whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope. Here, a requirement that Gateway II comply with the Building Code does not, by itself, constitute an adequate assessment of mitigation measures that can be taken to address the energy impacts during construction and operation of the project.[114]

The Supreme Court of California agreed with the *CCEC* court's decision in *League to Save Lake Tahoe Mtn. Area Preservation Found. v County of Placer*, holding that even projects that find a less-than-significant energy impact must "discuss whether any renewable energy features could be incorporated into the project."[115] In *Save Lake Tahoe*, the Court considered an EIR for a land use specific plan and rezoning to permit residential and commercial development and preserve forest land near Truckee and Lake Tahoe. The EIR did not consider whether it was feasible to power the project on 100 percent renewable electrical energy or some lesser percentage, nor evaluate strategies for reducing reliance on fossil fuels, increasing reliance on renewable resources, reducing peak loads, and reducing the impacts of relying on remote generation facilities. The lead agency reasoned that this analysis was not required because energy impacts would be less than significant. Citing CEQA Guidelines Section 15126.2, subdivision (b) and the decision in *CCEC*, the Court held that when an EIR analyzes the project's energy use to determine if it creates significant effects, it should discuss whether any renewable energy features could be incorporated into the project. The Court found that the EIR violated CEQA for not discussing whether the project could increase its reliance on renewable energy sources to meet its energy demand.

2-19

Here, the IS/MND lacks basic analysis of energy consumption measures in violation of CEQA Guidelines Appendix F. The IS/MND fails to analyze the feasibility of onsite solar facilities, such as rooftop, parking lot, or ground-level solar

[112] *Id.* at 213.
[113] *Id.* at 210, 211.
[114] *CECC* (2014) 225 CA4th 173, 213.
[115] (2022) 75 CA5th 63, 167–68.

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2-19 cont. photovoltaics. This analysis must address considerations such as the technical and economic feasibility of installing solar facilities on the Project site, the potential size of the Project's solar zone, and the potential magnitude of mitigation provided by installing solar facilities.

2-20 The IS/MND also fails to evaluate the extent to which mobile source energy consumption could be reduced during Project operations through electric vehicle charging infrastructure (above what is required by existing regulations).

2-21 The IS/MND's discussion of construction energy conservation measures also violates CEQA Guidelines Appendix F. The IS/MND fails to evaluate the feasibility of utilizing existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.

2-22 In sum, the IS/MND's energy analysis fails adequately analyze measures to reduce the wasteful, inefficient, and unnecessary consumption of energy, and fails to meaningfully address Appendix F's considerations of whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope.[116] This analysis must be provided in an EIR.

D. The IS/MND Fails to Fully Mitigate the Project's Significant VMT Impact

2-23 The IS/MND states that the Project is anticipated to generate 16.4 (actually 16.5)[117] VMT per worker, which exceeds the City-established threshold of 15.83 VMT per worker.[118] The IS/MND states that MM TRANS-1 would reduce the Project's VMT impact to a less than significant level (i.e., 15.80 VMT per worker).[119] MM TRANS-1 calls for implementation of a Commute Trip Reduction Program (which is measure T-5 in the CAPCOA Handbook).[120]

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[116] *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 CA4th 256, 264.
[117] Mr. Marshall explained that IS/MND Appendix F correctly shows that the San Gabriel Valley Council of Governments (SGVCOG) VMT Evaluation Tool shows that the project would result in 16.5 VMT per worker per day, but the number is incorrectly reported as 16.4 VMT per worker per day in the body of the MND. Marshall Comments, pg. 1.
[118] IS/MND, pg. 104.
[119] *Id.*
[120] CAPCOA) publication Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity: Designed for Local Governments, Communities, and Project Developers (Final Draft, December 2021).

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2-23 cont.

Mr. Marshall explains that this measure would not reduce VMT impacts to a less-than-significant level.[121] The CAPCOA Handbook states that Measure (T-5) can reduce employee commute VMT by up to 4.0%. However, the IS/MND's reliance on the maximum 4.0% reduction is unsupported because Measure (T-5) would not apply to Project workers during night shifts, resulting in lower reductions.[122] Moreover, even assuming the maximum reduction, Mr. Marshall shows that a 4.0% reduction reduces VMT to 15.84 per worker per day, which still exceeds the threshold value of 15.8.[123] Therefore, VMT remains significant and unmitigated. Additional mitigation must be proposed in an EIR to reduce the Project's VMT to less than significant levels.

E. The IS/MND Fails to Adequately Analyze and Mitigate Potentially Significant Noise Impacts

1. The IS/MND's Noise Significance Thresholds Are Unsupported by Substantial Evidence

2-24

Appendix G of the CEQA Guidelines provides that the Project would cause a significant noise impact if it would result in "[g]eneration 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."[124] The IS/MND violates this requirement by failing to correctly apply the noise standards in the municipal code.

The IS/MND states that "[c]onstruction noise is regulated within City of South El Monte Municipal Code Section 8.20.030(D)."[125] Section 8.20.030(D) prohibits nighttime operation of construction equipment resulting in noise disturbances.[126] The IS/MND incorrectly states that this is the only limitation applicable to construction noise, but Section 8.20.020 of the Municipal Code sets forth standards applying to all sources of noise:

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[121] Marshall Comments, pg. 4.
[122] *Id.*
[123] *Id.*
[124] IS/MND, pg. 25.
[125] IS/MND, Appendix E, pg. 29.
[126] IS/MND, Appendix E, pg. 16 ("No person shall operate or cause or authorize the operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work between the hours of 10:00 PM and 7:00 AM, or at any time on weekends or holidays, such that the sound therefrom creates a noise disturbance across the real property line of an adjacent or nearby property developed entirely or partially for residential use.")

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2-24 cont.

> No person shall operate or cause to be operated any source of sound at any location within the city or allow the creation of any noise on property owned, leased or occupied or otherwise controlled by such person, which causes the noise level when measured on any other property to exceed:
>
> a. The exterior noise limit for that land use or zone as specified in Table 1 or Table 2 for a cumulative period of more than thirty minutes in any hour; or
> b. The exterior noise limit for that land use or zone as specified in Table 1 or Table 2 plus five dbA for a cumulative period of more than fifteen minutes in any hour; or
> c. The exterior noise limit for that land use or zone as specified in Table 1 or Table 2 plus ten dbA for a cumulative period of more than five minutes in any hour; or
> d. The exterior noise limit plus fifteen dbA for a cumulative period of more than one minute in any hour; or
> e. The exterior noise limit for that land use or zone as specified in Table 1 or Table 2 plus twenty dbA for any period of time.

The IS/MND states that these noise limits only apply to stationary noise,[127] but this interpretation conflicts with the plain language of the code. Section 8.20.020 does not include language limiting its provisions to stationary noise, and Section 8.20.030(D) does not contain language stating that it is the only limit on construction noise. The code is properly read as imposing a prohibition on nighttime construction resulting in noise disturbances, as well as imposing limits on noise generated by daytime construction activities. Because the IS/MND fails to compare the Project's construction noise impacts to the thresholds in Section 8.20.020, the IS/MND fails evaluate whether noise would exceed standards established in the local noise ordinance, as required by the CEQA Guidelines.

2-25

The IS/MND's reliance on Section 8.20.030 as a significant threshold also fails to meet CEQA's requirement that lead agencies analyze the increase in ambient noise levels in the vicinity of the project."[128] California courts have clearly held that "the lead agency should consider both the increase in noise level and the absolute noise level associated with a project".[129] The courts have held that reliance

[127] Appendix E, pg. 30 ("[a]s shown above, the project is exempt from the stationary noise ordinance standards presented in Tables 5 and 6 as long as it is in compliance with the hours outlined in Section 83.20.030(D).").
[128] *Id.*, Appendix E, pg. 30; Section 8.20.030(D).
[129] *Keep Our Mountains Quiet v. County of Santa Clara* (2015) 236 Cal.App.4th 714, 733; see *King and Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814, 894 (citing *Keep Our Mountains Quiet*).

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2-25 cont.

on a maximum noise level as the sole threshold of significance for noise impacts violates CEQA because it fails to consider whether the magnitude of changes in noise levels is significant.[130] In *Keep our Mountains Quiet v. County of Santa Clara*,[131] neighbors of a wedding venue sued over the County of Santa Clara's failure to prepare an EIR for a proposed project to allow use permits for wedding and other party events at a residential property abutting an open space preserve. Neighbors and their noise expert contended that previous events at the facility had caused significant noise impacts that reverberated in neighbors' homes and disrupted the use and enjoyment of their property.[132] Similar to the City's thresholds in this case, the County's EIR relied on the noise standards set forth in its noise ordinance as its thresholds for significant noise exposure from the project, deeming any increase to be insignificant so long as the absolute noise level did not exceed those standards.[133] The Court examined a long line of CEQA cases which have uniformly held that conformity with land use regulations is not conclusive of whether or not a project has significant noise impacts[134] in holding that the County's reliance on the project's compliance with noise regulations did not constitute substantial evidence supporting the County's finding of no significant impacts.[135]

In *King and Gardiner Farms, LLC v. County of Kern*,[136] the Court of Appeal cited *Keep our Mountains Quiet* and decisions cited therein when it rejected the use of a single "absolute noise level" threshold of significance (construction and operational noise impacts were only deemed significant if they exceeded 65 dBA CNEL) on the grounds that the sole use of such a threshold fails to consider the magnitude or severity of increases in noise levels attributable to the project in different environments. The Court explained the lead agency failed to "refer to evidence showing why the magnitude of an increase was irrelevant in determining the significance of a change in noise."[137]

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[130] *King & Gardiner Farms, LLC,* 45 Cal.App.5th at 865.
[131] *Keep our Mountains Quiet v. County of Santa Clara* (2015) 236 Cal.App.4th 714.
[132] *Id*. at 724.
[133] *Id.* at 732.
[134] *Id., citing Citizens for Responsible & Open Government v. City of Grand Terrace* (2008) 160 Cal.App.4th 1323, 1338; *Oro Fino Gold Mining Corp. v. County of El Dorado* (1990) 225 Cal.App.3d 872, 881–882; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1416 (project's effects can be significant even if "they are not greater than those deemed acceptable in a general plan"); *Environmental Planning & Information Council v. County of El Dorado* (1982) 131 Cal.App.3d 350, 354, ("CEQA nowhere calls for evaluation of the impacts of a proposed project on an existing general plan").
[135] *Id*. at 732-734; see also *King & Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814, 893, as modified on denial of rehearing (Mar. 20, 2020).
[136] *King and Gardiner Farms, LLC, supra,* 45 Cal.App.5th 814.
[137] *Id.* at 894.

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2-25 cont.

Here, the IS/MND fails to meet CEQA's requirement that the lead agency consider the increase in noise level. As in *King and Gardiner Farms*, the IS/MND fails to refer to any evidence showing why the increase in noise over ambient levels is irrelevant to establishing the significance of a noise impact. Per *Keep our Mountains Quiet*, conformity with the City's noise ordinance and general plan is not conclusive of whether a project has significant noise impacts. An EIR must be prepared that applies legally adequate noise thresholds.

2. The Project's Construction Noise Would Be Potentially Significant

2-26

The Project's construction activities would generate noise in excess of standards in Section 8.20.020 of the Municipal Code, as well as result in a significant increase over ambient levels. In Table 12, shown below, the IS/MND applies the standards of Section 8.20.020 to the receptor land uses near the Project site.[138]

Table 12
Project Compliance with Stationary Noise Standards - Daytime

Project Site Property Line	Receptor # [1]	Receptor Land Use	Existing Daytime Measured Noise Levels (dBA Leq)[2]	Daytime Noise Standard (7:00AM-10:00 PM) (dBA, Leq)	Adjusted Noise Standard, Daytime[3] (dBA, Leq)	Operational Noise Levels[1]	Exceeds Adjusted **Daytime** Noise Standards (Yes/No)
West	1	Commercial	72	70	75	31	No
North	2	Commercial	60	70	70	47	No
East	3	Industrial	58	n/a	n/a	46	No
South	4	Single-family residential	54	55	55	54	No
South	5	Commercial	54	70	55	49	No

Notes:
(1) See Figure 6.
(2) See Table 1.
(3) Adjusted per City of South El Monte Municipal Code Section 8.20.020 Table 1 Exterior Noise Limits by Zone, note 2.

According to the table above, the daytime noise standard for the mobile home park (Receptor #4 in the table above) is 55 dBA. The table shows that the existing

[138] IS/MND, Appendix E, pg. 36.

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2-26 cont.

ambient noise level is 54 dBA. Table 11 in Appendix E of the IS/MND shows the noise levels generated by the Project's construction.[139]

Table 11
Construction Noise Levels (dBA L_{eq})

Phase	Receptor Location	Closest Measured Ambient Noise Location[2]	Existing Measured Noise Levels (dBA Leq)	Construction Noise Levels (dBA Leq)
Demolition	Residential to South (9427 Rush Street, South El Monte)	STNM4	54.1	74.0
	Residential to Southwest (9367 Rush Street, South El Monte)	STNM5	66.2	62.9
	Residential to West (2222 Troy Avenue, South El Monte)	STNM1	72.3	65.3
	Residential to Northwest (2326 Troy Avenue, South El Monte)	STNM1	72.3	63.5
Grading	Residential to South (9427 Rush Street, South El Monte)	STNM4	54.1	74.5
	Residential to Southwest (9367 Rush Street, South El Monte)	STNM5	66.2	63.4
	Residential to West (2222 Troy Avenue, South El Monte)	STNM1	72.3	65.8
	Residential to Northwest (2326 Troy Avenue, South El Monte)	STNM1	72.3	64.0
Building Construction	Residential to South (9427 Rush Street, South El Monte)	STNM4	54.1	74.1
	Residential to Southwest (9367 Rush Street, South El Monte)	STNM5	66.2	63.0
	Residential to West (2222 Troy Avenue, South El Monte)	STNM1	72.3	65.4
	Residential to Northwest (2326 Troy Avenue, South El Monte)	STNM1	72.3	63.6
Paving	Residential to South (9427 Rush Street, South El Monte)	STNM4	54.1	68.6
	Residential to Southwest (9367 Rush Street, South El Monte)	STNM5	66.2	57.5
	Residential to West (2222 Troy Avenue, South El Monte)	STNM1	72.3	59.9
	Residential to Northwest (2326 Troy Avenue, South El Monte)	STNM1	72.3	58.1
Architectural Coating	Residential to South (9427 Rush Street, South El Monte)	STNM4	54.1	61.2
	Residential to Southwest (9367 Rush Street, South El Monte)	STNM5	66.2	50.1
	Residential to West (2222 Troy Avenue, South El Monte)	STNM1	72.3	52.5
	Residential to Northwest (2326 Troy Avenue, South El Monte)	STNM1	72.3	50.7

As shown above, the noise levels generated by the Project's construction would exceed the 55 dBA threshold for the mobile home park. These exceedances would occur during each phase of the Project's construction. These exceedances of the standards in Section 8.20.020 are significant impacts requiring disclosure and mitigation in an EIR.

The noise levels shown in Table 11 would also result in a significant increase over ambient levels. The 54 dBA existing ambient would be exceeded by approximately 20 dBA during demolition, grading, and building construction, 14 dBA during paving, and 7 dBA during architectural coating. Increases of this magnitude would be significant impacts, as the FTA Manual states that "[o]n average, each A-weighted sound level increase of 10 dB corresponds to an

[139] *Id.* at 35.

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2-26 cont.

approximate doubling of subjective loudness."[140] Further, Figure 3-6 of the FTA Manual presents data from case studies showing that reactions to increases in noise between 5 to 10 dBA above existing levels vary from "widespread complaints" to "threats of legal action."[141] Increases in noise of 20 dBA over existing levels typically results in "vigorous action." An EIR must be prepared that acknowledges and mitigates this significant noise increase.

F. The Project May Result in Potentially Significant Public Utilities Impacts.

2-27

Under CEQA, a public utilities impact is considered significant if a project would "[r]equire or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities the construction or relocation of which could cause significant environmental effects."[142] The IS/MND states that no off-site water line construction or upsizing of either the existing 6-inch or 10-inch water mains in Rosemead Boulevard and Rush Street would be required to provide water or fire protection service to the Project.[143] But this conclusion is not supported by substantial evidence because the IS/MND fails to analyze the Project's fire flow requirement or the ability of existing infrastructure to supply adequate fire flow. Without an evaluation of these factors, this public utility impact remains unanalyzed and potentially significant.

III. CONCLUSION

2-28

The City lacks substantial evidence to find that the Project will have less than significant impacts. Moreover, substantial evidence supports a fair argument that the Project's impacts may be significant and unmitigated. Due to the IS/MND's deficiencies, the City cannot conclude that the Project's impacts have been mitigated to a less than significant level.

The CEQA Guidelines require that an EIR be prepared if there is substantial evidence supporting a fair argument that any aspect of a project, either individually or cumulatively, may cause a significant effect on the environment, regardless of

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[140] Federal Transit Administration, Transit Noise And Vibration Impact Assessment Manual, September 2018, pg. 206, available at https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf.
[141] *Id.* at 18, Figure 3-6 (Community Reaction to New Noise, Relative to Existing Noise in a Residential Urban Environment)
[142] IS/MND, pg. 50.
[143] IS/MND, pg. 7, 112.

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2-28 cont.

whether the overall effect of the project is adverse or beneficial.[144] As discussed in detail above, there is a fair argument based on substantial evidence that the Project would result in significant adverse impacts not identified in the IS/MND.

We urge the City to fulfill its responsibilities under CEQA by withdrawing the IS/MND and preparing an EIR to address the issues raised in this preliminary comment letter. This is the only way the City and the public can ensure the Project's significant environmental impacts are mitigated to less than significant levels.

Sincerely,



Aidan P. Marshall

Attachment
APM:acp

[144] CEQA Guidelines § 15063(b)(1).

printed on recycled paper

EXHIBIT A

794 Sawnee Bean Road
Thetford Center VT 05075

Norman Marshall, President
(802) 356-2969

nmarshall@smartmobility.com

October 28, 2024

Aidan P. Marshall
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Subject: 2222 Rosemead Boulevard

Dear Mr. Marshall,

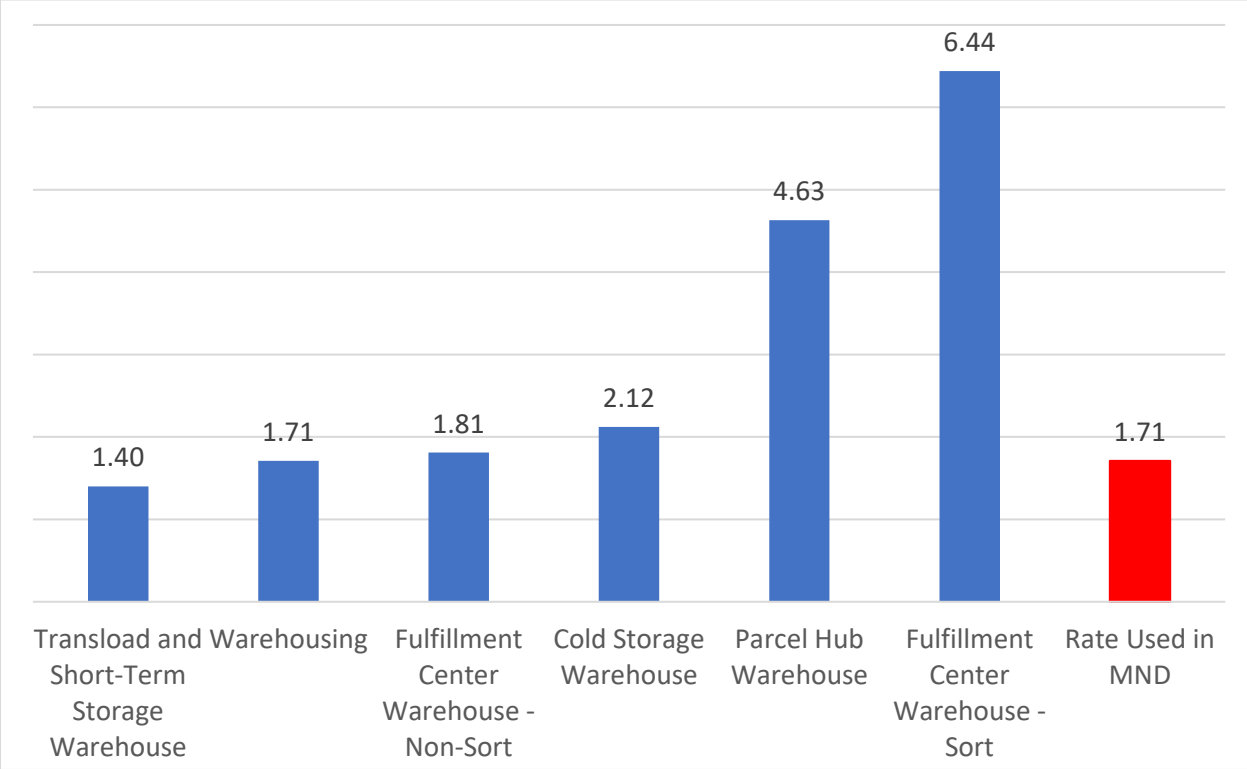
2-29

I have reviewed trip generation, vehicle miles traveled (VMT) impacts and greenhouse gas (GHG) impacts of the City of South El Monte Initial Study and Mitigated Negative Declaration for a proposed warehouse project at 2222 Rosemead Boulevard dated October 2024 ("MND"). I make the following findings:

1) Project trip generation could be significantly higher than assumed.
2) Truck trip generation also could be significantly higher than assumed. In particular, it may be higher than the 100 trucks per day threshold for toxic air contaminants ("TAC") analysis. Therefore, TAC analysis should either be done now, or prior to occupancy after more is known about the warehouse operations if necessary.
3) The MND states that the proposed project would result in a significant VMT impact without mitigation.
4) MND Appendix F correctly shows that the San Gabriel Valley Council of Governments (SGVCOG) VMT Evaluation Tool shows that the project would result in 16.5 VMT per worker per day, but the number is incorrectly reported as 16.4 VMT per worker per day in the body of the MND.
5) With the higher correct number, 16.5, the proposed VMT mitigation Measure T-5, Implement Commute Trip Reduction Program (Voluntary), is insufficient to reduce project VMT to the required threshold, and additional VMT mitigation is required.

2-30

Trip Generation – The MND states: "The retail and warehouse end users are unknown at this time." (MND, p. 5) Warehouse trip generation rates vary greatly by type of warehouse. The MND applies a rate of 1.71 daily trips per 1000 sq. ft. of warehouse. (MND, Appendix F, Table 2, p. 20). As shown in the figure below, this rate is considerably lower than some other warehouse trip generation rates published in the Institute of Transportation Engineers ("ITE") *Trip Generation* reference.



The MND states: "The Project does not propose refrigeration as part of the warehouse operations." (MND, p. 5) However, there do not appear to be any conditions that would prevent the ultimate tenant from cold storage operations.

Given the uncertainty in future operations, trip generation could be significantly higher than assumed in the MND.

2-31

Toxic Air Contaminant ("TAC") Emissions - The MND states:

> The Project is calculated to generate approximately 89 truck trips per day (non-PCE). Therefore, a quantitative health risk assessment for the Project is not warranted or required because the Project would generate less than 100 truck trips per day. Due to the low number of Project-related trucks (less than 100 per day), significant TAC impacts from the project-related operational diesel particulate matter (DPM) sources are not anticipated, and no significant long-term operations-related TAC impacts by the Project. (MND, p. 41)

2-31 cont.

The estimated 89 trucks per day uses the same ITE warehouse category that was used to estimate overall trip generation in the MND. This rate is 0.60 per 1000 sq. ft. per day, and the calculation of warehouse truck trips is:

> 0.60 x 148.764 = 89.3 truck trips per day

This truck trip generation rate is lower than the rates for some warehouse types. For example, the Cold Storage Warehouse rate is estimated to generate 0.75 truck trips per 1000 sq. ft. per day, and the corresponding equation for this project is:

> 0.75 x 148.764 = 111.6 truck trips per day

This exceeds the 100 truck trips per day threshold. Given the current uncertainty about operations, and the lack of conditions that would prevent the ultimate tenant from cold storage operations, toxic air contaminant analysis should be done now and included in an EIR for public and decision maker review.

2-32

Vehicle Miles Traveled ("VMT") – The MND states:

> The Project's VMT assessment was prepared using the San Gabriel Valley Council of Governments (SGVCOG) VMT Evaluation Tool based on screening criteria and thresholds adopted by the City. Because the proposed land use is predominantly industrial, VMT was calculated for home-based work VMT per employee. As established in the City's Transportation Study Guidelines, a project would result in a significant impact if the project's VMT exceeds 15 percent below the baseline SGVCOG average value of 18.62 VMT per worker, resulting in a threshold of 15.83 VMT per worker. The Project is anticipated to generate 16.4 VMT per worker, which exceeds the City-established threshold of 15.83 VMT per worker. (MND, p. 104)

There is a discrepancy between the MND and the VMT Evaluation Tool results included in MND Appendix F. In Appendix F (PDF p. 97 of 176), the Project is shown to generation 16.5 VMT per worker per day. This is higher than the value of 16.4 given in the MND. I applied the Tool and found that the Appendix value of 16.5 is correct.

2-33

The MND states:

> Therefore, MM TRANS-1, which requires the implementation of a Commute Trip Reduction Marketing/Education Program, is required to reduce the Project's VMT impact to a less than significant level (i.e., 15.80 VMT per worker). (MND, p. 104)

Commute Trip Reduction Marketing/Education Program is mitigation Measure T-7 as described in the California Air Pollution Control Officers Association (CAPCOA) publication *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity: Designed for Local Governments, Communities, and Project Developers (Final Draft, December 2021)*.

However, the MND also inconsistently describes mitigation measure MM-TRANS-1 as referring to CAPCOA measure T-5, Implement Commute Trip Reduction Program.

2-33 cont.

Regarding Measure T-5, Implement Commute Trip Reduction Program (Voluntary), the CAPCOA Handbook states:

> Voluntary CTR programs must include the following elements to apply the VMT reductions reported in literature.
>
> ▪ Employer-provided services, infrastructure, and incentives for alternative modes such as ridesharing (Measure T-8), discounted transit (Measure T-9), bicycling (Measure T-10), vanpool (Measure T-11), and guaranteed ride home.
>
> ▪ Information, coordination, and marketing for said services, infrastructure, and incentives (Measure T-7).

As the Handbook considers T-7 to be a component of T-5, I assume that the MND is proposing Measure T-5, with Measure T-7 included as part of Measure T-5

2-34

The Handbook states that Measure (T-5) can reduce employee commute VMT by up to 4.0%. A 4.0% reduction is not sufficient to reduce the VMT estimated in the Tool to the required threshold. A 4.0% reduction reduces VMT to 15.84 per worker per day, and this exceeds the threshold value of 15.8. Therefore additional mitigation is required.

2-35

In addition, it is unsupported to claim the maximum 4.0% reduction because the Measure would not apply to all workers. The Handbook requires that the reduction be reduced for:

> Employees who might not be able to participate could include those who work nighttime hours when transit and rideshare services are not available or employees who are required to drive to work as part of their job duties.

The MND does not disclose how many employees would be subject to this exception. However, the MND explains that the Project's hours are proposed to be "seven days a week and operate 24 hours a day." (MND, p. 5) There will therefore be some regular employees who work nighttime hours when transit and rideshare services are not available who should not be included in the reduction. The City must provide a more accurate estimate of the actual trip reductions that would result from Measure (T-5) given that not all Project employees will contribute to the reduction.

2-36

Moreover, the CAPCOA Handbook precludes taking separate reductions for measures T-5 and T-7. Re Measure T-5, the Handbook states:

> If this measure is selected, the user may not also take credit for Measures T-7 through T-11. Measure T-5 accounts for the combined GHG reductions achieved by each of these individual measures. To combine the GHG reductions from T-5 with any of these measures would be considered double counting. However, the user may take credit for Measures T-12 through T-13 within the larger CTR subcategory, so long as the combined VMT reduction does not exceed 45 percent, as noted above.

Measure T-5 is insufficient VMT mitigation. One way to meet the threshold requirement would be to substitute Handbook Measure T-6 Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring) for Measure T-5. This measure includes monitoring, reporting and

2-36 cont.

potential penalties. Another way to meet the threshold requirement is to include Measure T-12 Price Workplace Parking and/or Measure T-13 Implement Employee Parking Cash-Out.

2-37

The MND states:

> Prior to the issuance of the first occupancy permit, the Applicant shall submit to the City of South El Monte Public Works Department a transportation demand management (TDM) program the purpose of which is to reduce VMT and vehicular trips to the project site and project area. The TDM program shall be implemented with the occupancy of the Project. (p. 105)

This TDM program should be prepared now and included in an EIR for public review prior to Project approval to ensure that the TDM program will include adequate TDM measures to reduce VMT to less than significant levels. The TDM program must also go beyond Measure T-5 as proposed in the MND and achieve the VMT reduction required.

Sincerely,

Norman L. Marshall

Norman L. Marshall

Resume

NORMAN L. MARSHALL, PRESIDENT

nmarshall@smartmobility.com

EDUCATION:

Master of Science in Engineering Sciences, Dartmouth College, Hanover, NH, 1982
Bachelor of Science in Mathematics, Worcester Polytechnic Institute, Worcester, MA, 1977

PROFESSIONAL EXPERIENCE: (37 Years, 23 at Smart Mobility, Inc.)

Norm Marshall helped found Smart Mobility, Inc. in 2001. Prior to this, he was at RSG for 14 years where he developed a national practice in travel demand modeling. He specializes in analyzing the relationships between the built environment and travel behavior and doing planning that coordinates multi-modal transportation with land use and community needs.

Regional Land Use/Transportation Scenario Planning

Portland Area Comprehensive Transportation System (PACTS) – the Portland Maine Metropolitan Planning Organization. Updating regional travel demand model with new data (including AirSage), adding a truck model, and multiclass assignment including differentiation between cash toll and transponder payments.

Loudoun County Virginia Dynamic Traffic Assignment – Enhanced subarea travel demand model to include Dynamic Traffic Assignment (Cube). Model being used to better understand impacts of roadway expansion on induced travel.

Vermont Agency of Transportation-Enhanced statewide travel demand model to evaluate travel impacts of closures and delays resulting from severe storm events. Model uses innovate Monte Carlo simulations process to account for combinations of failures.

California Air Resources Board – Led team including the University of California in $250k project that reviewed the ability of the new generation of regional activity-based models and land use models to accurately account for greenhouse gas emissions from alternative scenarios including more compact walkable land use and roadway pricing. This work included hands-on testing of the most complex travel demand models in use in the U.S. today.

Climate Plan (California statewide) – Assisted large coalition of groups in reviewing and participating in the target setting process required by Senate Bill 375 and administered by the California Air Resources Board to reduce future greenhouse gas emissions through land use measures and other regional initiatives.

Chittenden County (2060 Land use and Transportation Vision Burlington Vermont region) – led extensive public visioning project as part of MPO's long-range transportation plan update.

Flagstaff Metropolitan Planning Organization – Implemented walk, transit and bike models within regional travel demand model. The bike model includes skimming bike networks including on-road and off-road bicycle facilities with a bike level of service established for each segment.

Chicago Metropolis Plan and Chicago Metropolis Freight Plan (6-county region)— developed alternative transportation scenarios, made enhancements in the regional travel demand model, and used the enhanced

model to evaluate alternative scenarios including development of alternative regional transit concepts. Developed multi-class assignment model and used it to analyze freight alternatives including congestion pricing and other peak shifting strategies.

Municipal Planning

City of Grand Rapids – Michigan Street Corridor – developed peak period subarea model including non-motorized trips based on urban form. Model is being used to develop traffic volumes for several alternatives that are being additional analyzed using the City's Synchro model

City of Omaha - Modified regional travel demand model to properly account for non-motorized trips, transit trips and shorter auto trips that would result from more compact mixed-use development. Scenarios with different roadway, transit, and land use alternatives were modeled.

City of Dublin (Columbus region) – Modified regional travel demand model to properly account for non-motorized trips and shorter auto trips that would result from more compact mixed-use development. The model was applied in analyses for a new downtown to be constructed in the Bridge Street corridor on both sides of an historic village center.

City of Portland, Maine – Implemented model improvements that better account for non-motorized trips and interactions between land use and transportation and applied the enhanced model to two subarea studies.

City of Honolulu – Kaka'ako Transit Oriented Development (TOD) – applied regional travel demand model in estimating impacts of proposed TOD including estimating internal trip capture.

City of Burlington (Vermont) Transportation Plan – Led team that developing Transportation Plan focused on supporting increased population and employment without increases in traffic by focusing investments and policies on transit, walking, biking and Transportation Demand Management.

Transit Planning

Regional Transportation Authority (Chicago) and Chicago Metropolis 2020 – evaluated alternative 2020 and 2030 system-wide transit scenarios including deterioration and enhance/expand under alternative land use and energy pricing assumptions in support of initiatives for increased public funding.

Capital Metropolitan Transportation Authority (Austin, TX) Transit Vision – analyzed the regional effects of implementing the transit vision in concert with an aggressive transit-oriented development plan developed by Calthorpe Associates. Transit vision includes commuter rail and BRT.

Bus Rapid Transit for Northern Virginia HOT Lanes (Breakthrough Technologies, Inc and Environmental Defense.) – analyzed alternative Bus Rapid Transit (BRT) strategies for proposed privately-developing High Occupancy Toll lanes on I-95 and I-495 (Capital Beltway) including different service alternatives (point-to-point services, trunk lines intersecting connecting routes at in-line stations, and hybrid).

Roadway Corridor Planning

I-30 Little Rock Arkansas – Developed enhanced version of regional travel demand model that integrates TransCAD with open source Dynamic Traffic Assignment (DTA) software, and used to model I-30 alternatives. Freeway bottlenecks are modeled much more accurately than in the base TransCAD model.

South Evacuation Lifeline (SELL) – In work for the South Carolina Coastal Conservation League, used Dynamic Travel Assignment (DTA) to estimate evaluation times with different transportation alternatives in coastal South Caroline including a new proposed freeway.

Hudson River Crossing Study (Capital District Transportation Committee and NYSDOT) – Analyzing long term capacity needs for Hudson River bridges which a special focus on the I-90 Patroon Island Bridge where a microsimulation VISSIM model was developed and applied.

PUBLICATIONS AND PRESENTATIONS (partial list)

DTA Love: Co-leader of workshop on Dynamic Traffic Assignment at the June 2019 Transportation Research Board Planning Applications Conference.

Forecasting the Impossible: The Status Quo of Estimating Traffic Flows with Static Traffic Assignment and the Future of Dynamic Traffic Assignment. *Research in Transportation Business and Management* 2018.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the August 2018 Transportation Research Board Tools of the Trade Conference on Transportation Planning for Small and Medium Sized Communities.

Vermont Statewide Resilience Modeling. With Joseph Segale, James Sullivan and Roy Schiff. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Assessing Freeway Expansion Projects with Regional Dynamic Traffic Assignment. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

Pre-Destination Choice Walk Mode Choice Modeling. Presented at the May 2017 Transportation Research Board Planning Applications Conference.

A Statistical Model of Regional Traffic Congestion in the United States, presented at the 2016 Annual Meeting of the Transportation Research Board.

MEMBERSHIPS/AFFILIATIONS

Associate Member, Transportation Research Board (TRB)

Member and Co-Leader Project for Transportation Modeling Reform, Congress for the New Urbanism (CNU)

LOS ANGELES COUNTY SANITATION DISTRICTS
Converting Waste Into Resources

Robert C. Ferrante
Chief Engineer and General Manager

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
(562) 699-7411 • www.lacsd.org

October 28, 2024

Ref. DOC 7334778

VIA EMAIL gmarquez@soelmonte.org

Mr. Gerardo Marquez, Planning Manager
City of South El Monte
1415 Santa Anita Avenue
South El Monte, CA 91733

Dear Mr. Marquez:

NOI Response to 2222 Rosemead Boulevard Warehouse Development

3-1 The Los Angeles County Sanitation Districts (Districts) received a Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration (MND) for the subject project located in the City of South El Monte on October 2, 2024. The proposed project is located within the jurisdictional boundaries of District No. 15. We offer the following comments regarding sewerage service:

3-2 1. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' Rush Street Trunk Sewer, located in Rush Street at Rosemead Boulevard. The Districts' 15-inch diameter trunk sewer has a capacity of 1.4 million gallons per day (mgd) and conveyed a peak flow of 1.0 mgd when last measured in 2013.

3-3 2. The expected average wastewater flow from the project, described in the NOI as 128,693 square foot warehouse, 7,879 square foot retail, and 20,305 square foot office, is 8,066 gallons per day. For a copy of the District's average wastewater generation factors, click on the Table 1, Loadings for Each Class of Land Use link.

3-4 3. The wastewater generated by the proposed project will be treated at the Whittier Narrows Water Reclamation Plant (WRP) located near the City of South El Monte, which has a capacity of 15 mgd and currently processes an average recycled flow of 9 mgd, or at the Los Coyotes WRP located in the City of Cerritos, which has a capacity of 37.5 mgd and currently processes an average recycled flow of 19.1 mgd.

3-5 4. The Districts are empowered by the California Health and Safety Code to charge a fee to connect facilities (directly or indirectly) to the Districts' Sewerage System or to increase the strength or quantity of wastewater discharged from connected facilities. This connection fee is used by the Districts for its capital facilities. Payment of a connection fee may be required before this project is permitted to discharge to the Districts' Sewerage System. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, under Services, then Wastewater (Sewage) and select Rates & Fees. In determining the impact to the Sewerage System and applicable connection fees, the Districts will determine the user category (e.g. Condominium, Single Family Home, etc.) that best represents the actual or anticipated use of the parcel(s) or facilities on the parcel(s) in the development. For more specific information regarding the connection fee application procedure and fees, please contact the Districts' Wastewater Fee Public Counter at (562) 908-4288, extension 2727.

3-6

5. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service but is to advise the City that the Districts intend to provide this service up to the levels that are legally permitted and to inform the City of the currently existing capacity and any proposed expansion of the Districts' facilities.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2742, or phorsley@lacsd.org.

Very truly yours,

Patricia Horsley

Patricia Horsley
Environmental Planner
Facilities Planning Department

PLH:plh

cc: D. Hatch
A. Howard

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:
gmarquez@soelmonte.org
Gerardo Marquez, Planning Manager
J 1415 N. Santa Anita Ave.
South El Monte, CA 91733

October 30, 2024

Notice of Intent to Adopt a Mitigated Negative Declaration for the 2222 Rosemead Boulevard Warehouse Development (Proposed Project)

4-1

South Coast Air Quality Management District (South Coast AQMD) staff appreciate the opportunity to review the above-mentioned document. The City of South El Monte is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments which are organized by topic of concern.

South Coast AQMD Staff's Summary of Project Information in the MND

Based on the MND document, the Proposed Project consists of constructing a 156,877 square foot concrete tilt-up warehouse with 13 dock doors on 5.14 acres. The warehouse will consist of 113,703 square feet of warehouse space, 7,879 square feet of retail use, 20,305 square feet of accessory warehouse office use, and 14,990 square feet of warehouse storage. Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., the existing residential/trailer park use) is located adjacent to the south of the Proposed Project site. Project construction is anticipated to take approximately 12 months and the construction is estimated to begin in fall/winter 2024. The project is located at 2200, 2212, 2218, and 2226 Rosemead Boulevard.

South Coast AQMD Staff's Comments

4-2

Warehouse Cold Storage Land Use and the Associated Emissions from Transport Refrigeration Units (TRU)

The project description in the MND does not specify whether the Proposed Project includes allocating warehouse land for cold storage. Cold storage warehouses typically utilize more trucks and trailers equipped with TRUs compared to those without cold storage. Therefore, it is recommended that the Lead Agency revise the project description in the Final MND to clarify if cold storage would be a part of the Proposed Project, and additionally, the Final MND should provide an estimate for the number of TRU trucks and trailers that would be involved in the operation of the warehouses with cold storage. If TRUs are planned to be used, the Lead Agency should also update the emissions calculations in the Final MND to include the emissions from the TRUs in addition to the those from truck operation.

4-3 *Rule 2305: Warehouse Indirect Source Rule - Warehouse Actions and Investments To Reduce Emissions (WAIRE) Program*

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NOx) and particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt in to earn Points on behalf of their tenants if they so choose because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Since the Proposed Project consists of the development of a 643,419 square foot warehouse, the Proposed Project's warehouse owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation[1]. South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at (909) 396-3140 or waire-program@aqmd.gov. For implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage.[2]

4-4 *South Coast AQMD Air Permits and Role as a Responsible Agency*

If the implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, spray booths, and etc., air permits from South Coast AQMD will be required and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections15086, the Lead Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final MND should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

[1] South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf.
[2] South Coast AQMD WAIRE Program. Accessed at: http://www.aqmd.gov/waire.

4-4 cont.

The Final MND should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at: http://www.aqmd.gov/home/permits.

4-5

Conclusion

The Lead Agency is recommended to revise the CEQA analysis to address the aforementioned comments and provide the necessary evidence to sufficiently support the conclusions reached. If the requested information and analysis are not included in the final CEQA document, either the Final MND or other type of CEQA document, the Lead Agency should provide reasons for not doing so. Pursuant to California Public Resources Code Section 21092.5(b) and CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process and notify each public agency when any public hearings are scheduled. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided. In addition, if the Lead Agency decides to adopt the Final MND, please provide South Coast AQMD with a notice of any scheduled public hearing(s).

4-7

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Sahar Ghadimi, Air Quality Specialist, at sghadimi@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation

SG:SW
LAC241002-06
Control Number

DEPARTMENT OF TRANSPORTATION
DISTRICT 7
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 269-1124
FAX (213) 897-1337
TTY 711
www.dot.ca.gov

Making Conservation a California Way of Life

November 5, 2024

Gerardo Marquez
City of South El Monte
1415 Santa Anita Avenue
South El Monte, CA 91733

RE: 2222 Rosemead Boulevard Warehouse Development
SCH # 2024100046
Vic. LA-164/PM 4.236
GTS # LA-2024-04641-MND

5-1

Dear Gerardo Marquez:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced environmental document. The Project would result in the construction of an approximately 156,877-square-foot (sf) concrete tilt-up warehouse with 13 dock doors. Of the 156,877 sf, the Project would have 113,703 sf of warehouse space, 7,879 sf of retail use, 20,305 sf of accessory warehouse office use, and 14,990 sf of warehouse storage. The proposed warehouse would be at a maximum height of 48 feet 10 inches and have a site coverage of approximately 55 percent with a Floor-Area Ratio of 0.7. Access to the site would be from two driveways on Rosemead Boulevard.

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Senate Bill 743 (2013) has codified into CEQA law and mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. You may reference the Governor's Office of Planning and Research (OPR) for more information:

https://opr.ca.gov/ceqa/#guidelines-updates

As a reminder, VMT is the standard transportation analysis metric in CEQA for land use projects after July 1, 2020, which is the statewide implementation date.

5-2

Caltrans is aware of challenges that the region faces in identifying viable solutions to alleviating congestion on State and Local facilities. With limited room to expand vehicular capacity, this project should incorporate multi-modal and complete streets transportation

5-2 cont.

elements that will actively promote alternatives to car use and better manage existing parking assets. Prioritizing and allocating space to efficient modes of travel such as bicycling and public transit can allow streets to transport more people in a fixed amount of right-of-way.

Caltrans encourages city planning that promotes complete streets and pedestrian safety through measures like road diets, recognized for enhancing safety and being cost-effective when combined with street resurfacing. City planning should focus on reducing single-occupancy vehicle trips, improving safety, lowering vehicle miles traveled (VMT), and cutting greenhouse gas emissions.

5-3

The project site is served by LA Metro Routes 266 and 287, with bus stops on both sides of Rosemead Boulevard, approximately 400 feet north of the site. Further transit access is available via the El Monte Station/San Bernardino Freeway Busway at 3501 Santa Anita Avenue, providing connections to Metrolink, regional transit, carpools, and vanpools. Sidewalks along Rosemead Boulevard will remain intact, preserving pedestrian access. There are no bicycle facilities adjacent to the project site. The project site will include bike racks to accommodate cyclists. Given the industrial nature of the proposed use, the project's VMT per worker (16.4) exceeds the city threshold of 15.83, necessitating MM TRANS-1, a Commute Trip Reduction Marketing/Education Program, to mitigate VMT impacts to a level of 15.80 VMT per worker, meeting the established criteria for significance.

MM TRANS-1 is a mitigation requirement that, before the first occupancy permit is issued, the Applicant submits a Transportation Demand Management (TDM) program to the City of South El Monte Public Works Department to reduce Vehicle Miles Traveled (VMT) and vehicle trips associated with the project. The program, implemented upon occupancy, includes a Commute Trip Reduction (CTR) strategy, which offers incentives and infrastructure to encourage alternative transportation methods like carpooling, transit, and biking, along with services such as ridesharing support, discounted transit, and guaranteed rides home for employees.

5-4

Given the project's VMT of 15.8, which is very close to the city threshold of 15.83, a post-development VMT analysis is recommended to confirm project impacts and aid in future VMT threshold adjustments. If the analysis indicates any significant traffic impacts, additional mitigation measures should be implemented. The analysis, potentially including surveys of project occupants, could capture data such as trip origins, timing, transportation modes, and mode selection reasons. This data would be valuable for validating existing thresholds, setting future VMT benchmarks, and identifying effective Transportation Demand Management (TDM) measures for future applications.

5-5 A sight distance analysis was performed, confirming that both the desired and minimum stopping sight distances will be met, assuming no landscape obstructions. To maintain these sightlines in accordance with the Highway Design Manual and California MUTCD standards, it is recommended that on-street parking be prohibited on both sides of the project driveways along Rosemead Boulevard (Route 164). This prohibition should extend six feet from the curb return to ensure adequate visibility for vehicles entering and exiting the driveways.

5-5 Please be reminded that any work performed within the State Right-of-way will require an Encroachment Permit from Caltrans. Any modifications to State facilities must meet all mandatory design standard and specifications. A project (EA 39410) along Rosemead Boulevard (Route 164) is set to install a traffic signal at the intersection of Klingerman Street. It is essential to update the traffic impact assessment to incorporate this improvement when submitting the encroachment permit application.

As a reminder, any transportation of heavy construction equipment and/or materials which require use of oversized transport vehicles on State highways will need a Caltrans transportation permit. We recommend large-size truck trips be limited to off-peak commute periods. Truck drivers should cover construction trucks with tarpaulin to avoid debris spillage onto the State Highway.

If you have any questions, please feel free to contact Mr. Alan Lin, the project coordinator, at (213) 269-1124 and refer to GTS # LA-2024-04641-MND.

Sincerely,

Anthony Higgins

Anthony Higgins
Acting LDR Branch Chief

email: State Clearinghouse

APPENDIX B

Los Angeles Regional Water Quality Board Approvals

November 5, 2024

Mr. Wayne Wang
Rosemead Holding L.L.C.
221 N. Orange Avenue
City of Industry, CA 91744

Via E-mail Only

SUBJECT: APPROVAL OF SOIL MANAGEMENT PLAN

SITE: FORMER PACIFIC COAST DRUM COMPANY (ROSEMEAD HOLDING LLC), 2200-2226 N. ROSEMEAD BLVD, SOUTH EL MONTE, CALIFORNIA (WIP NO. 107.0266, SITE ID NO. 2040647)

Dear Mr. Wang:

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) staff has received and reviewed the *Soil Management Plan* (SMP), dated October 2024, that was submitted by your consultant, Haley & Aldrich, Inc. (Haley Aldrich) for the above-referenced site (Site). The SMP was submitted to propose procedures and protocols for managing excavated soils and other debris during the planned re-development of the Site.

SUMMARY OF SOIL MANAGEMENT PLAN

The primary objectives of the SMP are to:

- Appropriately manage risks to human health and the environment due to soil disturbance activities; and
- Provide a framework to evaluate and manage potentially impacted soil during disturbance activities.

Procedures associated with the implementation of a remedial excavation program are listed below:

- Completion of a subsurface utility review and USA DigAlert notification
- Acquisition of grading permits from the County of Los Angeles (if required)
- Environmental and Health and Safety monitoring/screening
- Excavation using an excavator, backhoe, or hand-held tools
- Open excavation areas will be backfilled and compacted according to geotechnical requirements

- Excavated material will be stockpiled or directly loaded into trucks or covered containers
- Stockpiled soil intended for onsite re-use will be sampled and screened using established criteria approved by the Los Angeles Water Board
- Stockpiled soil that exceeds the re-use criteria will be disposed at an appropriate offsite facility

If the excavation limits are not pre-defined or screening results indicate the pre-defined limits need to be modified, confirmation soil samples will be collected and analyzed. Confirmation sampling for polychlorinated biphenyl (PCB)-impacted soil will be completed in accordance with the Toxic Substances Control Act (TSCA) Cleanup Plan. Confirmation sampling for other constituents of concern (COC) will be completed in accordance with the approved Limited Soil Removal Workplan (LSRWP) (Leighton, 2023).

Confirmation soil samples, soil and concrete samples screened for re-use purposes, and waste characterization samples will be sent to a laboratory and analyzed for various analyses. COCs to be analyzed include:

- Volatile Organic Compounds (VOCs) United States Environmental Protection Agency (USEAP) Method 8260B
- Total Petroleum Hydrocarbons (TPH) (includes gas, diesel, and motor oil) USEPA Method 8015B
- Metals (includes arsenic, lead, and hexavalent chromium) USEPA Method 6010B and 7196A
- PCBs USEPA Method 8082

Maximum acceptable soil concentration and soil screening criteria for onsite re-use (for both soil and concrete) are provided below:

- Total PCBs : 1 milligrams per kilogram (mg/kg)
- Lead : 500 mg/kg (re-use criteria : 380 mg/kg)
- Arsenic : 11 mg/kg
- Hexavalent chromium : 6.2 mg/kg
- TPH as diesel (TPH-D) : 1,000 mg/kg
- TPH as gasoline (TPH-G) : 500 mg/kg
- TPH as motor oil (TPH-MO) : 5,100 mg/kg
- VOCs : San Francisco Bay Regional Water Quality Control Board SFBRWQCB Screening Levels (SLs)-protection of groundwater

Waste generated during the implementation of the SMP will be appropriately managed to ensure proper characterization, profiling, handling, transportation, and disposal.

LOS ANGELES WATER BOARD COMMENTS AND REQUIREMENTS

Based on our review of the SMP and other information in the case file for the Site, Los Angeles Water Board staff approves the SMP with the following comments and conditions:

1. Per the approved LSRWP, confirmation soil samples from bottom of the excavation shall be collected at a minimum, on a grid system every 25 feet. Sidewall samples shall be collected for each sidewall greater than 3 feet in height (as opposed to the 4 feet proposed in the SMP). The entire extent of the excavation requires the collection of confirmation soil samples to confirm impacted soils above criteria were removed and to establish the lateral and vertical extent of impacted soil left in place below criteria.

2. Confirmation soil samples and soils considered for re-use must be laboratory tested. Soil samples must be tested for all COC, including VOCs, TPH-(G,D,MO), Title 22 metals, hexavalent chromium, and PCBs.

3. Soils with COC concentrations above the USEPA Regional Screening Levels (RSLs) but below Remediation Action Goals (RAGs) and set aside for re-use shall be placed in the same location where they were excavated from so as not to spread impacted soils laterally throughout the Site.

4. All imported fill material must be from a clean source and test results must be provided to the Los Angeles Water Board.

5. Soil stockpiling protocols will be followed as outlined in the Technical Memorandum-Response to Comments on the “Limited Soil Remediation Workplan Addendum” dated August 16, 2024, that was approved by the Los Angeles Water Board in a letter dated October 2, 2024. Soil stockpiling sampling and analysis protocols for soil re-use will meet the statistical requirements set forth in EPA SW-846.

6. Haley Aldrich indicated that the vapor intrusion mitigation plan will be submitted in a separate document. Any vapor intrusion mitigation measure will be implemented during the construction of the proposed warehouse; therefore, construction of the warehouse cannot begin until the VIMS work plan has been approved by the Los Angeles Water Board.

7. During the SMP implementation, you must submit a brief weekly report on the following Monday of each week summarizing site activities performed during the previous week, regulatory inspections, issues identified, deviations from the SMP and Addendum, discovery of unidentified structures, dust monitoring exceedances, and other relevant updates together with pictures.

8. Notify Los Angeles Water Board staff of the field schedule at least 10 days in advance of the start of the excavation activities and the installation of the vapor barrier.

9. After the implementation of the Soil Management Plan, you must prepare and submit a technical report documenting implementation of the proposed plan. The technical report must, at a minimum, include the following:

   a) Description of the handling and management of excavated soil (outside the remediation zone) during removal activities;
   b) List and provide a description of sub-surface structures encountered during excavation activities;
   c) Description and analyses of imported fill used at the Site;
   d) Description of soil confirmation sampling activities;
   e) Description of offsite disposal;
   f) Tables summarizing analytical results for assessment and confirmation samples, volumes of excavated soil disposed offsite, etc;
   g) Copies of laboratory analytical results for samples collected and imported fill, waste manifests for investigation derived waste, offsite disposal of excavated soil and other debris, agency permits, etc;
   h) Photographs showing soil removal activities, handling and management of soil, confirmation soil sampling, and installation of vapor barrier.

   The technical report must be submitted to the Los Angeles Water Board via Geotracker **no later than ninety days** after construction activities have been completed.

10. As presented in State Water Resources Control Board Resolution 92-49, professionals should be qualified, licensed where applicable, and competent and proficient in the fields pertinent to the required activities. Moreover, all final reports submitted to the Los Angeles Water Board must be reviewed, signed, and stamped by a California registered geologist, or a California registered civil engineer with at least five years hydrogeologic experience. Furthermore, the California Business and Professions Code Sections 6735, 7835, and 7835.1 require that engineering and geologic evaluations and judgments be performed by or under the direction of a registered geologist or registered civil engineer. A statement is requested in all final reports that the registered professional in responsible charge supervised or personally conducted all the work associated with all final reports.

11. The Los Angeles Water Board requires that you include a perjury statement in all reports submitted for Los Angeles Water Board review. The perjury statement should be signed by a senior authorized Rosemead Holding LLC representative. The perjury statement should be in the following format:

    I, [NAME], certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision, in accordance with a system

designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

If you have any questions regarding this letter, please contact Ms. Jennifer Nobui, Engineering Geologist, at (213) 620-6363 or via email at jennifer.nobui@waterboards.ca.gov or Mr. Bizuayehu Ayele, Unit Supervisor, at (213) 576-6623 or via e-mail at bizuayehu.ayele@waterboards.ca.gov.

Sincerely,

_____
Jennifer Nobui, PG
Site Cleanup Unit V

cc (via e-mail):
Mr. Holly Arrigoni, EPA Region 9 (Arrigoni.Holly@epa.gov)
Mr. Chris Tsiatsios, Haley Aldrich (CTsiatsios@haleyaldrich.com)
Ms. Sylvia Tran, XBC Inc. (sylviat@xbcinc.com)
Ms. Shervin Milani, DTSC (Shervin.Milani@dtsc.ca.gov)
Mr. Randy Schoellerman, Water Quality Authority (Randy@wqa.com)
Mr. Dan Colby, Water Quality Authority (Dan@wqa.com)

October 2, 2024

Mr. Wayne Wang
Rosemead Holding L.L.C.
221 N. Orange Avenue
City of Industry, CA 91744

Via E-mail Only

SUBJECT: APPROVAL OF LIMITED SOIL REMEDIATION WORK PLAN, LIMITED SOIL REMEDIATION WORK PLAN ADDENDUM, AND TECHNICAL MEMORANDUM – RESPONSE TO COMMENTS ON THE "LIMITED SOIL REMEDIATION WORK PLAN ADDENDUM"

SITE: FORMER PACIFIC COAST DRUM COMPANY (ROSEMEAD HOLDING LLC), 2200-2226 N. ROSEMEAD BLVD, SOUTH EL MONTE, CALIFORNIA (WIP NO. 107.0266, SITE ID NO. 2040647)

Dear Mr. Wang:

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) staff has reviewed the *Limited Soil Remediation Workplan for the Eastern Portion of 2200 North Rosemead Boulevard, South El Monte, California* (Soil Remediation Workplan), dated April 25, 2023, that was submitted by Leighton Consulting, Inc. (Leighton), the *Limited Soil Remediation Work Plan Addendum* (Workplan Addendum), dated April 2024, and the *Technical Memorandum – Response to Comments on the Limited Soil Remediation Work Plan Addendum* (Tech Memo), dated August 16, 2024, that were submitted by your consultant, Haley & Aldrich, Inc. (Haley Aldrich) the above-referenced site (Site).

The Soil Remediation Workplan was revised to address the Los Angeles Water Board staff comments communicated to Leighton and Haley Aldrich via emails and during multiple rounds of discussion. The Workplan Addendum and the Tech Memo were submitted to address the Los Angeles Water Board staff comments. All three documents collectively propose a remedial soil excavation in the eastern portion of the Site for the planned site re-development at the Site.

SUMMARY OF SOIL REMEDIAL EXCAVATION IMPLEMENTATION PLAN

Historical subsurface investigations identified elevated concentrations of polychlorinated biphenyls (PCBs), lead, arsenic, hexavalent chromium, total petroleum hydrocarbons (TPH), and volatile organic compounds (VOCs) in shallow soils within the eastern portion of the Site. These concentrations were detected in excess of their San Francisco Bay

Regional Water Quality Control Board (SFBRWQCB) respective commercial Environmental Screening Levels (ESLs). As concluded in the human health risk assessment, current levels of these chemicals of concern (COCs) in soil required risk management prior to redevelopment of the Site for future commercial/industrial land use purposes. Impacted soil excavation and removal was the selected remedy to address the threat to human health and groundwater quality.

The proposed soil remediation will include excavation and removal of COC-impacted soils. PCB-impacted soils will be regulated by the United States Environmental Protection Agency (USEPA) 40 CFR 761 and will be managed with the USEPA as the lead agency in accordance with the Toxic Substances Control Act (TSCA) Cleanup Plan that was submitted to the USEPA. Other COCs are generally co-located with PCB shallow soil impacts and will be removed during the TSCA remedial excavation. Planned excavation locations for each COC that are within and outside of the proposed PCB excavation limits are provided on the attached figure.

The proposed soil remedial action goals (RAGs) will be used to identify areas of the Site where soil excavation is required to meet remedial action objectives (RAOs). The RAGs proposed for the COCs in soil were developed based on ambient-based (background) screening concentrations (ABSCs) or risk-based screening concentrations (RBSCs) developed in the human health risk evaluation.

The soil RAGs for this Site are summarized below:

- Total PCBs : 1 milligrams per kilogram (mg/kg)
- Lead : 500 mg/kg (re-use criteria : 380 mg/kg)
- Arsenic : 11 mg/kg
- Hexavalent chromium : 6.2 mg/kg
- TPH-D : 1,000 mg/kg
- TPH as gasoline (TPH-G) : 500 mg/kg
- TPH as motor oil (TPH-MO) : 5,100 mg/kg
- VOCs : SFBRWQCB ESLs (protection of groundwater)

These RAGS are a starting point for making risk management decisions and a tool for defining and guiding the extent and depths of soil remediation.

Approximately 5,000 cubic yards of COC-impacted soil will be excavated to a maximum depth of 8.5 feet below ground surface (bgs). The excavated soil will be segregated, stockpiled, sampled, profiled, and disposed at an appropriate waste disposal facility. Confirmation samples will be collected per the TSCA Cleanup Plan and will include the collection of soil samples from the side walls and floor of the excavation after excavation limits have been reached. Stockpiled soil that exceeds the RAGs will not be re-used onsite. If stockpiled soil sampling results indicate RAGs are not exceeded, the stockpiled soil may be re-used onsite. Soil stockpile sampling will adhere to the minimum number of samples necessary to meet the statistical requirements set forth in USEPA SW-846. If

import soil is required, the import soil will be from a clean source, and test results will be provided for the imported fill.

LOS ANGELES WATER BOARD COMMENTS AND REQUIREMENTS

Based on our review of the Soil Remediation Workplan, Workplan Addendum, Tech Memo, meetings held between Los Angeles Water Board and Haley Aldrich, and other information in the case file for the Site, the Los Angeles Water Board approves the Soil Remediation Workplan, the Workplan Addendum, and the Tech Memo with the following comments and conditions:

1. Soils with COC concentrations above the USEPA Regional Screening Levels (RSLs) but below RAGs and set aside for reuse shall be placed in the same location where they were excavated from.

2. Notify Los Angeles Water Board staff of the field schedule at least 10 days in advance of the start of the excavation activities and the installation of the vapor barrier.

3. After the implementation of the Soil Remediation Workplan and Workplan Addendum, you must prepare and submit a technical report documenting implementation of the proposed remediation. The technical report must, at a minimum, include the following:

    a) Description of the handling and management of excavated soil during removal activities;
    b) List and a provide a description of sub-surface structures encountered during excavation activities;
    c) Description and analyses of imported fill used at the Site;
    d) Description of soil confirmation sampling activities;
    e) Description of offsite disposal;
    f) Figures showing assessment and confirmation sampling locations, and soil excavation areas with cross-sections showing excavation depths and profiles;
    g) Tables summarizing analytical results for assessment and confirmation samples, volumes of excavated soil disposed offsite, etc;
    h) Copies of laboratory analytical results for samples collected and imported fill, waste manifests for investigation derived waste, offsite disposal of excavated soil and other debris, agency permits, etc;
    i) Photographs showing excavation, handling and management of soil, confirmation soil sampling, and installation of vapor barrier.

    The technical report must be submitted to the Los Angeles Water Board via Geotracker by **December 31, 2024**.

4. As presented in State Water Resources Control Board Resolution 92-49, professionals should be qualified, licensed where applicable, and competent and

proficient in the fields pertinent to the required activities. Moreover, all final reports submitted to the Los Angeles Water Board must be reviewed, signed, and stamped by a California registered geologist, or a California registered civil engineer with at least five years hydrogeologic experience. Furthermore, the California Business and Professions Code Sections 6735, 7835, and 7835.1 require that engineering and geologic evaluations and judgments be performed by or under the direction of a registered geologist or registered civil engineer. A statement is requested in all final reports that the registered professional in responsible charge supervised or personally conducted all the work associated with all final reports.

5. The Los Angeles Water Board requires that you include a perjury statement in all reports submitted for Los Angeles Water Board review. The perjury statement should be signed by a senior authorized Rosemead Holding LLC representative. The perjury statement should be in the following format:

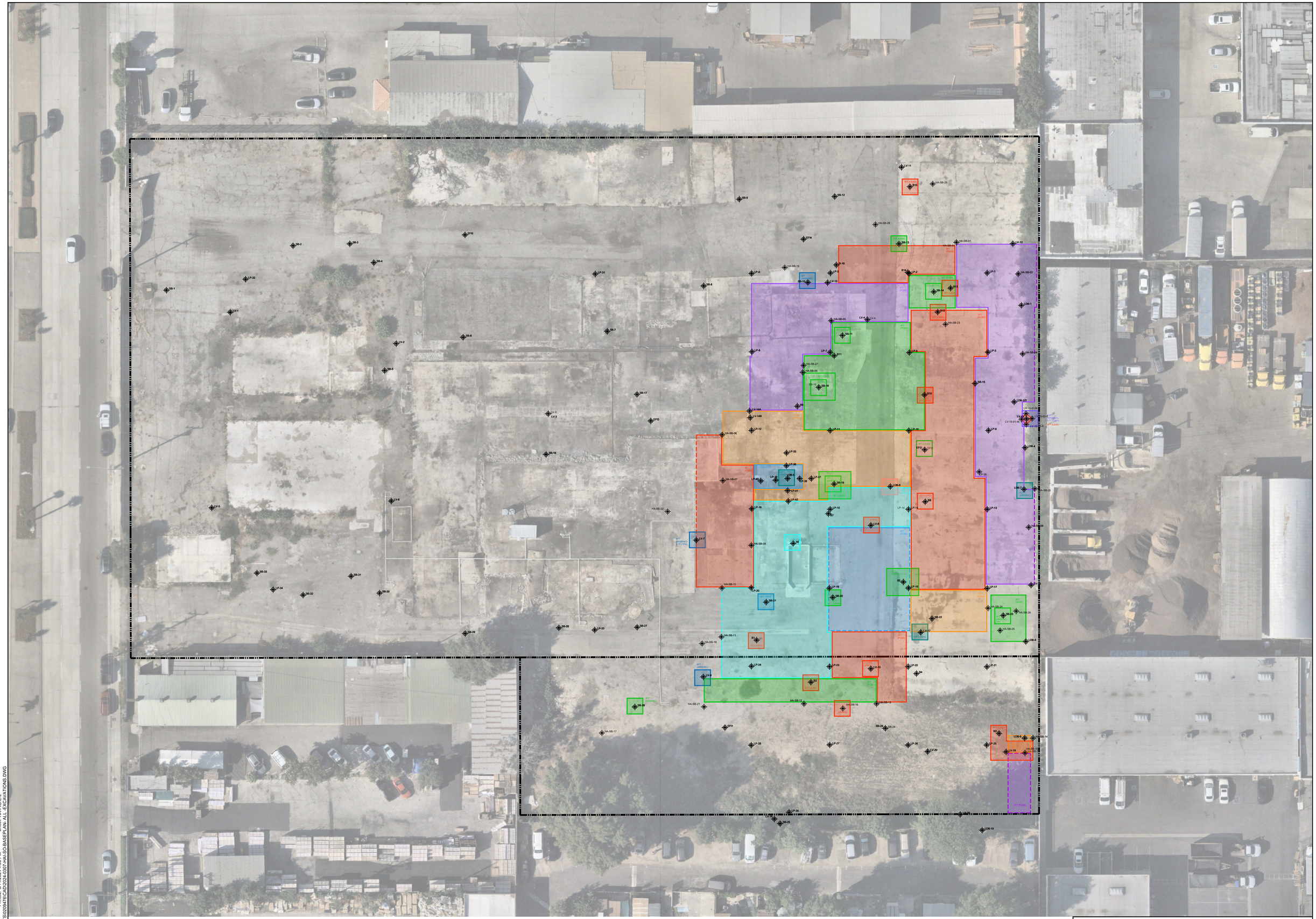
   I, [NAME], certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision, in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

If you have any questions regarding this letter, please contact Ms. Jennifer Nobui, Engineering Geologist, at (213) 620-6363 or via email at jennifer.nobui@waterboards.ca.gov or Mr. Bizuayehu Ayele, Unit Supervisor, at (213) 576-6623 or via e-mail at bizuayehu.ayele@waterboards.ca.gov.

Sincerely,

_____
Jennifer Nobui, PG
Site Cleanup Unit V

cc (via e-mail):
Mr. Holly Arrigoni, EPA Region 9 (Arrigoni.Holly@epa.gov)
Mr. Chris Tsiatsios, Haley Aldrich (CTsiatsios@haleyaldrich.com)
Ms. Sylvia Tran, XBC Inc. (sylviat@xbcinc.com)
Ms. Shervin Milani, DTSC (Shervin.Milani@dtsc.ca.gov)
Mr. Randy Schoellerman, Water Quality Authority (Randy@wqa.com)
Mr. Dan Colby, Water Quality Authority (Dan@wqa.com)



LEGEND

- SOIL BORING
- APPROXIMATE SITE BOUNDARY

NOTES

1. ALL LOCATIONS ARE APPROXIMATE.
2. AERIAL IMAGERY SOURCE: NEARMAP, 9/12/23.

EXCAVATION DEPTH LEGEND

- 1 FOOT
- 1.5 FEET
- 2 FEET
- 2.5 FEET
- 3 FEET
- 3.5 FEET
- 4 FEET
- 5 FEET
- 6 FEET
- 8.5 FEET
- DATA GAP

N

0 20 40 60 80

SCALE IN FEET

HALEY ALDRICH

ROSEMEAD HOLDING LLC
220 N ROSEMEAD BOULEVARD
SOUTH EL MONTE, CA

REMEDIAL EXCAVATION PLAN

SCALE: AS SHOWN
APRIL 2024

FIGURE 8

Saved by: SBURNS
\\HALEYALDRICH.COM\SHARE\CP\PROJECTS\020947\CAD\2024-0307-HA-SO-BASEPLAN- ALL -EXCAVATIONS.DWG
Printed: 3/11/2024 4:35 PM
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Planning Commission Agenda Report

Agenda Item No. 7.d

DATE: November 19, 2024

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Director of Community Development

SUBJECT: Public hearing regarding the review of Rustic & Chic and Conditions of Approval for Conditional Use Permit No. 23-03

BACKGROUND: At its October 17, 2023, meeting, the Planning Commission adopted Resolution No. 23-04 that allowed for establishment of a special event facility in conjunction with a Party Rental business ("Project"). Conditional Use Permit ("CUP") No. 23-03 detailed all conditions applicable to the business, Rustic & Chic, located at 1703 Floradale Avenue ("Property"). The requirement for a three-month review was established to allow for Planning Commission to review how the business has operated after the establishment of a use and to evaluate whether the use negatively impacts surrounding uses.

On November 14, 2023, on appeal, the CUP was brought before the City Council for review and it voted to uphold the Planning Commission's decision approving the CUP.

On March 19, 2024, staff provided an update on the progress of the project and found that the applicant had fulfilled the following:

- Parking agreement with the school district
- Established payment plan to pay-off fines
- Submit plans to finalized proposed improvements to the facility
- Removed parking lot equipment.

On October 15, 2024, staff provided an update on the progress of the project and presented tasks that the applicant has not completed and not in compliance with the established conditions of approval:

- Building permits have not been issued for the tenant improvements. The applicant has received approval for improvements but has yet to pull permits to commence work. At the Planning Commission meeting the applicant stated that they are working with the landlord in order to secure a long-term lease before they invest the money in making the improvements.
- Business license – The banquet facility lacks a City business license. The L.A. County Fire Department will not sign off on the business license application until all the required improvements have been made.
- Condition of Approval #29: There is a balance of $3,000 remaining on the citations they have been issued. The original amount was approximately $16,500. They indicated that they would be paying a $1,000 a month, with final payment in December. According to the

business owner, prior to the approval of the CUP, they have not operated in 11 months, which is why they haven't continued with paying off the remaining balance. The applicant stated that the time that they were closed prior to conditional use permit approval caught up to them financially and they have not been able to recover.

- Condition of Approval #30. The business has not submitted a security plan approved by Los Angeles Sherriff's Department (LASD). On October 29th, the applicant submitted a rough draft of a security plan, however, staff returned the plan with required revisions and comments. The plans were returned to staff and are currently being reviewed by the Los Angeles County Sheriffs Department.

Staff was directed by the Planning Commission to provide additional information regarding the project at the next Planning Commission meeting. The requested information included:

- Provide a timeline of plan check of project;
- Provide outstanding fees for plan check and citations;
- Provide code enforcement route taken on daily or is enforcement route based off complaints.

RECOMMENDATION: Staff recommends the Planning Commission open the public hearing, take public testimony, and provide staff with direction to leave the conditions of approval unchanged, modify to the existing conditions of approval to address outstanding concerns, or direct staff to provide a resolution revoking Conditional Use Permit 23-03.

ANALYSIS: Staff has followed up with the Rustic & Chic regarding the conditions of approval, and have found the following:

Plan Check Approvals and Fees

After conducting a review of the plan check process for this project staff found:

- 4/1/2024: 1st Plan Check Submission
- 4/29/2024: 1st Corrections Delivered
- 6/6/2024: 2nd Plan Check Submission
- 6/25/2024: Plans Approved

Fees and Citations

For the building permit (tenant improvements and alterations), the total fees due are $1,787.06. A total of $794.34 are due for plumbing permit fees.

The applicant was provided a payment plan for outstanding citation fees assessed at $16,500. Fees were to be paid in full within one year of planning commission approval. Staff reached out to Code Enforcement to check on the progress on the payment of the citation balance and as of November 14th, 2024 there is an outstanding balance of $3,000 dollars that has yet to be paid. There were four citations issued to the applicant citation No. 2754 was a $3,000 citation that has been paid in full. Citation No. 2913 carries a balance of $4,500 which has yet to be paid. Citation No. 2996 carried a balance of $4,500 and has been paid in full. Finally, citation No. 2998 carried a balance of $4,500 and has been partially paid off with a remaining balance of $1,500. The latest payment received was for the sum of $3,000 which was paid on November 13th, 2024.

Additionally, staff was directed to indicate whether Code Enforcement conducted inspections based on established routs or if inspections were solely conducted under complaints received. After

discussing this matter with Code Enforcement staff, it was concluded that there are no established routs for officers and inspections are based on a complaint basis.

Since the last Planning Commission meeting, the applicant has shown cooperation by submitting a draft safety plan to staff which is part of their conditions of approval. Staff is awaiting the Sheriff's Department response to the safety plan submittal.

CONCLUSION: If the Planning Commission review concludes that there is a need to modify the existing conditions of approval, the Commission may make those modifications to Resolution No. 23-04. The Planning Commission may also direct staff to present a resolution revoking CUP 23-03 for their consideration at the next scheduled Planning Commission meeting.

Attachments:
1) Conditional Use Permit Resolution No. 23-04
2) October 15, 2024 Planning Commission Staff Report
3) March 19, 2024 Planning Commission Staff Report

RESOLUTION NO. 23-04

A RESOLUTION OF THE SOUTH EL MONTE PLANNING COMMISSION APPROVING AN APPLICATION FOR CONDITIONAL USE PERMIT FOR A SPECIAL EVENT FACILITY IN CONJUNCTION WITH A PARTY RENTAL BUSINESS AT 1703 FLORADALE AVENUE, OPERATING AS RUSTIC & CHIC

WHEREAS, Jazmin Mora ("Applicant"), filed an application for a Conditional Use Permit ("CUP") for a special event facility in conjunction with an existing party rental business ("Project" or "proposed Project") located at 1703 Floradale Avenue, South El Monte, CA 91733 ("Property" or "project site"); and

WHEREAS, pursuant to South El Monte Municipal Code ("SEMMC") Section 17.18.050(L), the Project requires Planning Commission review and approval because the Project is not specifically permitted or prohibited, which is determined to be compatible with the permitted uses in the manufacturing zone; and

WHEREAS, a public hearing was held before the Planning Commission on September 19, 2023 to consider the application. All evidence, both written and oral, presented during the public hearing was considered by the Planning Commission in making its determination. On September 19, the Commission voted to continue the public hearing to the October 17, 2023 Planning Commission meeting to allow staff time to conduct additional research regarding the operation of the Applicant's same business in other cities and request additional information from the Department of Alcoholic Beverage Control; and

WHEREAS, the public hearing was continued to the October 17, 2023 to allow the Planning Commission to further review the application and additional information provided by staff. All evidence, both written and oral, presented during the public hearing was considered by the Planning Commission in making its determination to continue the matter.

NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS AND RESOLVES AS FOLLOWS:

SECTION 1: Pursuant to Section 15301 (Class 1) of the California Environmental Quality Act (CEQA), the proposed Project is categorically exempt from environmental review and a Notice of Exemption has been prepared. The proposed Project qualifies for a Class 1 Categorical Exemption for the Project because the proposed Project is to be operated within existing facilities. The criteria for a Class 1 Categorical Exemption is the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The Planning Commission finds that the proposed Project meets this criteria and is exempt from the provisions of CEQA. The documents and other material, which constitute the record on which this decision is based, are located in the

Department of Community Development and are in the custody of the Director of Community Development

SECTION 2: A record of the public hearing indicates the following:

A. With regard to the application for a CUP, SEMMC Section 17.68.040 requires that the Planning Commission find that the proposed use shall not be detrimental to persons or properties in the immediate vicinity or to the City in general. State law requires that the Project be compatible with surrounding uses.

B. The General Plan Land Use designation for the Property is "Industrial." The Zoning Code designation is "M" (Manufacturing).

C. The proposed Project promotes the City's goals and objectives stated in the General Plan. No goal or policy will be impaired with the conditions included in this resolution.

D. The special event facility should not become a nuisance to surrounding properties with the proposed conditions.

SECTION 3: Based on the record of the hearing, including all information presented at the hearings on September 19, 2023 and October 17, 2023, including the Staff Report dated September 19, 2023 and October 17, 2023, which are hereby incorporated into this Resolution 23-03 by reference, the Planning Commission hereby finds:

A. As conditioned, the Project represents a quality establishment that will be compatible with surrounding uses, the surrounding area, and the goals of the City. As a result, approving this application will not adversely affect the General Plan or the Zoning Ordinance.

B. Pursuant to SEMMC Section 17.68.040, the approval of the CUP will not be detrimental to persons or properties in the immediate vicinity or to the City in general, as conditioned. This is so because the conditions included will prevent the proposed Project from becoming a detriment through operational limits expressed in the Conditions of Approval.

C. The proposed Project, as conditioned, is consistent with the City's General Plan. The proposed Project is compatible with the objectives, policies, general land uses, economic development and programs specified in the General Plan which includes, but is not limited to, the following goals:

Land Use Element

(1) Goal 1.0: *Maintain a balanced mix and distribution of land uses throughout South El Monte* by allowing for the establishment of a use that does not currently exist in the area that can serve residents and businesses within the community; and

(2) Policy 1.4: *Maintain a balanced mix and distribution of land uses throughout South El Monte" and "create opportunities for two types of*

commercial development: (1) commercial uses that meet the retail and service needs of the local resident and employee populations, and (2) regional-serving retail commercial businesses that capture revenues from a broader population base. This will serve the area by providing a special event facility that can serve private parties or businesses for small to medium sized events in the City; and

Economic Development Element

(3) Goal 1.0: *Continue to provide opportunities for a wide range of industries to operate in South El Monte* by allowing special event facility which is uncommon for the area.

SECTION 4: Based on the aforementioned findings, the Planning Commission hereby approves CUP (No 23-03) to operate special event facility subject to the following conditions:

General Conditions

1. The Applicant shall indemnify, defend and hold harmless the City, its officers, agents, employees, and volunteers from any and all claims, lawsuits or actions arising from the granting of, or the exercise of, the rights permitted by this approval, and from any and all claims or losses occurring or resulting to any person, firm, corporation or property for damage, injury, or death arising out of, or connected in anyway, with the performance of the use permitted hereby. The Applicant's obligation to indemnify, defend, and hold harmless the City shall include, but not be limited to, paying all legal fees and costs incurred by legal counsel of the City's choice in representing the City in connection with any such claims, losses, lawsuits or actions, and any award of damages or attorney's fees in any such lawsuit or action.

2. The Applicant shall execute an Affidavit of Acceptance of these conditions in the presence of a Notary Public and return the Affidavit to the Director of Community Development within ten calendar days of the date of the Planning Commission's approval.

3. The approval shall lapse and become void if the privilege authorized is not within two years from the date of this approval.

4. Applicant and its employees, agents and contractors shall comply with all laws, policies, rules and regulations including but not limited to the Municipal Code provisions.

Planning Conditions

5. The hours of operation shall be as follows:

   The operation of the party rental business are as follows:

   - Monday – Friday: 8:00 a.m. – 5:00 p.m.

   The proposed hours of operation for the Special Event business are as follows:

- Friday: 6:00 p.m. – 12:00 a.m.
- Saturday and Sunday: 4:00 p.m. to 12:00 a.m.

6. Any graffiti painted or marked upon the Property or on any adjacent area under the control of the Applicant shall be removed or painted over within 24 hours of discovery or within 24 hours of notice from the City and shall be removed or painted over in compliance with all SEMMC requirements.

7. The Property shall be maintained in a safe and clean condition and the Applicant shall ensure that no trash or litter originating from the site is deposited on neighboring properties or the public right-of-way. At the end of each business day, the Applicant shall pick up any and all litter including but not limited to large discarded items that may have collected in the Property's parking area and public right-of-way.

8. The Applicant shall not permit any loitering including any loitering on any property adjacent to the Property under control of the Applicant.

9. Noise associated with the special event business shall not negatively impact the surrounding properties, including those residential properties located on Cogswell Road.

10. The Applicant and all operators shall each take all necessary steps to ensure the orderly conduct of employees, patrons, and visitors when they are present on the Property.

11. The Applicant shall maintain all required permits and licenses in good standing.

12. This CUP limits the use of the facility to private events, and shall comply with the following:

    - That there is no sale of an alcoholic beverage.
    - That the premises are not open to the general public during the time alcoholic beverages are served, consumed or otherwise disposed of (private events only).
    - That the premises are not maintained for the purpose of keeping, serving, consuming or otherwise disposing of alcoholic beverages (storage of alcoholic beverages is prohibited).

13. All Rustic & Chic employees shall enroll and pass the State Department of Alcoholic Beverage Control LEAD program prior to working any future event at Rustic & Chic.

14. The maximum number of people at the Property shall not exceed 120 attendees.

15. The maximum occupancy of the premise of 384 shall be prominently posted and monitored at all times. The maximum number of attendees at each event shall not exceed 120.

16. The front of the exterior of the premises, as well as all parking areas under control of the Applicant, shall be illuminated at all times while the premises is open for business. This shall be done in such a manner that persons standing outdoors at night are identifiable by

law enforcement personnel while balancing the lighting so as not to unreasonably spill into and illuminate the window area of nearby properties.

17. All crimes occurring inside or outside of the location shall be reported to the Sherriff Department at the time of the occurrence.

18. At any time when the Applicant is absent from the premises, a responsible party shall be designated who can facilitate any Sherriff Department inquiries.

19. A copy of this approved resolution shall be kept on the premises at all times and presented to any Sheriff, or Business License or Planning Staff person.

20. The business' website shall reflect the adopted conditions of approval, and shall reflect the maximum number of attendees, hours of operation, and that the business does not sell, store, or serve alcoholic beverages.

21. The Applicant understands that any violation of these conditions or any operation that constitutes a nuisance shall be grounds for the suspension or revocation of the Conditional Use Permit.

22. There shall be no exterior speakers and no live entertainment outside the building (including the parking lot) unless a Temporary Use Permit (TUP) is obtained from the City.

23. The temporary valet booth shall be removed and stored, hidden from public view, at the conclusion of each event.

24. The City shall review the conditions of the premises and business operations approved herein in approximately three months from the date of the City's approval.

25. The parking agreement must be maintained, and any change to the parking agreement shall be brought before the Director of Community Development for approval before execution.

26. The valet service (Black Diamond Valet) shall:

    - Carry all necessary insurance certificates;
    - All drivers shall have satisfactory driving records;
    - Comply with all traffic safety laws;
    - Comply with the City's noise ordinance.
    - Limit access to the off-site parking area to Black Diamond Valet personnel only and security personnel associated with Rustic & Chic.
    - There will be five attendants for valet parking operations at each event, one attendant at the valet booth, three runners, and one shuttling the parking attendants.

27. The Applicant shall obtain a full Alcoholic Beverage Control ("ABC") license applicable to beer, wine, and spirits within two years.

28. The Applicant shall maintain full banquet/event hall insurance or like insurance to the satisfaction of the City. Applicant shall submit proof of insurance upon City's request.

29. The Applicant shall pay all citations in full within one year absent another agreement with the City.

Sheriff Department Conditions

30. The applicant shall be required to submit a security plan to the Sheriff's Department for review and approval, and shall contain the following:

- The installation of security cameras for a video monitoring system. Security cameras shall be required inside, as well as outside the building at each entry/exit point. Security cameras shall be in constant working order and directed towards ingress/egress points of the business. Recordings shall be retained for 60 days and allow to be reviewed by the Sheriff's Department.

- Security lighting shall be installed, include motion sensors, and shielded to avoid light spillage onto adjacent properties.

- Appropriate gate hardware such as keypad/keycard access and automatic gate closers shall be implemented where feasible to limit unauthorized access as well as for easy monitoring of the site;

- Security guards shall be present during each event at the event facility and at the off-site parking area (Monte Vista Elementary School).

- The special event business shall include a minimum of three security guards, one along the exterior of the Property, one within the venue, and one at the off-site parking area as required in this CUP.

31. Allow access to Sheriff's Department and City Code Enforcement Personnel to the Property, building, and parking lot at all times including when business operation are occurring including special event activities.

32. The Sheriff's Department shall be allowed to modify the security plan should there be any future issues on site with notice to the permitee.

SECTION 5: Any interested party may appeal this decision to the City Council pursuant to SEMMC Section 17.74.050.

PASSED, APPROVED AND ADOPTED this 17th day of October 2023.

Chair

ATTEST:

Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
SS CITY OF SOUTH EL MONTE)

I, Renee Reyes, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 23-04 was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 17th day of October 2023.

AYES: Sanchez, Tang, Vice Chair Barrera, Chair Ortiz
NOES: Rodriguez

Secretary

Planning Commission Agenda Report

Agenda Item No. 8.b

DATE: October 15, 2024

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Director of Community Development

SUBJECT: Review of Rustic & Chic and Conditions of Approval for Conditional Use Permit No. 23-03

BACKGROUND: At its October 17, 2023, meeting, the Planning Commission adopted Resolution No. 23-04 that allowed for establishment of a special event facility in conjunction with a Party Rental business ("Project"). Conditional Use Permit ("CUP") No. 23-03 detailed all conditions applicable to the business, Rustic & Chic, located at 1703 Floradale Avenue ("Property"). The requirement for a three-month review was established to allow for Planning Commission to review how the business has operated after the establishment of a use and to evaluate whether the use negatively impacts surrounding uses.

On November 14, 2023, on appeal, the CUP was brought before the City Council for review and it voted to uphold the Planning Commission's decision approving the CUP.

On March 19, 2024, staff provided an update on the progress of the project and found that the applicant had fulfilled the following:

- Parking agreement with the school district
- Established payment plan to pay-off fines
- Submit plans to finalized proposed improvements to the facility
- Removed parking lot equipment.

RECOMMENDATION: Staff recommends that the Planning Commission receive and file staff's report addressing the business' compliance with the CUP.

ANALYSIS: Staff has followed up with the Rustic & Chic regarding the conditions of approval, and have found the following:

1. Once plans are approved, all permit fees paid, and all required documentation submitted, they can begin construction.

    a. Plans for the required building remodel have been approved, but additional documentation is required, as well as permit fees.

    b. Plumbing plans associated with building remodel are pending plan check fees and plan check review.

2. Business license – The banquet facility lacks a city business license. The L.A. County Fire Department will not sign off on the business license application until all the required improvements have been made.

3. Condition of Approval #29: There is a balance of $6,000 remaining on the citations they have been issued. The original amount was approximately $16,500. They indicated that they would be paying a $1,000 a month, with final payment in December. The applicant indicated that being closed prior to the issuance of the CUP has caught up to them financially and they have not been able to catch up.

4. Condition of Approval #30. The business has not submitted a security plan approved by Los Angeles Sherriff's Department (LASD).

CONCLUSION: If the Planning Commission review concludes that the business is operating in compliance with the conditions, the next step will be to receive and file the information. In the event the Planning Commission finds that the business is not operating in accordance with all conditions, then it can direct staff to schedule a public hearing before the Planning Commission for additional modifications or revocation.

Attachments: A. Conditional Use Permit Resolution No. 23-04
B. March 19, 2024 Planning Commission Staff Report

Planning Commission Agenda Report

Agenda Item No. 8.c.

DATE: June 18, 2024

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Guillermo Arreola, Director of Community Development

PREPARED BY: Gerardo Marquez, Planning Manager

SUBJECT: Review of Rustic & Chic and Conditions of Approval for Conditional Use Permit No. 23-03

BACKGROUND: At its October 17, 2023, meeting, the Planning Commission adopted Resolution No. 23-04 that allowed for establishment of a special event facility in conjunction with a Party Rental business ("Project"). Conditional Use Permit ("CUP") No. 23-03 detailed all conditions applicable to the business, Rustic & Chic, located at 1703 Floradale Avenue ("Property"). The requirement for a three-month review was established to allow for Planning Commission to review how the business has operated after the establishment of a use and to evaluate whether the use negatively impacts surrounding uses.

On November 14, 2023, on appeal, the CUP was brought before the City Council for review, and voted to uphold the Planning Commission's decision approving the CUP.

On March 19, 2024, staff provided an update to the Planning Commission regarding the status of the conditions of approval. The commission received and filed the report requesting future updates from staff on the progress of the conditions of approval.

RECOMMENDATION: Staff recommends that the Planning Commission receive and file staff's report on whether the business is operating in compliance with the CUP.

ANALYSIS: Staff has been working closely with the Applicant regarding the conditions of approval, and more specifically, the following:

- **Parking Agreement with the School District:** On February 21, 2024, the applicant submitted a signed parking agreement with the School District. In order to operate the rental facility, the parking agreement must be in good standing. The parking agreement is in effect for two years from the date of execution (02/21/24), and the contract can be extended up to a maximum of four (4) years total. The applicant will be required to submit proof of the extension and will have to enter into another contract prior to the expiration of the existing contract, otherwise, the applicant may not operate the rental facility.

- **Payment Plan:** The applicant had accumulated at total of $16,500 in total fines. The applicant began paying off those fines starting in November, with a $3,000 payment. On

March 4th, the applicant paid an additional $4,500, bringing the remaining balance to $9,000.00. The applicant has made a payment of $1,000 since then, bringing their balance down to $8,000.00. The applicant has agreed to pay off the balance by December 2024.

- **Plan Submittal:** Plans are in the plan check process. The applicant was provided corrections on April 29, 2024 and the plans were resubmitted back for recheck on June 6, 2024.
- **Removal of parking lot equipment:** Parking lot equipment was removed to make room for the required parking area.
- **Complaints:** Staff has not received any complaints from adjacent properties or the public regarding the operation at this location.

CONCLUSION: As long as the business continues to act in good faith and adheres to the conditions set forth in Resolution No. 23-04, then it should not negatively impact the area. If the Planning Commission review concludes that the business is operating in compliance with the conditions, the next step will be to receive and file the information. In the event the Planning Commission finds that the business is not operating in accordance with all conditions, then it can direct staff to schedule a public hearing before the Planning Commission for additional modification or revocation.