EXHIBIT C | O2.22

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2021-00162
Site Address: 11048 LAUREL AVE, BLOOMINGTON, CA 92316

Issuance Date: 09/14/2021
Expiration Date: 3/13/2022

Owner:
HIP SO-CAL PROPERTIES LLC
1944 N TUSTIN ST #122
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NICHOLAS AUSTIN MARTINEZ
1375 W RIALTO AVE, SAN BERNARDINO, CA 92410

Description of Work:
COMPLETE REMOVAL OF ONE STRUCTURE ON PROPERTY

Building Official: Jack T. Leonard **Date:** 09/14/2021

Expiration and Refund Notice: Applications for which no permit is issued within 180 days from the date of application shall expire. Permits shall expire if work does not commence within 180 days of issuance of such permit or if the suspended or abandoned for a period of 180 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2022-00189
Site Address: 11239 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 09/21/2022
Expiration Date: 3/20/2023

Owner:
HOWARD INDUSTIAL PARTNERS INC
1944 N TUSTIN ST #122
ORANGE, CA 92865

Contractor:
NK Demolition - Contractor License: 1038782
Admin Assistant
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
EXISTING SFR AT 1288 SQ FT TO BE DEMOLISHED INCLUDING FOUNDATION / SITE CLEARING

Building Official: Greg Griffith **Date:** 09/21/2022

Expiration and Refund Notice: Applications for which no permit is issued within 180 days from the date of application shall expire. Permits shall expire if work does not commence within 180 days of issuance of such permit or if the suspended or abandoned for a period of 180 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2022-00210
Site Address: 11227 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 10/20/2022
Expiration Date: 4/18/2023

Owner:
HIP SO-CAL PROPERTIES LLC
1944 N TUSTIN ST #122
ORANGE, CA 92865

Contractor:
NK DEMOLITION - Contractor License: 1038782
Nicholas Martinez
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLISH RESIDENCE AND DETACHED SHED

Building Official: Greg Griffith **Date:** 10/20/2022

Expiration and Refund Notice: Applications for which no permit is issued within 180 days from the date of application shall expire. Permits shall expire if work does not commence within 180 days of issuance of such permit or if the suspended or abandoned for a period of 180 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2022-00253
Site Address: 11141 MAPLE AVE, BLOOMINGTON, CA 92316

Issuance Date: 12/07/2022
Expiration Date: 6/5/2023

Owner:
HIP SO-CAL LLC
1944 N TUSTIN ST #122
ORANGE, CA 92865

Contractor:
NK DEMOLITION - Contractor License: 1038782
Nicholas Martinez
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolition of all structures on parcel

Building Official: Greg Griffith **Date:** 12/07/2022

Expiration and Refund Notice: Applications for which no permit is issued within 180 days from the date of application shall expire. Permits shall expire if work does not commence within 180 days of issuance of such permit or if the suspended or abandoned for a period of 180 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00173
Site Address: 10988 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/16/2023
Expiration Date: 12/13/2023

Owner:
ELEOPOULOS, JAMES
1860 OBISPO AVE STE F
SIGNAL HILL, CA 90755

Contractor:
NK DEMOLITION - Contractor License: 1038782
Nicholas Martinez
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLISH ANY/ALL BUILDINGS ON SITE, CONVERT BACK TO VACANT LAND

Building Official: Greg Griffith **Date:** 06/16/2023

Expiration and Refund Notice: Applications for which no permit is issued within 180 days from the date of application shall expire. Permits shall expire if work does not commence within 180 days of issuance of such permit or if the suspended or abandoned for a period of 180 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00174
Site Address: 11095 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/16/2023
Expiration Date: 12/13/2023

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
NK DEMOLITION - Contractor License: 1038782
Nicholas Martinez
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLISH ANY/ALL BUILDINGS ON SITE, CONVERT BACK TO VACANT LAND

Building Official: Greg Griffith **Date:** 06/16/2023

Expiration and Refund Notice: Applications for which no permit is issued within 180 days from the date of application shall expire. Permits shall expire if work does not commence within 180 days of issuance of such permit or if the suspended or abandoned for a period of 180 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00175
Site Address: 11215 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/16/2023
Expiration Date: 12/13/2023

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
NK DEMOLITION - Contractor License: 1038782
Nicholas Martinez
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLISH ANY/ALL BUILDINGS ON SITE, CONVERT BACK TO VACANT LAND

Building Official: Greg Griffith **Date:** 06/16/2023

Expiration and Refund Notice: Applications for which no permit is issued within 180 days from the date of application shall expire. Permits shall expire if work does not commence within 180 days of issuance of such permit or if the suspended or abandoned for a period of 180 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00176
Site Address: 11255 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/16/2023
Expiration Date: 12/13/2023

Owner:
HIP SO-CAL PROPERTIES LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
NK DEMOLITION - Contractor License: 1038782
Nicholas Martinez
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLISH ANY/ALL BUILDINGS ON SITE, CONVERT BACK TO VACANT LAND

Building Official: Greg Griffith **Date:** 06/16/2023

Expiration and Refund Notice: Applications for which no permit is issued within 180 days from the date of application shall expire. Permits shall expire if work does not commence within 180 days of issuance of such permit or if the suspended or abandoned for a period of 180 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00177
Site Address: 18121 ROSE AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/20/2023
Expiration Date: 12/17/2023

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
NK DEMOLITION - Contractor License: 1038782
Nicholas Martinez
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLISH ANY/ALL BUILDINGS ON SITE, CONVERT BACK TO VACANT LAND

Building Official: Greg Griffith **Date:** 06/20/2023

Expiration and Refund Notice: Applications for which no permit is issued within 180 days from the date of application shall expire. Permits shall expire if work does not commence within 180 days of issuance of such permit or if the suspended or abandoned for a period of 180 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00178
Site Address: 11016 MAPLE AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/20/2023
Expiration Date: 12/17/2023

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
NK DEMOLITION - Contractor License: 1038782
Nicholas Martinez
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLISH ANY/ALL BUILDINGS ON SITE, CONVERT BACK TO VACANT LAND

Building Official: Greg Griffith **Date:** 06/20/2023

Expiration and Refund Notice: Applications for which no permit is issued within 180 days from the date of application shall expire. Permits shall expire if work does not commence within 180 days of issuance of such permit or if the suspended or abandoned for a period of 180 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00310
Site Address: 10988 MAPLE AVE, BLOOMINGTON, CA 92316

Issuance Date: 10/05/2023
Expiration Date: 4/2/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92808

Contractor:
- Contractor License: CA
NK Demolition
1375 W Rialto Ave, San Bernardino, ca 92410

Description of Work:
Demolish 2,489 sf house and 141 sf garage

Building Official: Greg Griffiths **Date:** 10/05/2023

Expiration and Refund Notice: Applications for which no permit is issued within 180 days from the date of application shall expire. Permits shall expire if work does not commence within 180 days of issuance of such permit or if the suspended or abandoned for a period of 180 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00333
Site Address: 18414 JURUPA AVE, BLOOMINGTON, CA 92316

Issuance Date: 10/05/2023
Expiration Date: 4/2/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLISH ANY/ALL BUILDINGS ON SITE, CONVERT BACK TO VACANT LAND

Building Official: Greg Griffiths **Date:** 10/05/2023

Expiration and Refund Notice: Applications for which no permit is issued within 180 days from the date of application shall expire. Permits shall expire if work does not commence within 180 days of issuance of such permit or if the suspended or abandoned for a period of 180 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No: DEMO-2023-00334
Site Address: 18232 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 10/03/2023
Expiration Date: 3/31/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Sve, San Bernardino, CA 92410

Description of Work:
DEMOLISH ALL STRUCUTRES ON SITE TO BRING PARCEL BACK TO VACANT LAND

Building Official: Greg Griffiths **Date:** 10/03/2023

Expiration and Refund Notice: Applications for which no permit is issued within 180 days from the date of application shall expire. Permits shall expire if work does not commence within 180 days of issuance of such permit or if the suspended or abandoned for a period of 180 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00335
Site Address: 11279 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 10/05/2023
Expiration Date: 4/2/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLISH ALL STRUCUTRES ON SITE TO BRING PARCEL BACK TO VACANT LAND

Building Official: Greg Griffiths **Date:** 10/05/2023

Expiration and Refund Notice: Applications for which no permit is issued within 180 days from the date of application shall expire. Permits shall expire if work does not commence within 180 days of issuance of such permit or if the suspended or abandoned for a period of 180 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No: DEMO-2023-00354
Site Address: 18138 ROSE AVE, BLOOMINGTON, CA 92316

Issuance Date: 10/31/2023
Expiration Date: 10/30/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish property back to vacant land, to include foundations and septic

Building Official: Greg Griffith **Date:** 10/31/2023

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00361
Site Address: 11289 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 11/09/2023
Expiration Date: 11/8/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolition of 2,771 SF Residence and Detached Garage

Building Official: Greg Griffith **Date:** 11/09/2023

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00362
Site Address: 11283 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 11/08/2023
Expiration Date: 11/7/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolition of 884 SF Residence and Detached Garage

Building Official: Greg Griffith **Date:** 11/08/2023

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No: DEMO-2023-00363
Site Address: 11241 MAPLE AVE, BLOOMINGTON, CA 92316

Issuance Date: 11/08/2023
Expiration Date: 11/7/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolition of 2,482 SF Residence and (2) Detached Garages

Building Official: Greg Griffith **Date:** 11/08/2023

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00365
Site Address: 18212 JURUPA AVE, BLOOMINGTON, CA 92316

Issuance Date: 11/09/2023
Expiration Date: 11/8/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLISH ALL STRUCTURES ON SITE - RETURN TO VACANT

Building Official: Greg Griffith **Date:** 11/09/2023

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00372
Site Address: 18110 ROSE AVE, BLOOMINGTON, CA 92316

Issuance Date: 11/30/2023
Expiration Date: 11/29/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLISH ALL STRUCTURES ON SITE AND RETURN TO VACANT LAND

Building Official: Maged Soliman

Maged Soliman

Date: 11/30/2023

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00373
Site Address: 11201 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 11/14/2023
Expiration Date: 11/13/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant land

Building Official: Maged Soliman
Maged Soliman

Date: 11/14/2023

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00374
Site Address: 18143 ROSE AVE, BLOOMINGTON, CA 92316

Issuance Date: 11/15/2023
Expiration Date: 11/14/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman
Maged Soliman

Date: 11/15/2023

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00375
Site Address: 18177 ROSE AVE, BLOOMINGTON, CA 92316

Issuance Date: 11/15/2023
Expiration Date: 11/14/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865-2616

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman
Maged Soliman

Date: 11/15/2023

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00376
Site Address: 18166 ROSE AVE, BLOOMINGTON, CA 92316

Issuance Date: 11/15/2023
Expiration Date: 11/14/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 11/15/2023

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00405
Site Address: 18278 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 12/19/2023
Expiration Date: 12/18/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 12/19/2023

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00406
Site Address: 18277 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 12/27/2023
Expiration Date: 12/26/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 12/27/2023

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00407
Site Address: 18233 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 12/21/2023
Expiration Date: 12/20/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLISH UNPERMITTED RESIDENCE AT 2400 SQ.FT AND SEPTIC

Building Official: Maged Soliman

Maged Soliman

Date: 12/21/2023

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2023-00408
Site Address: 18180 ROSE AVE, BLOOMINGTON, CA 92316

Issuance Date: 12/19/2023
Expiration Date: 12/18/2024

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 12/19/2023

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00005
Site Address: 18485 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/17/2024
Expiration Date: 1/16/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 01/17/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00006
Site Address: 18407 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/12/2024
Expiration Date: 1/11/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLITION FULL SITE: RETURN TO VACANT

Building Official: Maged Soliman

Maged Soliman

Date: 01/12/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00007
Site Address: 18408 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/12/2024
Expiration Date: 1/11/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410
9096017160

Description of Work:
DEMOLITION FULL SITE: LAND TO BE VACANT

Building Official: Maged Soliman

Maged Soliman

Date: 01/12/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00008
Site Address: 10991 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 01/16/2024
Expiration Date: 1/15/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ANAHEIM HILLS, CA 92808

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant. Residence at 1,456 SQ FT; Shed at 1,368 SQ FT; Shed #2 at 690 SQ FT; Grand total of demo 3,514 SQ FT

Building Official: Maged Soliman

Maged Soliman

Date: 01/16/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00009
Site Address: 11161 MAPLE AVE, BLOOMINGTON, CA 92316

Issuance Date: 01/12/2024
Expiration Date: 1/11/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410
9096017160

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 01/12/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00010
Site Address: 11265 MAPLE AVE, BLOOMINGTON, CA 92316

Issuance Date: 01/12/2024
Expiration Date: 1/11/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410
9096017160

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 01/12/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00011
Site Address: 11266 MAPLE AVE, BLOOMINGTON, CA 92316

Issuance Date: 01/11/2024
Expiration Date: 1/10/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410
9096017160

Description of Work:
Demolish residence at 1,872 Sq Ft

Building Official: Maged Soliman

Maged Soliman

Date: 01/11/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00017
Site Address: 11246 MAPLE AVE, BLOOMINGTON, CA 92316

Issuance Date: 01/19/2024
Expiration Date: 1/18/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant. House at 2,781 SQ FT I 800 SQ FT Structure I 252 SQ FT Structure I 3,833 SQ FT Grand total of demo

Building Official: Maged Soliman
Maged Soliman

Date: 01/19/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00019
Site Address: 18358 JURUPA AVE, BLOOMINGTON, CA 92316

Issuance Date: 01/19/2024
Expiration Date: 1/18/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant. House at 1,508 SQ FT I 858 SQ FT Structure I 1,504 SQ FT Structure I 1,376 Structure I 5,246 SQ FT Grand total of demo

Building Official: Maged Soliman
Maged Soliman

Date: 01/19/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00020
Site Address: 11219 MAPLE AVE, BLOOMINGTON, CA 92316

Issuance Date: 01/19/2024
Expiration Date: 1/18/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant. House at 1,971 SQ FT I Garage at 3,591 I 5,562 SQ FT Grand total of demo

Building Official: Maged Soliman

Maged Soliman

Date: 01/19/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00024
Site Address: 18181 ROSE AVE, BLOOMINGTON, CA 92316

Issuance Date: 01/19/2024
Expiration Date: 1/18/2025

Owner:
BLOOMINGTON BP 1 LLC
155 V RIVERVIEW DR
ANAHEIM HILLS, CA 92808

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish residence return to vacant ls. House at 3,785

Building Official: Maged Soliman

Maged Soliman

Date: 01/19/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00025
Site Address: 18427 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/23/2024
Expiration Date: 1/22/2025

Owner:
BLOOMINGTON BP 1 LLC C/O TIM HOWARD
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant land | Total Demolition 8,090 Sq Ft

Building Official: Maged Soliman

Maged Soliman

Date: 01/23/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00026
Site Address: 18447 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/23/2024
Expiration Date: 1/22/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish House and all Structures return to vacant land | Demolish 3,086 Sq Ft

Building Official: Maged Soliman

Maged Soliman

Date: 01/23/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00027
Site Address: 18355 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/23/2024
Expiration Date: 1/22/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all Structures and return to Vacant Land

Building Official: Maged Soliman

Maged Soliman

Date: 01/23/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00028
Site Address: 18484 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/19/2024
Expiration Date: 1/18/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLITION FULL SITE

Building Official: Maged Soliman

Maged Soliman

Date: 01/19/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00029
Site Address: 18375 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/19/2024
Expiration Date: 1/18/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLITION FULL SITE

Building Official: Maged Soliman

Maged Soliman

Date: 01/19/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00030
Site Address: 18395 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/19/2024
Expiration Date: 1/18/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
DEMOLITION FULL SITE

Building Official: Maged Soliman

Maged Soliman

Date: 01/19/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00033
Site Address: 18448 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/25/2024
Expiration Date: 1/24/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410
9096017160

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 01/25/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00034
Site Address: 18468 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/22/2024
Expiration Date: 1/21/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 01/22/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00035
Site Address: 18438 JURUPA AVE, BLOOMINGTON, CA 92316

Issuance Date: 01/22/2024
Expiration Date: 1/21/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 01/22/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00036
Site Address: 11206 LINDEN AVE, BLOOMINGTON, CA 92316

Issuance Date: 01/19/2024
Expiration Date: 1/18/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 01/19/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00037
Site Address: 11290 LINDEN AVE, BLOOMINGTON, CA 92316

Issuance Date: 01/19/2024
Expiration Date: 1/18/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 01/19/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00038
Site Address: 18374 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/19/2024
Expiration Date: 1/18/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 01/19/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00039
Site Address: 18394 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/19/2024
Expiration Date: 1/18/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 01/19/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00041
Site Address: 11244 LINDEN AVE, BLOOMINGTON, CA 92316

Issuance Date: 01/24/2024
Expiration Date: 1/23/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 01/24/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00042
Site Address: 18467 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/24/2024
Expiration Date: 1/23/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410

Description of Work:
Demolish all structures return to vacant

TOTAL- 2,046 SF of demolition

Building Official: Maged Soliman

Maged Soliman

Date: 01/24/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00048
Site Address: 18354 STALLION LN, BLOOMINGTON, CA 92316

Issuance Date: 01/29/2024
Expiration Date: 1/28/2025

Owner:
BLOOMINGTON BP 1 LLC & C/O TIMOTHY HOWARD
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782

NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410
9096017160

Description of Work:
Demolish house at 1,692 SF, shed at 484 SF return to vacant. Demo SF 2,176

Building Official: Maged Soliman
Maged Soliman

Date: 01/29/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00053
Site Address: 11266 LINDEN AVE, BLOOMINGTON, CA 92316

Issuance Date: 02/06/2024
Expiration Date: 2/5/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
N K DEMOLITION - Contractor License: 1038782
NK Demolition
1375 W Rialto Ave, San Bernardino, CA 92410
9096017160

Description of Work:
Demolish all structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 02/06/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00082

Site Address: 1288 ALDERWOOD , MENTONE, CA 92359

Issuance Date: 07/24/2024

Expiration Date: 7/24/2025

Owner:

RUIZ, VANESSA

1288 ALDERWOOD LN

MENTONE, CA 92359

Description of Work:

Return to Original Use to Include Demo of Unpermitted Walls and Bathroom Per Code Case

Building Official: Maged Soliman

Maged Soliman

Date: 07/24/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00083
Site Address: 11181 MAPLE AVE, BLOOMINGTON, CA 92316

Issuance Date: 03/14/2024
Expiration Date: 3/14/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:
Demolish structure at 1,998 SF and shed at 1,065 SF. Return to vacant.

Building Official: Maged Soliman
Maged Soliman

Date: 03/14/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00109
Site Address: 11250 MAPLE AVE, BLOOMINGTON, CA 92316

Issuance Date: 04/12/2024
Expiration Date: 4/12/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:
Demolish 1,896 Sq Ft Building Return to Vacant

Building Official: Maged Soliman

Maged Soliman

Date: 04/12/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:
Permit No. DEMO-2024-00137
Site Address: 11146 MAPLE AVE, BLOOMINGTON, CA 92316

Issuance Date: 05/13/2024
Expiration Date: 5/13/2025

Owner:
BLOOMINGTON BP 1 LLC
2244 N PACIFIC ST
ORANGE, CA 92865

Contractor:
- Contractor License: 1038782
NK Demolition
1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:
2,175 SF Demolition. Complete site clear

Building Official: Maged Soliman

Maged Soliman

Date: 05/13/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00141

Site Address: 11041 LAUREL AVE, BLOOMINGTON, CA 92316

Issuance Date: 05/21/2024

Expiration Date: 5/21/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Complete House Demolition at 1178

Building Official: Maged Soliman

Maged Soliman

Date: 05/21/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00171

Site Address: 17991 SANTA ANA AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/13/2024

Expiration Date: 6/13/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Demo. Full site clear 2,880 SQ FT of demo

Building Official: Maged Soliman

Maged Soliman

Date: 06/13/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00172

Site Address: 10909 LAUREL AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/13/2024

Expiration Date: 6/13/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Demo, Full site clear 1,786 SQ FT

Building Official: Maged Soliman

Maged Soliman

Date: 06/13/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00173

Site Address: 10939 LAUREL AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/13/2024

Expiration Date: 6/13/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Demolish Structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 06/13/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00174

Site Address: 18023 SANTA ANA AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/13/2024

Expiration Date: 6/13/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Demolish structures return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 06/13/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00175

Site Address: 10934 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/13/2024

Expiration Date: 6/13/2025

Owner:

BLOOMINGTON BP HOLDINGS 2 LLC

2744 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Demolish all structures. Return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 06/13/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00176

Site Address: 11052 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/13/2024

Expiration Date: 6/13/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Demo, Full site clear

Building Official: Maged Soliman

Maged Soliman

Date: 06/13/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00177

Site Address: 10932 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/13/2024

Expiration Date: 6/13/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Full site clear. Return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 06/13/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00178

Site Address: 11094 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/20/2024

Expiration Date: 6/20/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Full site clear. Return to vacant.

Building Official: Maged Soliman

Maged Soliman

Date: 06/20/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00180

Site Address: 11022 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/20/2024

Expiration Date: 6/20/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Full Site Clear. Return to vacant.

Building Official: Maged Soliman

Maged Soliman

Date: 06/20/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00183

Site Address: 18077 SANTA ANA AVE, BLOOMINGTON, CA 92316

Issuance Date: 08/26/2024

Expiration Date: 8/26/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Full site clear. Return to vacant

Building Official: Maged Soliman

Maged Soliman

Date: 08/26/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00184

Site Address: 11079 LAUREL AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/20/2024

Expiration Date: 6/20/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Full site clear. Return to vacant | demo two existing structures, one at 714 sq ft, the other at 2,044 sq ft | total of 2,758 sq ft.

Building Official: Maged Soliman

Maged Soliman

Date: 06/20/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00185

Site Address: 10984 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/20/2024

Expiration Date: 6/20/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Full site clear. Return to vacant | 1701 sq ft house to be demolished

Building Official: Maged Soliman

Maged Soliman

Date: 06/20/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00186

Site Address: 11104 LOCUST AVE, BLOOMINGTON, CA 92316

Issuance Date: 06/20/2024

Expiration Date: 6/20/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Full site clear. Return to vacant | house: 927 sq ft | garage: 560 sq ft | total: 1487 sq ft

Building Official: Maged Soliman

Maged Soliman

Date: 06/20/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00200

Site Address: 18035 SANTA ANA AVE, BLOOMINGTON, CA

Issuance Date: 07/12/2024

Expiration Date: 7/12/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Full site clear. Return to vacant. Demolish a 624 sq. ft. house

Building Official: Maged Soliman

Maged Soliman

Date: 07/12/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00201

Site Address: 10969 LAUREL AVE, BLOOMINGTON, CA

Issuance Date: 07/17/2024

Expiration Date: 7/17/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Full Site Clear. Demo 1,360 sq. ft. house

Building Official: Maged Soliman

Maged Soliman

Date: 07/17/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

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SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00223

Site Address: 10989 LAUREL AVE, BLOOMINGTON, CA 92316

Issuance Date: 08/16/2024

Expiration Date: 8/16/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Demolition to include: 1,200 square foot single family residence and 380 square foot detached garage

Building Official: Maged Soliman

Maged Soliman

Date: 08/16/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

SAN BERNARDINO COUNTY | LAND USE SERVICES

DEMOLITION PERMIT

Permit Information:

Permit No. DEMO-2024-00235

Site Address: 11009 LAUREL AVE, BLOOMINGTON, CA 92316

Issuance Date: 08/27/2024

Expiration Date: 8/27/2025

Owner:

BLOOMINGTON BP 2 LLC

2244 N PACIFIC ST

ORANGE, CA 92865

Contractor:

- Contractor License: 1038782

NK Demolition

1375 W Rialto Ave., San Bernardino, CA 92410

Description of Work:

Residential Demolition to include: 1,777 sq ft house and 350 sq ft detached garage. Return to vacant.

Building Official: Maged Soliman

Maged Soliman

Date: 08/27/2024

Expiration and Refund Notice: Applications for which no permit is issued within 365 days from the date of application shall expire. Permits shall expire if work does not commence within 365 days of issuance of such permit or if the suspended or abandoned for a period of 365 days. Fees paid are not refundable after (1) year from the date of payment. All fees paid may not be refundable.

Response to Comment Letter O2: Western Center on Law and Poverty (174 pages)

Comment O2.1: This comment states that the letter is submitted by the Western Center on Law and Poverty and gives a description of the organization. This comment states that the proposed Project would lead to displacement of a socioeconomically disadvantaged community that has already experienced an increase in industrial development.

Response to Comment O2.1: The comment is introductory in nature and does not raise a specific issue with the adequacy of the Recirculated Draft EIR nor does it provide evidence of additional significant impacts from the Project. As discussed throughout the response below and in Master Response 1, CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360 Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project.. Socioeconomic issues unrelated to an environmental impact are not within the purview of CEQA. (CEQA Guidelines Sections 15064(e); 15131(a))

Comment O2.2: This comment states that the commenter has serious concerns with the Project as proposed and states that the County has again failed to address issues raised in the Western Center on Law & Poverty's previous comment letter. This comment states that the proposed Project would violate the Fair Employment and Housing Act (FEHA) as it would result in the displacement of a disproportionately Latino community, which has already been burdened socioeconomically. The comment suggests other feasible alternatives such as a mixed-use or commercial development, or a reduced planning area to minimize displacement with enhanced mitigation to protect residents. The comment states that there could also be guaranteed replacement housing and relocation assistants.

Response to Comment O2.2: Compliance with FEHA is outside the scope of CEQA review and the Recirculated Draft EIR. As discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). The Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project.. The Project's social and economic merits are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Section 5.13, *Population and Housing*, of the Original Draft EIR, incorporated in Volume 2 of the Recirculated Draft EIR, includes an analysis of the Project's potentially significant physical impacts on the environment related to housing displacement, which entails physical impacts resulting from the need for construction of new housing. Due to the existing housing stock available for rent and purchase within the surrounding communities, the Original Draft EIR accurately concluded that there would be no physical environmental impacts related to the displacement of housing (Original Draft EIR pages 5.13-9 to 5.13-10). In compliance with SB 330, the Project would offset the loss of residential capacity through the Upzone site, which would allow for future development of up to 480 multi-family units, thereby providing additional housing capacity near the Project area. Accordingly, sufficient replacement housing would be available, and it was determined that displacement impacts would be less than significant. As discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including impacts related to population and housing) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will

be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Regarding the Project proposing less discriminatory alternatives, CEQA Guidelines Section 15126.6(b) emphasizes that the selection of project alternatives be based primarily on the ability to reduce impacts relative to the proposed project. CEQA does not require an EIR to analyze alternatives on the basis of socioeconomic changes. The Project Alternatives are discussed in Section 7.0, *Alternatives*, of the Recirculated Draft EIR. As shown in Table 7-3, *Impact Comparison of the Proposed Project and Alternatives*, on page 7-25 of the Recirculated Draft EIR, all three alternatives would reduce impacts to environmental topics analyzed in the EIR when compared to the proposed Project. Alternative 1: No Project/No Development would reduce impacts to 16 of the 17 environmental topics, Alternative 2: No Project / Buildout of Existing Zoning would reduce impacts to 13 of the 17 environmental topics, and Alternative 3: Reduced Project Alternative would reduce impacts to 15 of the 17 environmental topics. In addition, Alternative 1 would not require mitigation and Alternatives 2 and 3 would require fewer mitigation measures than the proposed Project. None of the Alternatives would result in significant and unavoidable impacts related to air quality.

Regarding a mixed-use alternative, introducing commercial uses to the Project site would result in increased impacts due to the increased vehicle trips associated with commercial retail uses. For example, if the Recirculated Draft EIR were to consider an alternative for development of only Building 1 (383,000 SF warehouse) with 400,000 SF of commercial retail uses and 400 dwelling units, approximately 17,855 trips would occur from such an alternative. These trips would be approximately 2.7 times the amount of trips that would occur under the Project (6,626 daily trips), which would substantially increase air quality emissions, greenhouse gas emissions, and noise. As a mixed-use alternative has the potential for additional significant impacts, it would not be a feasible alternative under CEQA. The comment does not provide substantial evidence of the inadequacy of the Alternatives analysis and therefore, no further response is required or provided.

Comment O2.3: This comment states that the Project is in violation of SB 330 as it does not concurrently contemplate the number of replacement housing units or identify a site where replacement housing units would be built. The comment also states that approval of the Project would violate the County's duty to affirmatively further fair housing under Government Code Section 8890.50, and that the County did not adequately analyze and mitigate the Project's environmental impacts under CEQA. It requests the County revise the Recirculated Draft EIR to fully disclose significant impacts and adopt all feasible mitigation measures.

Response to Comment O2.3: Compliance with SB 330 and Government Code Section 8890.50 is outside the scope of CEQA review. As discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Concerns outside those areas (such as fair housing) are not further addressed in this document although they will be taken into consideration by County's decision makers in determining what action to take on the proposed Project. In addition, as discussed throughout the Original Draft EIR and Original Final EIR, the Upzone Site is anticipated to be developed with housing at up to 480 units, which meets the County's obligations under the Housing Crisis Act as it would not result in a net loss in housing capacity (Original Draft EIR page 5.13-9). As discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including population and housing) not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. Regarding the statement that the Recirculated Draft EIR should be revised to disclose

all significant impacts and adopt all feasible mitigation measures, the comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment O2.4: This comment states that the Recirculated Draft EIR fails to analyze the demographic and environmental context of the surrounding community as a majority-Latino, low-income, and linguistically isolated community which already experiences pollution burdens.

Response to Comment O2.4: As discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Concerns outside those areas are not further addressed in this document although they will be taken into consideration by County's decision makers in determining what action to take on the proposed Project. The Project's potential environmental justice effects, including potential effects on vulnerable communities, are social issues that are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)).

Regarding pollution burdens, impacts related to air quality and pollution are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant.

The Original Draft EIR includes an analysis of the Project's potentially significant physical impacts on the environment related to housing displacement, which entails physical impacts resulting from the need for construction of new housing, and does not include a discussion of the social aspects of housing displacement. Due to the existing housing stock available for rent and purchase within the surrounding communities, the Original Draft EIR accurately concluded that there would be no physical environmental impacts related to the displacement of housing. As discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including impacts related to population and housing) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment O2.5: This comment states that the community of Bloomington has shifted into a predominately Latino community which has coincided with the increased siting of industrial uses within the community. The comment further states that the residents within Bloomington experience disproportionately high rates of poverty, lower educational attainment, as well as being a linguistically-isolated community, which results in heightened vulnerability to environmental harms and displacement which Recirculated Draft EIR overlooks.

Response to Comment O2.5: While the Recirculated Draft EIR acknowledges that the Project site is located within an Environmental Justice Focus Area, as further discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Moreover, CEQA also requires a project evaluate its impacts in relation to changes in an area's population, housing needs and coverage under adequate public services. The Recirculated Draft EIR is focused on the areas that were determined to be inadequate by the San Bernardino Superior Court September 2024 Ruling, specifically impacts related to air quality, energy, greenhouse gas, noise, and alternatives. Concerns outside those areas are not further addressed in this document although they were fully analyzed in the Original Draft EIR and will be taken

into consideration by County's decision makers in determining what action to take on the proposed Project. The Project's potential environmental justice effects and fair housing concerns are social issues that are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)).

Comment O2.6: This comment states that Bloomington is already exposed to disproportionate pollution burdens due to the industrial development in the area and associated truck trips. The comment further states that these pollutants can cause or worsen asthma, cardiovascular disease, and premature mortality, and that Bloomington residents experience higher rates of certain health issues.

Response to Comment O2.6: The existing air quality in the Project area is described in Recirculated Draft EIR Section 5.3, *Air Quality*. Table 5.3-2 provides data from the closest air quality monitoring stations to the Project site. Data from the air quality monitoring stations indicates that the $PM_{2.5}$ federal standard had one exceedance in 2020, two exceedances in 2021, one exceedance in 2022, and no exceedance in 2023. While the Project vicinity has experienced exceedances of State and federal standards, the thresholds set forth by the SCAQMD are intended to be health protective and are based on Clean Air Act standards and recommendations by the EPA. Although there has been an increase in development in the South Coast Air Basin, emissions concentrations have declined, and air quality has generally improved at the basin-wide level over the last 30 years largely due to cleaner air vehicles and fuel requirements (with the recognition of localized exceedances) (Original Draft EIR Appendix C1). Impacts related to toxic air contaminants and health risks are discussed under Impact AQ-3 of Section 5.3, *Air Quality* in the Recirculated Draft EIR on pages 5.3-56 through 5.3-66. Based on existing SCAQMD recommendations for Mobile Source Health Risk Assessments, the combined construction and operational impacts of the proposed Project at the maximally impacted residential receptor is estimated to be 4.91 in one million, which is less than the SCAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be less than 0.01, which would not exceed the applicable SCAQMD significance threshold of 1.0. As such, the proposed Project would result in emissions that are far below existing SCAQMD significance thresholds. Therefore, the proposed Project's potential impacts on human health risks would not be cumulatively considerable and would be less than significant.

CalEnviroScreen is a general policy tool. It is generally inappropriate for CEQA review as it looks at general environmental and socioeconomic conditions, but not physical impacts associated with projects. However, the Recirculated Draft EIR provides a detailed evaluation of the potential cumulative air quality related impacts of the proposed Project upon the surrounding community (localized impacts) pursuant to SCAQMD methodology and thresholds, which is appropriate due to the Project's location within the South Coast Air Basin. The Original Draft EIR also provided a detailed evaluation of the potential cumulative water supply, water quality, hazardous waste, and solid waste impacts of the proposed Project. As discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including water supply, water quality, hazardous waste, solid waste impacts, and transportation-related impacts) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Further, DPM emissions from heavy-duty trucks (HDTs or "trucks") and TRUs have reduced significantly over the last 15 years with the implementation of federal and state regulations such as United States Environmental Protection Agency's (USEPA) Emission Standards for Heavy-Duty Highway Engines and Vehicles, CARB's Truck and Bus Regulation, and CARB's Airborne Toxic Control Measure for TRUs. "…[D]iesel PM is the largest contributor to overall air toxics cancer risk. However, the average levels of diesel PM in MATES V are 53% lower at the 10 monitoring sites compared to MATES IV and 86% lower since MATES II based on monitored data. Based on other South Coast AQMD analyses of projected diesel PM emissions in future years, significant decreases in diesel PM health impacts are expected within the next 5-10 years.

These reductions reflect recent and continued efforts by the District, CARB and US EPA that reduce diesel PM emissions, especially from mobile sources" (MATES Report at ES-6).

In addition, SCAQMD also has adopted a Warehouse Indirect Source Rule (ISR). The Warehouse ISR is designed to reduce emissions from day-to-day warehouse operations, including trucks transporting goods to and from warehouses. This rule applies to owners and operators of warehouses with at least 100,000 square feet of indoor floor space in a single building. Warehouse operators are required to earn a certain number of points for actions and investments in clean technologies annually (called WAIRE points) depending on the number of trucks visiting their facility. Examples of actions and investments that can generate WAIRE points under this rule include acquisition and use of near-zero-emission (NZE) and ZE trucks, acquisition and use of ZE yard tractors, acquisition and use of ZE fueling infrastructure for on-road vehicles, and acquisition and use of solar panels for on-site electricity generation. South Coast AQMD estimates that this rule will result in NOx and DPM reductions of 0 to 5.1 tons per day (tpd) and 0 to 0.012 tpd, respectively, in 2023. By 2031 the NOx and DPM reductions are expected to increase to 0 to 20.3 tpd and 0 to 0.025 tpd, respectively.

Comment O2.7: This comment states that Bloomington contains 30 percent of the warehouse and logistics projects approved in the County, leading to thousands of heavy-duty truck trips and emissions concentrated in residential neighborhoods near schools. The comment additionally sates that the County's approval of warehouses reinforces racial segregation, inequities in exposure to environmental harms, and is contrary to the mandates of SB 1000 the County's duty to affirmatively further fair housing. The comment further states that the Recirculated Draft EIR fails to adequately analyze cumulative impacts concerning the Bloomington community, leading to a lack of understanding of the potential health risks and housing inequalities.

Response to Comment O2.7: Please refer to Response to Comment O2.5, above with regard to socioeconomic and environmental justice issues. As further discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project. t.

Regarding the Project exposing nearby communities to elevated levels of pollution, the Original Draft EIR and Recirculated Draft EIR include a cumulative air quality analysis following South Coast Air Quality Management District's (SCAQMD) guidance. SCAQMD guidance is generally summarized in the Recirculated Draft EIR on page 5.3-31. To respond more specifically to the comment on cumulative impacts, as discussed in more detail the SCAQMD's *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, SCAQMD uses the same significance thresholds for project-specific and cumulative impacts for all environmental topics analyzed in a CEQA document. As such, project emissions that exceed the project-specific significance thresholds are also considered by the SCAQMD to be cumulatively considerable. This is the document and methodology that is currently published for use and reference on the SCAQMD's website (https://www.aqmd.gov/docs/default-source/agendas/environmental-justice/cumulative-impacts-working-group/cumulative-impacts-white-paper.pdf?sfvrsn=69761d61_2). As discussed under Impact AQ-2 in the Recirculated Draft EIR on pages 5.3-7 through 5.3-48, emissions from operation of the Project would exceed SCAQMD's thresholds for VOC and NOx after implementation of regulatory requirements and mitigation measures. A majority of operational-source NOx emissions (by weight) would be generated by Project vehicles, and the VOC emissions would be generated by consumer products such as paints that are outside the control of both the Project applicant and the County. Therefore, the Recirculated Draft EIR properly discloses that operational source VOC and NOx emissions would be significant on a Project-level and a cumulative basis. In regard to air quality impacts to sensitive receptors, as discussed under Impact AQ-3 in the Recirculated Draft EIR on pages 5.3-49 through 5.3-66, the Project would not result in significant direct or cumulative impacts related to exposure of sensitive receptors to substantial pollutant concentrations with implementation of mitigation.

Furthermore, as discussed in Master Response 2, the Recirculated Draft EIR analysis focused on the areas that were determined to be inadequate by the San Bernardino Superior Court September 2024 Ruling, specifically impacts related to air quality, energy, greenhouse gas, noise, and alternatives. Therefore, concerns outside those areas are not further addressed in this document although they were fully analyzed in the Original Draft EIR and will be taken into consideration by the County decision makers in evaluating what action to take on this Project.

Comment O2.8: This comment states that approval of the Project would lead to displacement of Bloomington residents, increases in air pollution and noise, and unsafe conditions for residents. These impacts would fall disproportionately on Latino residents, are not meaningfully analyzed, and the County failed to adopt available less discriminatory alternatives in violation of FEHA. The comment states that the document fails to meaningfully analyze or adopt less discriminatory alternatives.

Response to Comment O2.8: Please refer to Response to Comment O.2.2 and O2.5, above with regard to FEHA, socioeconomic and environmental justice issues. As discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project.. Impacts related to air quality and pollution are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant. Noise related impacts are analyzed in Section 5.12, *Noise*, on pages 5.12-27 through 5.12-59, which determined that impacts related to construction noise would be less than significant with mitigation and impacts related to operational noise would be less than significant. Regarding the Project proposing less discriminatory alternatives, CEQA Guidelines Section 15126.6(b) emphasizes that the selection of project alternatives be based primarily on the ability to reduce impacts relative to the proposed project. CEQA does not require an EIR to analyze alternatives on the basis of socioeconomic changes. The Project Alternatives are discussed in Section 7.0, *Alternatives*, of the Recirculated Draft EIR. Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment O2.9: This comment states that the Recirculated Draft EIR fails to discuss the number of residents displaced by the proposed Project and the potential impacts down the road resulting from relocation. The comment states that the Recirculated Draft EIR's conclusion on displacement of housing is in conflict with the requirements of CEQA, and notes that demolition permits have already been issued. The comment further states the Recirculated Draft EIR fails to evaluate key factors such as affected households, housing replacement options, loss of community ties, and potential increases in travel and environmental burdens from relocation. Specifically, the comment states the Recirculated Draft EIR fails to provide certain demographic information on residents who might be displaced, and failure to provide a renter-specific analysis is a critical flaw.

Response to Comment O2.9: Please refer to Response to Comment O2.5, above, with regard to socioeconomic and environmental justice issues. As discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas (including environmental justice and fair housing) are not further addressed in this document although they

will be taken into consideration by the County decision makers in evaluating what action to take on this Project.. As discussed in Response to Comment O2.2, in compliance with SB 330, the Project would offset the loss of residential capacity through the Upzone site, which would allow for future development of up to 480 multi-family units, thereby providing additional housing capacity near the Project area. Accordingly, sufficient replacement housing would be available, and it was determined in the Original Draft EIR that displacement impacts would be less than significant. Due to the existing housing stock available for rent and purchase within the surrounding communities, the Original Draft EIR accurately concluded that there would be no physical environmental impacts related to the displacement of housing (Original Draft EIR pages 5.13-9 to 5.13-10). Furthermore, as discussed in Master Response 2, the Recirculated Draft EIR analysis focused on the areas that were determined to be inadequate by the San Bernardino Superior Court September 2024 Ruling, specifically impacts related to air quality, energy, greenhouse gas, noise, and alternatives. Therefore, concerns outside those areas (including population and housing impacts) are not further addressed in this document although they were fully analyzed in the Original Draft EIR and will be taken into consideration by the County decision makers in evaluating what action to take on this Project. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment O2.10: This comment states that the proposed Project fails to guarantee replacement housing for the homes being demolished, and that the proposed Upzone Site is not guaranteed affordable replacement housing. The comment further states that nearby residences would also be displaced as they would lose their ability to use and improve their homes due to the industrial development nearby, and states these homes would become legal nonconforming uses, which could limit financing, renovations, resale value, and continued property uses and is not analyzed in the Recirculated Draft EIR. The comment concludes in stating these impacts would disproportionally affect Latino residents in violation of FEHA, and that the Recirculated Draft EIR does not contain any analysis or mitigation of these impacts.

Response to Comment O2.10: Please refer to Response to Comment O.2.2 and O2.5, above, with regard to FEHA, socioeconomic and environmental justice issues. As further discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project As discussed in the Original Draft EIR and Original Final EIR, there are 117 existing residential units that could be displaced from the Specific Plan Area, including 78 dwelling units in Planning Area A and 39 dwellings in Planning Area B, as a result of the Project. However, sufficient replacement housing was identified within the community of Bloomington and adjoining cities. Additionally, in compliance to SB 330, the Project would offset the loss of zoned residential capacity by upzoning another site (Original Draft EIR page 5.13-9). Potential environmental impacts that could result from the upzoning of the Upzone Site were evaluated as part of the Project and are independently discussed under each environmental topic section of the Original or Recirculated Draft EIR. Nonconforming residential uses, due to Project rezoning, would be allowed to remain onsite following Project completion and would not necessitate the construction of replacement housing elsewhere. The Upzone Site would result in an increase in housing availability and would not necessitate the construction of replacement housing elsewhere. Therefore, environmental impacts related to construction of replacement housing elsewhere would be considered less than significant. As further discussed in Master Response 2, the Recirculated Draft EIR analysis focused on the areas that were determined to be inadequate by the San Bernardino Superior Court September 2024 Ruling, specifically impacts related to air quality, energy, greenhouse gas, noise, and alternatives. Therefore, concerns outside those areas (including population and housing impacts) are not further addressed in this document although they were fully analyzed in the Original Draft EIR and will be taken into consideration by County decision makers in evaluating what action to take on this Project

Comment O2.11: This comment states that the Recirculated Draft EIR confirms that construction and operation of the Project will generate significant air quality, health risk, and noise impacts. The comment further states that emissions will exceed SCAQMD thresholds for NOx and VOC, and result in harmful concentrations of diesel particulate matter and other pollutants. This comment states that the proposed Project would expose sensitive receptors (including schools) to elevated levels of pollution and that the Recirculated Draft EIR fails to analyze compliance with CARB's 1,000-foot buffer recommendation for warehouses near sensitive receptors. The comment states the conclusion that impacts to sensitive receptors will be less than significant lacks evidentiary support. The comment further states that the increased noise and truck traffic will result in health impacts to the community and exacerbate the discriminatory disparate impact in an overwhelmingly Latino community, which is in violation of FEHA.

Response to Comment O2.11: Regarding the Project exposing nearby communities to elevated levels of pollution, as discussed under Impact AQ-2 in the Recirculated Draft EIR on pages 5.3-7 through 5.3-48, emissions from operation of the Project would exceed SCAQMD's thresholds for VOC and NOx after implementation of regulatory requirements and mitigation measures. A majority of operational-source NOx emissions (by weight) would be generated by Project vehicles, and the VOC emissions would be generated by consumer products that are outside the control of both the Project and the County. Therefore, the Recirculated Draft EIR properly discloses that operational source VOC and NOx emissions would be significant on a Project-level and a cumulative basis. In regard to air quality impacts to sensitive receptors, as discussed under Impact AQ-3 in the Recirculated Draft EIR on pages 5.3-49 through 5.3-66, the Project would not result in significant impacts related to exposure of sensitive receptors to substantial pollutant concentrations with implementation of mitigation.

. Impacts related to toxic air contaminants and health risks are discussed under Impact AQ-3 of Section 5.3, *Air Quality* in the Recirculated Draft EIR on pages 5.3-56 through 5.3-66. Based on existing SCAQMD recommendations for Mobile Source Health Risk Assessments, the combined construction and operational impacts of the proposed Project at the maximally impacted residential receptor is estimated to be 4.91 in one million, which is less than the SCAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be less than 0.01, which would not exceed the applicable SCAQMD significance threshold of 1.0. As such, the proposed Project would result in emissions that are below existing SCAQMD significance thresholds. Therefore, the proposed Project's potential impacts on human health risks would not be cumulatively considerable and would be less than significant.

With regard to impacts to schools, as stated on Recirculated Draft EIR page 5.3-57, Walter Zimmerman Elementary School was identified as the school-site receptor with the greatest potential exposure to Project-construction-source DPM emissions. The resulting health risk would be well below established thresholds. Therefore, any other schools near the Project site would be exposed to fewer construction emissions than what is disclosed for Walter Zimmerman Elementary. The proposed Project's operational impacts to schools are discussed at Recirculated Draft EIR pages 5.3-65 to 5.3-66. Bloomington High School is the school-site receptor with the greatest potential exposure to operational DPM emissions. Resulting health risks would be below established thresholds under all operational scenarios. Therefore, any other schools near the Project site would be exposed to fewer operational emissions than what is disclosed for Bloomington High School.

Impacts related to noise are discussed in Section 5.12, Noise, on pages 5.12-27 through 5.12-59 of the Recirculated Draft EIR. Due to the Project's proximity to sensitive receptors, including Walter Zimmerman Elementary School, identified as sensitive receptor location OYD2-R6, and Bloomington High School, identified as sensitive receptor location SP-R3, construction and operational noise impacts were analyzed under Impact NOI-1. As shown in Table 5.12-13, Unmitigated Peak Hour Construction Noise Level Increases, on Page 5.12-41, unmitigated construction noise could result in potentially significant impacts at OYD2-R6, while impacts at SP-R3, would be less than significant. As such, the Project would implement Mitigation Measures NOI-1 through NOI-7, including installation of temporary sound walls, use of mufflers, placement

and staging of stationary equipment away from sensitive receptors, restrictions on equipment and material delivery times pursuant to County Development Code Section 83.01.080(g)(3), use of electrically powered tools where feasible, and prohibition of music or speakers during construction. As shown on Table 5.12-14, Mitigated Peak Hour Construction Noise Level Increases, on Page 5.12-42, with implementation of Mitigation Measures NOI-1 through NOI-7, temporary construction-related noise increases at all sensitive receptors would be reduced to less-than-significant levels. Therefore, construction noise impacts would be less than significant with mitigation incorporated.

Furthermore, operational noise impacts were evaluated for Opening Year - Option 2 and the Future Development Area Specific Plan buildout scenarios, as Opening Year - Option 1 would not include development adjacent to the OYD2-R6 and SP-R3 sensitive receptors. As shown in Table 5.12-20, Opening Year – Option 2 Operational Noise Level Compliance, on page 5.12-51, and Table 5.12-23, Future Development Area - Specific Plan Buildout Operational Noise Level Compliance, on page 5.12-52, operational noise levels at all sensitive receptors, including OYD2-R6 and SP-R3, would not exceed the County's exterior noise standards, as adjusted for existing ambient noise levels. Therefore, construction and operation of the Project under the applicable analyzed scenarios would result in less-than-significant noise impacts.

Regarding CARB's Land Use Guidance, the 1,000-foot setback recommendation is included as a recommendation and not a universal requirement in the Attorney General's September 2022 *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* Memorandum which provides recommendations for warehouse development. Since the Project as proposed would not result in any significant impact on human health risk, adherence to CARB's Land Use Guidance recommendation of a 1,000-foot buffer between distribution centers and schools and parks is not warranted or required. Further, the buffer distance has been evaluated in a study that used CARB's own methodology, and but replaced the inputs with current data that incorporates federal and state regulations that have led to significantly lower-emitting trucks.[9] The study concluded that, even with the latest risk assessment methodology, CARB's 2005 Land Use Handbook analysis of 1,000 feet for sensitive receptors located in the vicinity of warehouses is now overly conservative. The updated analysis demonstrates that CARB's recommended inclusion of buffers could be significantly reduced or eliminated. "Potential cancer risk estimates in 2023 are below the 100 in a million level used by CARB to establish the original minimal siting guidance of 1,000 feet except at distances very close to the site boundary (<79 feet for HDTs with TRUs)."[10]

Regarding FEHA, please see response to comment O.2.2.

Comment O2.12: This comment states that the Recirculated Draft EIR failed to analyze impacts on pedestrian and multimodal safety or compliance with AB 1358. The comment states the County failed to meet the requirements of state planning mandates. The comment states these disproportionately impacts Latino families who walk throughout the community and creates FEHA liability.

Response to Comment O2.12: The Recirculated Draft EIR analysis focused on the areas that were determined to be inadequate by the San Bernardino Superior Court September 2024 Ruling, specifically impacts related to air quality, energy, greenhouse gas, noise, and alternatives. Therefore, concerns outside those areas (including pedestrian safety, bicycle safety, transit access, or compliance with AB 1538) are not

[9] Ramboll. *Evaluating Siting Distances for New Sensitive Receptors Near Warehouses*. Page ES-3. Accessed from: https://naiopie.org/wp-content/uploads/2023/03/NAIOP-IE-Warehouse-Siting-Evaluation-Final-Rpt-04092021.pdf

[10] Ramboll. *Evaluating Siting Distances for New Sensitive Receptors Near Warehouses*. Page ES-3. Accessed from: https://naiopie.org/wp-content/uploads/2023/03/NAIOP-IE-Warehouse-Siting-Evaluation-Final-Rpt-04092021.pdf

further addressed in this document although they were fully analyzed in the Original Draft EIR and will be taken into consideration by County decision makers in evaluating what action to take on this Project.

As discussed in Master Response 2, the Recirculated Draft EIR analysis focused on the areas that were determined to be inadequate by the San Bernardino Superior Court September 2024 Ruling, specifically impacts related to air quality, energy, greenhouse gas, noise, and alternatives. Therefore, concerns outside those areas (including pedestrian safety and traffic concerns) are not further addressed in this document although they were fully analyzed in the Original Draft EIR and will be taken into consideration by County decision makers in evaluating what action to take on this Project. Regarding FEHA, please see response to comment O.2.2.

Comment O2.13: This comment provides alternatives which would result in a less discriminatory development including reducing the area to avoid displacement, guaranteeing replacement housing, proposing a mixed use development, requiring a 1,000 foot buffer between warehouses and residents, and adopting air quality mitigation and truck route restrictions. The comment also states the Project could be sited elsewhere in the County. The comment states FEHA requires denial or modification of the project to adopt these alternatives.

Response to Comment O2.13: Project Alternatives are discussed in Section 7.0, *Alternatives*, of the Recirculated Draft EIR. As shown in Table 7-3, *Impact Comparison of the Proposed Project and Alternatives*, on page 7-25 of the Recirculated Draft EIR, all three alternatives would reduce impacts to environmental topics analyzed in the EIR when compared to the proposed Project. Alternative 1: No Project/No Development would reduce impacts to 16 of the 17 environmental topics, Alternative 2: No Project / Buildout of Existing Zoning would reduce impacts to 13 of the 17 environmental topics, and Alternative 3: Reduced Project Alternative would reduce impacts to 15 of the 17 environmental topics. In addition, Alternative 1 would not require mitigation and Alternatives 2 and 3 would require fewer mitigation measures than the proposed Project. None of the Alternatives would result in significant and unavoidable impacts related to air quality.

As discussed on page 7-24 of the Recirculated Draft EIR, CEQA requires identification of the "environmentally superior alternative" when significant environmental impacts result from a proposed project. As such, the Environmentally Superior Alternative for the proposed Project would be Alternative 1 as it would result in lessened impacts to 16 of the 17 environmental topics, would avoid the significant and unavoidable Project impacts to air quality, and would not require the implementation of mitigation measures. However, per CEQA Guidelines Section 15126.6(3)(1), if the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. Accordingly, the Environmentally Superior Alternative among the other alternatives would be Alternative 3, which would result in lessened impacts to 15 of the 17 environmental topics analyzed in the EIR, would avoid the significant and unavoidable Project impacts to air quality, and would require implementation of fewer mitigation measures than the proposed Project. CEQA does not require the Lead Agency (the County of San Bernardino) to choose the environmentally superior alternative. Instead, CEQA requires the County to consider environmentally superior alternatives, weigh those considerations against the environmental impacts of the proposed Project, and make findings that the benefits of those considerations outweigh the harm. CEQA does not require the EIR to analyze every conceivable alternative, nor does it require that all alternatives meet all project objectives (*Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 576; CEQA Guidelines § 15126.6(c)). The Recirculated Draft EIR evaluates two No Project alternatives; Alternative 1 (No Project/No Development) and Alternative 2 (No Project/Buildout of Existing Zoning) which is consistent with CEQA Guidelines § 15126.6(e). The purpose of No Project alternatives is to provide a baseline comparison that illustrates the environmental consequences of not approving the Project, not necessarily to meet project objectives

Regarding housing, in compliance with SB 330, the Project would offset the loss of residential capacity through the Upzone site, which would allow for future development of up to 480 multi-family units, thereby

providing additional housing capacity near the Project area. Accordingly, sufficient replacement housing would be available, and it was determined that displacement impacts would be less than significant. Due to the existing housing stock available for rent and purchase within the surrounding communities, the Draft EIR accurately concluded that there would be no physical environmental impacts related to the displacement of housing (Original Draft EIR pages 5.13-9 to 5.13-10).

A design modification to increase setbacks between loading docks and sensitive receptors does not constitute a distinct alternative to the Project; rather, it is a potential site design consideration that may be addressed through mitigation measures, conditions of approval, or compliance with applicable law. As discussed above in Response to Comment O2.2, introducing commercial uses to the Project site would result in increased impacts due to the increased vehicle trips associated with commercial retail uses. The comment does not otherwise provide substantial evidence of the inadequacy of the Alternatives analysis and therefore, no further response is required or provided.

As discussed in Response to Comment O2.11, regarding CARB's Land Use Guidance, the 1,000-foot setback recommendation is included as a recommendation and not a universal requirement in the Attorney General's September 2022 *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* Memorandum. Since the Project as proposed would not result in any significant impact on human health risk, adherence to CARB's Land Use Guidance recommendation of a 1,000-foot buffer between distribution centers and schools and parks is not warranted or required.

Regarding FEHA, please see Response to Comment O.2.2. Regarding pedestrian safety, air quality mitigation, and truck route restrictions, the commenter is referred to Response to Comment O2.11.

Comment O2.14: This comment states that the Recirculated Draft EIR's analysis of the Project's compliance with the Housing Crisis Act of 2019 is flawed as it does not provide adequate analysis of the Upzone Site's ability to accommodate the loss of residential units. The comment further states that the legislation has changed regarding the demolition of protected units, and the analysis must be revised to address which units are to be demolished, which tenants will be displaced and entitled to relocation assistance, and the location of the replacement units.

Response to Comment O2.14: As discussed in the Original Draft EIR and Original Final EIR, there are 117 existing residential units that could be displaced from the Specific Plan Area, including 78 dwelling units in Planning Area A and 39 dwellings in Planning Area B, as a result of the Project (Original Draft EIR page 5.13-10). However, sufficient replacement housing was identified within the community of Bloomington and adjoining cities. Additionally, in compliance to SB 330, the Project would offset the loss of zoned residential capacity by upzoning another site. Potential environmental impacts that could result from the upzoning of the Upzone Site were evaluated as part of the Project and are independently discussed under each environmental topic section of the Original or Recirculated Draft EIR. Nonconforming residential uses, due to Project rezoning, would be allowed to remain onsite following Project completion and would not necessitate the construction of replacement housing elsewhere. The Upzone Site would result in an increase of housing availability and would not necessitate the construction of replacement housing elsewhere.

The Recirculated Draft EIR appropriately evaluates consistency with the Housing Crisis Act as it applies to the Project. The Project is governed by the version of the Housing Crisis Act in effect at the time the application was deemed complete, consistent with established vesting principles and Government Code sections 66300. Legislative changes cited by the commenter, including amendments to Government Code section 66300.6(b), do not apply to projects that were already in the entitlement process prior to the effective date of those amendments.

Comment O2.15: This comment states that the Recirculated Draft EIR does not analyze whether housing on the Upzone site is feasible and provides no information about how or if it may be developed in a manner

that would accommodate the displaced residents. The comment states this is not compliant with the requirements of the Housing Crisis Act's no net loss requirement.

Response to Comment O2.15: As discussed in Master Response 2, the Recirculated Draft EIR analysis focused on the areas that were determined to be inadequate by the San Bernardino Superior Court September 2024 Ruling, specifically impacts related to air quality, energy, greenhouse gas, noise, and alternatives. Therefore, concerns outside those areas (including housing-related concerns) are not further addressed in this document although they were fully analyzed in the Original Draft EIR and will be taken into consideration by the County decision makers in evaluating what action to take on this Project. As discussed throughout the Original Draft EIR, there are no physical or environmental barriers from the Upzone Site being developed with housing at up to 480 units (Original Draft EIR page 5.13-9). However, pursuant to SB 330, the County is only required to ensure that there would be no net loss in housing capacity within the County. Therefore, the Project is in compliance with the Housing Crisis Act as it would not result in a net loss in housing capacity. In compliance with SB 330, the Project would offset the loss of residential capacity through the Upzone site, which would allow for future development of up to 480 multi-family units, thereby providing additional housing capacity near the Project area. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment O2.16: This comment states that the Recirculated Draft EIR does not include analysis of the demolition that has taken place in the Specific Plan Area over the past five years. The comment states that replacement housing units are required to be built concurrently with the Specific Plan Area and the Project fails to comply with state law such as the Housing Crisis Act. The comment states the Recirculated Draft EIR therefore fails to analyze the full scope of the Project.

Response to Comment O2.16: As discussed above in Response to Comment O2.14, the Recirculated Draft EIR appropriately evaluates consistency with the Housing Crisis Act as it applies to the Project. Legislative changes cited by the commenter, including amendments to Government Code section 66300.6(b) which require development of replacement housing where units are demolished, do not apply to projects that were already in the entitlement process prior to the effective date of those amendments. Therefore, the Project is not required to develop replacement housing concurrent with the demolition of housing onsite and the Original Draft and Recirculated Draft EIRs analyze the full scope of the Project.

Comment O2.17: This comment states that the proposed Project would violate the County's duty under Government Code Section 8899.50 by approving a warehouse project that will displace Latino residents, worsen pollution, and erode neighborhood safety. The comment additionally states that the Project will further concentrate warehouses in Bloomington, limiting access to housing and deepening segregation in an overburdened population.

Response to comment O2.17: Please refer to Response to Comment O.2.3 and O2.5, above with regard to Government Code Section 8899.50, socioeconomic and environmental justice issues. As further discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas (including environmental justice and fair housing) are not further addressed in this document although they will be taken into consideration by County decision makers in evaluating what action to take on this Project.

Regarding the existing pollution burden, the existing air quality in the Project area is described in Recirculated Draft EIR Section 5.3, *Air Quality*. Table 5.3-2 provides data from the closest air quality monitoring stations to the Project site. Data from the air quality monitoring stations indicates that the $PM_{2.5}$ federal standard had one exceedance in 2020, two exceedances in 2021, one exceedance in 2022, and no exceedance in 2023. While the Project vicinity has experienced exceedances of State and federal standards, the thresholds set forth by the SCAQMD are intended to be health protective and are based on

Clean Air Act standards and recommendations by the EPA. Although there has been an increase in development in the South Coast Area Basin, emissions concentrations have declined, and air quality has generally improved at the basin-wide level over the last 30 years largely due to cleaner air vehicles and fuel requirements (with the recognition of localized exceedances) (Original Draft EIR Appendix C1). Nevertheless, Section 5.3 of the Recirculated Draft EIR properly discloses that regional air quality emissions would exceed SCAQMD thresholds for NOx and VOC, despite the implementation of all feasible mitigation.

Comment O2.18: This comment states that the proposed Project would result in environmental inequities in a community already overburdened by pollution, and will disproportionately affect Latino residents. The comment states the project will exceed pollution thresholds for NOx and VOC, place residential uses near to truck operations, increase traffic hazards, and concentrate industrial uses. The comment further states that the County fails to address housing disparities as no adequate relocation assistance, protections, or replacement housing is provided for the displaced residents. The comments states the County must modify the Project to address these concerns.

Response to Comment O2.18: Please refer to Response to Comment O.2.3 and O2.5, above with regard to Government Code Section 8899.50, socioeconomic and environmental justice issues. As discussed in Master Response 1,the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas (including environmental justice and fair housing) are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project. Furthermore, as discussed in Master Response 2, the Recirculated Draft EIR analysis focused on the areas that were determined to be inadequate by the San Bernardino Superior Court September 2024 Ruling, specifically impacts related to air quality, energy, greenhouse gas, noise, and alternatives. Therefore, concerns outside those areas (including population and housing impacts, transportation-related impacts and traffic hazards) are not further addressed in this document although they were fully analyzed in the Original Draft EIR and will be taken into consideration by County decision makers in evaluating what action to take on this Project.

Regarding concerns related to the Upzone Site, please refer to Response to Comment O2.2. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment O2.19: This comment states that based on the provided comment letter and those provided on the Recirculated Draft EIR, the Planning Commission should recommend the rejection of the EIR and the Specific Plan.

Response to Comment O2.19: The comment is conclusionary in nature and does not identify concerns with the adequacy of the Recirculated Draft EIR or raise any other CEQA issue. As substantiated by all the responses within this Chapter of the Final EIR, no significant new environmental impact would result from the Project or from a new mitigation measure proposed to be implemented. There is no substantial increase in the severity of an environmental impact, no feasible project alternative or mitigation measure considerably different from others previously analyzed that would lessen the environmental impacts of the proposed Project, and the Recirculated Draft EIR is not fundamentally inadequate and conclusory in nature.

Comment O2.20: This attachment includes the comment letter submitted by Western Center on Law & Poverty prior to the Board of Supervisors Hearing on November 15, 2022.

Response to Comment O2.20: This comment letter was responded to in its entirety as Response L6 prior to the Board of Supervisors Hearing on November 15, 2022, and has been supplemented by the responses contained above. No further response is warranted.

Comment O2.21: This attachment includes the Petition for Writ of Mandate for Case No. CIVSB2228456 from the Superior Court of California.

Response to Comment O2.21: This comment is included for supplementary informational purposes and does not provide substantial evidence of any environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Comment O2.22: This attachment includes the demolition permits issued by the County within the Specific Plan Area.

Response to Comment O2.22: This comment is included for supplementary informational purposes and does not provide substantial evidence of any environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR. Thus, no further response is warranted.

Comment Letter O3: Peoples Collective for Environmental Justice, et. al., December 11 2025

December 11, 2025

Via E-mail

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RE: Comments on Bloomington Business Park Specific Plan Draft Recirculated Environmental Impact Report (PROJ-2020-00204; SCH NO. 2020120545)

Dear Ms. Gibson Williams:

We respectfully submit the following comments to the Draft Recirculated Environmental Impact Report ("RDEIR") for the Bloomington Business Park Specific Plan ("BBPSP" or "Project") on behalf of the People's Collective For Environmental Justice ("PC4EJ"), Center for Community Action and Environmental Justice ("CCAEJ"), Center for Biological Diversity ("CBD"), and Sierra Club.

Since its inception, we have informed the County that the Project's proposal to re-zone residential land within a residential neighborhood—and near several schools, a church, and the only park space in South Bloomington—to accommodate large warehouse operations and other development lacks careful analysis of the implications on Bloomington's residents and its surrounding areas. Indeed, the San Bernardino County Superior Court in *People's Collective for Environmental Justice v. County of San Bernardino* (Case No. CIVSB2228456) ("the Ongoing Matter") found substantial flaws with the original Environmental Impact Report ("EIR") for the Project and specified that the County must revisit and revise its analysis in substantial ways in order to comply with the California Environmental Quality Act ("CEQA"). (RDEIR App. B, App. 1 ("Ruling").) O3.1

Unfortunately, the RDEIR continues to fail to comply with CEQA. We do not believe the County should proceed with the Project. To the extent the County insists on moving forward, the County cannot rely on the RDEIR as a form of environmental impact review for the purpose of Project approval and must prepare a new RDEIR to allow the public and decision-makers an opportunity for meaningful review of the Project's impacts.

Attached to these comments is a technical report by Dr. Ron Sahu ("Sahu Memo") that identifies flaws with this RDEIR.[1] Please include these comments as part of the record and as specific comments on the RDEIR.

[1] The Sahu Memo is attached to these comments as Exhibit A.

I. THE RDEIR CANNOT USE DECEPTION TO EVADE APPLICATION OF AB 98 AND SB 415.

Assembly Bill 98 (2024) and Senate Bill 415 (2025) go into effect on January 1, 2026. SB 415 exempts all projects approved prior to January 1, 2026, *and* exempts any relevant development "that was subject to a commenced local entitlement process prior to September 30, 2024." (Gov't Code § 65098.1.6(a)–(b).) These laws include some basic, albeit inadequate, setback requirements to protect communities from warehouse developments too close to sensitive sites.

While the County initially approved the Project on November 15, 2022, that approval was set aside by the trial court on September 17, 2024, pursuant to the Court's finding of CEQA violations. To date, the County has not approved new applications for the Project even though there is a new developer in charge of this Project. The new developer and applicant, IV5 Bloomington Gateway Distribution Center LLC ("Applicant"), appears to be solely owned by Brookfield Properties, a multinational real estate company. In fact, the RDEIR provides no mention that Howard Industrial Partners, the original applicant, transferred the deeds of ownership of much of the Specific Plan area land to the Applicant on December 27, 2024. While it appears that the Applicant has also, at least partially, taken on financial responsibilities for the Project applications, it did not do so until 2025.

This change of ownership is relevant because both CEQA and the California Government Code include definitions of "Project" which are defined as the "issuance to a person of a lease, permit, license, certificate, or other entitlement for use…." (Cal. Pub. Res. Code § 21065; Gov't Code § 65931.) Thus, state law contemplates a project involving entitlements that are issued to a *particular* person, meaning that the change of project ownership results in a different project not subject to the exemption in AB 98 and SB 415. Since this project will be approved after January 1, 2026, the County needs to ensure compliance with the provisions of AB 98 and SB 415. O3.2

Beyond these legal requirements, making sure this project complies with Assembly Bill 98 and Senate Bill 415 makes sense in that these laws were passed because of projects like this one, which build industrial warehouses unconscionably close to residences. In fact, the August 31, 2024, Floor Analysis in the California Assembly provided the following author rationale for why AB 98 was necessary:

> For more than a decade, the Legislature has heard outcries from communities where local governments have prioritized economic development over the quality of life and health of their communities. AB 98 is the product of months of discussion and collaborations from environmental advocates, leaders in industry, committed representatives from labor, and dedicated public health advocates to raise the standards of warehouse development. This bill requires warehouse operators and developers to build a better product, operate responsibly, and be good neighbors to the communities they set up shop in. AB 98 also requires local agencies to make responsible decisions that promote economic

development while maintaining or improving the quality of life for their constituencies.

Few projects involve residences so close to the proposed industrial use as this Project, which includes sensitive sites as close as 11 feet from the Project. (RDEIR at 5.3-22–30 [noting the myriad sensitive receptors near the project site].) To the extent the County incorrectly believes these laws do not apply to this Project, the environmental review needs to show analysis of compliance because the California Legislature and Governor have identified these setbacks and other requirements as a floor of basic decency for local government approvals of warehouses imposing on communities. Moreover, if the County refuses to comply with AB 98 and SB 415, the RDEIR must disclose that significant impacts exist because of the myriad sensitive sites within the buffers contemplated under these duly enacted laws. O3.2

II. THE RDEIR'S ALTERNATIVES ANALYSIS MUST BE REVISED.

The Project is a proposal for development of an industrial warehouse complex on 213 acres in the long-standing, unincorporated community of Bloomington. Land uses surrounding the Project site include existing residences on multiple sides, Bloomington High School and Zimmerman Elementary School to the immediate north of the site, and Kessler Park to the immediate south of the site. The Bloomington community has historically been rural or semi-rural: there have been large lot homes, estate-style lots, suburban lots, and equestrian keeping uses. Under the Project's proposed Specific Plan zoning, the entire site will be transformed from residential to industrial uses. Thus, the proposal represents a significant shift in land use patterns and environmental conditions in the area. The Project will forever change the character of the Bloomington community. Despite this fact, the RDEIR does not evaluate any alternatives to the Project that provide a mix or balance of uses. Rather, the RDEIR presents decisionmakers with a choice between retaining basically the status quo or developing a single industrial building. This "range" of alternatives is inadequate and the RDEIR's alternatives analysis should be revised. O3.3

Under the proposed new specific plan zoning, the site will be divided into Planning Area A and Planning Area B. Within the 141.4 acres of Planning Area A, Project development may proceed under either Opening Year – Option 1 or Opening Year – Option 2. Up to a maximum of 3,079,910 square feet ("sf") of industrial uses is allowable in Planning Area A (RDEIR, Table 1-1.) Within Planning Area B, the Specific Plan allows up to an additional 155,926 sf of industrial uses (*id.*). In total, the so-called Specific Plan Buildout Scenario allows up to 3,235,836 sf of "light industrial and business park uses such as e-commerce, light industrial and manufacturing uses, warehouses, business parks and trailer parking." (RDEIR at 1-5.) No part of the 213-acre site would be developed with residential, commercial, or professional uses. Despite the site's sensitive location and its current residential zoning designations, the Project consists solely of a proposal for industrial warehousing and trailer parking. By design, the Project will convert the area from low density residential housing to a field of 50–60-foot warehouses along with urban infrastructure such as lighting and roads. The warehouses will attract substantial truck traffic to the area, thereby intensifying the environmental changes presented by the Project.

A. The RDEIR's List of Project Objectives is Overly Narrow and Precludes the Consideration of Alternatives to the Project's Industrial Land Uses.

An EIR must consider alternatives to a proposed project subject to CEQA. It is the policy of the State to "[r]equire governmental agencies at all levels . . . to consider alternatives to proposed actions affecting the environment." (Cal. Pub. Res. Code § 21001 (g).) "The core of an EIR is the mitigation and alternatives sections." (*Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 554.) "The process of selecting alternatives to be included in the EIR begins with the establishment of project objectives by the lead agency." (*North Coast Rivers Alliance v. Kawamura* (2016) 243 Cal.App.4th 647, 667; *We Advocate Thorough Environmental Review v. County of Siskiyou* (2022) 78 Cal.App.5th 683, 691; Guidelines, § 15124 (b).) "A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings." (*North Coast*, 243 Cal.App.4th at 667.) As it is against the "project objectives" that alternatives are evaluated, the objectives should be flexible enough to accommodate alternatives that achieve a reduction of project impacts. (*Id.* at 666–67.) Where project objectives are written too narrowly, the meaningful consideration of alternatives is precluded. (*Id.* at 668 ["A lead agency may not give a project's purpose an artificially narrow definition."].) The lead agency shall not take an "artificially narrow approach for describing project objectives" as this ensures that "the results of the alternatives analysis would be a foregone conclusion." (*Id.* at 692.) O3.4

According to the RDEIR, "[t]he fundamental goal of the Project is to accomplish the orderly development of an industrial business park." (RDEIR at 1-6.) The RDEIR's list of "project objectives" mirror that "fundamental goal" with objectives being limited to "a mix of industrial and business park uses." (*Id.*) Consequently, the RDEIR's project objectives necessarily preclude the consideration within the RDEIR of any alternatives to the Project that would involve a mix of uses – housing, commercial, or professional – that balance the County's need for housing with employment-generating uses.

The Project creates an industrial zone in the middle of a residential neighborhood. The RDEIR's project objectives improperly tie the County to approving an *industrial* development for the site. The project objectives foreclose the consideration reasonable alternatives to the proposal for industrial development. Moreover, by limiting the project objectives to industrial development within the framework of specific plan zoning, the RDEIR leads decisionmakers to the inevitable conclusion that the alternatives considered through the RDEIR, namely Alternative 3, are inconsistent with those objectives. As a result, the approval of the proposed Project becomes a foregone conclusion. Accordingly, the RDEIR should be revised to include more flexibility within the project objectives.

B. The RDEIR Does Not Present Decisionmakers with a Reasonable Range of Alternatives to the Proposed Project.

Under CEQA, an EIR must describe a "reasonable range of alternatives to a proposed project … that would feasibly avoid or lessen its significant environmental impacts while attaining most of the project's objectives." (Cal. Code Regs. Tit. 14, § 15126.6 (a) [hereinafter "CEQA Guidelines"].) The RDEIR evaluates three alternatives to the proposed Project: Alternative 1 (No Project/No Development); Alternative 2 (No Project/Buildout of Existing O3.5

O3.5 cont.

Zoning); and Alternative 3 (Reduced Project/No Specific Plan Alternative). The RDEIR considers Alternatives 1 and 2 to be "no project" alternatives since they contemplate no new development pattern. (CEQA Guidelines § 15126.6 (e).) The RDEIR's discussion of one development alternative – Alternative 3 – does not constitute a "reasonable range" of project alternatives. (*Id.*) Furthermore, Alternative 3 does not meet basic project objectives, and thus does not serve CEQA's purpose to provide decisionmakers with a range of feasible alternatives. "The purpose of an EIR is not to identify alleged alternatives that meet few if any of the project's objectives so that these alleged alternatives may be readily eliminated." (*Watsonville Pilots Ass'n v. City of Watsonville* (2010) 183 Cal.App.4th 1059, 1089.).

Alternative 1/No Project would leave the site as it existed at the time of the original Notice of Preparation ("NOP") of the EIR in 2020. Alternative 1 assumes that the Project site is currently a mix of vacant lots and smaller residences. (RDEIR at 7-4.) Although Alternative 1 would reduce the Project's significant air quality impacts, Alternative 1 is not a true alternative to the Project. Under Alternative 1, the site would remain exactly as it is; no development would occur. This "no project" alternative is easily rejected as it does not attain even "basic project objectives" consistent with section 15126.6 of the CEQA Guidelines. The RDEIR confirms that the No Project/No Development Alternative would not meet any of the project objectives. In addition, Alternative 1 would not provide housing to the extent assumed in the RDEIR.[2]

Alternative 2/No Project/Buildout of Existing Zoning would develop the site under existing residential zoning designations. (RDEIR at 7-9.) Under Alternative 2, the site would be developed with approximately 230 detached single-family dwelling units which would purportedly result in a "net increase" of 113 dwelling units over existing conditions "at the time the original NOP was published in 2020." (*Id.*) This claim, however, is inaccurate because numerous demolitions have already happened at the site (*see* footnote 4). Although Alternative 2 would result in less air quality impacts compared to the Project, no part of the vast 213-acre site would be developed with any non-residential (business or industrial) land uses. Thus, like Alternative 1, Alternative 2 would not achieve "any" of the project objectives.

Only Alternative 3/Reduced Project/No Specific Plan Project involves any amount of industrial development. Alternative 3 would develop Site 1 of Opening Year Development-Option 1 as an individual project with no specific plan zoning. (RDEIR at 1-6.) Specifically,

[2] The RDEIR assumes that the site currently contains 117 dwelling units. However, since the publication of the original NOP, between 2021 and 2024, the County issued 81 demolition permits for many of the site's existing homes. The County Assessor's records listed a demolition date for 47 of the parcels but many of the remaining parcels with demolition permits that were issued are listed as vacant with no exact demolition date listed. The RDEIR's "environmental baseline" has not been updated to reflect the site's actual conditions. Arguably this renders the environmental baseline misleading and inaccurate in violation of CEQA. (Guidelines, § 15125 (a); *Communities For a Better Environment v. S. Coast Air Quality Mgmt. Dist.* (2010) 48 Cal.4th 310, 320–23 ([normally the environmental baseline for analysis of a project's impacts are the "real conditions on the ground"].) This error is prejudicial. For instance, with respect to the discussion of Alternative 2, the RDEIR gives the false impression that it would provide 230 single family homes when, in reality, at least 81 demolition permits have been issued by the County and many homes have been removed from the site. To provide an accurate basis of comparison between the proposed project and alternatives, the RDEIR should be revised to disclose the site's actual, not hypothetical, conditions at the time of the release of the NOP of RDEIR.

17.72 acres of the 213-acre site would be developed with a single 383,000 square foot high cube warehouse. (*Id.* at 7-16.) According to the RDEIR, Alternative 3 represents an 88.2 percent decrease in the maximum buildout potential of the Specific Plan area and a 91.7 percent decrease in land acreage that would be developed by the Specific Plan. (*Id.* at 1-6, 7-16.) The remaining 195.28 acres of the Specific Plan Area "would not be included in this alternative and would remain in its existing condition with large-lot single-family residential and non-conforming commercial uses."[3] (*Id.* 7-6.) Although Alternative 3 would avoid the Project's significant and unavoidable air quality impacts, the RDEIR states that it "would not meet the main objective of the Project which is to create a comprehensive master plan for the Specific Plan area[.]" (*Id.* at 7-23.) The RDEIR dismisses Alternative 3 because it does not serve the project objectives. Alternative 3 involves substantially less development and it eliminates the specific plan zoning. Hence, the EIR easily deems it "infeasible" within the meaning of CEQA. O3.5 cont.

In sum, none of the alternatives evaluated through the RDEIR represent feasible alternatives to the proposed Project that present decisionmakers with a reasonable *range* of alternatives that meet basic project objectives and serve to reduce significant air quality impacts. The alternatives analysis is faulty and should be revised.

C. The RDEIR Should Be Revised to Include a Reasonable Range of Project Alternatives.

The RDEIR should be revised to include a robust alternatives analysis that presents decisionmakers with true alternatives to an industrial warehouse complex within a specific plan or "master plan" framework. The RDEIR should consider alternatives involving business or professional park uses along with residential and commercial uses encompassed within specific plan or "master plan" zoning. The RDEIR should look at alternatives that buffer the intense industrial uses from adjacent sensitive land uses including Bloomington High School. A master planned development could include commercial uses such as retail, high density residential uses, *and* industrial warehousing. O3.6

1. The RDEIR Should Evaluate a Mix of Uses Within a Specific Plan or Master Plan Framework.

A master planned development with a mix of uses should be considered a feasible alternative. By way of example, the County of San Bernardino recently approved a master-planned housing project called "The Resort" on 160 acres and consisting of 3,450 residences along with 220,000 square feet of neighborhood-servicing retail.[4] According to the County of San Bernardino's website, the population growth in San Bernardino County has created an increased demand for retail uses. (*Id.*) In 2024, the City of Redlands approved the "Tennessee Village" mixed-use project, providing for 460 new apartments and 18,000 square feet of

[3] Here again, the RDEIR is misleading in that many of the existing homes have been demolished or removed since the release of the original NOP.

[4] San Bernardino Cnty., *New Infrastructure Ushers in a New Retail Era for San Bernardino County* (June 6, 2024), https://main.sbcounty.gov/2024/06/06/new-infrastructure-ushers-in-a-new-retail-era-for-san-bernardino-county/.

commercial space within specific plan zoning.[5] The City of Fontana has approved planned mixed-use development on 80 acres within a new 101-acre, master-planned development that will include 1,700 homes, retail, and other uses.[6] This project will be located "in the middle of one of the largest logistics hubs in the United States." (*Id.*) In Jurupa Valley, the "Shops at Jurupa Valley" project involves the development of retail uses on a 30-acre site adjacent to the freeway.[7] The developers of this project noted the need for retail uses to serve the Inland Empire's rapid population growth. (*Id.*) The City of Corona has developed a "transit-oriented" mixed-use project immediately off Highway 91 involving 286 residential units and over 70,000 square feet of commercial space.[8] In Ontario, the Ontario Ranch master planned development consists of a mix of residential, commercial, business park, and industrial warehousing space.[9] According to a 2022 article entitled "Mixed-Use Industrial Sector Soars in the Inland Empire," there has been a "new approach" to the industrial warehouse sector in the Inland Empire, particularly a growth in the so-called "mixed-use industrial sector."[10] The article notes that "[m]ixing industrial project with retail, office, restaurants, and other uses creates a synergy that benefits businesses, workers, communities, and cities. The thousands of industrial employees become patrons to nearby shopping, dining and services, especially when a walkable pedestrian network is created." (*Id.*) The article notes the "tremendous opportunity and long-term potential for mixed-use industrial to strengthen our cities and communities." (*Id.*) One such project is the Goodman Commerce Center in Eastvale adjacent to I-15, which is "one of the largest, mixed-use developments in Southern California."[11] At over 2000 acres, this project provides "Class A logistics, retail, flex and business park facilities." (*Id.*) In addition to larger logistic buildings, the Project includes within the specific plan zoning, "flex spaces ranging from 18,000 to 58,795 square feet" as well as retail spaces ranging from 18,400 to 24,000 sqft." (*Id.*) Among other benefits, mixed-use developments create "diverse and stable job opportunities" including

O3.6 cont.

[5] Cmty. Forward Redlands, *Redlands City Council Approves 460-Unit Mixed-Use Development* (Dec. 5, 2024), https://www.communityforwardredlands.com/redlands-city-council-approves-460-unit-mixed-use-development/#:~:text=The%20Tennessee%20Village%20mixed%2Duse%20project%20in%20Redlands%2C,residents%20*%20**Commercial%20space***%2018%2C000%20square%20feet.

[6] CoStar, *Apartment Project Kicks Off Green Goals for Inland Empire Developer* (Mar. 27, 2024) https://www.costar.com/article/756137741/apartment-project-kicks-off-green-goals-for-inland-empire-developer.

[7] Inland Empire Bus. Journal, *The Evolution of Retail: A Comprehensive Look at the Inland Empire's Newest Shopping Center* (Dec. 10, 2024), https://iebizjournal.com/the-evolution-of-retail-a-comprehensive-look-at-the-inland-empires-newest-shopping-center/#:~:text=Meeting%20Community%20Needs%20in%20a,for%20both%20convenience%20and%20experience.

[8] Wermers Companies, *Highly Anticipated Mixed-Use Project in the Inland Empire Is Officially Complete* (Mar. 15, 2018), https://wermerscompanies.com/highly-anticipated-mixed-use-project-in-the-inland-empire-is-officially-complete/.

[9] City of Ontario, *Ontario Ranch Community*, https://www.ontarioca.gov/government/community-development/planning/ontario-ranch-community (last visited Dec. 11, 2025).

[10] Dan MacDavid, *Mixed-Use Industrial Sector Soars in the Inland Empire*, REBusiness Online (Jan. 14, 2022), https://rebusinessonline.com/mixed-use-industrial-sector-soars-in-the-inland-empire/.

[11] Goodman, *Goodman Commerce Center Eastvale*, https://us.goodman.com/our-properties/properties-for-lease/goodman-commerce-center-eastvale (last visited Dec. 11, 2025).

employment across various sectors,[12] *as well as* housing, which, according to a City of Fontana report, is needed in the Inland Empire.[13]

Mixed-use development has many benefits that are being overlooked for the proposed Project. According to a CalMatters article, while the Inland Empire is a "major economic hub in the state, its workers earn less than statewide averages."[14] The article notes that the region is aiming to transform its workforce from lower-paying warehouse jobs to one with more technical and advanced manufacturing and managerial positions. (*Id.*) Mixed-use development offers more long-term advantages in terms of providing more stable and higher-paying employment opportunities. According to another CalMatters article, the need to diversify the workforce is important due to the impending future of automation: "[a]utomation already has become so sophisticated that manufacturers already dream of 'dark warehouses' which are facilities powered by robots and AI and don't need lights."[15] It is predicted that "[w]ithin the next 10 years, the warehouse sector will undergo tremendous changes" in terms of employment opportunities. (*Id.*) One study concluded that some "'75% of warehouse jobs are 'susceptible to automation.'" (*Id.*) Factory and warehouse worker jobs are suspectable to replacement by automation as "AI-driven robots are increasingly taking over repetitive tasks in factories and warehouses."[16] Mixed-use development provides a more balanced approach to employment-generating uses. The Project, on the other hand, is exclusively a logistics facility that may not, as the RDEIR currently predicts, provide long-term and stable job opportunities. O3.6 cont.

The RDEIR's alternative analysis does not give decisionmakers a *range* of choices with respect to the 213-acre site. The RDEIR should include mix-use alternatives with community-serving amenities and facilities that will reduce vehicle usage and provide revenue-generating uses. The range of alternatives should provide "enough of a variation to allow informed decisionmaking." (*Save Our Capital! v. Dept. of General Services* (2023) 303 Cal.App.5th 655, 703.) As was held in *Save Our Capital,* "[m]eaningful analysis of alternatives in an EIR requires an analysis of *meaningful alternatives.*" (*Id.* at 704 (emphasis added).) The Project's RDEIR includes two "no project" alternatives that involve no development as well as one alternative that would develop only a single industrial building less than 400,000 square feet. This does not amount to a "meaningful" alternatives analysis with respect to the large site with ample opportunities for a specific plan development with a true balance of uses.

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[12] Stance Real Estate, *The Future of Mixed-Use Developments: Live-Work-Play Spaces in Demand* (Aug. 28, 2025), https://stancerealestate.com/the-future-of-mixed-use-developments-live-work-play-spaces-in-demand/.
[13] City of Fontana, *Downtown Fontana Market Study* (Oct. 2021), https://www.fontanaca.gov/DocumentCenter/View/36772/Downtown-Fontana-Market-Study.
[14] Deborah Brennan, *Inland Empire battles low college grad rates to gain higher tech jobs and businesses*, CalMatters (May. 14, 2024), https://calmatters.org/economy/2024/05/inland-empire-california/.
[15] Jim Newton, *Are the jobs created by the Inland Empire warehouse boom built to last?*, CalMatters (June 1, 2023), https://calmatters.org/commentary/2023/06/inland-empire-warehouse-boom-jobs/
[16] University of San Diego, *The Impact of AI on the Job Market and Employment Opportunities*, https://onlinedegrees.sandiego.edu/ai-impact-on-job-market/ (last visited Dec. 11, 2025).

The RDEIR should consider additional alternatives that involve mixed use development including, for instance, a "mixed use industrial" concept. Mixed-use development can offer significant benefits by integrating residential, commercial, and recreational spaces into a cohesive, walkable environment. By placing housing, shops, offices, and public amenities close together, these developments reduce reliance on cars, lower transportation costs, and support more sustainable land use patterns. They also stimulate local economies, as residents are more likely to frequent nearby businesses and services. Mixed-use areas encourage interaction among neighbors and create active communities throughout the day and evening. In short, there are many advantages to mix use development which can include industrial warehousing. The RDEIR should be updated to include alternatives that balance uses as well as meet basic project objectives. O3.6 cont.

2. The RDEIR Should Evaluate a Warehouse Alternative Consistent with Assembly Bill 98.

The RDEIR should evaluate a warehouse or industrial alternative that meets the requirements of the "Warehouse Design and Build Standards" of Assembly Bill 98..[17] (Gov't Code § 65098 *et seq.*) The RDEIR should evaluate a design alternative that is compliant with AB 98, including Gov. Code § 65098.1 subd. (b)(3) and/or (c)(3) regarding a minimum setback of 500 feet from the property line of the nearest sensitive receptor(s) to the nearest truck loading bay(s). Because the Legislature has codified AB 98, it should be considered a reasonable and feasible "alternative" to the proposed Project. The County acknowledges the requirements of AB 98 on its Land Use Services website..[18] Thus, a design alternative that locates warehouse truck bays the requisite distance from adjacent sensitive receptors should be evaluated through the RDEIR. This will give the public and decisionmakers the opportunity to review an alternative that meets "basic project objectives" while reducing the impacts of Project's operations on adjacent sensitive receptors. O3.7

In sum, the RDEIR's alternative analysis falls short of giving decisionmakers a range of development concept options that may still include industrial uses. The analysis should be updated with alternatives that lessen environmental impacts, meet project objectives, and provide a more balanced approach to land use patterns and/or provide increased buffering with respect to the predominantly residential area.

III. THE RDEIR'S AIR QUALITY ANALYSIS AND MITIGATION MEASURES ARE INADEQUATE.

The air quality analysis in the RDEIR suffers from many flaws, including that the *Friant Ranch* health impacts analysis is faulty and inadequate, its mitigation measures for air quality impacts are insufficient and unenforceable, and it fails to adequately mitigate air quality impacts by unjustifiably refusing to require any Class 7 or 8 zero-emission trucks for the Project. In O3.8

[17] Cal. Legislature, *Assembly Bill No. 98*, LegiScan (Nov. 7, 2024), https://legiscan.com/CA/text/AB98/id/3023370 (last visited Dec. 11, 2025).
[18] San Bernardino Cnty. Land Use Servs., *AB 98: Enhancing Environmental Standards for Logistics Facilities*, https://lus.sbcounty.gov/planning-home/ab-98-enhancing-environmental-standards-for-logistics-facilities/ (last visited Dec. 11, 2025).

addition to the flaws identified in the Sahu Memo, the following problems are present in the RDEIR. O3.8 cont.

A. The RDEIR Should Be Updated to Address the Revised National Ambient Air Quality Standard for $PM_{2.5}$.

The County's continued usage of existing conditions in 2020—the year the original EIR's NOP was published—as a baseline for the RDEIR's environmental setting is not supported by substantial evidence. (RDEIR at 3 n.1.) The arbitrariness of the County's analysis further demonstrated by the fact that some sections, like the RDEIR's Air Quality section, uses some data points reflecting conditions in other years, such as the number of zero-emission vehicles available in the South Coast Air Basin as of 2024. (*See* RDEIR at 5.3-41.) As noted *supra* Section II(B) n.2 and *infra* Section VII, the County should revisit its entire analysis to ensure it reflects existing conditions as of 2024. O3.9

The Air Quality section of the RDEIR must be updated to reflect the EPA's issuance of a new national ambient air quality standard ("NAAQS") for fine particulate matter, also known as $PM_{2.5}$. On February 7, 2024, EPA strengthened the annual health-based NAAQS for $PM_{2.5}$ from a level of 12 micrograms per cubic meter to 9 micrograms per cubic meter.[19]

Beyond just acknowledging the new standard, the RDEIR should also address the implications of the new annual $PM_{2.5}$ NAAQS: air quality in San Bernardino County currently does not meet the new standard[20] and is not expected to meet it in 2032,[21] meaning the South Coast Air Quality Management District will have to institute further restrictions on polluting projects and activities throughout the South Coast Air Basin, including in San Bernardino County.[22] O3.10

Relatedly, the RDEIR should be revised to provide updated information on the status of ambient air quality and air quality planning in the South Coast Air Basin. The RDEIR does not fulfill its purpose as an informational document because it presents old air quality data from O3.11

[19] *See generally* EPA, *Reconsideration of the National Ambient Air Quality Standards for Particulate Matter*, 89 Fed. Reg. 16202 (Mar. 6, 2024); accord, EPA, *EPA Finalizes Stronger Standards for Harmful Soot Pollution, Significantly Increasing Health and Clean Air Protections for Families, Workers, and Communities* (Feb. 7, 2024), https://www.epa.gov/newsreleases/epa-finalizes-stronger-standards-harmful-soot-pollution-significantly-increasing.

[20] *See* EPA, *EPA Finalizes Stronger Standards for Harmful Soot Pollution, Significantly Increasing Health and Clean Air Protections for Families, Workers, and Communities* at Figure 1; *accord* EPA, *Fine Particle Concentrations for Counties with Monitors Based on Air Quality Data from 2020 – 2022* at 1, https://www.epa.gov/system/files/documents/2024-02/table_annual-pm25-county-design-values-2020-2022-for-web.pdf.

[21] EPA, *EPA Projects More than 99% of Counties Would Meet the Revised Fine Particle Pollution Standard* (Feb. 7, 2024), https://www.epa.gov/system/files/documents/2024-02/2024-pm-naaqs-final-2032-projections-map.pdf.

[22] Alejandro Lazo, *California's Pursuit of Clean Air Just Got Much Harder: New Soot Standards Set*, CalMatters (Feb. 7, 2024) ("Achieving the new target will take wide-ranging new state and local regulations aimed at cutting emissions"), https://calmatters.org/environment/2024/02/california-new-soot-standards.

2020, along with an out-of-date description of efforts by the Air District to comply with the $PM_{2.5}$ and ozone NAAQS that fails to describe local air quality planning efforts past 2022. (*See* RDEIR at 4-37, 5.3-10.)

O3.11 cont.

B. The RDEIR's Cumulative Air Impact Should Be Updated to Account for Continued Industrialization in the Area.

An EIR must consider significant cumulative impacts. (Pub. Res. Code, § 21083(b)(2); CEQA Guidelines § 15604(h).) "Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." (*Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 117, as modified (Nov. 21, 2002).) An adequate cumulative impacts analysis reviews the incremental effects of a particular project over time and in conjunction with other "closely related past, present, and reasonably foreseeable probable future projects" whose impacts might compound with those of the project at hand, producing cumulatively considerable effects. (CEQA Guidelines, § 15355(b); Pub. Res. Code, § 21083(b)(2).)

O3.12

The RDEIR should also be updated and revised to address the cumulative impacts posed by new industrial projects that have commenced or been proposed in San Bernardino County since the original EIR's certification. For example, the Pepper 210 Commerce Center—located in unincorporated San Bernardino County, within the City of Rialto Sphere of Influence—would redevelop an approximately 101-acre former aggregate mine construct a warehouse distribution center with up to 1.865 million square feet of building floor area.[23] The Muscoy Warehouse Project will be two industrial warehouse buildings in an unincorporated area of San Bernardino County within the community of Muscoy.[24]

C. The RDEIR Performed a Faulty and Incomplete *Friant Ranch* Health Impact Analysis.

A *Friant Ranch*-type analysis that connects the identified excessive pollution levels with actual human health impacts can and must be done. One of the most important analyses would study the impact of the Project's nitrous oxides ("NOx") emissions on ozone formation in the South Coast air basin, and the resulting cumulative impact of these air emissions on human health. The California Supreme Court, in the case *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, at 519–22 ("*Friant Ranch*"), found that CEQA requires just such an analysis correlating increased project air emissions to the probable resulting human health effects. As we noted in our comments on the original EIR, several public agencies have already performed a *Friant Ranch*-type analysis, demonstrating that it is technically feasible and can produce information that is useful. In the Ongoing Matter, the Court agreed that the County's response to

O3.13

[23] San Bernardino Cnty., *Pepper 210 Commerce Center Draft Environmental Impact Report* (Nov. 2025), https://files.ceqanet.lci.ca.gov/284370-2/attachment/zwe-XWHr2Q8oHIKotho_-wIdyClNAIza1joJBEe9XzJnDVajXC0l496k9lDNfVTyAFZ-s8E2Nc565lYm0.

[24] San Bernardino Cnty., *Notice Of Availability (NOA) and Notice Of Intent (NOI) To Adopt An Initial Study/ Mitigated Negative Declaration* (Nov. 26, 2025), https://files.ceqanet.lci.ca.gov/326835-1/attachment/aqWRp-YANNun-7FfGoczyQ19IaN7-O44xrGiQiOz-_XiEJhY3CQF4NEoHg5wGSyVsjGGg_ChPnG2WOE00.

prior comments flagging these analyses did not "demonstrate a good faith analysis of reason such modeling does not make it feasible to analyze health impacts related to criteria pollutants." (Ruling at 42–43.)

The RDEIR concludes that "[t]he comparative analysis of emissions and health impacts for the proposed Project relative to the Friant Ranch and CSUDH projects supports the conclusion that the proposed Project's emissions are similar to those reported in these two sample projects, and thus emissions from the proposed Project would be expected to result in similarly negligible health impacts." (RDEIR App. B at 12.) It also disclaims that "no available modeling tools have been proven to provide a reliable and meaningful analysis," and that "running a photochemical model used for predicting O3 attainment with the emissions solely from an individual project like the Friant Ranch project or the proposed Project is not likely to yield valid information given the relative scale involved." (*Ibid.*) Ultimately, the RDEIR concludes that the Project's health impacts are less than significant. (RDEIR at 5.3-49–5.3-67.)

Yet, the RDEIR continues to fail to make a good faith attempt to explain why a reliable and meaningful *Friant Ranch* analysis cannot be performed. The RDEIR points to statements from several agencies, including the South Coast Air Quality Management District, the San Joaquin Valley Air Pollution Control District, the Bay Area Air District, and the Sacramento Metropolitan Air Quality Management District, the City of Los Angeles's Technical Advisory Panel, and the Association of Environmental Professionals' Climate Change Committee. (RDEIR App. B at 5–7.) While each of these statements essentially claim that the agencies do not know or have the ability to accurately quantify ozone and fine particulate matter ("$PM_{2.5}$") related health impacts caused by precursor emissions of NOx and volatile organic compounds ("VOC") from projects like the one at issue in this case, none of those statements contain any quantitative information or technical support. Rather, the RDEIR merely reiterates these baseless conclusions and determines that the County likewise cannot reliably and meaningful perform this analysis. O3.13 cont.

This is patently untrue. First, the record contains at least two specific examples where a *Friant Ranch* analysis was adequately conducted: *Friant Ranch* itself and the California State University Dominguez Hills ("CSUDH") project. Despite the technical challenges that the RDEIR identifies, which existed at the time of both of those analyses, both *Friant Ranch* and the CSUDH projects performed the analysis. Moreover, the RDEIR notes that there are at least two models—the Community Multiscale Air Quality modeling system ("CMAQ") and the Comprehensive Air Quality Model with Extensions ("CAMx")—that are widely used to conduct photochemical modeling specifically to understand the formation of ozone and fine $PM_{2.5}$ in the atmosphere as a result of precursor emissions. (*Id.* at 8.) Lastly, for over a decade, the U.S. Environmental Protection Agency has acknowledged that project-specific photochemical modeling can be done. (*See* Sahu Memo at 4–6.)

Moreover, the RDEIR's attempt to scale the results of the CSUDH and *Friant Ranch* analyses using pollutant emissions alone to determine the ozone and $PM_{2.5}$ impacts from the Project is faulty. (RDEIR App. B at 9–12.) The RDEIR makes no attempt to justify making this comparative analysis by scaling the results, despite myriad differences between those projects and this one: emissions, stack heights, local meteorology, and non-project pollutant concentrations. As the Sahu Memo explains, ozone and secondary $PM_{2.5}$ formation depend on O3.14

many local and regional factors. Thus, results from a totally different geography, like the site at issue in *Friant Ranch* or Dominguez Hills, cannot simply be scaled for the RDEIR's analysis. The absurdity of this approach is reflected in the RDEIR's statement notes that "the CSUDH project is located within the South Coast Air Basin (SCAB), similar to the proposed Project," and highlight that "[t]he Project site benefits from favorable dispersion characteristics in the SCAB, including strong coastal wind patterns that enhance the dispersal of pollutants, reducing the likelihood of pollutant accumulation near the Project site and mitigating any localized health impacts." (*Id.* at 8.) The South Coast Air Basin comprises many different areas with vastly different meteorology, climatology, background concentrations, and attributes. By the logic of the RDEIR's assumptions, as Dr. Sahu puts it succinctly, that would make Santa Monica and Long Beach "similar" to Ontario and Bloomington. O3.14 cont

Finally, the RDEIR relies on a fatally flawed analysis based on EPA's COBRA tool. (RDEIR App. B at 8–9.) The appended technical report does not discuss how COBRA conducts its analysis—specifically how it depicts the emissions from the Project into the model. Its analysis is also inaccurate and unrepresentative for the Project at issue. For example, the way that COBRA depicts emissions uses a point located in the center of the County. That means that emissions are depicted as occurring over 100 miles away from Bloomington, as shown in Figure 1 below. O3.15

Figure 1 – Bloomington and the Center of San Bernardino County

Moreover, Figure 2 and 3 below show that the topography near Bloomington is not at all the same as the topography at the center of the County. There are large mountains between Bloomington and the center of the County.

13

Figure 2 – Topography in the Vicinity of Bloomington

Figure 3 – Showing the Tall Mountains of San Bernardino Between Bloomington and the Mojave Desert

O3.15 cont.

Thus, while using the COBRA modeling might work for other counties like Los Angeles and Riverside, it is absurd to use this approach in San Bernardino County—the largest county by land

area in the continental United States.[25] For all of these reasons, the failure to do a *Friant Ranch* analysis, as clearly required by CEQA, is a fatal flaw in the RDEIR. O3.15 cont.

D. The RDEIR's Air Quality Mitigation Measures are Insufficient and Unenforceable.

Because the Project's impacts to air quality will be significant and unavoidable (RDEIR at 1-8), the Revised DEIR must propose and describe mitigation measures to minimize the significant environmental effects identified. (Cal. Pub. Res. Code § 21002.1.) Under CEQA, public agencies "should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." (*Id.* § 21002.) A mitigation measure is "feasible" if it is "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." (*Id.* § 21061.1.) The CEQA Guidelines add "legal" factors to this definition. (CEQA Guidelines § 15364.) A potential mitigation measure cannot be properly labeled a mitigation measure unless it is at least partially effective in reducing the significance of the impacts at issue. (*Friant Ranch*, 6 Cal.5th at 511.) O3.16

Many of the mitigation measures included in the RDEIR violate CEQA because they defer application, are unenforceable, and contain other problematic elements that render them ineffective or improper. Moreover, the RDEIR fails to include feasible mitigation measures that are available. As to the construction mitigation measures, MM AQ-1 (Super-Compliant Low VOC) and MM AQ-2 (Tier 4 Final) are unlikely to achieve the level of emission reductions anticipated in the Revised DEIR. Moreover, MM AQ-1 and MM AQ-2 are unenforceable, as they do not contain clear methods of enforcement. MM AQ-1 states that "[t]he construction plans and specifications shall state that the Project shall utilize 'Super-Compliant' low volatile organic compound (VOC) paints for nonresidential interior and exterior surfaces and low VOC paint for parking lot surfaces." (RDEIR at 1-8.) This fails to note whether and how this measure would be verified for compliance, and if there would be consequences for noncompliance. The Revised Final EIR must cite to the authority or permit that would ensure oversight of this mitigation measure by a regulatory or similar body. Similarly, MM AQ-2 is unenforceable as it does not provide whether and how this measure would be enforced, or if there would be consequences for noncompliance. MM AQ-2 should specify how this measure would be enforced, such as by including periodic on-site inspections to verify compliance. MM AQ-2 should also state that trucks hauling dirt or other materials must always be covered during transit to and from the site.

We agree with MM AQ-4's (Community Liaison) requirement for the Project Applicant/Developer/Owner to identify a person to act as a community liaison concerning onsite construction activities and operations and for the community liaison to share information to the surrounding community. (RDEIR at 1-9.) However, this mitigation measure should specify the O3.17

[25] *See* Soumya Karlamangla, *How San Bernardino County Became the Largest County in the Contiguous U.S.*, NY Times (Mar. 31, 2023), https://www.nytimes.com/2023/03/31/us/san-bernardino-county-california.html; San Bernardino Cnty., https://main.sbcounty.gov/ (last visited Dec. 11, 2025) ("Covering 20,105 square miles, San Bernardino County is America's largest county").

method, frequency, and lead time that the community liaison will share information with the surrounding community. O3.17 cont.

MM AQ-5 (MY 2014 Heavy-Duty Haul Trucks) is not an effective mitigation measure as "there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects" of this Project. (*See* Cal. Pub. Res. Code § 21002.) The County should require project construction plans and specifications to require zero-emission heavy-duty haul trucks for the Project, as further detailed in Section III(E). This measure is also not enforceable as written as there is no clear method of enforcement. Instead, MM AQ-5 should specify that the construction and operational plans and specifications should prohibit use of heavy-duty haul trucks that are not zero-emissions. O3.18

MM AQ-6 (Limiting Off-Road Equipment to 10 Hours/Day) lacks any clear method of enforcement that will ensure emission reductions, as it does not cite to any authority or permit that will ensure compliance. This measure should specify how it would be enforced, such as by attestations by the Project contractors to complying with MM AQ-6 on a daily basis, and/or including periodic on-site inspections to verify compliance. O3.19

As to operational mitigation measures, MM AQ-10 (Idling Regulations) should be stricter and include means of verifying compliance. For example, in conjunction with recordkeeping and enforcement, this measure should also include a 30-minute limit on truck turnaround time. Although the measure states that signs will include the telephone numbers for the building facilities manager and the California Air Resources Board ("CARB") to report violations, we strongly suggest making it clear that either the building facilities manager or at least one other full-time staff person is designated to proactively ensure that idling rules are followed and that trucks are moving through the Project site as efficiently as possible. Whistleblowing on fellow employees is an unrealistic method of compliance, and not a sufficient deterrent to such violations. Likewise, MM AQ-10 should include idling limits for yard tractors, which would save fuel, cut pollution, and reduce a significant source of worker exposure. Idling limits for captive fleets like these should be easy to enforce. O3.20

MM AQ-11 (Energy Efficient Vendor Trucks) should be strengthened. We support that this measure would require that leasing agreements for each industrial building in the Project require the Project Applicant/Developer/Owner provide tenants with information on incentive programs, but MM AQ-11 should also require that information for all applicable funding programs be shared, not just for Carl Moyer grant funding. Moreover, MM AQ-12 (Electric Vehicle Charging & Carpool Parking) is vague and unenforceable and should be strengthened. To start, this measure must specify the number of electric vehicle charging stations that must be included in the Project plans and specifications. Without a specific number of electric vehicle charging stations specified, there is no way to ascertain compliance with MM AQ-12. O3.21 O3.22

We support that MM AQ-13 (Electric Interior Vehicles) includes "[t]he requirement that all onsite yard hostlers, yard equipment, forklifts, and pallet jacks shall be zero-emissions equipment" and that this requirement "shall be incorporated in all Project facility lease documents." To ensure that all elements of this are enforceable, the requirement that "signed lease documents incorporate the requirement that all onsite yard trucks/hostlers shall be zero- O3.23

emissions equipment" should also specify the requirement that all onsite forklifts and pallet jacks shall be zero-emissions too. O3.23 cont.

MM AQ-15 (GVWR > 14,000 pounds Meet 2014 MY Engine Standards) can be strengthened to require use of zero-emission vehicles to the site. (RDEIR at 1-13.) This measure is currently not an effective mitigation measure as "there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects" of this Project. (*See* Cal. Pub. Res. Code § 21002.) The County should require that *all* fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site—whether facility-owned and operated or otherwise—be zero-emissions, as further detailed in Section III(E). O3.24

MM AQ-17 (Truck Route Signs) is vague, ineffective, and unenforceable as currently proposed. (RDEIR at 1-14.) These truck route signs must also specify the roads that trucks are prohibited from using. These signs should be printed in color, laminated, and posted at every truck exit from the Project site. This measure is also unenforceable as there is no method of verifying compliance. Accordingly, MM AQ-17 should include a requirement that the building facilities manager or at least one full-time staff person is designated to proactively ensure that all truck route rules are followed. The County should strengthen this measure to further specify how it will allocate sufficient resources to protect Bloomington residents if and when any trucks are found to be in violation of any truck route rules. O3.25

We support that MM AQ-19 (Zero-Emission Heavy Duty Trucks) and MM AQ-20 (Zero-Emission Light- and Medium-Duty Trucks) would require tenants to supply documentation showing that "all of the tenant's heavy-duty trucks entering or operated on the Project site to be zero-emission" (RDEIR at 1-14 to 1-15) and that "lease agreements . . . require tenants to use zero-emission light- and medium-duty trucks as part of business operations." (*Id.* at 1-16.) However, these measures are ineffective, deferred, and unenforceable as written because they are contingent on the County itself concluding that zero-emission light-, medium-, and heavy-duty trucks are "considered widely commercially available." MM AQ-19 caveats the applicability of this measure to the narrow circumstances under which the County itself reaches the following conclusion:

> Prior to the issuance of the final Certificate of Occupancy for the first building tenant for each building within the Project, documentation shall be provided to the County of San Bernardino that lease agreements for such building require that all of the tenant's heavy-duty trucks entering or operated on the Project site to be zero-emission, **once such trucks are widely commercially available as reasonably determined by the County Planning Division. A zero-emission heavy-duty truck (EV) shall ordinarily be considered widely commercially available if the vehicle is capable of serving the intended purpose and is widely available for purchase for less than 125% the cost of a Class 7 or 8 heavy-duty combustion-engine truck meeting the emissions standards in place at the time the comparison is made (model year 2014 or later emissions standards). In order** O3.26

> **to be capable of serving the intended purpose, the EV must be able to perform the same function as a comparable combustion engine vehicle (miles travelled on a full tank/charge, access to fueling/charging infrastructure, load capacity, climbing ability, performance in different climates.) For the purpose of this cost comparison, "cost" shall mean the total vehicle cost for the first five (5) years of ownership, including any purchase incentives, rebates, and fuel and electricity costs. Any comparison must be like-for-like, i.e., must compare an EV with a new production combustion engine truck of the same class and substantially similar trim level that is widely available for purchase and immediate delivery in the area of the Project at the time the comparison is made.**

O3.26 cont.

(RDEIR at 1-14 to 1-15 [emphasis added].) MM AQ-20 also caveats the application of this measure to the narrow circumstances under which the County itself reaches the following conclusion:

> Prior to the issuance of the final Certificate of Occupancy for the first building tenant for each building within the Project, documentation shall be provided to the County of San Bernardino that lease agreements for such building require tenants to use zero-emission light- and medium-duty trucks as part of business operations, **once such trucks are widely commercially available, as reasonably determined by the County Planning Division. A zero-emission light- or medium-duty truck (EV) shall ordinarily be considered widely commercially available if the vehicle is capable of serving the intended purpose and is widely available for purchase for less than 125% the cost of a light- or medium-duty combustion-engine truck meeting the emissions standards in place at the time the comparison is made (model year 2014 or later emissions standards). In order to be capable of serving the intended purpose, the EV must be able to perform the same function as a comparable combustion engine vehicle (miles travelled on a full tank/charge, access to fueling/charging infrastructure, load capacity, climbing ability, performance in different climates). For the purpose of this cost comparison, "cost" shall mean the total vehicle cost for the first five (5) years of ownership, including any purchase incentives, rebates, and fuel and electricity costs. Any comparison must be like-for-like, i.e., must compare an EV with a new production combustion engine truck of the same class and substantially similar trim level that is widely available for purchase and immediate delivery in the area of the Project at the time the comparison is made.**

(RDEIR at 1-16 to 1-17 [emphasis added].)

MM AQ-19 and MM AQ-20 are ineffective as CEQA requires that mitigation measures "substantially lessen" the environmental impact. (CEQA Guidelines § 15021(a)(2).) But the County is disincentivized to make a determination that zero-emission trucks are "widely commercially available." Moreover, there is no process in place for how and when the County Planning Division would be tasked with making such determinations, and how frequently these determinations would be reassessed. MM AQ-19 and MM AQ-20 defer mitigation to some future, unknown, potential date, which in fact may never occur as there is no timeline even established for when the County would convene to make these evaluations. Instead, MM AQ-19 and MM AQ-20 should remove the bolded text above to be effective and therefore substantially lessen the air quality impacts from the Project. The lease agreements for the Project's buildings should require that all of the tenant's light-, medium-, and heavy-duty trucks entering or operating on the Project site be zero-emissions. In the alternative, MM AQ-19 and MM AQ-20 should analyze mitigation measures requiring 25 percent, 50 percent, and 75 percent of heavy-duty trucks entering the Property be zero-emissions. O3.26 cont.

MM AQ-21 (Back Up Generators) should be strengthened to require onsite renewable energy storage as backup generation. Distributed energy systems, such as rooftop solar, on-site batteries, and modular microgrids, make the Project's operations more resilient and strengthen the grid by bringing power closer to the point of use. As explained further in Section V(D), industrial projects in Southern California have already begun adopting microgrid technology, making this mitigation measure feasible and effective. O3.27

MM AQ-23 requires that "prior to the issuance of the final Certificate of Occupancy for the first tenant of a building within the Project, documentation shall be provided to the County of San Bernardino demonstrating that the Project has either 1) installed solar photovoltaic (PV) panels or other source of renewable energy generation on the site, or 2) otherwise acquired energy that has been generated by renewable sources, such that either option will provide 100 percent of the expected building load." (RDEIR at 5.6-2; RDEIR App. B at 15.) We are supportive of Option 1 of this measure, which would require the County of San Bernardino to demonstrate that the Project shall install solar PV panels onsite to provide 100 percent of the building's expected energy load as it is a feasible measure that will "substantially lessen" the Project's environmental impacts. (CEQA Guidelines § 15021(a)(2).) As discussed in Section V(C), substantial evidence shows that rooftop solar is a feasible measure that will lessen the Project's air quality impacts and that other industrial and commercial projects in Southern California have adopted solar systems. O3.28

However, Option 2 of MM AQ-23, which would involve the purchasing of offsite renewable energy is inefficient, vague, and unenforceable. While purchasing offsite renewable energy would lessen the Project's energy impact in some ways, onsite renewable generation like solar PV panels would deliver more local and cumulative benefits to the Project site. The feasibility of Option 1 of this measure is supported by substantial evidence, whereas Option 2 lacks clarity regarding what "acquir[ing] energy" which "has been generated by renewable sources" means, which deprives the public of the ability to evaluate its effectiveness in reducing environmental impacts from the Project.

19

MM AQ-24 (Truck Charging) must be strengthened to require the actual installation of truck charging stations such that electric truck chargers are available for opening day operations. (RDEIR at 1-18.) As detailed in Section III(E), zero-emission trucks are technologically available, feasible mitigation measures for this Project. Accordingly, this measure must require the installation of charging stations to support the use of zero-emission trucks on day one of operations. This measure should also require the installation of one charger for every five heavy-duty truck parking spaces as this ratio best supports zero-emission truck activity at the Project. Likewise, MM AQ-24 must be strengthened to require the actual installation of light- and medium-duty truck charging stations such that electric chargers are available for opening day operations. Requiring the installation of one medium-duty truck charger for every five truck parking spaces is appropriate. O3.29

E. The RDEIR Fails to Include Feasible Mitigation Measures by Refusing to Require Class 7 and 8 Zero-Emission Trucks.

Under CEQA, potential mitigation measures cannot be properly labelled mitigation measures unless they are at least partially effective in reducing the significance of the impacts at issue. (*Friant Ranch*, 6 Cal.5th at 522.) The RDEIR, like the original EIR, shows that the Project's relevant impacts are greenhouse gas emissions ("GHG"), air quality, noise, and energy impacts, due largely to the increased amount of diesel-fueled semi-truck trips associated with the Project. In the Ongoing Matter, the Court found that the original EIR's analysis of these impacts were deficient because substantial evidence did not support the County's response that zero-emission trucks are not currently commercially available. (Ruling at 49.) The Court discounted the County's argument that several Project Design Features ("PDFs") in the original EIR explicitly mandated the use of electric trucks in the future to the extent feasible, noting that these PDFs were neither presented nor analyzed as mitigation measures. (*Id.*) O3.30

Substantial evidence shows that requiring the usage of zero-emission Class 7 and 8 semi-trucks in lieu of diesel semi-trucks is an effective mitigation measure under CEQA because these vehicles have no tailpipe emissions, and much lower life-cycle GHG emissions. According to the Union of Concerned Scientists, battery-electric Class 7 and 8 trucks have lower life cycle GHG emissions than diesel trucks no matter the operating characteristics of the vehicle or the electric grid.[26] While battery-electric vehicles do not have tailpipe GHG emissions like diesel vehicles, there are still GHG emissions associated with the generation of the electricity used to power the vehicle. With the current mix of electricity generation sources in the United States, the Union of Concerned Scientists found that a battery-electric semi-truck operating locally offers 82 percent life cycle GHG reductions compared to its diesel counterpart.[27] Battery-electric semi-trucks operating on highways offer 69 percent GHG reductions compared to diesel semi-trucks.[28] These reductions are likely even higher in California, since California has a larger proportion of

[26] Union of Concerned Scientists, *Ready for Work: 2.0 On the Road to Clean Trucks*, at 11 (Feb. 18, 2025) https://www.ucs.org/sites/default/files/2025-03/ready-for-work-2.pdf.
[27] *Id.* at 12.
[28] *Id.*

renewable electricity generation sources than the national average.[29] Further, the GHG reductions associated with operating battery-electric semi-trucks will only increase as California moves closer to its goal of ending its dependence on fossil fuels for electricity generation. Thus, requiring battery-electric Class 7 and 8 semi-trucks in lieu of semi-trucks fueled by diesel would significantly reduce the amount of GHG emissions associated with the Project, making it an effective mitigation measure under CEQA for the Project's significant GHG impacts.

Zero-emission vehicles, including Class 7 and 8 battery-electric semi-trucks, also cause significantly less air pollution than diesel semi-trucks. Diesel semi-trucks are a major source of both $PM_{2.5}$ and NO_X, a precursor for ozone.[30] These air pollutants have serious health consequences, as exposure to them is associated with asthma, bronchitis, increased cancer risk, increased hospitalization, and even premature death.[31] Battery-electric semi-trucks have no tailpipe emissions.[32] The only significant air pollutant associated with the operation of battery-electric semi-trucks is the particulate matter emitted from brake wear.[33] However, according to CARB, zero-emission vehicles produce 50 percent less particulate matter from brake wear when compared to diesel vehicles.[34] This is because zero emission vehicles utilize "regenerative braking," which reduces brake usage.[35]

O3.30 cont.

Thus, requiring zero-emission Class 7 and 8 semi-trucks in lieu of diesel semi-trucks would greatly reduce the significant air quality impacts associated with the Project, and is therefore effective mitigation under CEQA. At minimum, the County should require the usage of some percentage of Class 7 and 8 zero-emission trucks at the Project as a feasible mitigation measure.

1. Requiring the Usage of Class 7 and 8 Zero-Emission Trucks at the Project Site is a Feasible Mitigation Measure under CEQA.

Under CEQA, a public agency cannot approve a project as proposed if there are "feasible mitigation measures which substantially lessen the significant environmental effects" of the project. (Cal. Pub. Res. Code § 21002.) Feasibility is defined under CEQA as, "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." (*Id.* § 21061.1.) The CEQA Guidelines add "legal" factors to this definition. (CEQA Guidelines § 15364 (2020).) Public agencies have the power and duty to assess the adequacy of mitigation measures, subject only to judicial review for abuse of discretion. (*City of Marina v. Board of Trustees of California State University* (2006) 39 Cal.4th 341, 361.) A determination on the feasibility of a particular

O3.31

[29] Nuclear Energy Inst., *State Electricity Generation Fuel Shares*, https://www.nei.org/resources/statistics/state-electricity-generation-fuel-shares (last visited Dec. 11, 2025).
[30] Union of Concerned Scientists, *supra* note 26 at 6.
[31] *Id.*
[32] Cal. Air Res. Bd., *Updated Costs and Benefits Analysis for the Proposed Advanced Clean Truck Regulation*, at 3 (Apr. 28, 2020), https://ww3.arb.ca.gov/regact/2019/act2019/30dayattc.pdf.
[33] *Id.*
[34] *Id.*
[35] *Id.*

mitigation measure will be upheld by a reviewing court if a "fair argument" can be made to support the public agency's conclusion. (CEQA Guidelines § 15384.)

Requiring the usage of Class 7 and 8 battery-electric trucks at the Project site is a feasible mitigation measure under CEQA for a multitude of factors.[36] First, numerous studies show that the current total cost of ownership for a large battery-electric semi-truck is less than a diesel equivalent. As the decade progresses, the cost of battery-electric semi-trucks will drop even lower, whereas diesel trucks are expected to increase in cost, or remain stagnant. Second, the two largest technological barriers to widespread usage of battery-electric semi-trucks, which are the existence of cheap batteries that can sustain long range freight movement, and sufficient charging infrastructure to support battery-electric semi-trucks, have been overcome with immense public and private investment. Third, there are currently numerous Class 7 and 8 battery-electric truck models available for purchase, and many freight facilities have already committed to utilizing these trucks. Finally, government agencies in California are aggressively pushing for widespread usage of large battery-electric semi-trucks, through regulatory mandates, grant programs, and financial incentives. O3.31 cont.

a. The Current Total Cost of Ownership of Battery-Electric Semi-Trucks is Less than Diesel Semi-Trucks.

Numerous studies have compared battery-electric semi-trucks with their diesel and natural gas counterparts using a Total Cost of Ownership ("TCO") analysis. A TCO analysis attempts to capture the total cost of purchasing and operating a vehicle throughout its entire life. While each study has slightly varied methodology, each TCO analysis generally consists of vehicle purchase cost, lifetime fuel and maintenance costs, and necessary infrastructure costs.

Some studies analyze additional factors, including California's available financial incentives, the charging infrastructure investments made by California's utilities, and the environmental externalities associated with Class 7 and 8 semi-trucks. Multiple comprehensive studies show that, with financial incentives, electric semi-trucks currently have a lower TCO than both diesel and natural gas semi-trucks. Further, these studies indicate that the cost of battery-electric Class 7 and 8 semi-trucks will continue to decrease as the 2020s progress, whereas the cost of diesel trucks will either increase or remain stagnant. O3.32

CARB undertook a TCO analysis that compared battery-electric and diesel Class 8 Day Cab semi-trucks.[37] Day Cabs are a type of truck generally used for day trips less than 250 miles and are also known as regional-haul or short-haul trucks. The study compared the TCO of this type of semi-truck in three different scenarios: if the vehicle is purchased in 2025, 2030, and 2035.[38] The study concluded that the TCO for a battery-electric Class 8 Day Cab purchased in

[36] Indeed, the State of California recognizes that zero-emission trucks are a best practice for warehouse projects. *See* California Office of the Attorney General, *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* (2022), https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/warehouse-best-practices.pdf.
[37] Cal. Air Res. Bd., *Draft Advanced Clean Trucks Total Cost of Ownership Discussion Document* (Sept. 9, 2021), https://ww2.arb.ca.gov/sites/default/files/2021-08/210909costdoc_ADA.pdf.
[38] *Id.* at 6.

2025 is about $150,000 less than its diesel counterpart.[39] The TCO for a battery-electric truck purchased in 2030 is about $200,000 less than a diesel truck..[40] For 2035, the TCO is about $215,000 less than a diesel truck.[41]

These studies underestimate the full extent that TCO of battery-electric semi-trucks are more economical than diesel semi-trucks by not accounting for financial incentives available in California. For example, an International Council on Clean Transportation ("ICCT") study indicates the TCO of a battery electric semi-truck will be less than a diesel equivalent by 2030..[42] However, this conclusion does not consider the financial incentives available in California, and the CARB study only considers the Low Carbon Fuel Standard ("LCFS").[43] California has many more incentives available, with the most prominent being the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project ("HVIP").[44] For certain Class 7 battery-electric trucks, this HVIP program provides $95,000 as a voucher to offset some of the purchase price.[45] For certain Class 8 battery-electric trucks, the voucher amount is $150,000..[46] Further, in their respective analyses of charging infrastructure costs, neither study incorporates the hundreds of millions of dollars which California utilities have already committed to support the development heavy-duty charging infrastructure..[47] Even still, the analysis does not consider South Coast Air Basin specific incentives, including credit for compliance with the South Coast Warehouse Indirect Source Rule. When these additional factors are considered, the TCO for battery electric semi-trucks is more substantial than reported in the studies.

O3.32 cont

A study conducted by ICF finds that, when the HVIP program and the utilities' charging infrastructure investments are incorporated into a TCO analysis, battery-electric semi-trucks currently have a favorable TCO compared to diesel.[48] ICF's study compares the TCO of battery-electric and diesel Class 8 short-haul semi-trucks and Class 8 long-haul semi-trucks purchased in 2019 and 2030..[49] For battery-electric short-haul trucks purchased in 2019, the TCO was about $150,000 less than a diesel equivalent.[50] For battery-electric short-haul trucks purchased in 2030,

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[39] *Id.*
[40] *Id.*
[41] *Id.*
[42] Dale Hall and Nic Lutsey, *Estimating the Infrastructure Needs and Costs for the Launch of Zero-Emission Trucks*, International Council on Clean Transportation (Aug. 2019), https://theicct.org/sites/default/files/publications/ICCT_EV_HDVs_Infrastructure_20190809.pdf.
[43] *See id.* at 7; *Clean Truck Total Cost of Ownership Discussion*, *supra* note 37 at 68.
[44] California Hybrid and Zero-Emission Truck and Bus Voucher Program, https://www.californiahvip.org/ (last visited Dec. 11, 2025).
[45] *See generally* California HVIP Eligible Vehicle Catalog https://www.californiahvip.org/how- to-participate/#Eligible-Vehicle-Catalog.
[46] *Id.*
[47] Cal. Pub. Util. Comm'n, *Transportation Electrification Activities Pursuant to Senate Bill 350* https://www.cpuc.ca.gov/sb350te/.
[48] ICF, *Comparison of Medium and Heavy-Duty Technologies in California, Part Two: Total Cost of Ownership Analysis* (Dec. 2019), https://caletc.com/wp-content/uploads/2024/04/ICF-Truck-Report_Final_December-2019.pdf.
[49] *Id.* at 1.
[50] *Id.* at 20.

the TCO is about $200,000 less than a diesel equivalent.[51] For battery-electric long-haul trucks purchased in 2019, the TCO was about $200,000 less than a diesel truck.[52] For battery-electric trucks purchased in 2030, the TCO is about $300,000 less than an equivalent diesel truck.[53] This study finds that, when HVIP incentives and the cumulative hundreds of millions California utilities have invested to build charging infrastructure are included in a TCO analysis, large battery-electric semi-trucks currently have a favorable TCO compared to diesel. Further, consistent with the findings of CARB and ICCT, ICF indicates that battery-electric trucks should be able to compete without HVIP incentives on a TCO basis by 2030.[54]

In addition to financial incentives and utility charging infrastructure investment, when the environmental externalities of air pollution and GHG emissions are monetized and incorporated into a TCO analysis, battery-electric trucks are even cheaper compared to diesel. A study done by the Lawrence Berkeley National Laboratory ("LBNL") monetizes the reductions in GHG emissions and air pollution associated with battery-electric trucking in three different scenarios: when electricity comes from 90 percent renewable sources and 10% gas, when it comes from 100% gas, and when it comes from 100 percent coal.[55] The study found that, when battery-electric trucks are fueled by electricity generated with 90 percent renewables and 10 percent gas, these trucks save $0.28 per mile compared to diesel.[56] When battery-electric trucks are powered by electricity generated with 100 percent gas, these trucks save $0.20 per mile compared to diesel.[57] California's electricity generation mix is somewhere in between these two extremes of 100 percent gas and 90 percent renewable.[58] Therefore, battery-electric trucks operating within California would likely save somewhere between $0.20 and $0.28 per mile in GHG and air pollution costs compared to a diesel truck operating in California. Further, even without the monetization of environmental externalities, the LBNL study concludes that the TCO of a Class 8 semi-truck with a 375-mile range is about 13 percent less than a diesel equivalent.[59]

O3.32 cont.

When analyzed cumulatively, these studies show that battery-electric Class 7 and 8 semi-trucks are *currently* an economically feasible alternative to diesel and natural gas semi-trucks. If incentive programs like the HVIP and LCFS, as well as the significant investment made by California utilities in charging infrastructure are incorporated into a TCO analysis, battery-electric trucks are currently cheaper than diesel equivalents. As the 2020s progress, battery-electric trucks will become even cheaper, as diesel trucks become more expensive. Further, by 2030, battery-electric semi-trucks are expected to compete with diesel semi-trucks on a TCO basis without any financial incentives.

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[51] *Id.*
[52] *Id.* at 19.
[53] *Id.*
[54] *Id.* at 32.
[55] Amol Phadle et al., *Why Regional and Long-Haul Trucks are Primed for Electrification Now*, Lawrence Berkeley National Laboratory, 20 (Mar. 2021), https://eta-publications.lbl.gov/sites/default/files/updated_5_final_ehdv_report_033121.pdf.
[56] *Id.* at 27.
[57] *Id.*
[58] Nuclear Energy Inst., *supra* note 29.
[59] Phadle, *supra* note 55 at 1.

b. The Most Significant Technological Barriers to Widespread Usage of Battery-Electric Semi-Trucks Have Been Overcome with Immense Public and Private Investment.

i. Battery Pack Prices are Expected to Continue Declining Significantly, and Battery Technology has Advanced to Support Long Range Freight Movement.

According to CARB, the cost of battery packs is the most important factor in the price of a battery-electric semi-truck.[60] The price of battery packs for semi-trucks, and all heavy-duty vehicles, has significantly declined over the past decade, and is expected to continue declining over the next decade. Between 2010 and 2018, battery pack prices declined approximately 80 percent.[61] A report conducted by the Rocky Mountain Institute indicates that the cost of manufacturing battery capacity will drop 50 percent between 2018 and 2023..[62] This unexpected, rapid scaling of battery manufacturing is due largely to the fact that "total manufacturing investment, both previous and planned until 2023, represents about $150 billion dollars."[63] As battery prices continue to decline, battery-electric trucks will become an even more favorable option when compared to diesel or natural gas trucks.

Not only are battery prices falling significantly, but battery technology is progressing to such an extent that it is technologically feasible for battery-electric semi-trucks to operate effectively over the long ranges necessary for some kinds of freight movement. The LBNL study referenced above found that "thirty minutes of charging using 500 kW or mega-Watt scale fast-chargers would add sufficient range without impairing operations and economics of freight movement."[64] This is consistent with claims by Tesla that its Tesla Semi can be fully charged in under thirty minutes..[65]

Fast-charging is crucial for freight movement, as approximately 40% of large semi-trucks travel 500 miles or more per trip..[66] Fast-charging also has the added benefit of reducing strain on the grid, as the RDEIR notes. (RDEIR App. B at 14.) Each thirty-minute charging session is estimated to provide 4–6 hours of driving time, allowing long-haul battery-electric truck operators to effectively compete with operators using diesel and/or natural gas trucks..[67] The ICCT study referenced above found that with fast charging, a battery-electric semi-truck operator would spend approximately two hours charging on a trip between Los Angeles and Chicago.[68] Although two hours is more time than a diesel or natural gas semi-truck operator would spend

O3.33

[60] Cal. Air Res. Bd., *Clean Truck Total Cost of Ownership Discussion*, *supra* note 37 at 6.
[61] *Id.*
[62] Rocky Mountain Inst., *Breakthrough Batteries*, at 14 (2019) https://rmi.org/insight/breakthrough-batteries.
[63] *Id.* at 7.
[64] Phadle, *supra* note 55 at 1.
[65] *Id.*
[66] Shashank Sripad and Vekatasubramanian Viswanathan, *Quantifying the Economic Case for Electric Semi-Trucks*, ACS Publications, 149 (Dec. 4, 2018), https://pubs.acs.org/doi/pdf/10.1021/acsenergylett.8b02146.
[67] Phadle, *supra* note 55 at 4.
[68] Hall, *supra* note 42 at 17.

refueling, ICCT concludes this time "does not significantly affect total daily driving time within legal limits."[69]

Therefore, not only are battery prices falling dramatically, but battery technology is advancing exponentially, making it technologically feasible for battery-electric trucks to operate over both short and long ranges.

O3.33 cont.

ii. California's Electric Utilities Have Committed Hundreds of Millions of Dollars to Build Medium and Heavy-Duty Charging Infrastructure.

While it has been shown that battery prices are falling significantly, and battery technology is increasing rapidly, this means little if there is insufficient charging infrastructure. According to CARB, charging infrastructure has emerged as the largest current issue preventing the widespread usage of heavy-duty battery-electric trucks.[70] Fortunately, there has been and will continue to be significant investment by California public utilities in medium and heavy-duty charging infrastructure. Further, the cost of charging infrastructure per vehicle diminishes significantly as the volume of vehicles increases. Therefore, the utilities' investment allows the battery-electric semi-truck market to circumvent the high costs currently associated with early charging infrastructure development, and helps to create economies of scale for future buyers.

O3.34

The California Public Utilities Commission ("CPUC") has approved significant investments proposed by California's major public utilities in medium and heavy-duty charging infrastructure.[71] For example, in 2018, the CPUC approved Pacific Gas & Electric's ("PG&E") proposed investment of $236 million to support medium and heavy-duty charging infrastructure installations across its service territory..[72] The CPUC in 2018 also approved Southern California Edison's ("SCE") proposed investment of $343 million to support medium and heavy-duty charging infrastructure installations in its service territory.[73] In 2022, the CPUC approved several programs for SCE to implement proceeds from the sale of its LCFS Holdback credits, including a Drayage Truck Rebate to encourage adoption of cleaner fleets and reduces long-term operator costs.[74]

Additionally, the California Energy Commission has invested $771 million to support implementation of the Clean Transportation Program, much of which will go to support

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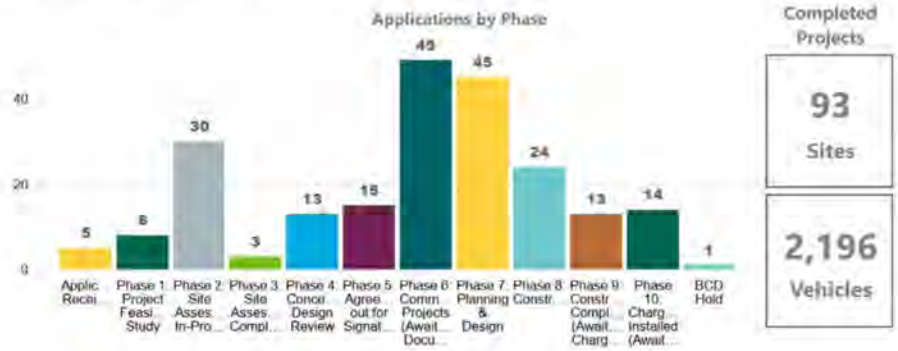
[69] *Id.*
[70] Cal. Air Res. Bd., *Heavy-Duty Investment Strategy*, at D-41 (Sep. 20, 2019), https://ww2.arb.ca.gov/sites/default/files/2019-09/fy1920fundingplan-appd.pdf.
[71] Cal. Pub. Util. Comm'n, *Transportation Electrification Activities Pursuant to Senate Bill 350*, https://www.cpuc.ca.gov/sb350te/ (last visited Dec. 11, 2025).
[72] *Id.*
[73] *Id.*
[74] Cal. Pub. Util. Comm'n, *Key CPUC TE Decisions and Resolutions*, https://www.cpuc.ca.gov/industries-and-topics/electrical-energy/infrastructure/transportation-electrification/key-cpuc-te-decisions-and-resolutions (last visited Dec. 11, 2025); *S. Cal. Edison, Drayage Truck Rebate*, https://commercialevrebates.sce.com/consumer/drayage (last visited Dec. 11, 2025).

incentives for zero-emission truck charging and refueling projects.[75] As a direct result of the Clean Transportation Program's investments in charging infrastructure, Class 8 battery-electric semi-trucks made a historic crossing across the U.S.–Mexico border using chargers installed by San Diego Gas & Electric ("SDG&E") last year..[76]

Altogether, these investments will support the development of charging infrastructure for over 10,000 trucks and buses. In fact, Southern California Edison's Q3 Program Advisory Counsel[77] meeting showed it has been working on 313 active sites with the potential for more than 6,000 electric medium- and heavy-duty vehicles.

Charge Ready Transport: Current Progress

- SCE was working with **313** active sites to potentially support approximately **6,835** MDHD electric vehicles



O3.34 cont.

In fact, warehouses and distribution centers are popular sites for these projects as shown by significant projects at warehouses and distribution centers in the pie chart pasted below..[78]

[75] Cal. Energy Comm'n, *Zero-Emission Vehicle Infrastructure Dollars Are at Work Across California* (May 8, 2024), https://www.energy.ca.gov/news/2024-05/zero-emission-vehicle-infrastructure-dollars-are-work-across-california.
[76] San Diego Gas & Electric, *First Class 8 Heavy-Duty Electric Freight Truck Makes Historic Crossing of U.S.-Mexico* Border (Apr. 11, 2024), https://www.sdgetoday.com/news/first-class-8-heavy-duty-electric-freight-truck-makes-historic-crossing-us-mexico-border.
[77] *See* S. Cal. Edison, *Transportation Electrification Program Advisory Council* (Sept. 12, 2025) [Attached as Exhibit B].
[78] *Id.*

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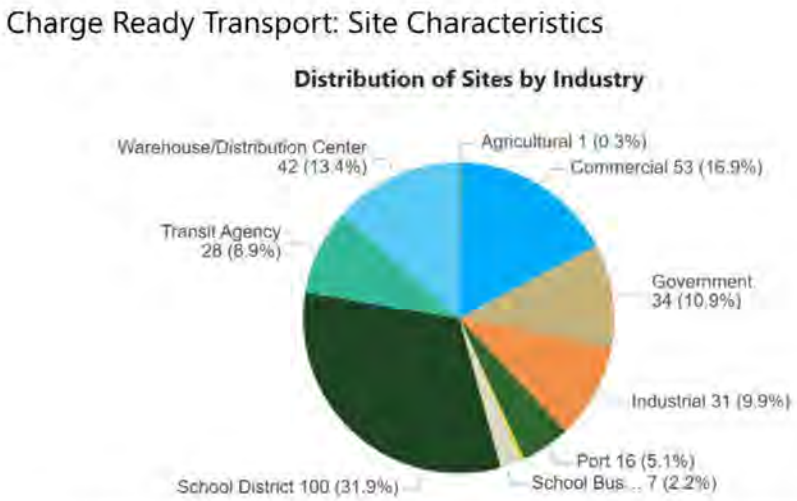


O3.34 cont.

Therefore, although charging infrastructure is a significant barrier to widespread usage of heavy-duty vehicles, the almost $1 billion dollars already committed to building this infrastructure by California's utilities is a huge step in overcoming this barrier. This investment by California's utilities is vital because it has been shown that the cost of charging infrastructure per truck diminishes significantly as the amount of infrastructure installations increases. In the ICCT study referenced above, the ICCT calculates the expected cost of charging infrastructure per Class 8 long-haul battery-electric truck. With 100 trucks and 150 charging installations, the cost of infrastructure per vehicle is $189,000.[79] With 1,000 trucks and 1,200 installations, the cost drops to $114,000 per truck; with 10,000 trucks and 9,700 installations, the cost drops even further to $71,000 per truck.[80]

The economies of scale associated with charging infrastructure show why the utilities' investments are so crucial in ensuring the technological feasibility of battery-electric semi-trucks. The utilities' committed investment will help early battery-electric truck purchasers avoid the high costs currently associated with charging infrastructure. Further, the investment will aid the battery-electric market generally, as these hundreds of millions of dollars will create the economies of scale needed to significantly lower the cost of charging infrastructure for future buyers. This is partly why, as the ICF study shows, when these utility investments are incorporated into a TCO analysis, large battery-electric semi-trucks currently have a favorable TCO when compared to diesel. Thus, with these investments, the cost of charging infrastructure is no longer an obstacle to the widespread usage of Class 7 and 8 battery-electric semi-trucks at freight facilities.

In fact, heavy-duty charging infrastructure is already being deployed at scale. For example, last year, Greenlane unveiled plans for a 280-mile electric truck charging corridor

[79] Hall, *supra* note 42 at i.
[80] *Id.*

28

along Interstate 15, with initial sites in Colton, Barstow and Baker, and additional charging sites expected to extend to San Pedro.[81] This year, this year, Tesla announced a plan to build 46 Megacharger Stations for use by Tesla Semi-trucks across the country by 2027.[82] Additionally, the largest port-based electric truck charging depot in the nation opened this year at the Port of Long Beach, offering 44 high-speed chargers delivering 9 megawatts of power with the capability of supporting of 200 trucks per day.[83] Thus, the RDEIR's reliance on February 2025 data stating that "there are currently 12 publicly accessible DC fast charging stations with a total of 129 EV charging ports across the United States and Canada that are capable of accommodating heavy-duty (class 6-8) trucks" is not substantial evidence that battery electric trucks are infeasible. The fact that the national fast-charging network is rapidly growing from a low baseline does not establish infeasibility. In fact, as of September 2025, the California Energy Commission announced that there are 20,093 charging and hydrogen fueling points for medium- and heavy-duty ("MDHD") zero-emission vehicle across the state, marking an increase of 3,766 (23 percent) since the last update in February 2025.[84] The RDEIR vastly underestimates charging stations and wrongly suggests these are not along key freight routes.

O3.34 cont.

Moreover, microgrid-enabled charging hubs that strengthen, rather than burden, the local grid are rapidly emerging.[85] Earlier this year, NFI Industries and Prologis Mobility launched an electric truck charging depot in Ontario, offering 10 charging ports that can charge up to 20 vehicles daily.[86] NFI installed a 1-megawatt solar array and 7 megawatt-hours of batteries at its Ontario, California, warehouse. That microgrid will help supplement grid power for NFI's fleet of nearly 90 Class 8 electric trucks, which handle drayage operations between the ports and the Inland Empire. Prologis's Hub in Torrance, California—the largest heavy-duty electric truck charging facility in North America—operates 96 high-powered charging stalls on a 9-MW microgrid made up of six independent units with 18 megawatt-hours of onsite battery storage and 3 MW of renewable-gas and hydrogen-capable generation.[87] This configuration allows managed charging, peak-shaving, and full autonomous operation for hours without grid support, serving

[81] Colin Campbell, *Greenlane unveils EV truck charging corridor*, Trucking Dive (Apr. 2, 2024), https://www.truckingdive.com/news/greenlane-electric-truck-charging-corridor-interstate-15-california/711953/.
[82] Mark Kane, *Tesla Develops 46 Megacharger Stations for Semi Trucks*, EV Charging Stations (May 1, 2025), https://evchargingstations.com/chargingnews/tesla-develops-46-megacharger-stations-for-semi-trucks/.
[83] Forum Mobility, *Forum Mobility Celebrates Grant Opening of FM Harbor*, https://forummobility.com/news/forum-mobility-celebrates-grand-opening-of-fm-harbor-the-largest-port-based-electric-truck-charging-depot-in-the-us/.
[84] Cal. Energy Comm'n, *California Exceeds 200,000 Electric Vehicle Chargers* (Sept. 24, 2025), https://www.energy.ca.gov/news/2025-09/california-exceeds-200000-electric-vehicle-chargers.
[85] Jeff St. John, *Without enough utility power, California EV-truck depots try microgrids*, Canary Media (Jan. 17, 2025), https://www.canarymedia.com/articles/ev-charging/without-enough-utility-power-california-ev-truck-depots-try-microgrids; NFI, *NFI and Prologis Mobility Open EV Truck Charging Hub to Power Fleet Electrification* (Apr. 22, 2025), https://www.nfiindustries.com/about-nfi/news/nfi-and-prologis-mobility-open-ev-truck-charging-hub-to-power-fleet-electrification/.
[86] NFI, *supra* note 85.
[87] Prologis, *North America's Largest Heavy-Duty EV Charging Hub Powered by Microgrid* (June 11, 2024), https://www.prologis.com/insights-news/success-stories/north-americas-largest-heavy-duty-ev-charging-hub-powered-microgrid.

more than 300 medium- and heavy-duty trucks per day.[88] These examples directly refute the RDEIR's premise that the necessary charging infrastructure is infeasible without major grid upgrades. (*See* RDEIR App. B at 14.)

O3.34 cont.

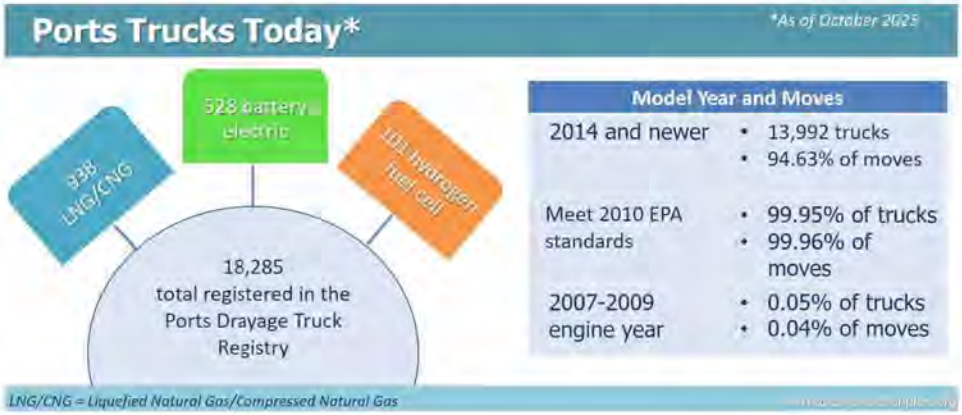
c. Class 7 and Class 8 Battery-Electric Semi-Truck Models are Available for Purchase, and Many Freight Facilities Have Committed to Utilizing these Trucks.

Readily available models of zero-emission trucks will easily meet the requirements of the Project, including the Project's average truck trip length of 40 miles. (*See* RDEIR at 5.3-35.) There are numerous models of Class 7 and 8 Battery-Electric semi-trucks that are currently available for purchase, and are already in operation across the nation. In 2024, zero-emission heavy-duty truck registrations exceeded, for the first time, 200 registrations for every quarter of the year.[89] Based on company announcements, there are at least ten Class 7 or 8 models with ranges up to 550 miles that have or are slated for commercial deployment in the coming years.[90] Tesla is projecting to complete construction of its Tesla Semi production line so that it can begin volume production of its semi-truck in 2026; the company expects to produce 50,000 semi-trucks per year upon reaching full capacity.[91] As early as January of 2018, 19 companies had already ordered 375 Tesla Semis, with UPS ordering 125 and PepsiCo ordering 100.[92] This year, WattEV ordered 40 Tesla Semi trucks to deploy at the Los Angeles and Long Beach ports..[93] BYD, a Chinese zero-emission vehicle manufacturer, announced in January 2020 that it had delivered its 100th battery-electric truck within the United States, which was a second generation Class 8 semi-truck.[94] The German company Daimler announced it delivered its first battery-electric semi-truck in 2019 and that, by 2024, its truck was being used in more than 55 company fleets in the United States.[95]

O3.35

[88] *Id.*
[89] Ilma Fadhil and Yihao Xie, *Zero-Emission Bus and Truck Market in the United States (January-December 2024)*, Int'l Council on Clean Transp., 8 (June 24, 2024), https://theicct.org/wp-content/uploads/2025/06/ID-374-%E2%80%93-US-HDV-2024_spotlight_final.pdf.
[90] Electronsx, *Electric Semi Truck Directory* (2025), https://electronsx.com/electric-semi-truck-directory.php ; Good Car, Bad Car, *A Look at Every Major EV Semi-Truck Actually in Customer* Hands (2024), https://www.goodcarbadcar.net/a-look-at-every-major-ev-semi-truck-actually-in-customer-hands/.
[91] Electrek, *Tesla gives update on Tesla Semi factory, says on track for volume production in 2026* (Apr. 28, 2025), https://electrek.co/2025/04/28/tesla-gives-update-semi-factory-on-track-volume-production-2026/.
[92] Mark Matousek, *Companies that Have Ordered Tesla Semis*, Business Insider (Apr. 25, 2018), https://www.businessinsider.com/companies-that-ordered-tesla-semi-2017-12.
[93] WattEV, *WattEV adds Tesla Semis to its zero-emission fleet at Port of Long Beach* (2025), https://www.wattev.com/post/wattev-adds-tesla-semis-to-its-zero-emission-fleet-at-port-of-long-beach
[94] BYD, *BYD Delivers its 100th Battery-Electric Truck in the United States* (Jan. 8, 2020), https://en.byd.com/news-posts/byd-delivers-100th-battery-electric-truck-in-the-united-states/.
[95] Electrek, *Daimler Delivers More Electric Freightliner eCascadia Semi-Trucks* (Mar. 4, 2020), https://electrek.co/2020/03/04/daimler-electric-freightliner-semi-trucks-ecascadia/; Daimler, *Daimler Truck unveils battery electric autonomous Freightliner eCascadia technology demonstrator* (2024), https://northamerica.daimlertruck.com/news-stories/2024/daimler-truck-unveils-battery-electric-autonomous-freightliner-ecascadia-technology-demonstrator.

The RDEIR incorrectly states that "as of October 2024, there are currently 226 medium-duty and 197 heavy-duty zero-emission vehicles within the SCAQMD jurisdiction." (RDEIR at 5.3-41.) However, as demonstrated by a recent San Pedro Bay Ports Clean Air Action Plan quarterly update, there are currently registered 629 zero-emission port drayage trucks (528 battery electric and 101 hydrogen fuel cell), which alone are way higher than the RDEIR's estimate for zero-emission vehicles within the entire South Coast Air Basin.[96]



O3.35 cont.

Not only are there multiple Class 7 and 8 battery-electric semi-truck models available for purchase and currently on the road, but many freight facilities have already committed to incorporating these trucks into their fleets. Many other, similarly-situated warehouse projects across California have committed to adopting zero-emission truck fleets as quickly as is feasible, including, for instance, the Beaumont Pointe Project in Beaumont, California, which is approximately 35 miles of the proposed Project.[97] In 2022, Walmart opened a fulfillment center in British Columbia which will feature a *fully electric* fleet.[98] Anheuser-Busch ordered a total of 931 electric and hydrogen semi-trucks between 2018 and 2025.[99] Frito-Lay is currently upgrading an existing freight facility, which will include use of 15 Tesla Semis and a 1 Megawatt

[96] Clean Air Action Plan, *About the CAAP Implementation Stakeholder Advisory Group*, https://cleanairactionplan.org/about-the-plan/stakeholder-advisory-group/ (last visited Dec. 11, 2025).
[97] City of Beaumont, at 2-24 (2023) [referring mitigation measures B-41 and B-42 therein and stating that they require that "all heavy-duty vehicles engaged in drayage to or from the project site to be zero-emission beginning in 2030" and that "tenants to use zero-emission light- and medium-duty vehicles as part of business operations"].
[98] Walmart Canada, *Walmart Canada opens high-tech, sustainable grocery distribution centre in Surrey, B.C.* (Apr. 13, 2022), https://www.walmartcanada.ca/content/walmart-canada/en_ca/news/2022/04/13/walmart-canada-opens-high-tech-sustainable-grocery-distribution-centre-in-surrey-b-c.html/.
[99] Nora Manthey, *Anheuser-Busch showcases Zero-Emission Beer Delivery*, Electrive, (Feb. 14, 2022), https://www.electrive.com/2022/02/14/anheuser-busch-showcases-zero-emission-beer-delivery/.

photovoltaic array with charging infrastructure.[100] Loblaw, a Canadian supermarket company, has committed to fully transforming its fleet to zero emission vehicles by 2030, and had already ordered 25 Tesla Semis by late 2017.[101] As part of its goal of 100 percent zero-emission home deliveries, IKEA Australia invested in in four Volvo FL long-range electric trucks.[102] FedEx also took delivery of 36 Class 7 and 8 battery electric semi-trucks in 2023 and early 2024.[103] Further, the Port of Los Angeles has committed to deploying ten Kenworth and Toyota Class 8 fuel cell trucks, and two battery-electric yard tractors.[104] The South Coast Air Quality Management District has committed to deploying 23 Class 8 Volvo battery-electric trucks to move freight across the Inland Empire and another 100 Battey-electric trucks broadly throughout California via a partnership with NFI Industries and Schneider.[105] The United States Postal Service is aiming to electrify roughly 70 percent of its delivery vehicle fleet and has already added 9,000 to 10,000 all-electric trucks to its fleet in 2025.[106] O3.35 cont.

In addition to multiple studies demonstrating that battery-electric semi-trucks are cheaper on a lifetime basis than diesel semi-trucks, these examples of semi-trucks currently available for purchase, and facilities committed to transforming their fleets, indicate that widespread usage of Class 7 and 8 battery-electric trucks at freight facilities is currently feasible.

d. California Regulatory Agencies are Aggressively Pushing for Increased Utilization of Battery-Electric Semi-Trucks.

Multiple government agencies within California are attempting to increase the number of battery-electric semi-trucks on the road, through regulatory mandates, grant programs, and incentive programs. These are in addition to the Low Carbon Fuel Standard, the HVIP program, O3.36

[100] Frito-Lay, *Frito-Lay Transforms California Production Site into First-of-its-Kind Showcase for Sustainability* (Oct. 3, 2019), https://www.fritolay.com/news/frito-lay-transforms-california- production-site-into-first-of-its-kind-showcase-for-sustainability.
[101] Ross Marowits, *Loblaw Says it Ordered 25 Tesla Semis, Wants Fully Electric Fleet by 2030*, Financial Post (Nov. 17, 2017), https://business.financialpost.com/news/retail-marketing/loblaw-says-it- ordered-25-tesla-electric-trucks-wants-fully-electric-fleet-by-2030.
[102] IKEA, *New Volvo long-range electric trucks for IKEA zero emissions deliveries* (Oct. 31, 2025), https://www.ikea.com/au/en/newsroom/corporate-news/new-volvo-long-range-electric-trucks-for-ikea-zero-emissions-deliveries-pub867d75f0/.
[103] FedEx, *2025 Corporate Responsibility Report* (2025), https://www.fedex.com/content/dam/fedex/us-united-states/sustainability/gcrs/FedEx_2025_CR_Report.pdf; 3BL Media, Driving Sustainability: *FedEx's Commitment to Carbon Neutral Operations and a Greener Global Supply Chain by 2040* (Feb. 18, 2025), https://www.3blmedia.com/news/driving-sustainability-fedexs-commitment-carbon-neutral-operations-and-greener-global-supply.
[104] Cal. Air Res. Bd., *CARB Announces More than $200 Million in New Funding for Clean Freight Transportation* (Sep. 26, 2018), https://ww2.arb.ca.gov/news/carb-announces- more-200-million-new-funding-clean-freight-transportation.
[105] *Id.*; S. Coast Air Quality Mgmt. Dist., *South Coast AQMD Leads North America's Largest Deployment of Class 8* (Aug. 31, 2021), https://www.aqmd.gov/docs/default-source/news-archive/2021/JETSI-aug31-2021.pdf.
[106] Adam Ismail, *Your Holiday Packages Might Be Delivered by USPS's New Electric Mail Trucks*, The Drive (Dec. 1, 2025), https://www.thedrive.com/news/your-holiday-packages-might-be-delivered-by-usps-new-electric-mail-trucks.

and the utility investments in charging infrastructure referenced above. In addition to the favorable TCO of battery-electric semi-trucks, these various agency actions increase the feasibility of widespread usage of these types of trucks at freight facilities.

In 2021, the South Coast Air Quality Management District ("SCAQMD") approved an Indirect Source Rule that would apply to freight facilities within the South Coast region, where the Project is located.[107] Under this rule, freight facilities above 100,000 square feet would be required to accumulate a certain number of Warehouse Actions and Investments to Reduce Emissions ("WAIRE") points per year.[108] WAIRE points can be generated through the purchase and usage of zero-emission and near zero-emission equipment, including vehicles and charging infrastructure..[109] Zero-emissions and near-zero-emission truck trips also generate WAIRE points. The most points that can be allocated for a singular action is for the purchase and usage of Class 8 battery-electric or fuel cell trucks.[110]

O3.36 cont.

SCAQMD cites the commercial availability of battery electric Class 7 and 8 trucks in the technical document supplementing the regulatory language. 111 While the specific acquisition and usage of Class 7 and Class 8 zero-emission trucks is not per se required, this rule would strongly incentivize, if not force, many freight facilities to acquire these types of trucks and/or ensure that a certain number of truck trips made to their warehouse each year are by these trucks. Compliance data from 2021 to 2023 demonstrates that the rule has resulted in the acquisition of 203 zero-emission yard trucks across 109 warehouses, 172 Class 8 electric trucks across 25 warehouses and 53 Class 4–7 electric trucks across nine warehouses. 112 It has also spurred adoption of nearly 340 charging stations..113 SCAQMD's rule indicates that increased usage of Class 7 and 8 battery electric trucks is feasible, and seeks to ensure more of these trucks are on the road. SCAQMD has also released significant funding for electrification. For example, the SCAQMD has an approximately $500 million Invest Clean program, which had $178 million allocated to over $175 million for zero-emission infrastructure and $28 million zero-emission trucks.[114]

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[107] S. Coast Air Quality Mgmt. Dist., *Proposed Rule 2305: Warehouse Indirect Source Rule* (Nov. 10, 2019), http://www.aqmd.gov/docs/default-source/planning/fbmsm-docs/warehouse-isr_prelim-1st-draft.pdf?sfvrsn=6.

[108] *Id.* at 2305-3.

[109] S. Coast Air Quality Mgmt. Dist., *Draft WAIRE Menu Technical Report at 1* (Mar. 3, 2020), http://www.aqmd.gov/docs/default-source/planning/fbmsm-docs/waire-menu-technical-report_draft_3-3-20.pdf?sfvrsn=6.

[110] *Id.* at 2.

[111] *Id.* at 4.

[112] Sam Becker, *Southern California's novel warehouse rule is reducing truck pollution*, Env't Def. Fund (Nov. 21, 2024), https://blogs.edf.org/energyexchange/2024/11/21/southern-californias-novel-warehouse-rule-is-reducing-warehouse-pollution/; S. Coast Air Quality Mgmt. Dist., *Hybrid Mobile Source Committee Meeting* (Oct. 18, 2024), https://www.aqmd.gov/docs/default-source/Agendas/Mobile-Source/msc-agenda-101824.pdf.

[113] *Id.*

114 S. Coast Air Quality Mgmt. Dist., *Issue Program Announcements for Battery Electric Class 8 Trucks,*

SCAQMD is not the only California agency attempting to increase the usage of battery-electric trucks in the state. On June 12, 2025, the Governor Newsom signed Executive Order N-27-25, reaffirming California's commitment to deploy zero-emission vehicle technologies to improve air quality, especially in communities disproportionately impacted by pollution.[115] Following the executive order, CARB launched Drive Forward, an initiative that will support the development of medium- and heavy-duty vehicle regulations, incentive programs, outreach and education, and complementary programs and policies that enable clean vehicle deployment.[116] Further, CARB oversees an over $200 million program designed to facilitate the transition to zero-emission freight fleets.[117] This amount has since grown much larger as a result of budget allocations. This CARB program funded the deployment of zero-emission semi-trucks done by the Port of Los Angeles and the SCAQMD, referenced above. CARB also oversees a grant program called the Carl Moyer Memorial Air Quality Standards Attainment Program.[118] This program provides funding to vehicles that have less particulate matter and NOx emissions than is currently required by state and federal law. In addition, CARB oversees the Air Quality Improvement Program ("AQIP"), which is almost exclusively used to provide financing for small fleet owners to purchase clean fleets.[119] On the local level, the Port of Los Angeles has heavily prioritized zero-emission trucks and infrastructure. Over the next three years, the Port will invest in clean trucks and supporting infrastructure to help transition the drayage fleet serving the Port to zero emissions by 2035.[120] And since April 2022, the Port of Los Angeles has collected approximately $123 million in Clean Truck Fund revenues to help operators purchase ZE trucks and develop supporting infrastructure.[121] As of March 2025, the Port has spent or allocated $93 million for deploying ZE trucks and building charging and fueling depots.[122] At a recent Clean Air Action Plan Quarterly Update on December 9, 2025, the Ports of Los Angeles and Long Beach provided even more significant funding derived from the Clean Truck Fund Rate. The following slide shows the most current revenue collections and notes that $2-$4 million will be collected each month.

O3.36 cont.

Cargo Handling Equipment and Charging Infrastructure for INVEST CLEAN Program (Aug. 1, 2025), https://www.aqmd.gov/docs/default-source/agendas/governing-board/2025/2025-aug1-003.pdf?sfvrsn=d7c06e7e_1.

[115] Exec. Dept. of State of Cal., Exec. Order N-27-25 (June 12, 2025), *available at* https://www.gov.ca.gov/wp-content/uploads/2025/06/CRA-Response-EO-N-27-25_-bl-formatted-GGN-Signed-6-11-954pmFinal.pdf?utm_medium=email&utm_source=govdelivery.

[116] Cal. Air Res. Bd., *Drive Forward*, https://ww2.arb.ca.gov/drive-forward (last visited Dec. 11, 2025).

[117] Cal. Air Res. Bd., *$200 Million in New Funding*, *supra* note 104.

[118] Cal. Air Res. Bd., *Carl Moyer Air Quality Standards Attainment Program*, https://ww2.arb.ca.gov/our-work/programs/carl-moyer-memorial-air-quality-standards- attainment-program (last visited Dec. 11, 2025).

[119] Cal. Air Res. Bd., *AQIP Formal Regulatory Documents*, https://ww2.arb.ca.gov/resources/documents/aqip-formal-regulatory-documents (last visited Dec. 11, 2025).

[120] Port of Los Angeles, *Port of Los Angeles Adopts Near-Term Clean Truck Spending Plan* (May 22, 2025), https://www.portoflosangeles.org/references/2025-news-releases/news_052225_ctf.

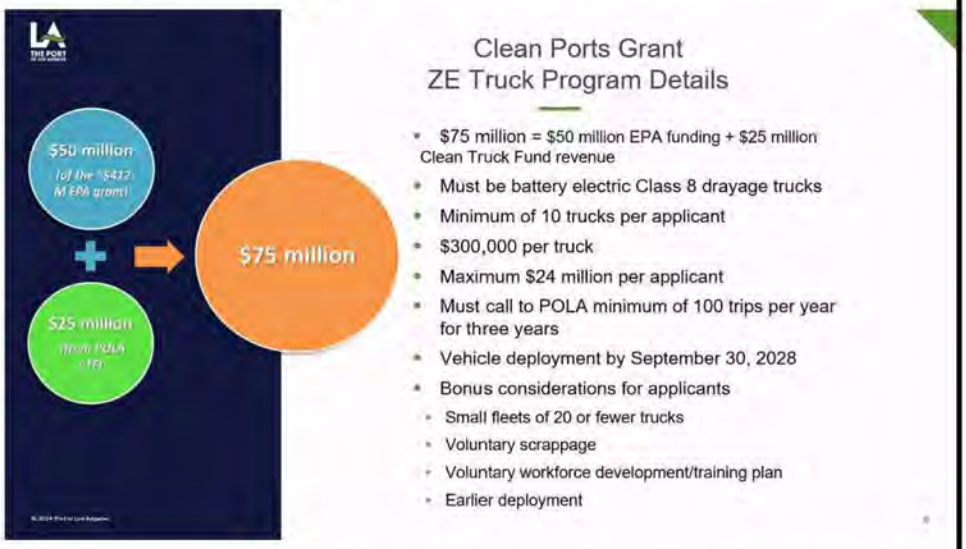
[121] *Id.*

[122] *Id.*

Clean Truck Fund (CTF) Rate Status

- Collection began at both Ports on April 1, 2022
- Approximately $2-4 million collected by each port monthly
- As of October 2025, approximately $288 million has been collected by Ports
  - Approximately $156 million allocated to zero-emission (ZE) trucks, infrastructure, and demonstration projects

The Port of Los Angeles also received significant funds to launch another $75 million dollar program, which will fund another 250 electric trucks. The Port has communicated that it intends to launch the program in Q1 of 2026. O3.36 cont.



This is certainly not an exhaustive list of the grant programs and incentives available in California. Altogether, CARB indicates that more than a dozen California agencies issue hundreds of millions of dollars annually to support the deployment of heavy-duty vehicles.[123] These grant programs, regulations, and incentives further illustrate the feasibility of widespread usage of battery-electric semi-trucks at freight facilities. None of the TCO studies analyzed above incorporate these programs and regulations into their calculation. Even without

[123] Cal. Air Res. Bd, *Heavy-Duty Investment Strategy*, at D-90 (Sep. 20, 2019) https://ww2.arb.ca.gov/sites/default/files/2019-09/fy1920fundingplan-appd.pdf.

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considering any of these, the TCO of a battery-electric semi-truck is currently less than a diesel equivalent. When these programs, regulations, and incentives are also considered, the case for the feasibility of requiring Class 7 and 8 battery-electric semi-trucks at freight facilities becomes even stronger.

O3.36 cont.

2. *There are Multiple Co-Benefits Associated with the Widespread Usage of Class 7 and 8 Zero-Emission Semi-Trucks at the Project Site.*

a. Requiring the Usage of Class 7 and 8 Battery-Electric Semi-Trucks will Reduce Local Air Pollution.

The operation of Class 7 and 8 diesel semi-trucks within and around communities has devastating, sometimes deadly, air quality impacts. As mentioned above, diesel semi-trucks are significant sources of particulate matter and NOx pollution. The impacts of these pollutants are so severe that the International Agency for Research on Cancer, which is part of the World Health Organization, has classified diesel exhaust as carcinogenic to humans.[124] According to the California Office of Environmental Health Hazard Assessment ("OEHHA"), particulate matter pollution is linked to increased hospital visits, emergency room visits, asthma attacks, and premature deaths among those suffering from respiratory illnesses.[125] Children are especially susceptible to this harmful pollution, as their lungs and respiratory systems are still developing..[126] NOx emissions are also quite harmful, and can damage lung tissue, lower the body's resistance to respiratory infection, and worsen chronic lung diseases. Further, NOx reacts with other pollutants in the atmosphere to form ozone, a precursor to smog.[127]

O3.37

Class 7 and 8 zero-emission semi-trucks almost fully eliminate the creation of these potentially deadly pollutants. As referenced above, zero-emission vehicles, including battery-electric trucks, have no tailpipe emissions. The only significant air pollutant associated with these semi-trucks is the particulate matter caused by braking. However, according to CARB, battery-electric trucks emit about 50 percent less particulate matter from braking than diesel semi- trucks, through the use of "regenerative braking." Therefore, requiring the usage of Class 7 and 8 zero-emission semi-trucks is not only economically and technologically feasible, but will provide significant health benefits to the people of Bloomington and surrounding areas. This is especially true given that the Countywide Plan has identified Bloomington as an Environmental Justice Focus Area with some of the highest ozone and particulate matter pollution in the state as a result of trucking routes and industrial operations in and near the community..[128] Thus, requiring the usage of these trucks is not only required under CEQA as a feasible mitigation

[124] Am. Cancer Soc., *Diesel Exhaust and Cancer*, https://www.cancer.org/cancer/cancer- causes/diesel-exhaust-and- cancer.html#:~:text=The%20EPA%20classifies%20diesel%20exhaust,a%20%E2%80%9Cpotent ial%20occupational%20carcinogen.%E2%80%9D (last visited Dec. 11, 2025).
[125] Cal. Office of Health Hazard Assessment, *Health Effects of Diesel Exhaust* (May 21, 2001), https://oehha.ca.gov/air/health-effects-diesel-exhaust.
[126] *Id.*
[127] *Id.*
[128] San Bernardino Cnty., *Environmental Justice and Legacy Communities Background Report*, at 3-35 (Sept. 27, 2022), https://lus.sbcounty.gov/wp-content/uploads/sites/48/HousingPlans/EJ-Legacy-CWP-BackgroundReport-Final-20220927.pdf.

measure, but is a moral imperative. No person within the community should be subjected to asthma, lung cancer, or worse, when it is clearly possible to avoid this. O3.37 cont.

b. Requiring Usage of Class 7 and 8 Battery-Electric Semi-Trucks will Aid California in Reaching its GHG and Air Pollution Reduction Goals.

California has multiple stringent GHG and air pollution reduction goals, and electrification of freight fleets is a vital component to achieving these goals. California is mandated under the federal Clean Air Act to reduce its air pollution consistent with the National Ambient Air Quality Standards ("NAAQS").[129] Currently, the South Coast and Valley Air Districts are out of compliance with the eight-hour and twenty-four-hour ozone standard.[130] According to CARB, an 80% reduction in truck and bus NO_X tailpipe emissions is required by 2031 from 2019 levels to meet the NAAQS for the South Coast region.[131] As mentioned above, diesel semi-trucks are a significant source of NO_X tailpipe emissions, whereas battery-electric semi-trucks have zero tailpipe emissions. Thus, requiring the usage of these vehicles at the Project site will aid California in achieving compliance with the federal NAAQS. O3.38

California also has aggressive GHG reduction goals. Senate Bill 32 mandates that GHG emissions be reduced 40% below 1990 levels by 2030. Executive Order S-3-05 mandates that GHG emissions be reduced 80% below 1990 levels by 2050. Executive Order B-55-18 mandates that California achieve economy-wide carbon neutrality by 2045. According to a report by the Energy Futures Initiative, meeting the goals for 2045 and 2050 will be "extremely challenging."[132] According to the ICF study mentioned above, deployment of 100,000 electric medium and heavy-duty vehicles is necessary to achieve both the 2030 and 2050 GHG reduction goals.[133] Heavy-duty vehicles, including diesel semi-trucks, are a significant source of GHG emissions. According to the Union of Concerned Scientists, heavy-duty vehicles constitute 10% of vehicles in the United States, but emit 28% of vehicle-related GHG emissions.[134] Battery-electric trucks, as shown above, have significantly less life cycle GHG emissions than diesel semi-trucks, and the GHG emissions from battery-electric trucks will continue to decrease as California increases the proportion of electricity generated by renewable sources. Thus, requiring usage of battery-electric semi-trucks at the Project site will aid California in meeting its aspirational GHG emissions reduction goals.

[129] ICF, *supra* note 48 at 3.
[130] *Id.*
[131] *Id.*
[132] Energy Futures Initiative, *Optionality, Flexibility, and Innovation: Pathways for Deep Decarbonization in California*, at xvi (May 2019), https://efifoundation.org/wp-content/uploads/sites/3/2022/03/OptionalityFlexibilityInnovation_Report_compressed.pdf.
[133] ICF, *supra* note 48 at 28.
[134] Union of Concerned Scientists, *supra* note 26 at 2.

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c. Electrification of Freight Fleets has Positive Economic Impacts for California.

In addition to the TCO calculation, the ICF study referenced above also analyzes the economic impacts associated with electrification of freight fleets in the state of California. The report concluded that widespread electrification has multiple positive economic impacts. For one, transitioning from petroleum fuels to electricity allows funds that would otherwise flow out of California's economy to be retained within the state..[135] Further, investment in battery-electric vehicles results in greater net employment, Gross Regional Product, and industrial activity per dollar invested, when compared to investment in natural gas vehicles.[136] Also, investment in the electrification of freight fleets results in a doubling of jobs in the medium and heavy-duty sectors relative to investment in natural gas and diesel vehicles.[137] These economic benefits are consistent with the findings of the LBNL. In a letter to CARB regarding its Advanced Clean Truck Rule, LBNL indicates that a mandate that manufacturers must sell 100 percent zero-emission vehicles across all truck classes would result in $49 billion in savings to the state economy compared when to a "business-as-usual" scenario.[138] This failure to include all feasible mitigation violates CEQA. O3.38 cont.

IV. THE RDEIR'S GREENHOUSE GAS EMISSIONS IMPACT ANALYSIS IS SEVERELY FLAWED.

The RDEIR's analysis of the Project's GHG emissions is also deeply flawed. The Project will result in significant amounts of GHG emissions yet does not properly analyze the significance and mitigation of those emissions. (*See* CEQA Guidelines § 15126.2; Cal. Pub. Res. Code § 21002.)

A strong, international scientific consensus has established that human-caused climate change is causing widespread harms to human society and natural systems, and that the threats from climate change are becoming increasingly dangerous. The Intergovernmental Panel on Climate Change ("IPCC"), the leading international scientific body for the assessment of climate change, concluded in its 2023 Sixth Assessment Report that: "[h]uman-caused climate change is a consequence of more than a century of net GHG emissions from energy use, land-use and land use change, lifestyle and patterns of consumption, and production."[139] Moreover, "[a]n increasing share of emissions can be attributed to urban areas (a rise from about 62% to 67–72% of the global share between 2015 and 2020)."[140] "Widespread and rapid changes in the atmosphere, ocean, cryosphere and biosphere have occurred."[141] "Evidence of observed changes O3.39

[135] ICF, *supra* note 48 at 6.
[136] *Id.*
[137] *Id.*
[138] Lawrence Berkeley National Laboratory, *Letter to CARB Regarding Proposed Amendments to the ACT Standard Yield $11 Billion in Savings and 50% Emissions Reductions over Original Standards* (May 20, 2020), https://www.arb.ca.gov/lists/com-attach/4122-act2019- AWBdOAZzAzMKYwFs.pdf.
[139] Int'l Panel Climate Change, *Climate Change 2023 Synthesis Report*, 44 (2023), https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC_AR6_SYR_LongerReport.pdf.
[140] *Id.*
[141] *Id.* at 46.

in extremes such as heatwaves, heavy precipitation, droughts, and tropical cyclones, and, in particular, their attribution to human influence, has strengthened," and "[i]t is virtually certain that hot extremes (including heatwaves) have become more frequent and more intense across most land regions since the 1950s, while cold extremes (including cold waves) have become less frequent and less severe, with high confidence that human-caused climate change is the main driver of these changes."[142]

"Climate change will alter chemical and physical interactions that create, remove, and transport air pollution. The resulting changes in air pollution, including fine particulate matter ($PM_{2.5}$) and ground-level ozone, are likely to have significant respiratory and cardiovascular health effects. Changes in climate, including temperature, humidity, precipitation, and other meteorological factors, can change concentrations of $PM_{2.5}$ and ozone, broadening the distribution of human exposures to these pollutants. In addition, climate-driven increases in the intensity and duration of warm seasons are projected to increase the number of days with poor air quality. Furthermore, climate change-driven increases in wildfires and windblown dust events also result in higher $PM_{2.5}$ concentrations."[143]

In urban settings, climate change has caused adverse impacts on human health, livelihoods, and key infrastructure.[144] Hot extremes, including heatwaves, have intensified in cities, where they have also worsened air pollution events and limited the functionality of key infrastructure.[145] Observed impacts are concentrated amongst economically and socially marginalized urban residents.[146] Moreover, "the most vulnerable people and systems have been disproportionately affected by the impacts of climate change."[147] "[M]inorities are most likely to currently live in areas where the analyses project the highest levels of climate change impacts with 2°C of global warming or 50 [centimeters] of global sea level rise."[148] For example, "Hispanic and Latino individuals are 43% more likely than non-Hispanic and non-Latino individuals to currently live in areas with the highest projected labor hour losses in weather-exposed industries due to climate-driven increases in high-temperature days."[149] O3.39 cont.

In response to inadequate action on the national level, California has taken steps through legislation and regulation to fight climate change and reduce statewide GHG emissions. Enforcement of and compliance with these measures is essential to help stabilize the climate and avoid catastrophic impacts to our environment. AB 32 mandates that California reach 1990 levels of GHG emissions by the year 2020, equivalent to approximately a 15 percent reduction from a business-as-usual projection. (Health & Saf. Code § 38550.) Based on the warning of the IPCC and leading climate scientists, Governor Brown issued an executive order in April 2015

[142] *Id.* at 46 [internal citation omitted].
[143] EPA, *Climate Change and Social Vulnerability in the United States: A Focus on Six Impacts*, 20 (Sept. 2021). https://www.epa.gov/system/files/documents/2021-09/climate-vulnerability_september-2021_508.pdf.
[144] *Id.* at 50 [internal citation omitted].
[145] *Id.*
[146] *Id.*
[147] *Id.* at 51.
[148] *Id.* at 6.
[149] *Id.*

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requiring GHG emissions reductions to 40 percent below 1990 levels by 2030. (Executive Order B-30-15 (2015).) The Executive order is in line with a previous Executive Order mandating the state reduce emission levels to 80 percent below 1990 levels by 2050 in order to minimize significant climate change impacts. (Executive Order S-3-05 (2005).) In enacting SB 375, the legislature has also recognized the critical role that land use planning plays in achieving GHG emission reductions in California.

The legislature has found that failure to achieve GHG emissions reductions would be "detrimental" to California economy. (Health & Saf. Code § 38501(b).) In his 2015 Inaugural Address, Governor Brown reiterated his commitment to reduce GHG emissions with three new goals for the next fifteen years:

- To increase electricity derived from renewable sources to 50 percent;
- To reduce petroleum use in cars and trucks by 50 percent;
- To double efficiency of existing buildings and make heating fuels cleaner..[150]

In 2018, Governor Brown issued Executive Order B-55-18, in which he declared it to be a statewide goal to "achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter."

O3.39 cont.

An EIR's project-specific GHG emissions disclosure, analysis, and mitigation is vital in order for California meet its climate goals and maintaining our climate. While some sources of GHG emissions may appear insignificant in isolation, climate change is a problem with cumulative impacts and effects. (*Ctr. for Biological Diversity v. Nat'l Highway Traffic Safety Admin.* (9th Cir. 2008) 538 F.3d 1172, 1217 ["the impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis" that agencies must conduct].) "The challenge for CEQA purposes is to determine whether the impact of the project's emissions of greenhouse gases is cumulatively considerable, in the sense that 'the incremental effects of [the] individual 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.'" (*Upland Community First v. City of Upland* (2024) 105 Cal.App.5th 1, 15 [citations omitted].) One source or one small project may not appear to have a significant effect on climate change, but the combined impacts of many sources can drastically damage California's climate as a whole.

An EIR should "should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project.'" (*Id.* at 16.) The Guidelines grant a lead agency "discretion to determine, in the context of a particular project, whether to: [¶] (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model ... to use ... and/or [¶] (2) Rely on a qualitative analysis or performance based standards.'" (CEQA Guidelines § 15064.4(a).) Under the second method, a lead agency can adopt an area wide plan to reduce GHG emissions and use that plan to determine significance. (CEQA Guidelines § 15183.5(b).) "Compliance with an area-wide regulatory program to reduce GHG emissions

[150] Brown 2015.

'may, standing alone, provide sufficient evidence that the project will have no significant adverse effect on the environment.'" (*Upland Community First*, 105 Cal.App.5th at 16.)

The RDEIR states that the analysis relies on the County's GHG Reduction Plan, last updated in September 2021. (RDEIR at 5.8-7–5.8-8.) The GHG Reduction Plan uses a two-step approach in quantifying GHG emissions: "First, a screening threshold of 3,000 metric tons of carbon dioxide equivalent (MTCO2e) per year is used to determine if additional analysis is required. If a proposed project were to produce GHG emissions in exceedance of 3,000 MTCO2e per year, then the project is required to either achieve a minimum of 100 points per the Screening Tables provided within the Greenhouse Gas Reduction Plan, or quantify project-specific GHG emissions and achieve the equivalent level of GHG emissions efficiency as a 100-point project." (RDEIR at 5.8-8.) Here, the Project's GHG emissions far exceed the 3,000 $MTCO_2e$ screening threshold: Opening Year – Option 1 would generate a net total of approximately 17,347.57 $MTCO_2e$/year, Opening Year – Option 2 would generate 22,420.02 $MTCO_2e$/year, and Future Development Area - Specific Plan Buildout would generate 30,515.40 $MTCO_2e$/year. (RDEIR at 5.8-13–5.8-14.)

In the Ongoing Matter, the Court found that the EIR's significance findings under the two significance thresholds the County used to assess GHG impacts were contradictory. (Ruling at 98.) Specifically, the Court found that

O3.39 cont.

> it cannot be that the Project's GHG impacts are less than significant without mitigation because the Project includes enough design features to achieve at least 100 points from the Screening Table, as found for Impact GHG-2 . . . and at the same time the Project implements mitigation in the form of requiring improvements/building measures as set forth in the 2021 Screening Tables to achieve the required 100 point requirement that results in GHG emission impacts being found insignificant with mitigation, as found with Impact GHG-1.

(*Id.* at 58.) Notably, the Court also pointed to the holding in *Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 655–56, as highlighting that "the requirements of CEQA are not met when analysis of impacts and mitigation measures are compressed." (Ruling at 58.) "The PDFs cannot be treated as project design features and mitigation measures at the same time; if PDFs are not otherwise binding and enforceable, they must be incorporated as mitigation measures." (*Id.* at 59.) Ultimately, the Court held that "[t]he County's determination in relation to Impact GHG-2 that the Project will not have a significant impact as it relates to GHG emissions [was] not supported by substantial evidence, given the Screening Tables are not demonstrated to be binding and enforceable outside being incorporated as mitigation measures." (*Id.* at 59–60.)

The RDEIR continues to suffer from the same "inherently contradictory" analysis that ultimately rendered the original EIR "inadequate under CEQA as an informational document." (*Id.* at 60.) Rather than curing the ambiguities in its analysis, the RDEIR makes all mitigation measures hypothetical. The RDEIR states that "As the Project has not been fully designed, individual buildings may contain less than 100 points worth of County GHG Emissions

Reduction Plan features, and would result in emissions exceeding the screening threshold of 3,000 $MTCO_2e$. Impacts would be potentially significant prior to mitigation. Therefore, Mitigation Measure GHG-1 has been included to require that at the time of receipt of certificate of occupancy, individual buildings within the Specific Plan provide evidence that as constructed they include features totaling a minimum of 100 points per the county's GHG Screening Tables." (RDEIR at 5.8-15.) O3.39 cont.

Ultimately, the RDEIR fails as an informational document because the GHG significance analysis and mitigation analysis continue to be conflated, making the actual significance threshold for GHG emissions impact unclear. The RDEIR states that the two-step approach—using the screening threshold of 3,000 $MTCO_2e$/year and then achieving a minimum of 100 points per the Screening Tables—is the significance threshold. Yet the RDEIR also relies on the Screening Tables as a mitigation measure that will be determined at a later date. The RDEIR cannot have it both ways. It remains unclear not only how the RDEIR evaluates significance with threshold GHG-1, but the RDEIR does not demonstrate the Project's consistency with the County's GHG Reduction Plan—thus meaning that the RDEIR's significance finding under threshold GHG-2 is unsupported by substantial evidence. Finally, the County's attempt to unlawfully defer the Project's GHG mitigation measures is a violation of CEQA.

V. THE RDEIR FAILS TO SUFFICIENTLY ANALYZE OR MITIGATE ENERGY IMPACTS.

An EIR "must include a statement concerning . . . measures to reduce the wasteful, inefficient, and unnecessary consumption of energy." (Cal. Pub. Res. Code § 21100(b)(3); CEQA Guidelines, App. F; CEQA Guidelines § 15126.4(a)(1)(C), (c).) Appendix F of the CEQA Guidelines establishes the framework for lead agencies to comply with during the EIR process. (*California Clean Energy Committee v. City of Woodland* (2014) 225 Cal.App.4th 173, 209.) Appendix F clearly provides that "[t]he goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include: decreasing overall per capita energy consumption, decreasing reliance on fossil fuels such as coal, natural gas and oil, and increasing reliance on renewable energy sources." There are several ways possible energy impacts could arise, such as "the project's energy requirements and its energy use efficiencies; . . . the degree to which the project complies with existing energy standards; the project's effects on energy resources; and the project's projected transportation energy use requirements and its overall use of efficient transportation alternatives." (*League to Save Lake Tahoe Mountain etc. v. County of Placer* (2022) 75 Cal.App.5th 63, 167.) O3.40

Because the RDEIR relies on vague analysis and unsupported assumptions, and it fails to consider feasible renewable options as mitigation measures, the RDEIR fails to sufficiently analyze or mitigate the Project's energy impacts, as required by Appendix F.

A. The RDEIR Does Not Consider Renewable Energy Options When Weighing its Significance Findings for Operational and Transportation Energy Impacts.

An EIR's "determination of whether the potential impact is significant is to be based on [a] discussion" of "whether any renewable energy features could be incorporated into the O3.41

project." (*League to Save Lake Tahoe Mountain*, 75 Cal.App.5th at 167 [citing CEQA Guidelines § 15126.2(b)].) In the Ongoing Matter, the Court concluded that the County committed a procedural violation of CEQA by failing to analyze renewable energy options for the Project. (Ruling at 69, 98.) Specifically, the Court found that the EIR insufficiently "address[ed] renewable energy resources in considering whether the Project results 'in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources.'" (*Id.* at 67.) The Court also emphasized that compliance with Title 24 Energy Efficiency Standards and CALGreen Building Standards was an insufficient basis for the EIR's energy significance finding, and thus substantial evidence did not support the County's findings of no significant impacts. (*Id.* at 71.)

O3.41 cont.

Here, the RDEIR's impact analysis is not based on an adequate discussion of whether any renewable energy features could be incorporated into the Project. While the RDEIR briefly mentions renewable energy options as part of the RDEIR's analysis of feasible mitigation measures, *see, e.g.*, Draft RDEIR at 5.6-20; RDEIR App. B at 15, its significance finding is cursory and includes no discussion of renewable energy options. (*Id.* at 5.6-20.) As the California Court of Appeal in *League to Save Lake Tahoe Mountain* made clear, "a discussion of renewable energy options [is itself] 'a potentially significant environmental consideration' under the Guidelines, the omission of which violate[s] CEQA." (*League to Save Lake Tahoe Mountain*, 75 Cal.App.5th at 167 [citation omitted].) Thus, the County must revise its analysis to ensure use of renewable energy options is considered.

B. MM GHG-1 Is an Insufficient Mitigation Measure for the Project's Operational Energy Impact.

CEQA requires that mitigation measures be analyzed in the RDEIR, and the Guidelines prohibit agencies from deferring the formulation of mitigation measures to after project approval except in certain, strictly limited circumstances. (CEQA Guidelines § 15126.4(a)(1)(B).) An agency may develop the specifics of mitigation after project approval only "when it is impractical or infeasible to include those details during the project's environmental review." (*Id.*) That is, "practical considerations" must "prevent[] the formulation of mitigation measures at the usual time in the planning process." (*POET, LLC v. State Air Res. Bd.* (2013) 2018 Cal.App.4th 681, 738 [citing *Sacramento Old City Assn. v. City Council* (1991) 229 Cal.App.3d 1011, 1028-1029].) Unless those considerations are "readily apparent," an EIR must explain an agency's decision to defer finalizing the specifics of mitigation. (*Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260, 281.)

O3.42

Here, the RDEIR considers Mitigation Measure GHG-1 as a mitigation measure for the Project's operational energy impact. However, as discussed *supra* in Section IV, this measure does not meet CEQA's informational requirements, is improperly deferred, and lacks enforceability. The RDEIR's energy analysis also relies on the following assumption: "Project buildings would each be required to incorporate energy efficiency measures, such as increased insulation and cool roof features, in order to meet 100 points on the County's GHG Reduction Plan Screening Tables." (RDEIR at 5.6-20.) But that assumption is unsupported because the County's Greenhouse Gas Plan only requires that the Project meet 100 points on the Screening Tables—not that it prioritize features that meet Appendix F's goals. The RDEIR is also clear that "Project buildings *could* incorporate enhanced window insulation, enhanced duct insulation, an

improved efficiency HVAC system, very high efficiency water heaters, and very high efficiency lights, among other energy efficient measures." (RDEIR at 5.6-20 [emphasis added].) However, the screening tables listed in the RDEIR are stated to be only examples of potential screening tables. (*See* RDEIR at 5.8-16–17.) Presumably, future tenants could select other features like bike paths and sidewalks—neither of which would have impacts on the Project's operational energy impact. Therefore, the RDEIR cannot rely on the screening table features measures in its evaluation of the Project's operational energy impact. O3.42 cont.

C. Onsite Renewable Generation Like Rooftop Solar is a Feasible Mitigation Measure for the Project's Operational Energy Impact that Should Be Thoroughly Analyzed.

CEQA requires an EIR to "describe feasible measures which could minimize significant adverse impacts, including where relevant, inefficient and unnecessary consumption of energy." (CEQA Guidelines § 15126.4(a)(1).) Here, the RDEIR considers one renewable energy option for the Project's building: MM AQ-23 requires that, "prior to the issuance of the final Certificate of Occupancy for the first tenant of a building within the Project, documentation shall be provided to the County of San Bernardino demonstrating that the Project has either 1) installed solar photovoltaic (PV) panels or other source of renewable energy generation on the site, or 2) otherwise acquired energy that has been generated by renewable sources, such that either option will provide 100 percent of the expected building load." (RDEIR at 5.6-2; RDEIR App. B at 15.)

The RDEIR lacks any further analysis on MM AQ-23 and does not parse apart the benefits and effectiveness of onsite generation of renewable energy versus purchasing offsite renewable energy, despite the latter being clearly more inefficient and unnecessary consumption of energy. As the Court noted in the Ongoing Matter, "[i]t is reasonable to conclude that if the buildings are developed to be solar ready, not requiring solar installation once a building tenant and energy needs are known will result in wasteful, inefficient, and unnecessary consumption of energy resources." (Ruling at 69-70.) Instead of curing this deficiency by requiring solar PV panels, the RDEIR improperly treats an either-or option of onsite generation and offsite purchases as equally effective at mitigating the Project's energy impact. O3.43

CEQA requires that a mitigation measure "substantially lessen" the environmental impact. (CEQA Guidelines § 15021(a)(2).) Moreover, "[w]here several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified." (CEQA Guidelines § 15126.4(a)(1)(B).) Yet the RDEIR lacks any discussion of how the Applicant intends to choose between installing solar PV panels or other source or renewable generation of the site and acquiring energy that has been generated by renewable sources offsite. Instead, the RDEIR only states that the Applicant will do either, with no indication that the Applicant will prioritize one over the other.

While purchasing offsite renewable energy would lessen the Project's energy impact in some ways, onsite renewable generation like solar PV panels would deliver more local and cumulative benefits to the Project site. By failing to properly analyze the effects of these feasible measures, the RDEIR fails to disclose the ways in which the individual measures could substantially lessen the Project's energy impact. Moreover, the analysis of this mitigation measure lacks clarity that deprives the public of the ability to evaluate which option the

Applicant is likely to select, what the environmental effects of that choice will be, whether Option 2 actually mitigates the impact, and whether Option 1 is feasible.

Substantial evidence shows that rooftop solar is a feasible measure that will not only lessen the Project's energy impact, it will also be cost effective and deliver financial benefits. Other industrial and commercial projects in Southern California have adopted solar systems. For example, the Amazon Air Hub at San Bernardino International Airport opened in 2021 with a 5.8 MW rooftop solar array that is paired with a 2.5 MW battery.[151] Similarly, Altus Power is installing a 1.6 megawatt solar project at the San Manuel Landing, a 1.1 million square foot Class-A logistics center located in San Bernardino.[152] Thus, onsite renewable energy generation is a feasible mitigation measure that the RDEIR must adequately analyze. O3.43 cont

D. The RDEIR Should Consider Additional Feasible Measures to Mitigate its Operational Energy Impacts, Including Battery Energy Storage and Microgrids.

The RDEIR should consider mitigation measures like onsite renewable energy storage to prevent the inefficient, wasteful, and unnecessary use of fuels like diesel. Distributed systems—from rooftop solar to on-site batteries to modular microgrids—bring power closer to the point of use, making the Project's operations more resilient and strengthening the grid by reducing pressure on aging infrastructure.

As explained above, industrial projects in Southern California have already begun adopting microgrid technology. Amazon's San Bernardino Air Hub pairs its rooftop solar with a 2.5 MW battery.[153] Prologis's warehouse near the Ports of Los Angeles and Long Beach, which is also the state's biggest heavy-duty truck charging hub, is an example of a facility that runs entirely on behind-the-meter microgrids.[154] That microgrid allowed the site to open in May 2024, several years before Los Angeles Department of Water and Power would have been able to expand the grid to serve it.[155] In addition to easing peak demand and other benefits to both operators and the grid, distributed energy platforms also gives projects a competitive advantage by allowing it to open, scale or attract tenants.[156] Scale Microgrid Solutions is also building a microgrid for transport company Quality Custom Distribution ("QCD") in La Puente, California, that will combine 1.45 megawatts of rooftop and carport solar with 3 megawatt-hours of battery storage to cover most charging needs, including the site's refrigerated warehouses.[157] O3.44

[151] Sean Wolfe, *Amazon completes its first 'solar+storage+AI' project*, Factor This (May 21, 2024), https://www.renewableenergyworld.com/solar/amazon-completes-its-first-solarstorageai-project/.
[152] Nasdaq, *Altus Power Announces New Solar Project in San Bernardino, California* (Oct. 8, 2024), https://www.nasdaq.com/press-release/altus-power-announces-new-solar-project-san-bernardino-california-2024-10-08.
[153] Wolfe, *supra* note 151.
[154] Prologis, *Powering Logistics: How Warehouses Become the Next Energy Platform* (Sept. 23, 2025), https://www.prologis.com/insights-news/blog/powering-logistics-how-warehouses-become-next-energy-platform; St. John, *supra* note 85.
[155] St. John, *supra* note 85.
[156] Prologis, *Powering Logistics*, *supra* note 154.
[157] St. John, *supra* note 85.

In addition to reducing the Project's energy impact, co-benefits include reduced NOx, $PM_{2.5}$, and toxic air contaminant emissions in an already burdened community. Moreover, the Inland Empire, including the Bloomington area specifically, has a particularly high wildfire risk, especially during high wind events. The area therefore endures prevalent public safety power shut offs to mitigate that risk.[158] These power outages make onsite energy storage an obvious answer to avoid the wasteful use of diesel as well as a moral responsibility, especially given that wildfire season is a time when communities are also unable to rely on HVAC. O3.44 cont.

E. The RDEIR Should Consider the Usage of Zero-Emission Trucks and Truck Charging Infrastructure When Analyzing the Project's Transportation Energy Impacts and Require Their Usage as a Feasible Mitigation Measure.

The RDEIR must also evaluate the Project's transportation energy impact and adopt all feasible mitigation measures. In the Ongoing Matter, the Court held that "the County did not analyze the feasibility of any alternative or renewable fuel sources" and instead impermissibly relied on CARB's idling requirements alone. (Ruling at 73.)

We appreciate the RDEIR's requirement that the Project utilize electric yard hostlers, forklifts, and pallet jacks. (RDEIR at 5.6-20.) However, the RDEIR also states that because "zero-emission trucks are not yet commercially available nor feasible (as defined in Section 5.3.11), conservatively this analysis does not assume any . . . transportation energy reductions associated with Mitigation Measures" AQ-19 and AQ-20. As explained *supra* in Section III(c), zero-emission trucks are available and feasible mitigation today. The Court held that "[i]t is reasonable to conclude that if the buildings are developed to be solar ready, not requiring solar installation once a building tenant and energy needs are known will result in wasteful, inefficient, and unnecessary consumption of energy resources." (Ruling at 69-70.) Therefore, it is also reasonable to conclude that failing to require readily available zero-emission trucks is wasteful, inefficient, and unnecessary consumption of energy resources. O3.45

F. The RDEIR's Cumulative Energy Impact Analysis is Deficient.

An EIR must consider significant cumulative impacts. (Cal. Pub. Res. Code § 21083(b)(2); CEQA Guidelines § 15604(h).) "Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." (*Communities for a Better Environment*, 103 Cal.App.4th at 117.) An adequate cumulative impacts analysis reviews the incremental effects of a particular project over time and in conjunction with other "closely related past, present, and reasonably foreseeable probable future projects" whose impacts might compound with those of the project at hand, producing cumulatively considerable effects. (CEQA Guidelines § 15355(b); Cal. Pub. Res. Code § 21083(b)(2).) O3.46

[158] Anthony Victoria and Erin Stone, *Extreme winds trigger thousands of power shutoffs for So Cal Edison customers*, KVCR (Jan. 8, 2025), https://www.kvcrnews.org/local-news/2025-01-08/extreme-winds-trigger-thousands-of-power-shutoffs-for-so-cal-edison-customers; Mercedes Cannon-Tran, *Long power outages lead to frustration for Inland Empire residents*, Daily Bulletin (Jan. 15, 2025), https://www.dailybulletin.com/2025/01/15/long-power-outages-lead-to-frustration-for-inland-empire-residents/.

In light of its conclusion "that the analysis of the Project's individual energy impacts was deficient," the Court in the Ongoing Matter held that "the cumulative energy impacts analysis [was] not supported where it has not yet been determined whether the Project results in wasteful, inefficient, and unnecessary consumption of energy." (Ruling at 94.) "[M]eeting Title 24 standards does not mean the Project will not result in cumulatively wasteful, inefficient, or unnecessary consumption of energy resources." (*Id.* at 95.) The Court also noted that the vague statement that some of the other development projects in the region could provide for additional reduction was not substantial evidence. (*Id.* at 94.)

Here, the RDEIR's cumulative energy impact analysis continues to be vague and fails to meet CEQA's informational requirements. The analysis relies on all of Southern California as the geographic context of its analysis, yet it provides no specific information relating to any of the ample other projects that have been commenced, entitled, or proposed in the region. Instead, the RDEIR concludes the following: "Currently, energy resources within southern California are cumulatively impacted due to overloaded electricity infrastructure and high energy demand from current and proposed development. Therefore, the proposed Project has the potential to combine with existing energy impacts resulting from development in the region and could result in cumulatively considerable impacts. However, as discussed under Impact E-1, construction- and operation-related energy impacts resulting from implementation of the proposed Project would not be considered inefficient, wasteful, or unnecessary with incorporation of mitigation." (RDEIR at 5.6-23.) O3.46 cont.

The RDEIR lacks any real quantitative or qualitative analysis on the Project's cumulative energy impacts. The RDEIR cannot rely on the Project's individual impact analysis as a substitute for a proper cumulative impact analysis. (*See* CEQA Guidelines Section 15355(b); 15130.) That is especially significant because consuming renewable energy from offsite has a more profound impact when considered in combination with other similar projects in the region. Moreover, because the Project has the potential for a cumulative energy impact, the RDEIR must consider all feasible mitigation measures. As noted, energy resources in the region are cumulatively impacted due to overloaded infrastructure and high energy demand. For this reason, the County should prioritize onsite renewable energy generation, energy storage, and microgrids in addition to purchasing offsite renewable energy to fill any remaining delta. Generating renewable energy onsite will have significantly more cumulative benefits for the region than purchasing renewable energy offsite. This is important given the prevalent power outages experienced in the Inland Empire, and in Bloomington specifically. As explained above, many of these onsite measures would prevent the unnecessary, wasteful, and inefficient use of energy resources at the Project site. Given the cumulatively impacted energy resources in the region, a failure to consider these renewable energy options necessarily constitutes wasteful, inefficient, and unnecessary energy consumption.

VI. THE RDEIR FAILS TO SUFFICIENTLY ANALYZE OR MITIGATE PROJECT-RELATED NOISE IMPACTS.

Noise is the second largest environmental cause of health problems, just after air pollution.[159] Large-scale studies show that over time noise exposure increases the risk of high blood pressure, coronary heart disease, and heart attacks, as well as strokes, diabetes, dementia, and depression.[160] Noise pollution not only drives hearing loss, tinnitus, and hypersensitivity to sound, but can also cause or exacerbate cardiovascular disease, type 2 diabetes, sleep disturbances, stress, mental health and cognition problems, including memory impairment and attention deficit disorders, childhood learning delays, and low birth weight.[161] Chronic noise exposure contributes to about 48,000 new cases of heart disease in Europe each year and disrupts the sleep of 6.5 million people.[162] For children, noise pollution interferes with behavioral and cognitive development and speech and language development, and it decreases concentration, impairs memory retention, and increases blood pressure.[163] For adolescents, it can interfere with mental health.[164]

O3.47

This Project would add unsafe levels of noise to a neighborhood that is already overburdened by noise pollution. (RDEIR at 5.12-7.) Ambient noise at several of the sensitive receptors is already quite close to the 80 dBA threshold used in the RDEIR. (*Id.*) And the Project would generate sufficient noise to more than double the ambient noise at some of those receptors. (*Id.* at 5.12-41.) Yet, the RDEIR largely ignores these issues, and fails to connect Project-related noise emissions with real-world impacts on nearby residents, in violation of CEQA. (*Friant Ranch,* 6 Cal.5th at 510 ["When reviewing whether a discussion is sufficient to satisfy CEQA, a court must be satisfied that the EIR (1) includes sufficient detail to enable those who did not participate in its preparation to understand and to consider meaningfully the issues

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[159] A. Angelo, *Could everyday noise be affecting your health?* UC Davis Environmental Health Sciences Center (March 3, 2023), https://environmentalhealth.ucdavis.edu/blog/could-everyday-noise-be-affecting-your-health; S. Dutchen, *Noise and Health: Noise pollution is more than a nuisance. It's a health risk.*, Harvard Medicine (2022), https://magazine.hms.harvard.edu/articles/noise-and-health.

[160] B. Bosker, *Why Is Everything Getting Louder?*, The Atlantic (Nov. 2019), https://www.theatlantic.com/magazine/archive/2019/11/the-end-of-silence/598366/; M. Kim et al., *Road Traffic Noise*, American Journal of Preventive Medicine, 353–60 (Oct. 2012), https://doi.org/10.1016/j.amepre.2012.06.014; T. Park et al., *The Public Health Impact of Road-Traffic Noise in a Highly-Populated City, Republic of Korea: Annoyance and Sleep Disturbance*, Sustainability, 2947 (Aug. 20, 2018), https://doi.org/10.3390/su10082947; W. Passchier-Vermeer, et al., *Noise exposure and public health*, Environmental Health Perspectives, (2014), http://ehpnetl.niehs.nih.gov/docs/2000/suppl-1/123-131passchier-vermeer/abstract.html.

[161] S. Dutchen, *supra* note 159.

[162] *Id.*

[163] Angelo, *supra* note 159; K.T. Ferguson, et al., *The physical environment and child development: An international review*, International Journal of Psychology, 437–68 (2013), https://doi.org/10.1080/00207594.2013.804190; M. Raess, et al. *Association between community noise and children's cognitive and behavioral development: A prospective cohort study*, Environment International, 106961 (2022), https://doi.org/10.1016/j.envint.2021.106961.

[164] J. Lim, et al., *Negative impact of noise and noise sensitivity on mental health in childhood*, Noise & Health, 199–211 (2018), https://doi.org/10.4103/nah.NAH_9_18.

the proposed project raises … and (2) makes a reasonable effort to substantively connect a project's [] impacts to likely health consequences."].)

O3.47 cont.

A. The RDEIR's Threshold of Significance for Noise Increases During Construction is Not Supported by Substantial Evidence.

CEQA requires that lead agencies adopting or relying on thresholds of significance ensure that such thresholds are based on scientific and factual data and supported by substantial evidence. (CEQA Guidelines §§ 15064(b)-(c), 15064.7(a)-(c); *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1111.) Yet, here, the RDEIR, without citation to substantial evidence, establishes a threshold of significance for noise that claims that increases in noise of up to 12 decibels are not significant, unless the increase would result in an exceedance of one of the RDEIR's other noise thresholds. (RDEIR at 5.12-25.) This is concerning given that an increase of 10 dBA is generally perceived of as a doubling of the ambient noise and the Project would result in noise increases in excess of 10 dBA at several sensitive receptors. (*Id.* at 5.12-2.)

The only support the County provides for this 12-dBA-change threshold is a reference to an analysis prepared by the California Department of Transportation ("Caltrans") assessing noise impacts associated with building new or fixing old highways. (*Id.* at 5.12-25.) That document, however, expressly cautions against the application of its analyses to other, unrelated projects, explicitly stating that the "12 dB increase [threshold] should not necessarily be used for all projects[.]" because "[t]here could be cases where an increase less than 12 dB would approach significance[.]"[165] Despite this warning, the County inexplicably fails to explain why this standard, which was developed for use analyzing noise impacts associated with highway construction and which conspicuously states that it is not intended for widespread or universal application, is applicable or even relevant here, where the instant project is warehousing facilities, not highways or even roadways. This violates CEQA. (*Protect the Historic Amador Waterways*, 116 Cal.App.4th at 1111; CEQA Guidelines § 15064.7(c) ["When adopting or using thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts, *provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence.*"] [emphasis added].)

O3.48

Moreover, the RDEIR fails to explain why this threshold is sufficiently protective, presuming *arguendo* that Caltrans' 12-dBA-change threshold even makes sense in the context of a massive warehousing project, in violation of CEQA. (CEQA Guidelines § 15064(b)(2); *Protect the Historic Amador Waterways*, 116 Cal.App.4th at 1109.) "When using a threshold, the lead agency should briefly explain how compliance with the threshold means that the project's impacts are less than significant." (CEQA Guidelines § 15064(b)(2).) Here, the RDEIR is completely silent on this point; the County has not articulated why compliance with this 12-dBA-

[165] Cal. Dept. of Transp. *Traffic Noise Analysis: Protocol For New Highway Construction, Reconstruction, and Retrofit Barrier Projects*, at 7-1 (2020), https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/traffic-noise-protocol-april-2020-a11y.pdf.

change threshold will ensure that Project-related noise impacts would be less-than-significant, as required.

The RDEIR unlawfully relies on this to avoid meaningfully analyzing Project-related noise impacts on nearby sensitive receptors. "Compliance with [a] threshold [of significance] does not relieve a lead agency of the obligation to consider substantial evidence indicating that the project's environmental effects may still be significant." (*Id.*; *see also Protect the Historic Amador Waterways*, 116 Cal.App.4th at 1111; *Communities for a Better*, 103 Cal.App.4th at 114.) The Caltrans document relied on for this threshold states that "67 dBA is the approximate noise level at which the noise begins to interfere with human speech"[166] and the RDEIR states that the Project will generate noise sufficient to push noise levels at several sensitive receptors above that 67-dBA-threshold. (RDEIR at 5.12-30.) This is strong evidence that the Project would result in significant noise impacts, despite compliance with the 12-dBA-change threshold, and therefore that the County needs to redo its noise analysis to more comprehensively evaluate the Project's noise-related impacts and to mandate mitigation measures to better minimize such impacts. O3.48 cont.

B. The RDEIR Fails to Disclose, Analyze, or Mitigate the Impacts of Project-Related Noise on Wildlife.

Anthropogenic noise harms wildlife and plants across diverse taxa. Field observations and controlled laboratory experiments have shown that traffic noise can significantly degrade habitat value for migrating songbirds.[167] Subjects exposed to 55 and 61 dBA of traffic noise exhibited decreased feeding behavior and duration, as well as increased vigilance behavior.[168] Such behavioral shifts increase the risk of starvation, thus decreasing survival rates. Another study found a 28 percent decrease in bird abundance in areas when traffic noise was present compared to when there was no traffic noise.[169] Impacts from noise include altered vocal behavior to mitigate masking (where elevated noise levels interfere with an animal's ability to perceive a sound), changes in vigilance and foraging behavior, and impacts on individual fitness and the structure of ecological communities.[170] And these impacts do not always improve over time; researchers have postulated that some species in areas with chronic noise pollution may become *more* sensitive to noise stressors instead of becoming habituated or less sensitive to O3.49

[166] *Id.*
[167] H. E. Ware, *A phantom road experiment reveals traffic noise is an invisible source of habitat degradation*, Proceedings of the National Academy of Sciences, 12105–12109 (Aug. 31, 2015), https://www.pnas.org/doi/10.1073/pnas.1504710112.
[168] *Id.*
[169] C. J. W. McClure et al., *An experimental investigation into the effects of traffic noise on distributions of birds: Avoiding the phantom road*, Proceedings of the Royal Society B: Biological Sciences, 280 (Dec. 22, 2013), https://royalsocietypublishing.org/rspb/article-abstract/280/1773/20132290/50772/An-experimental-investigation-into-the-effects-of?redirectedFrom=fulltext.
[170] G. Shannon et al., *A synthesis of two decades of research documenting the effects of noise on wildlife*, Biological Reviews, 982–1005 (June 26, 2015), https://doi.org/10.1111/brv.12207.

them.[171] Yet, the RDEIR completely fails to acknowledge noise impacts on wildlife, let alone analyze such impacts, in violation of CEQA. (*Save Our Access v. City of San Diego* (2025) 115 Cal.App.5th 388, 407 [finding a noise analysis in an EIR inadequate where it did not analyze the project's impacts on "human *and biological* noise-sensitive receptors in the surrounding areas"] [emphasis added].) O3.49 cont.

C. The Mitigation Measures Proposed in the RDEIR to Minimize Project-Related Noise Impacts are Flawed, and the County Should Impose Additional Mitigation Measures to Reduce Such Impacts.

The RDEIR includes several mitigation measures intended to reduce Project-related noise impacts. (RDEIR at 5.12-61 – 5.12-62.) Several of these mitigation measures, specifically mitigation measures NOI-2 through mitigation measure NOI-8 are unenforceable and therefore violate CEQA. (Cal. Pub. Res. Code § 21081.6(b) [CEQA requires mitigation measures to be "fully enforceable through permit conditions, agreements, or other measures"]; CEQA Guidelines § 15126.4(a)(2).) The County must consider amending mitigation measures NOI-2 through NOI-8 to require county staff (or other regulators) to regularly inspect the site to ensure that the conditions mandated therein are actually complied with.

In addition, other feasible and effective mitigation measures are available to reduce Project-related noise impacts, and the County must consider such measures and mandate any and all feasible programs by which the Project's significant noise impacts could be minimized or avoided. At a minimum, the County must consider the following mitigation measures, which are recommended in the Attorney General's guidance on warehouse projects: O3.50

- Require the Applicant to orient and fully shield loading docks away from receptors with a doors-closed operations plan;
- Prohibit nighttime loading/queuing within 600 feet of residences;
- Require the Applicant to implement truck-route restrictions that avoid the nearest homes;
- Require the Applicant to use broadband (quiet) backup alarms;
- Impose a strict ≤ 2-minute idling rule with active enforcement;
- Require on-site queuing so trucks do not stage on public streets;
- Pave access roads with low-noise asphalt and post reduced speed signage nearby;

[171] R. I. Goudie et al., *Dose-response relationships of harlequin duck behaviour to noise from low-level military jet over-flights in central Labrador*, Environmental Conservation, 289–298 (Apr. 13, 2005), https://www.cambridge.org/core/journals/environmental-conservation/article/abs/doseresponse-relationships-of-harlequin-duck-behaviour-to-noise-from-lowlevel-military-jet-overflights-in-central-labrador/80D995275FFF1D3CF8E8D8792A20C187.

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- Verify mufflers and acoustic shrouds are equipped on stationary equipment and surround any combustion equipment with temporary noise enclosures during construction;
- Conduct post-occupancy noise monitoring.[172]

Such mitigation measures are standard across the warehousing industry in California, as evidenced by their inclusion in the Attorney General's guidance, and are therefore feasible for the County and for the Applicant. (*Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 600 [holding that whether a mitigation measure is economically unfeasible "is not measured by increased cost or lost profit, but upon whether the effect of the proposed mitigation is such that the project is rendered impractical"]; *Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal.App.3d 1167, 1180 [same].) The County must therefore mandate such measures (or analogous measures) to further mitigate Project-related noise impacts. (Cal. Pub. Res. Code §§ 21002.1(b); 21081(a)(1) [requiring significant project-related impacts be mitigated to the maximum extent feasible]; CEQA Guidelines § 15021(a) ["A public agency should not approve a project as proposed if there are feasible alternatives or mitigation measures available that would substantially lessen any significant effects that the project would have on the environment."].) If the City declines to adopt these measures, it must explain the basis for its decision as to each measure. (*Los Angeles Unified Sch. Dist. v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1029.) Failure to do so would violate CEQA. O3.50 cont.

Further, the use of electric trucks would significantly reduce Project-related noise impacts while also reducing the Project's other significant impacts—air pollution and greenhouse gas emissions. Electric trucks are much quieter than diesel trucks.[173] Some studies have found noise reductions of up to 10 dBA.[174] The Project will generate a tremendous number of daily and annual truck trips. If those trips were not made by diesel trucks, but were instead made by electric trucks, the Project's air pollution, GHG emissions, and noise impacts would be significantly reduced. The County must therefore amend and improve the electric truck measures proposed in the ways discussed *supra*. (Cal. Pub. Res. Code §§ 21081; 21100; CEQA Guidelines § 15021(a).) As discussed *supra*, doing so would help to mitigate the Project's significant impacts and is also feasible. (*Uphold Our Heritage*, 147 Cal.App.4th at 600; *Citizens of Goleta Valley*, 197 Cal.App.3d at 1180.)

VII. THE COUNTY MUST CONSIDER CHANGED CIRCUMSTANCES AND NEW INFORMATION PERTAINING TO OTHER ENVIRONMENTAL IMPACTS.

Following the initial certification of an environmental impact report, a subsequent or supplemental analysis must be prepared when: "(a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report[;] (b) Substantial O3.51

[172] *Warehouse Projects*, *supra* note 36.
[173] M. A. Pallas, et al. *Noise emission assessment of a hybrid electric mid-size truck*, Applied Acoustics, 280–90 (Feb. 2014), https://doi.org/10.1016/j.apacoust.2013.08.012; G. Parkinson, *Sounds of silence: How quiet are heavy duty electric trucks?*, The Driven (Sept. 26, 2022), https://thedriven.io/2022/09/26/sounds-of-silence-how-quiet-are-heavy-duty-electric-trucks/.
[174] D. Ibarra, et al., *Noise emission from alternative fuel vehicles: Study case*, Applied Acoustics, 58–65 (Mar. 2017), https://doi.org/10.1016/j.apacoust.2016.11.010.

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changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report[; or] (c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available."[175]

Here, circumstances have changed substantially in the time since the Board of Supervisors first certified the original EIR in 2022, and new studies and other new information reveal that the impacts of industrial operations on communities like Bloomington are substantially greater than previously acknowledged in the original EIR. Consequently, the RDEIR should do more than narrowly revisit those portions of the original EIR that were deemed legally deficient in the Ongoing Matter; the County should also reevaluate and update its entire impact analyses to ensure decision makers and the public are adequately informed before the Project is reapproved. In redoing its analysis, the County should consider this nonexhaustive list of circumstances that have changed since the original EIR was certified in 2022. O3.51 cont.

A. The County Should Reconsider the Project in Light of AB 98 and SB 415.

In 2024, the state enacted AB 98, which added section 65098 of the Government Code to establish standards for "logistics use facilities" within 500 or 900 feet of a sensitive receptor. Among other things, those standards include bugger and screening areas, setbacks from truck bays, and separate entrances for heavy duty trucks. AB 98 also intends to mitigate impacts such as traffic, air, noise, and light pollution near sensitive receptors like schools, residences, and parks. The law also requires the County to assign truck routes and adopt them into the Countywide Plan's Circulation Element, which the Board of Supervisors is set to consider on December 16, 2025.[176] SB 415 strengthens and clarifies minor changes to AB 98.[177]

The RDEIR marks an opportunity for the County to design one of the first "21st century warehouse[s]" as defined by the new law. The County can and should consider imposing stricter and more protective mitigation measures as prescribed by AB 98. For example, as noted above, the Project should mitigate its energy impact by installing battery storage onsite—a requirement for 21st century warehouses under AB 98. The County should also consider buffering and screening areas of 100 feet, as well as orienting the Project's truck bay away from sensitive receptors. O3.52

Additionally, the RDEIR should be updated to consider the Countywide Plan's updated Circulation Element. Specifically, the RDEIR's traffic analysis should account for updated truck routes nearby, especially those in Bloomington.

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[175] Pub. Res. Code, § 21166.
[176] San Bernardino Cnty., *AB 98: Truck Routes in Unincorporated San Bernardino County Overview*, https://lus.sbcounty.gov/ab-98-truck-routes-in-unincorporated-san-bernardino-county/ (last visited Dec. 11, 2025).
[177] Eloise Gomez Reyes, *SB 415 (Reyes): Plans Act*, Cal. State Senate, https://sd29.senate.ca.gov/sites/sd29.senate.ca.gov/files/pdf/SB%20415%20Fact%20Sheet.pdf (last visited Dec. 11, 2025).

As noted above, the County should also consider feasible alternatives to the Project that meets the requirements of the "Warehouse Design and Build Standards" of Assembly Bill 98.[178] (Gov't Code § 65098 *et seq.*) The RDEIR should evaluate a design alternative that is compliant with AB 98, including Gov. Code § 65098.1 subd. (b)(3) and/or (c)(3) regarding a minimum setback of 500 feet from the property line of the nearest sensitive receptor(s) to the nearest truck loading bay(s). For example, a design alternative that locates warehouse truck bays the requisite distance from adjacent sensitive receptors should be evaluated through the RDEIR. O3.52 cont

B. The RDEIR Must Account for Cumulative Impacts from Nearby Industrial Projects.

The RDEIR should also be updated and revised to address the cumulative impacts posed by other new projects that have commenced or been proposed in San Bernardino County since the original EIR's certification. As noted above in Section III(D), two such projects include the Pepper 210 Commerce Center and the Muscoy Warehouse Project. O3.53

C. The County Should Analyze Updated Information on Greenhouse Gases and Climate Change.

New information regarding the impacts of climate change has become available since the EIR was originally certified in 2022. Many additional studies highlight the major role that industrialization and transportation plays in contributing to serious consequences of climate change, including more frequent and severe droughts, forest fires, floods, heatwaves, and other extreme weather. For example, as noted above, the International Panel on Climate Change completed its sixth assessment cycle and released a synthesis report in July 2023.[179] The RDEIR should update the 2022 EIR's outdated analysis of greenhouse gas emissions and global climate change impacts to reflect this latest science. Of particular significance, scientists' understanding of the dangers posed by transportation pollution has progressed significantly since the County last evaluated the impact of greenhouse gas in 2022. California's transportation sector accounts for about 50 percent of the state's greenhouse gas emissions.[180] O3.54

VIII. CONCLUSION

There are myriad flaws with this RDEIR. They must be fixed if the County wants to proceed with this Project. We appreciate your consideration of these comments. Please do not hesitate to contact us if you have questions about this comment letter. O3.55

[178] Cal. Legislature, *Assembly Bill No. 98*, LegiScan (Nov. 7, 2024), https://legiscan.com/CA/text/AB98/id/3023370 (last visited Dec. 11, 2025).
[179] Int'l Panel on Climate Change, *supra* note 139.
[180] Cal. Energy Comm'n, *Transforming Transportation*, https://www.energy.ca.gov/about/core-responsibility-fact-sheets/transforming-transportation (last visited Dec. 11, 2025).

Sincerely,

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Exhibit A | O3.56

Comments on the Air Quality Impacts (Friant Ranch Analysis) Noted in the Recirculated Draft EIR for the Bloomington Business Park Specific Plan Project (PROJ-2020-00204)

by

Dr. Ranajit (Ron) Sahu, Consultant[1]

As noted in the Notice of Availability (NOA) by the County of San Bernardino of the Recirculated Draft Environmental Impact Report (hereafter RDEIR) for the Bloomington Business Park Specific Plan Project (PROJ-2020-00204) by the applicant IV5 Bloomington Gateway Distribution Center, LLC, comments are requested for several discrete items, including but not limited to Air Quality Impacts (Friant Ranch Analysis). O3.56 cont

These and other deficiencies in the prior EIR for the Project were raised in a December 12, 2024 Scoping Comment Letter by numerous parties including the People's Collective for Environmental Justice, the Center for Community Action and Environmental Justice, the Center for Biological Diversity, and the Sierra Club.

This report addresses the problems associated with the Friant Ranch Analysis as discussed below.

As noted in the NOA, in the prior EIR analysis, "[T]he County failed to provide a sufficient Friant Ranch analysis for significant and unavoidable air quality impacts and therefore, the EIR fails as an informational document. In addition, the amici curiae briefs provided do not constitute substantial evidence in support of reason an analysis cannot be done. Finally, the County failed to provide a sufficiently detailed response to a comment about the feasibility of health impact modeling for a project of this size as it related to significant and unavoidable air quality impacts."

Parties submitted comments during the scoping process on December 12, 2024 stating that "[T]he REIR must include an analysis that studies the impact of the Project's NOx emissions on ozone formation in the South Coast air basin and the resulting cumulative impact of these air emissions on human health….As we noted in our comments on the EIR, several public agencies have already performed a *Friant Ranch*-type analysis, demonstrating that it is technically feasible and can produce information that is useful….As the Court noted, the County's response to prior comments flagging these analyses did not 'demonstrate a good faith analysis of reason such modeling does not make it feasible to analyze health impacts related to criteria pollutants.'" (citation omitted).

In response to these comments, the RDEIR relies on the technical analysis provided in a Technical Memorandum dated July 31, 2025 from Haseeb Quereshi of Urban Crossroads, Inc. to Ms. Megan Truman of EPD Solutions—hereafter "the Quereshi Memo." My comments below respond to the

[1] Resume provided in Attachment A.

technical issues raised and addressed regarding the Friant Ranch analysis presented in the Quereshi Memo. I note that the main RDEIR does not contain any additional analysis on this subject.

In brief, the Quereshi Memo's analysis and my rebuttal in this regard can be summarized as follows:

O3.56 cont.

(A) Reliance on Unsupported Arguments in the Quereshi Memo that the Technical Analysis Cannot Be Done or Is Unreliable is Improper and Itself Unsupported and Is Contradicted by Substantial Evidence

At first, the Quereshi Memo points to statements from a selected set of air quality management agencies (including the South Coast Air Quality Management District (South Coast AQMD), the San Joaquin Valley Air Pollution Control District (San Joaquin Valley APCD), the Bay Area Air District (BAAD), and the Sacramento Metropolitan Air Quality Management District (Sacramento Metropolitan AQMD)) as well as a Technical Advisory Panel from the City of Los Angeles and a Climate Change Committee under an entity called the Association of Environmental Professionals—all of whom, to various degrees, essentially state that they do not know or have the ability to accurately quantify ozone and fine $PM_{2.5}$-related health impacts caused by precursor emissions of NOx and VOCs from projects such as the Bloomington Project at issue in this case. None of these statements contain any quantitative information. The Quereshi Memo simply excerpts and attributes unsupported statements and opinions from these organizations.

O3.57

To the extent that two of the agencies (San Joaquin Valley APCD and South Coast AQMD) have provided statements to the Court, I note that those statements and opinions do not contain any technical support. In fact, as the Quereshi Memo itself summarizes, "[T]heir briefs argued that the available air quality modeling tools are primarily designed for regional assessments rather than project-specific evaluations, given the complexities involved in the formation and dispersion of secondary pollutants." I note that this does not speak to the impossibility of conducting the technical analysis for projects—just that the tools at issue are complex (which I acknowledge) and have been used, more frequently, for regional assessments. In any case, I note that the Court has rejected these amici statements alone as evidence precluding the types of analysis that should be done.

The Sacramento Metropolitan AQMD's position about the lack of reliable technical methodology is of course easily negative because the Friant Ranch project did in fact conduct the analysis later—showing that it can be done.

BAAQMD's position after the 2018 Friant Ranch decision simply notes that the CEQA analysis should "make a reasonable effort to connect a project's emissions…to…health impacts or provide evidence as to why such as analysis is not scientifically possible." This statement does not at all say or support the assertion that the analysis is not possible. And, the Quereshi Memo does not suggest that the analysis cannot be done.

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In fact, quite the opposite—in a discussion under "Scientific and Technological Complexities," the Memo states that

> "The Friant Ranch decision emphasized the need to correlate project-specific emissions to health outcomes, a task complicated by the scientific and technological challenges inherent in modeling secondary pollutants such as ozone and PM2.5. Secondary pollutants are formed via complex chemical reactions involving multiple precursor emissions, influenced by atmospheric conditions, which makes the direct correlation of emissions to health outcomes challenging. The [San Joaquin Valley PCD and South Coast AQMD] briefs highlight these complexities, asserting that currently available modeling tools are not equipped to provide reliable project-level health impact analyses. This underscores the lack of reliability in calculating regional health impacts, as emissions at an individual project level are often insufficient to affect regional pollutant concentrations and thus health impacts in a meaningful way." (emphasis added).

It is a complete stretch to jump from the fact that the analysis may be complex to "the lack of reliability" in calculating impacts. O3.57 cont.

As to the position of the City of Los Angeles Panel, which is quoted in the Quereshi Memo as stating that "direct correlation of a project's pollutant emissions and anticipated health effects is currently infeasible, as no expert agency has approved a quantitative method to reliably and meaningfully translate mass emission estimates of criteria air pollutants to specific health effects for the scale of projects typically analyzed in City EIRs," I respectfully disagree for the reasons noted below, i.e., that expert agencies—indeed the Federal EPA itself—do acknowledge that such project-specific photochemical modeling can and should be done, as needed. The City of LA Panel's 2019 statement it therefore ill-informed.

Finally, the Quereshi Memo's reliance on the statements from the Climate Change Committee of the Association of Environmental Professionals is particularly interesting because that group actually "acknowledges the technical feasibility of conducting regional-scale criteria air pollutant modeling for individual projects but underscores the limitations of such models" as noted in the Quereshi Memo.

In sum, none of the agencies or others relied upon by the Qureshi Memo and therefore this EIR can support the notion that the Friant Ranch analysis cannot be done. Yes, it will take effort because the underlying phenomena is complex. But, can it be done with existing tools? Yes.

In support for the fact that the analysis can be done we have the following lines of evidence:

(a) First, the record contains at least two specific examples where just that very analysis has been conducted—as is extensively recognized in the very same Quereshi Memo itself—namely the CSUDH project, as well as Friant Ranch itself. O3.58

(b) Second, the Quereshi Memo, as quoted above, acknowledges that the analysis can be done, while pointing to vague references relating to the lack of reliability. This did not stop the CSUDH and Friant Ranch analyses themselves.

(c) Third, the Quereshi Memo recognizes that there are at least two models—CMAQ and CAMx—that are widely used to conduct photochemical modeling specifically to understand the formation of ozone and fine $PM_{2.5}$ in the atmosphere as a result of precursor emissions.

In fact, the Quereshi Memo states as follows:

> "…The Community Multiscale Air Quality modeling system (CMAQ) and the Comprehensive Air Quality Model with Extensions (CAMx) are both photochemical air quality models used to simulate air quality at scales ranging from the local to regional levels. These models are often used in health impact analyses to estimate the potential increases in pollutant concentrations over a large geographic area as a result of criteria and precursor pollutant emissions generated by a project. These models are able to fully characterize the physical processes that occur in the atmosphere and can predict concentrations of ozone, PM2.5, and other pollutants based on mass emissions of precursor pollutants." (emphasis added)

O3.58 cont.

I note that the health impacts from the Bloomington Project will likely also be felt over a large area.

(d) The US EPA, for at least a decade now has acknowledged that project-specific photochemical modeling can be done, as needed. Curiously, the Quereshi Memo does not contain any acknowledgement about EPA's extensive discussion on this very manner. At the very least it shows either a complete lack of awareness by the Quereshi Memo authors or perhaps an intentional decision to not discuss EPA's position.

I excerpt below the top of a memo from EPA, dated April 30, 2024. O3.59

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RESEARCH TRIANGLE PARK, NC 27711

April 30, 2024

OFFICE OF
AIR QUALITY PLANNING AND
STANDARDS

MEMORANDUM

SUBJECT: Clarification on the Development of Modeled Emission Rates for Precursors (MERPs) as a Tier 1 Demonstration Tool for Ozone and $PM_{2.5}$ under the PSD Permitting Program

FROM: Tyler Fox, Group Leader
Air Quality Modeling Group
Air Quality Assessment Division
Office of Air Quality Planning and Standards

TO: Regional Office Modeling Contacts

O3.59 cont.

In that memo, EPA acknowledges that the Guideline for Air Quality Models[2]

> "recommends a two-tiered approach for addressing single-source impacts on O3 or secondary PM2.5 (U.S. Environmental Protection Agency, 2017) with the first tier involving use of appropriate and technically credible relationships between emissions and ambient impacts developed from existing modeling studies deemed sufficient for evaluating a project source's impacts. Consistent with the recommendations in EPA's *Guideline*, the appropriate tier for a given application should be selected in consultation with the appropriate reviewing authority (paragraph 3.0(b)) and after reviewing EPA guidance. This section describes how applicants might choose, in consultation with the appropriate permitting authority, to use MERPs in estimating single-source impacts on secondary pollutants under the first-tier approach (i.e., sections 5.3.2.b and 5.4.2.b of the *Guideline*)."

This first-tier analysis is called MERPS[3]—in which EPA runs the detailed photochemical models for a set of hypothetical sources which are then used in later scaling analysis. I note that this

[2] https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-51/appendix-Appendix%20W%20to%20Part%2051

[3] I note that this MERPs approach has been around for many years. See for example, EPA-454/R-19-003 dated April 2019. This 2019 EPA report confirms that "[T]he second tier (or Tier 2) involves more sophisticated case-specific application of chemical transport modeling (e.g., with an Eulerian grid or Lagrangian model)." It goes on to confirm that single source photochemical modeling has been done in other instances, citing to "studies that estimated single source impacts in California (Kelly et al., 2015), the Detroit and Atlanta urban areas (U.S. Environmental Protection Agency, 2016b), and at rural and suburban locations in the central and eastern United States (Baker et al., 2016)." (citations details in original). I note further that EPA stated in EPA-454/R-16-005, dated December 2016 (i.e., almost

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scaling is not the type of scaling that is later done in the Quereshi Memo because the Quereshi Memo scaling simply assumes that the CSUDH and Friant Ranch analysis would be applicable to the Bloomington location—an assumption that is not supported. As EPA's Memo notes, the types of justification that are important before any Tier 1 scaling can be used includes: "a technically credible justification that the source characteristics (e.g., stack height, emissions rate) of the specific project source described in a permit application and the chemical and physical environment (e.g., meteorology, background pollutant concentrations, and regional/local emissions) near that project source are adequately represented by the selected hypothetical source(s)." Nothing remotely close to this justification has been provided by the Quereshi Memo in its later scaling, which I will discuss in the next section of my report.

O3.59 cont.

The EPA Memo then goes on to note that if Tier 1 is deemed unsuitable, "[A]lternatively, one can consider conducting photochemical modeling to derive appropriate information to derive a source- or area-specific value." In other words, the analysis for the project can be conducted without relying on scaling at all.

In sum, there is no justification for not conducting the project-specific modeling required per the Friant Ranch decision for the Bloomington Project.

(B) The "Scaling" Analysis Conducted in the Quereshi Memo Is Without Any Support or Justification

Having first baselessly asserted that the photochemical modeling cannot be done, the Quereshi Memo then attempts to use the results of the two prior examples of projects (i.e., CSUDH and Friant Ranch) where such photochemical modeling was done, to somehow piggyback on their results and thereby avoid doing the same analysis for the Bloomington Project.

The Quereshi Memo presents results from a "comparative analysis," which was nothing more than a scaling exercise using the previous results from the CSUDH and Friant Ranch analyses.

O3.60

As I have noted and quoted from EPA's authoritative statements, one has to first justify the appropriateness of scaling or "comparative analysis" before results from other analyses can simply be used. Among these justifications are not just emissions and stack heights, but also local meteorology (which is affected by topographical, climatological, and many other factors), background (i.e., non-project) pollutant concentrations, among other things. The Quereshi Memo does not provide any of these justifications. Instead, after a cursory and misleading paragraph called "Geographic and Dispersion Considerations," which I discuss below, the Quereshi Memo

10 years ago), that "[T]he second tier involves the application of more sophisticated case-specific chemical transport models (CTMs), which may include Eulerian grid or Lagrangian chemical transport models. Second tier assessments are only intended for impact assessments that are not able to be satisfied with a tier one demonstration in that pre-existing information is not available or representative of the situation such that more refined modeling is deemed necessary." (emphasis added). Again, this confirms the feasibility, ability, and, indeed, the need to conduct such detailed analysis as needed.

simply scales the results from the CSUDH and Friant analyses using pollutant emissions alone to determine the ozone and $PM_{2.5}$ impacts from the Bloomington Project.

The Quereshi Memo provides no justification for why such a scaling analysis would be valid, given the fact that ozone and secondary $PM_{2.5}$ chemistry (i.e., formation in the atmosphere from precursor NO_x and VOC emissions in the case of ozone, and a wider range of precursors, including SO_2 and ammonia, in the case of secondary $PM_{2.5}$) depend on many local and regional factors. Thus, results from a totally different geography—such as Friant Ranch or even Dominguez Hills—cannot simply be "scaled" to replicate the complex atmospheric chemistry that lies at the heart of ozone formation.

Yet, the Quereshi Memo simply glosses over all of the complex atmospheric chemistry which is at the heart of photochemical ozone formation by calling the Friant Ranch and CSUDH projects "similar" when they are anything but.

As to the Geographic and Dispersion Considerations noted in the Quereshi Memo, it states first that "[T]he Friant Ranch project is located within the San Joaquin Valley Air Basin; and the CSUDH project is located within the South Coast Air Basin (SCAB), similar to the proposed Project." I beg to differ. Clearly, the Friant Ranch location is nowhere similar to the location of the Bloomington Project. And, even though both Bloomington (in San Bernardino County) and the CSUDH project (located in Dominguez Hills, in Los Angeles County) are both in the vast South Coast Air Basin, they simply do not have the same meteorology, climatology, background concentrations, or any other attributes. They are patently not similar. The Quereshi Memo's position seems to be that all locations within the South Coast Air Basin are similar. That would make Santa Monica and Long Beach "similar" to Ontario and Bloomington—which is about as ridiculous a statement that I have seen in 35+ years of air quality consulting and expert matters. O3.60 cont.

Next, the Quereshi Memo states that "[T]he background conditions and existing attainment status for each respective air basin are taken into account in this analysis, and are reflected in the regional thresholds adopted by each respective air district." This is an equally naïve statement. What does CEQA thresholds referenced in this sentence have to do with background concentrations of pollutants at various locations? They are not the same. Dominguez Hills or Friant Ranch do not have (and the Quereshi Memo certainly has not shown) the same or similar background concentrations of pollutants. This statement is unsupported and simply technically false.

Finally, the Quereshi Memo states that "[T]he Project site benefits from favorable dispersion characteristics in the SCAB, including strong coastal wind patterns that enhance the dispersal of pollutants, reducing the likelihood of pollutant accumulation near the Project site and mitigating any localized health impacts." This would be news to anyone who lives in Bloomington. Located at a considerable distance from the coast, the "strong coastal wind patterns near the Project site" are a myth. Apparently, according to the Quereshi Memo analysis, these wind patterns simply disperse away any emissions of pollutants at Bloomington. I am not aware of these conditions. And, the Memo provides no data to support such an outrageous statement.

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Because of these fundamental infirmities, the conclusions, based on its "comparative" analysis in the Quereshi Memo that the proposed Project's emissions would not result in "significantly higher concentrations of ozone and $PM_{2.5}$," cannot be relied upon. As such, the Quereshi Memo's use of what it calls the "comparative" analysis is therefore technically meaningless because the underlying assumption that such scaling can even be valid is not established. The avoidance of what the Quereshi Memo calls "comprehensive health impact modeling" is therefore the only way—just like the Friant Ranch and CSUDH projects had to conduct. O3.60 cont.

(C) The COBRA Analysis Conducted in the Quereshi Memo Is Fatally Flawed

Perhaps realizing that its conclusionary statements about the infeasibility of conducting technical analyses or its comparative analysis discussed above are so weak that they can easily be rebutted, the Quereshi Memo does attempt to conduct some modeling using an EPA tool called COBRA. COBRA is described in the Memo and I will not repeat that description here.

I will note, however, that COBRA first attempts to provide relationships between sources and their impacts (i.e., pollutant concentrations) at specific geographical locations such that emissions from sources located at X can be related to ozone and $PM_{2.5}$ concentrations at locations Y. In other words, only knowing the emissions of the precursors at X, the concentrations at location Y can be determined—not by modeling, but by using equations contained in COBRA. And, once concentrations are estimated by COBRA, it then attempts to relate those concentrations to health outcomes using a second set of relationships (more equations). And, finally, COBRA takes the estimated health outcomes and related them to costs associated with these health outcomes using a third set of equations. O3.61

Setting as the problems and problems associated with the second (i.e., concentration to health outcomes relationships) and third (i.e., health outcomes to cost) relationships in COBRA, the way COBRA has been used in this instance to determine even the first relationship (i.e., emissions of the project to pollutant concentrations) is fatally flawed.

As stated in the Quereshi Memo, "[I]n order to estimate regional health impacts that may result from criteria and precursor pollutants emitted by the proposed Project, the peak daily emissions of ROG/VOC, NOX, SO2, and PM2.5 were utilized in the COBRA model. Table 2 below presents the estimated health effects and the incremental increase in mortality from all causes that is estimated to occur as a result of emissions generated by the proposed Project at the regional level (Riverside, San Bernardino, Los Angeles, and Orange Counties)."

The problem that the Quereshi Memo does not discuss is how COBRA conducts its analysis—specifically how it depicts the emissions from the Project into the model. The COBRA Manual[4] in Appendix A confirms that "COBRA estimates particulate matter and ozone levels using a Source-Receptor (S-R) Matrix developed by EPA (citation omitted). The S-R Matrix consists of

[4] https://www.epa.gov/cobra/users-manual-co-benefits-risk-assessment-cobra-screening-model

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fixed transfer coefficients that reflect the relationship between emissions of air pollutants (primary PM2.5, NOx, SO2, and VOC) at source counties and concentrations of particulate matter and ozone in receptor counties." (emphasis added). It goes on to confirm that "[T]o calculate the ambient annual PM2.5 concentrations and the ozone season maximum daily 8-hour average (MDA8) ozone concentrations, COBRA multiplies the emissions of air pollutants in source counties by the transfer coefficients in the S-R Matrix developed by Baker et al. (2023) to model concentrations in receptor counties." (emphasis added).

Further, the COBRA Manual states that "[W]e group stationary point source emissions for each county into three groups based on effective stack height: (1) less than 250 meters, (2) 250 to 500 meters, and (3) greater than 500 meters. (citation omitted) We assume that emissions from the two groups less than 500 meters originate from the center of the county in which they are located. For point sources with effective stack heights greater than 500 meters, we use their true latitude and longitude coordinates when modeling the dispersion of emissions." (emphasis added)

O3.61 cont.

In the present instance, none of the effective stack heights or emission release heights associated with the Bloomington Project are anywhere close to 500 meters (or over 1,500 feet tall). These types of effective stack heights are only associated with power plants or similar large industrial sources. The release heights associated with the warehouses at the Bloomington Project are considerably shorter and would be well below even the 250 meters. As such, the Bloomington Project emissions would be depicted in COBRA as being located in the "center of the county."

Unfortunately for the Quereshi Memo's analysis, Bloomington is located in San Bernardino County, which happens to be the biggest or largest (by land area) county in the lower 48 contiguous states.[5] By far.

And, as the map below (Figure 1) shows, the distance from Bloomington to the center of San Bernardino County is over 100 miles.

[5] https://www.nytimes.com/2023/03/31/us/san-bernardino-county-california.html; https://en.wikipedia.org/wiki/List_of_the_largest_counties_in_the_United_States_by_area

Figure 1 – Bloomington and the Center of San Bernardino County

O3.61 cont.

In addition, as shown in Figure 2 and 3, the topography near Bloomington is not at all the same as the topography at the center of the County—which is basically in the vast Mojave Desert. And, there are large (over 10,000 feet in many locations) San Bernardino mountains intervening between Bloomington and the center of the County.

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O3.61 cont.

Figure 2 – Topography in the Vicinity of Bloomington

Figure 3 – Showing the Tall Mountains of San Bernardino Between Bloomington and the Mojave Desert

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Because of how COBRA depicts emissions (i.e., center of county) for the types of releases that will be associated with the Bloomington Project—those sources would be located 100+ miles away in the Mojave Desert and not near Bloomington—making its results nonsensical as to impacts in the centers of other receptor counties such as Los Angeles and Riverside. Besides, the Quereshi Memo glosses over how COBRA accounts for impacts within the populated portions of San Bernardino (i.e., the source county) itself. O3.61 cont.

For all these reasons, the Quereshi Memo's COBRA analysis is fatally flawed and its results are meaningless.

Conclusion

The RDEIR should avoid shortcuts and conduct the full photochemical modeling using the precursor emissions due to the Project, then determine concentrations of ozone and $PM_{2.5}$ that would be formed as a result of the Project, and then determine adverse health outcomes and costs. There is no short-cut. O3.62

Attachment A

Sahu Resume

RANAJIT (RON) SAHU, PH.D, CEM (NEVADA)

CONSULTANT, ENVIRONMENTAL AND ENERGY ISSUES

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Alhambra, CA 91801
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EXPERIENCE SUMMARY

Dr. Sahu has over thirty four years of experience in the fields of environmental, mechanical, and chemical engineering including: program and project management services; design and specification of pollution control equipment for a wide range of emissions sources including stationary and mobile sources; soils and groundwater remediation including landfills as remedy; combustion engineering evaluations; energy studies; multimedia environmental regulatory compliance (involving statutes and regulations such as the Federal CAA and its Amendments, Clean Water Act, TSCA, RCRA, CERCLA, SARA, OSHA, NEPA as well as various related state statutes); transportation air quality impact analysis; multimedia compliance audits; multimedia permitting (including air quality NSR/PSD permitting, Title V permitting, NPDES permitting for industrial and storm water discharges, RCRA permitting, etc.), multimedia/multi-pathway human health risk assessments for toxics; air dispersion modeling; and regulatory strategy development and support including negotiation of consent agreements and orders.

He has almost thirty five years of project management experience and has successfully managed and executed hundreds of projects in this time period. This includes basic and applied research projects, design projects, regulatory compliance projects, permitting projects, energy studies, risk assessment projects, and projects involving the communication of environmental data and information to the public.

He has provided consulting services to numerous private sector, public sector and public interest group clients. His major clients over the past three decades include various trade associations as well as individual companies such as steel mills, petroleum refineries, chemical plants, cement manufacturers, aerospace companies, power generation facilities, lawn and garden equipment manufacturers, spa manufacturers, chemical distribution facilities, land development companies, and various entities in the public sector including EPA, the US Dept. of Justice, several states (including New York, New Jersey, Connecticut, Kansas, Oregon, New Mexico, Pennsylvania, and others), various agencies such as the California DTSC, and various cities and municipalities. Dr. Sahu has executed projects in all 50 US states, numerous local jurisdictions and internationally.

In addition to consulting, for approximately two decades, Dr. Sahu taught numerous courses in several Southern California universities as adjunct faculty, including UCLA (air pollution), UC Riverside (air pollution, process hazard analysis), and Loyola Marymount University (air pollution, risk assessment, hazardous waste management). He also taught at Caltech, his alma mater (various engineering courses), at the University of Southern California (air pollution controls) and at California State University, Fullerton (transportation and air quality).

Of particular relevance, Dr. Sahu is the Nevada CEM overseeing the large Basic Remediation Company (BRC) cleanup of soil and groundwater from WWII-era contamination to residential land use. He and his remediation team, working under his direction, obtained all of the soil No Further Action (NFA) determinations from the NDEP, which is allowing residential development to proceed at the Site. Over 6000 homes have already been built and are occupied. All of the technical analyses, including the many risk assessments that were conducted as part of the project including statistical sampling based confirmatory data analysis, geospatial analysis, COPC determination methods, assessment of site background conditions, DQO activities, risk pathway selection, assessment of exposure parameters (deterministic and probabilistic), and the presentation of risk calculations to regulators and the public –

were done directly under his supervision. He also led the public communication aspects as well as providing environmental clarifications, as needed, to the many builders who are associated with the site. As a matter of record, contaminants at the site included: volatile organic compounds (VOCs) including PCE, TCE, chloroform, etc.; semi-volatiles; organochlorine pesticides; asbestos; various metals including lead and arsenic; dioxins; perchlorate; PCBs; and radioactive nuclides.

Dr. Sahu has and continues to provide expert witness services in a number of environmental and engineering areas discussed above in both state and Federal courts as well as before administrative bodies (please see Annex A).

EXPERIENCE RECORD

2000-present **Independent Consultant.** Providing a variety of private sector (industrial companies, land development companies, law firms, etc.), public sector (such as the US Department of Justice), and public interest group clients with project management, environmental consulting, project management, as well as regulatory and engineering support consulting services.

1995-2000 Parsons ES, **Associate, Senior Project Manager and Department Manager for** Air Quality/Geosciences/Hazardous Waste Groups, Pasadena, CA.

Parsons ES, **Manager for Air Source Testing Services**. Responsible for the management of 8 individuals in the area of air source testing and air regulatory permitting projects located in Bakersfield, California.

1992-1995 Engineering-Science, Inc. **Principal Engineer and Senior Project Manager** in the air quality department.

1990-1992 Engineering-Science, Inc. **Principal Engineer and Project Manager** in the air quality department.

1989-1990 Kinetics Technology International, Corp. **Development Engineer.** Involved in thermal engineering R&D and project work related to low-NOx ceramic radiant burners, fired heater NOx reduction, SCR design, and fired heater retrofitting.

1988-1989 Heat Transfer Research, Inc. **Research Engineer**. Involved in the design of fired heaters, heat exchangers, air coolers, and other non-fired equipment. Also did research in the area of heat exchanger tube vibrations.

EDUCATION

1984-1988 Ph.D., Mechanical Engineering, California Institute of Technology (Caltech), Pasadena, CA.

1984 M. S., Mechanical Engineering, California Institute of Technology (Caltech), Pasadena, CA.

1978-1983 B. Tech (Honors), Mechanical Engineering, Indian Institute of Technology (IIT) Kharagpur, India

TEACHING EXPERIENCE

Caltech

"Thermodynamics," Teaching Assistant, California Institute of Technology, 1983, 1987.

"Air Pollution Control," Teaching Assistant, California Institute of Technology, 1985.

"Caltech Secondary and High School Saturday Program," - taught various mathematics (algebra through calculus) and science (physics and chemistry) courses to high school students, 1983-1989.

"Heat Transfer," - taught this course in the Fall and Winter terms of 1994-1995 in the Division of Engineering and Applied Science.

"Thermodynamics and Heat Transfer," Fall and Winter Terms of 1996-1997.

U.C. Riverside, Extension

"Toxic and Hazardous Air Contaminants," University of California Extension Program, Riverside, California. Various years since 1992.

"Prevention and Management of Accidental Air Emissions," University of California Extension Program, Riverside, California. Various years since 1992.

"Air Pollution Control Systems and Strategies," University of California Extension Program, Riverside, California, Summer 1992-93, Summer 1993-1994.

"Air Pollution Calculations," University of California Extension Program, Riverside, California, Fall 1993-94, Winter 1993-94, Fall 1994-95.

"Process Safety Management," University of California Extension Program, Riverside, California. Various years since 1992-2010.

"Process Safety Management," University of California Extension Program, Riverside, California, at SCAQMD, Spring 1993-94.

"Advanced Hazard Analysis - A Special Course for LEPCs," University of California Extension Program, Riverside, California, taught at San Diego, California, Spring 1993-1994.

"Advanced Hazardous Waste Management" University of California Extension Program, Riverside, California. 2005.

Loyola Marymount University

"Fundamentals of Air Pollution - Regulations, Controls and Engineering," Loyola Marymount University, Dept. of Civil Engineering. Various years beginning 1993.

"Air Pollution Control," Loyola Marymount University, Dept. of Civil Engineering, Fall 1994.

"Environmental Risk Assessment," Loyola Marymount University, Dept. of Civil Engineering. Various years beginning 1998.

"Hazardous Waste Remediation" Loyola Marymount University, Dept. of Civil Engineering. Various years beginning 2006.

University of Southern California

"Air Pollution Controls," University of Southern California, Dept. of Civil Engineering, Fall 1993, Fall 1994.

"Air Pollution Fundamentals," University of Southern California, Dept. of Civil Engineering, Winter 1994.

University of California, Los Angeles

"Air Pollution Fundamentals," University of California, Los Angeles, Dept. of Civil and Environmental Engineering, Spring 1994, Spring 1999, Spring 2000, Spring 2003, Spring 2006, Spring 2007, Spring 2008, Spring 2009.

International Programs

"Environmental Planning and Management," 5 week program for visiting Chinese delegation, 1994.

"Environmental Planning and Management," 1 day program for visiting Russian delegation, 1995.

"Air Pollution Planning and Management," IEP, UCR, Spring 1996.

"Environmental Issues and Air Pollution," IEP, UCR, October 1996.

PROFESSIONAL AFFILIATIONS AND HONORS

President of India Gold Medal, IIT Kharagpur, India, 1983.

Member of the Alternatives Assessment Committee of the Grand Canyon Visibility Transport Commission, established by the Clean Air Act Amendments of 1990, 1992.

American Society of Mechanical Engineers: Los Angeles Section Executive Committee, Heat Transfer Division, and Fuels and Combustion Technology Division, 1987-mid-1990s.

Air and Waste Management Association, West Coast Section, 1989-mid-2000s.

PROFESSIONAL CERTIFICATIONS

EIT, California (#XE088305), 1993.

REA I, California (#07438), 2000.

Certified Permitting Professional, South Coast AQMD (#C8320), since 1993.

QEP, Institute of Professional Environmental Practice, 2000 - 2021.

CEM, State of Nevada (#EM-1699).

PUBLICATIONS (PARTIAL LIST)

"Physical Properties and Oxidation Rates of Chars from Bituminous Coals," with Y.A. Levendis, R.C. Flagan and G.R. Gavalas, *Fuel*, **67**, 275-283 (1988).

"Char Combustion: Measurement and Analysis of Particle Temperature Histories," with R.C. Flagan, G.R. Gavalas and P.S. Northrop, *Comb. Sci. Tech.* **60**, 215-230 (1988).

"On the Combustion of Bituminous Coal Chars," PhD Thesis, California Institute of Technology (1988).

"Optical Pyrometry: A Powerful Tool for Coal Combustion Diagnostics," *J. Coal Quality*, **8**, 17-22 (1989).

"Post-Ignition Transients in the Combustion of Single Char Particles," with Y.A. Levendis, R.C. Flagan and G.R. Gavalas, *Fuel*, **68**, 849-855 (1989).

"A Model for Single Particle Combustion of Bituminous Coal Char." Proc. ASME National Heat Transfer Conference, Philadelphia, **HTD-Vol. 106**, 505-513 (1989).

"Discrete Simulation of Cenospheric Coal-Char Combustion," with R.C. Flagan and G.R. Gavalas, *Combust. Flame*, **77**, 337-346 (1989).

"Particle Measurements in Coal Combustion," with R.C. Flagan, in "**Combustion Measurements**" (ed. N. Chigier), Hemisphere Publishing Corp. (1991).

"Cross Linking in Pore Structures and Its Effect on Reactivity," with G.R. Gavalas in preparation.

"Natural Frequencies and Mode Shapes of Straight Tubes," Proprietary Report for Heat Transfer Research Institute, Alhambra, CA (1990).

"Optimal Tube Layouts for Kamui SL-Series Exchangers," with K. Ishihara, Proprietary Report for Kamui Company Limited, Tokyo, Japan (1990).

"HTRI Process Heater Conceptual Design," Proprietary Report for Heat Transfer Research Institute, Alhambra, CA (1990).

"Asymptotic Theory of Transonic Wind Tunnel Wall Interference," with N.D. Malmuth and others, Arnold Engineering Development Center, Air Force Systems Command, USAF (1990).

"Gas Radiation in a Fired Heater Convection Section," Proprietary Report for Heat Transfer Research Institute, College Station, TX (1990).

"Heat Transfer and Pressure Drop in NTIW Heat Exchangers," Proprietary Report for Heat Transfer Research Institute, College Station, TX (1991).

"NOx Control and Thermal Design," Thermal Engineering Tech Briefs, (1994).

"From Purchase of Landmark Environmental Insurance to Remediation: Case Study in Henderson, Nevada," with Robin E. Bain and Jill Quillin, presented at the AQMA Annual Meeting, Florida, 2001.

"The Jones Act Contribution to Global Warming, Acid Rain and Toxic Air Contaminants," with Charles W. Botsford, presented at the AQMA Annual Meeting, Florida, 2001.

PRESENTATIONS (PARTIAL LIST)

"Pore Structure and Combustion Kinetics - Interpretation of Single Particle Temperature-Time Histories," with P.S. Northrop, R.C. Flagan and G.R. Gavalas, presented at the AIChE Annual Meeting, New York (1987).

"Measurement of Temperature-Time Histories of Burning Single Coal Char Particles," with R.C. Flagan, presented at the American Flame Research Committee Fall International Symposium, Pittsburgh, (1988).

"Physical Characterization of a Cenospheric Coal Char Burned at High Temperatures," with R.C. Flagan and G.R. Gavalas, presented at the Fall Meeting of the Western States Section of the Combustion Institute, Laguna Beach, California (1988).

"Control of Nitrogen Oxide Emissions in Gas Fired Heaters - The Retrofit Experience," with G. P. Croce and R. Patel, presented at the International Conference on Environmental Control of Combustion Processes (Jointly sponsored by the American Flame Research Committee and the Japan Flame Research Committee), Honolulu, Hawaii (1991).

"Air Toxics - Past, Present and the Future," presented at the Joint AIChE/AAEE Breakfast Meeting at the AIChE 1991 Annual Meeting, Los Angeles, California, November 17-22 (1991).

"Air Toxics Emissions and Risk Impacts from Automobiles Using Reformulated Gasolines," presented at the Third Annual Current Issues in Air Toxics Conference, Sacramento, California, November 9-10 (1992).

"Air Toxics from Mobile Sources," presented at the Environmental Health Sciences (ESE) Seminar Series, UCLA, Los Angeles, California, November 12, (1992).

"Kilns, Ovens, and Dryers - Present and Future," presented at the Gas Company Air Quality Permit Assistance Seminar, Industry Hills Sheraton, California, November 20, (1992).

"The Design and Implementation of Vehicle Scrapping Programs," presented at the 86th Annual Meeting of the Air and Waste Management Association, Denver, Colorado, June 12, 1993.

"Air Quality Planning and Control in Beijing, China," presented at the 87th Annual Meeting of the Air and Waste Management Association, Cincinnati, Ohio, June 19-24, 1994.

Annex A

Expert Litigation Support

A. Occasions where Dr. Sahu has provided Written or Oral testimony before Congress:

1. In July 2012, provided expert written and oral testimony to the House Subcommittee on Energy and the Environment, Committee on Science, Space, and Technology at a Hearing entitled "Hitting the Ethanol Blend Wall – Examining the Science on E15."

B. Matters for which Dr. Sahu has provided affidavits and expert reports include:

2. Affidavit for Rocky Mountain Steel Mills, Inc. located in Pueblo Colorado – dealing with the technical uncertainties associated with night-time opacity measurements in general and at this steel mini-mill.
3. Expert reports and depositions (2/28/2002 and 3/1/2002; 12/2/2003 and 12/3/2003; 5/24/2004) on behalf of the United States in connection with the Ohio Edison NSR Cases. *United States, et al. v. Ohio Edison Co., et al.*, C2-99-1181 (Southern District of Ohio).
4. Expert reports and depositions (5/23/2002 and 5/24/2002) on behalf of the United States in connection with the Illinois Power NSR Case. *United States v. Illinois Power Co., et al.*, 99-833-MJR (Southern District of Illinois).
5. Expert reports and depositions (11/25/2002 and 11/26/2002) on behalf of the United States in connection with the Duke Power NSR Case. *United States, et al. v. Duke Energy Corp.*, 1:00-CV-1262 (Middle District of North Carolina).
6. Expert reports and depositions (10/6/2004 and 10/7/2004; 7/10/2006) on behalf of the United States in connection with the American Electric Power NSR Cases. *United States, et al. v. American Electric Power Service Corp., et al.*, C2-99-1182, C2-99-1250 (Southern District of Ohio).
7. Affidavit (March 2005) on behalf of the Minnesota Center for Environmental Advocacy and others in the matter of the Application of Heron Lake BioEnergy LLC to construct and operate an ethanol production facility – submitted to the Minnesota Pollution Control Agency.
8. Expert Report and Deposition (10/31/2005 and 11/1/2005) on behalf of the United States in connection with the East Kentucky Power Cooperative NSR Case. *United States v. East Kentucky Power Cooperative, Inc.*, 5:04-cv-00034-KSF (Eastern District of Kentucky).
9. Affidavits and deposition on behalf of Basic Management Inc. (BMI) Companies in connection with the BMI vs. USA remediation cost recovery Case.
10. Expert Report on behalf of Penn Future and others in the Cambria Coke plant permit challenge in Pennsylvania.
11. Expert Report on behalf of the Appalachian Center for the Economy and the Environment and others in the Western Greenbrier permit challenge in West Virginia.
12. Expert Report, deposition (via telephone on January 26, 2007) on behalf of various Montana petitioners (Citizens Awareness Network (CAN), Women's Voices for the Earth (WVE) and the Clark Fork Coalition (CFC)) in the Thompson River Cogeneration LLC Permit No. 3175-04 challenge.
13. Expert Report and deposition (2/2/07) on behalf of the Texas Clean Air Cities Coalition at the Texas State Office of Administrative Hearings (SOAH) in the matter of the permit challenges to TXU Project Apollo's eight new proposed PRB-fired PC boilers located at seven TX sites.

14. Expert Testimony (July 2007) on behalf of the Izaak Walton League of America and others in connection with the acquisition of power by Xcel Energy from the proposed Gascoyne Power Plant – at the State of Minnesota, Office of Administrative Hearings for the Minnesota PUC (MPUC No. E002/CN-06-1518; OAH No. 12-2500-17857-2).

15. Affidavit (July 2007) Comments on the Big Cajun I Draft Permit on behalf of the Sierra Club – submitted to the Louisiana DEQ.

16. Expert Report and Deposition (12/13/2007) on behalf of Commonwealth of Pennsylvania – Dept. of Environmental Protection, State of Connecticut, State of New York, and State of New Jersey (Plaintiffs) in connection with the Allegheny Energy NSR Case. *Plaintiffs v. Allegheny Energy Inc., et al.,* 2:05cv0885 (Western District of Pennsylvania).

17. Expert Reports and Pre-filed Testimony before the Utah Air Quality Board on behalf of Sierra Club in the Sevier Power Plant permit challenge.

18. Expert Report and Deposition (October 2007) on behalf of MTD Products Inc., in connection with *General Power Products, LLC v MTD Products Inc*., 1:06 CVA 0143 (Southern District of Ohio, Western Division) .

19. Expert Report and Deposition (June 2008) on behalf of Sierra Club and others in the matter of permit challenges (Title V: 28.0801-29 and PSD: 28.0803-PSD) for the Big Stone II unit, proposed to be located near Milbank, South Dakota.

20. Expert Reports, Affidavit, and Deposition (August 15, 2008) on behalf of Earthjustice in the matter of air permit challenge (CT-4631) for the Basin Electric Dry Fork station, under construction near Gillette, Wyoming before the Environmental Quality Council of the State of Wyoming.

21. Affidavits (May 2010/June 2010 in the Office of Administrative Hearings))/Declaration and Expert Report (November 2009 in the Office of Administrative Hearings) on behalf of NRDC and the Southern Environmental Law Center in the matter of the air permit challenge for Duke Cliffside Unit 6. Office of Administrative Hearing Matters 08 EHR 0771, 0835 and 0836 and 09 HER 3102, 3174, and 3176 (consolidated).

22. Declaration (August 2008), Expert Report (January 2009), and Declaration (May 2009) on behalf of Southern Alliance for Clean Energy in the matter of the air permit challenge for Duke Cliffside Unit 6. *Southern Alliance for Clean Energy et al., v. Duke Energy Carolinas, LLC*, Case No. 1:08-cv-00318-LHT-DLH (Western District of North Carolina, Asheville Division).

23. Declaration (August 2008) on behalf of the Sierra Club in the matter of Dominion Wise County plant MACT.us

24. Expert Report (June 2008) on behalf of Sierra Club for the Green Energy Resource Recovery Project, MACT Analysis.

25. Expert Report (February 2009) on behalf of Sierra Club and the Environmental Integrity Project in the matter of the air permit challenge for NRG Limestone's proposed Unit 3 in Texas.

26. Expert Report (June 2009) on behalf of MTD Products, Inc., in the matter of *Alice Holmes and Vernon Holmes v. Home Depot USA, Inc., et al.*

27. Expert Report (August 2009) on behalf of Sierra Club and the Southern Environmental Law Center in the matter of the air permit challenge for Santee Cooper's proposed Pee Dee plant in South Carolina).

28. Statements (May 2008 and September 2009) on behalf of the Minnesota Center for Environmental Advocacy to the Minnesota Pollution Control Agency in the matter of the Minnesota Haze State Implementation Plans.

29. Expert Report (August 2009) on behalf of Environmental Defense, in the matter of permit challenges to the proposed Las Brisas coal fired power plant project at the Texas State Office of Administrative Hearings (SOAH).

30. Expert Report and Rebuttal Report (September 2009) on behalf of the Sierra Club, in the matter of challenges to the proposed Medicine Bow Fuel and Power IGL plant in Cheyenne, Wyoming.

31. Expert Report (December 2009) and Rebuttal reports (May 2010 and June 2010) on behalf of the United States in connection with the Alabama Power Company NSR Case. *United States v. Alabama Power Company*, CV-01-HS-152-S (Northern District of Alabama, Southern Division).

32. Pre-filed Testimony (October 2009) on behalf of Environmental Defense and others, in the matter of challenges to the proposed White Stallion Energy Center coal fired power plant project at the Texas State Office of Administrative Hearings (SOAH).

33. Pre-filed Testimony (July 2010) and Written Rebuttal Testimony (August 2010) on behalf of the State of New Mexico Environment Department in the matter of Proposed Regulation 20.2.350 NMAC – *Greenhouse Gas Cap and Trade Provisions,* No. EIB 10-04 (R), to the State of New Mexico, Environmental Improvement Board.

34. Expert Report (August 2010) and Rebuttal Expert Report (October 2010) on behalf of the United States in connection with the Louisiana Generating NSR Case. *United States v. Louisiana Generating, LLC*, 09-CV100-RET-CN (Middle District of Louisiana) – Liability Phase.

35. Declaration (August 2010), Reply Declaration (November 2010), Expert Report (April 2011), Supplemental and Rebuttal Expert Report (July 2011) on behalf of the United States in the matter of DTE Energy Company and Detroit Edison Company (Monroe Unit 2). *United States of America v. DTE Energy Company and Detroit Edison Company*, Civil Action No. 2:10-cv-13101-BAF-RSW (Eastern District of Michigan).

36. Expert Report and Deposition (August 2010) as well as Affidavit (September 2010) on behalf of Kentucky Waterways Alliance, Sierra Club, and Valley Watch in the matter of challenges to the NPDES permit issued for the Trimble County power plant by the Kentucky Energy and Environment Cabinet to Louisville Gas and Electric, File No. DOW-41106-047.

37. Expert Report (August 2010), Rebuttal Expert Report (September 2010), Supplemental Expert Report (September 2011), and Declaration (November 2011) on behalf of Wild Earth Guardians in the matter of opacity exceedances and monitor downtime at the Public Service Company of Colorado (Xcel)'s Cherokee power plant. No. 09-cv-1862 (District of Colorado).

38. Written Direct Expert Testimony (August 2010) and Affidavit (February 2012) on behalf of Fall-Line Alliance for a Clean Environment and others in the matter of the PSD Air Permit for Plant Washington issued by Georgia DNR at the Office of State Administrative Hearing, State of Georgia (OSAH-BNR-AQ-1031707-98-WALKER).

39. Deposition (August 2010) on behalf of Environmental Defense, in the matter of the remanded permit challenge to the proposed Las Brisas coal fired power plant project at the Texas State Office of Administrative Hearings (SOAH).

40. Expert Report, Supplemental/Rebuttal Expert Report, and Declarations (October 2010, November 2010, September 2012) on behalf of New Mexico Environment Department (Plaintiff-Intervenor), Grand Canyon Trust and Sierra Club (Plaintiffs) in the matter of *Plaintiffs v. Public Service Company of New Mexico* (PNM), Civil No. 1:02-CV-0552 BB/ATC (ACE) (District of New Mexico).

41. Expert Report (October 2010) and Rebuttal Expert Report (November 2010) (BART Determinations for PSCo Hayden and CSU Martin Drake units) to the Colorado Air Quality Commission on behalf of Coalition of Environmental Organizations.

42. Expert Report (November 2010) (BART Determinations for TriState Craig Units, CSU Nixon Unit, and PRPA Rawhide Unit) to the Colorado Air Quality Commission on behalf of Coalition of Environmental Organizations.

43. Declaration (November 2010) on behalf of the Sierra Club in connection with the Martin Lake Station Units 1, 2, and 3. *Sierra Club v. Energy Future Holdings Corporation and Luminant*

Generation Company LLC, Case No. 5:10-cv-00156-DF-CMC (Eastern District of Texas, Texarkana Division).

44. Pre-Filed Testimony (January 2011) and Declaration (February 2011) to the Georgia Office of State Administrative Hearings (OSAH) in the matter of Minor Source HAPs status for the proposed Longleaf Energy Associates power plant (OSAH-BNR-AQ-1115157-60-HOWELLS) on behalf of the Friends of the Chattahoochee and the Sierra Club).

45. Declaration (February 2011) in the matter of the Draft Title V Permit for RRI Energy MidAtlantic Power Holdings LLC Shawville Generating Station (Pennsylvania), ID No. 17-00001 on behalf of the Sierra Club.

46. Expert Report (March 2011), Rebuttal Expert Report (June 2011) on behalf of the United States in *United States of America v. Cemex, Inc.*, Civil Action No. 09-cv-00019-MSK-MEH (District of Colorado).

47. Declaration (April 2011) and Expert Report (July 16, 2012) in the matter of the Lower Colorado River Authority (LCRA)'s Fayette (Sam Seymour) Power Plant on behalf of the Texas Campaign for the Environment. *Texas Campaign for the Environment v. Lower Colorado River Authority,* Civil Action No. 4:11-cv-00791 (Southern District of Texas, Houston Division).

48. Declaration (June 2011) on behalf of the Plaintiffs MYTAPN in the matter of Microsoft-Yes, Toxic Air Pollution-No (MYTAPN) v. State of Washington, Department of Ecology and Microsoft Corporation Columbia Data Center to the Pollution Control Hearings Board, State of Washington, Matter No. PCHB No. 10-162.

49. Expert Report (June 2011) on behalf of the New Hampshire Sierra Club at the State of New Hampshire Public Utilities Commission, Docket No. 10-261 – the 2010 Least Cost Integrated Resource Plan (LCIRP) submitted by the Public Service Company of New Hampshire (re. Merrimack Station Units 1 and 2).

50. Declaration (August 2011) in the matter of the Sandy Creek Energy Associates L.P. Sandy Creek Power Plant on behalf of Sierra Club and Public Citizen. *Sierra Club, Inc. and Public Citizen, Inc. v. Sandy Creek Energy Associates, L.P.,* Civil Action No. A-08-CA-648-LY (Western District of Texas, Austin Division).

51. Expert Report (October 2011) on behalf of the Defendants in the matter of *John Quiles and Jeanette Quiles et al. v. Bradford-White Corporation, MTD Products, Inc., Kohler Co., et al.,* Case No. 3:10-cv-747 (TJM/DEP) (Northern District of New York).

52. Declaration (October 2011) on behalf of the Plaintiffs in the matter of *American Nurses Association et. al. (Plaintiffs), v. US EPA (Defendant)*, Case No. 1:08-cv-02198-RMC (US District Court for the District of Columbia).

53. Declaration (February 2012) and Second Declaration (February 2012) in the matter of *Washington Environmental Council and Sierra Club Washington State Chapter v. Washington State Department of Ecology and Western States Petroleum Association,* Case No. 11-417-MJP (Western District of Washington).

54. Expert Report (March 2012) and Supplemental Expert Report (November 2013) in the matter of *Environment Texas Citizen Lobby, Inc and Sierra Club v. ExxonMobil Corporation et al.,* Civil Action No. 4:10-cv-4969 (Southern District of Texas, Houston Division).

55. Declaration (March 2012) in the matter of *Center for Biological Diversity, et al. v. United States Environmental Protection Agency,* Case No. 11-1101 (consolidated with 11-1285, 11-1328 and 11-1336) (US Court of Appeals for the District of Columbia Circuit).

56. Declaration (March 2012) in the matter of *Sierra Club v. The Kansas Department of Health and Environment*, Case No. 11-105,493-AS (Holcomb power plant) (Supreme Court of the State of Kansas).

57. Declaration (March 2012) in the matter of the Las Brisas Energy Center *Environmental Defense Fund et al., v. Texas Commission on Environmental Quality,* Cause No. D-1-GN-11-001364 (District Court of Travis County, Texas, 261st Judicial District).

58. Expert Report (April 2012), Supplemental and Rebuttal Expert Report (July 2012), and Supplemental Rebuttal Expert Report (August 2012) on behalf of the states of New Jersey and Connecticut in the matter of the Portland Power plant *State of New Jersey and State of Connecticut (Intervenor-Plaintiff) v. RRI Energy Mid-Atlantic Power Holdings et al.,* Civil Action No. 07-CV-5298 (JKG) (Eastern District of Pennsylvania).

59. Declaration (April 2012) in the matter of the EPA's EGU MATS Rule, on behalf of the Environmental Integrity Project.

60. Expert Report (August 2012) on behalf of the United States in connection with the Louisiana Generating NSR Case. *United States v. Louisiana Generating, LLC*, 09-CV100-RET-CN (Middle District of Louisiana) – Harm Phase.

61. Declaration (September 2012) in the Matter of the Application of *Energy Answers Incinerator, Inc.* for a Certificate of Public Convenience and Necessity to Construct a 120 MW Generating Facility in Baltimore City, Maryland, before the Public Service Commission of Maryland, Case No. 9199.

62. Expert Report (October 2012) on behalf of the Appellants (Robert Concilus and Leah Humes) in the matter of Robert Concilus and Leah Humes v. Commonwealth of Pennsylvania Department of Environmental Protection and Crawford Renewable Energy, before the Commonwealth of Pennsylvania Environmental Hearing Board, Docket No. 2011-167-R.

63. Expert Report (October 2012), Supplemental Expert Report (January 2013), and Affidavit (June 2013) in the matter of various Environmental Petitioners v. North Carolina DENR/DAQ and Carolinas Cement Company, before the Office of Administrative Hearings, State of North Carolina.

64. Pre-filed Testimony (October 2012) on behalf of No-Sag in the matter of the North Springfield Sustainable Energy Project before the State of Vermont, Public Service Board.

65. Pre-filed Testimony (November 2012) on behalf of Clean Wisconsin in the matter of Application of Wisconsin Public Service Corporation for Authority to Construct and Place in Operation a New Multi-Pollutant Control Technology System (ReACT) for Unit 3 of the Weston Generating Station, before the Public Service Commission of Wisconsin, Docket No. 6690-CE-197.

66. Expert Report (February 2013) on behalf of Petitioners in the matter of Credence Crematory, Cause No. 12-A-J-4538 before the Indiana Office of Environmental Adjudication.

67. Expert Report (April 2013), Rebuttal report (July 2013), and Declarations (October 2013, November 2013) on behalf of the Sierra Club in connection with the Luminant Big Brown Case. *Sierra Club v. Energy Future Holdings Corporation and Luminant Generation Company LLC*, Civil Action No. 6:12-cv-00108-WSS (Western District of Texas, Waco Division).

68. Declaration (April 2013) on behalf of Petitioners in the matter of *Sierra Club, et al., (Petitioners) v Environmental Protection Agency et al. (Respondents),* Case No., 13-1112, (Court of Appeals, District of Columbia Circuit).

69. Expert Report (May 2013) and Rebuttal Expert Report (July 2013) on behalf of the Sierra Club in connection with the Luminant Martin Lake Case. *Sierra Club v. Energy Future Holdings Corporation and Luminant Generation Company LLC*, Civil Action No. 5:10-cv-0156-MHS-CMC (Eastern District of Texas, Texarkana Division).

70. Declaration (August 2013) on behalf of A. J. Acosta Company, Inc., in the matter of *A. J. Acosta Company, Inc., v. County of San Bernardino*, Case No. CIVSS803651.

71. Comments (October 2013) on behalf of the Washington Environmental Council and the Sierra Club in the matter of the Washington State Oil Refinery RACT (for Greenhouse Gases), submitted to the Washington State Department of Ecology, the Northwest Clean Air Agency, and the Puget Sound Clean Air Agency.

72. Statement (November 2013) on behalf of various Environmental Organizations in the matter of the Boswell Energy Center (BEC) Unit 4 Environmental Retrofit Project, to the Minnesota Public Utilities Commission, Docket No. E-015/M-12-920.

73. Expert Report (December 2013) on behalf of the United States in *United States of America v. Ameren Missouri*, Civil Action No. 4:11-cv-00077-RWS (Eastern District of Missouri, Eastern Division).

74. Expert Testimony (December 2013) on behalf of the Sierra Club in the matter of Public Service Company of New Hampshire Merrimack Station Scrubber Project and Cost Recovery, Docket No. DE 11-250, to the State of New Hampshire Public Utilities Commission.

75. Expert Report (January 2014) on behalf of Baja, Inc., in *Baja, Inc., v. Automotive Testing and Development Services, Inc. et. al*, Civil Action No. 8:13-CV-02057-GRA (District of South Carolina, Anderson/Greenwood Division).

76. Declaration (March 2014) on behalf of the Center for International Environmental Law, Chesapeake Climate Action Network, Friends of the Earth, Pacific Environment, and the Sierra Club (Plaintiffs) in the matter of *Plaintiffs v. the Export-Import Bank (Ex-Im Bank) of the United States*, Civil Action No. 13-1820 RC (District Court for the District of Columbia).

77. Declaration (April 2014) on behalf of Respondent-Intervenors in the matter of *Mexichem Specialty Resins Inc., et al., (Petitioners) v Environmental Protection Agency et al.,* Case No., 12-1260 (and Consolidated Case Nos. 12-1263, 12-1265, 12-1266, and 12-1267), (Court of Appeals, District of Columbia Circuit).

78. Direct Prefiled Testimony (June 2014) on behalf of the Michigan Environmental Council and the Sierra Club in the matter of the Application of DTE Electric Company for Authority to Implement a Power Supply Cost Recovery (PSCR) Plan in its Rate Schedules for 2014 Metered Jurisdictional Sales of Electricity, Case No. U-17319 (Michigan Public Service Commission).

79. Expert Report (June 2014) on behalf of ECM Biofilms in the matter of the US Federal Trade Commission (FTC) v. ECM Biofilms (FTC Docket #9358).

80. Direct Prefiled Testimony (August 2014) on behalf of the Michigan Environmental Council and the Sierra Club in the matter of the Application of Consumers Energy Company for Authority to Implement a Power Supply Cost Recovery (PSCR) Plan in its Rate Schedules for 2014 Metered Jurisdictional Sales of Electricity, Case No. U-17317 (Michigan Public Service Commission).

81. Declaration (July 2014) on behalf of Public Health Intervenors in the matter of *EME Homer City Generation v. US EPA* (Case No. 11-1302 and consolidated cases) relating to the lifting of the stay entered by the Court on December 30, 2011 (US Court of Appeals for the District of Columbia).

82. Expert Report (September 2014), Rebuttal Expert Report (December 2014) and Supplemental Expert Report (March 2015) on behalf of Plaintiffs in the matter of *Sierra Club and Montana Environmental Information Center (Plaintiffs) v. PPL Montana LLC, Avista Corporation, Puget Sound Energy, Portland General Electric Company, Northwestern Corporation, and Pacificorp (Defendants)*, Civil Action No. CV 13-32-BLG-DLC-JCL (US District Court for the District of Montana, Billings Division).

83. Expert Report (November 2014) on behalf of Niagara County, the Town of Lewiston, and the Villages of Lewiston and Youngstown in the matter of CWM Chemical Services, LLC New York State Department of Environmental Conservation (NYSDEC) Permit Application Nos.: 9-2934-00022/00225, 9-2934-00022/00231, 9-2934-00022/00232, and 9-2934-00022/00249 (pending).

84. *Declaration (January 2015) relating to Startup/Shutdown in the MATS Rule (EPA Docket ID No. EPA-HQ-OAR-2009-0234) on behalf of the Environmental Integrity Project.*

85. Pre-filed Direct Testimony (March 2015), Supplemental Testimony (May 2015), and Surrebuttal Testimony (December 2015) on behalf of Friends of the Columbia Gorge in the matter of the Application for a Site Certificate for the Troutdale Energy Center before the Oregon Energy Facility Siting Council.

86. Brief of Amici Curiae Experts in Air Pollution Control and Air Quality Regulation in Support of the Respondents, On Writs of Certiorari to the US Court of Appeals for the District of Columbia, No. 14-46, 47, 48. *Michigan et. al., (Petitioners) v. EPA et. al., Utility Air Regulatory Group (Petitioners) v. EPA et. al., National Mining Association et. al., (Petitioner) v. EPA et. al.,* (Supreme Court of the United States).

87. Expert Report (March 2015) and Rebuttal Expert Report (January 2016) on behalf of Plaintiffs in the matter of *Conservation Law Foundation v. Broadrock Gas Services LLC, Rhode Island LFG GENCO LLC, and Rhode Island Resource Recovery Corporation (Defendants)*, Civil Action No. 1:13-cv-00777-M-PAS (US District Court for the District of Rhode Island).

88. Declaration (April 2015) relating to various Technical Corrections for the MATS Rule (EPA Docket ID No. EPA-HQ-OAR-2009-0234) on behalf of the Environmental Integrity Project.

89. Direct Prefiled Testimony (May 2015) on behalf of the Michigan Environmental Council, the Natural Resources Defense Council, and the Sierra Club in the matter of the Application of DTE Electric Company for Authority to Increase its Rates, Amend its Rate Schedules and Rules Governing the Distribution and Supply of Electric Energy and for Miscellaneous Accounting Authority, Case No. U-17767 (Michigan Public Service Commission).

90. Expert Report (July 2015) and Rebuttal Expert Report (July 2015) on behalf of Plaintiffs in the matter of *Northwest Environmental Defense Center et. al., v. Cascade Kelly Holdings LLC, d/b/a Columbia Pacific Bio-Refinery, and Global Partners LP (Defendants)*, Civil Action No. 3:14-cv-01059-SI (US District Court for the District of Oregon, Portland Division).

91. Declaration (August 2015, Docket No. 1570376) in support of "Opposition of Respondent-Intervenors American Lung Association, et. al., to Tri-State Generation's Emergency Motion;" Declaration (September 2015, Docket No. 1574820) in support of "Joint Motion of the State, Local Government, and Public Health Respondent-Intervenors for Remand Without Vacatur;" Declaration (October 2015) in support of "Joint Motion of the State, Local Government, and Public Health Respondent-Intervenors to State and Certain Industry Petitioners' Motion to Govern, *White Stallion Energy Center, LLC v. US EPA*, Case No. 12-1100 (US Court of Appeals for the District of Columbia).

92. Declaration (September 2015) in support of the Draft Title V Permit for Dickerson Generating Station (Proposed Permit No 24-031-0019) on behalf of the Environmental Integrity Project.

93. Expert Report (Liability Phase) (December 2015) and Rebuttal Expert Report (February 2016) on behalf of Plaintiffs in the matter of *Natural Resources Defense Council, Inc., Sierra Club, Inc., Environmental Law and Policy Center, and Respiratory Health Association v. Illinois Power Resources LLC, and Illinois Power Resources Generating LLC (Defendants)*, Civil Action No. 1:13-cv-01181 (US District Court for the Central District of Illinois, Peoria Division).

94. Declaration (December 2015) in support of the Petition to Object to the Title V Permit for Morgantown Generating Station (Proposed Permit No 24-017-0014) on behalf of the Environmental Integrity Project.

95. Expert Report (November 2015) on behalf of Appellants in the matter of *Sierra Club, et al. v. Craig W. Butler, Director of Ohio Environmental Protection Agency et al.,* ERAC Case No. 14-256814.

96. Affidavit (January 2016) on behalf of Bridgewatch Detroit in the matter of *Bridgewatch Detroit v. Waterfront Petroleum Terminal Co., and Waterfront Terminal Holdings, LLC.*, in the Circuit Court for the County of Wayne, State of Michigan.

97. Expert Report (February 2016) and Rebuttal Expert Report (July 2016) on behalf of the challengers in the matter of the Delaware Riverkeeper Network, Clean Air Council, et. al., vs. Commonwealth of Pennsylvania Department of Environmental Protection and R. E. Gas Development LLC regarding the Geyer well site before the Pennsylvania Environmental Hearing Board.

98. Direct Testimony (May 2016) in the matter of Tesoro Savage LLC Vancouver Energy Distribution Terminal, Case No. 15-001 before the State of Washington Energy Facility Site Evaluation Council.

99. Declaration (June 2016) relating to deficiencies in air quality analysis for the proposed Millenium Bulk Terminal, Port of Longview, Washington.

100. Declaration (December 2016) relating to EPA's refusal to set limits on PM emissions from coal-fired power plants that reflect pollution reductions achievable with fabric filters on behalf of Environmental Integrity Project, Clean Air Council, Chesapeake Climate Action Network, Downwinders at Risk represented by Earthjustice in the matter of *ARIPPA v EPA, Case No. 15-1180.* (D.C. Circuit Court of Appeals).

101. Expert Report (January 2017) on the Environmental Impacts Analysis associated with the Huntley and Huntley Poseidon Well Pad on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.

102. Expert Report (January 2017) on the Environmental Impacts Analysis associated with the Apex Energy Backus Well Pad on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.

103. Expert Report (January 2017) on the Environmental Impacts Analysis associated with the Apex Energy Drakulic Well Pad on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.

104. Expert Report (January 2017) on the Environmental Impacts Analysis associated with the Apex Energy Deutsch Well Pad on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.

105. Affidavit (February 2017) pertaining to deficiencies water discharge compliance issues at the Wood River Refinery in the matter of *People of the State of Illinois (Plaintiff) v. Phillips 66 Company, ConocoPhillips Company, WRB Refining LP (Defendants)*, Case No. 16-CH-656, (Circuit Court for the Third Judicial Circuit, Madison County, Illinois).

106. Expert Report (March 2017) on behalf of the Plaintiff pertaining to non-degradation analysis for waste water discharges from a power plant in the matter of *Sierra Club (Plaintiff) v. Pennsylvania Department of Environmental Protection (PADEP) and Lackawanna Energy Center*, Docket No. 2016-047-L (consolidated), (Pennsylvania Environmental Hearing Board).

107. Expert Report (March 2017) on behalf of the Plaintiff pertaining to air emissions from the Heritage incinerator in East Liverpool, Ohio in the matter of *Save our County (Plaintiff) v. Heritage Thermal Services, Inc. (Defendant), Case No. 4:16-CV-1544-BYP*, (US District Court for the Northern District of Ohio, Eastern Division).

108. Rebuttal Expert Report (June 2017) on behalf of Plaintiffs in the matter of *Casey Voight and Julie Voight (Plaintiffs) v Coyote Creek Mining Company LLC (Defendant),* Civil Action No. 1:15-CV-00109 (US District Court for the District of North Dakota, Western Division).

109. Expert Affidavit (August 2017) and Penalty/Remedy Expert Affidavit (October 2017) on behalf of Plaintiff in the matter of *Wildearth Guardians (Plaintiff) v Colorado Springs Utility Board (Defendant,)* Civil Action No. 1:15-cv-00357-CMA-CBS (US District Court for the District of Colorado).

110. Expert Report (August 2017) on behalf of Appellant in the matter of *Patricia Ann Troiano (Appellant) v. Upper Burrell Township Zoning Hearing Board (Appellee)*, Court of Common Pleas of Westmoreland County, Pennsylvania, Civil Division.

111. Expert Report (October 2017), Supplemental Expert Report (October 2017), and Rebuttal Expert Report (November 2017) on behalf of Defendant in the matter of *Oakland Bulk and Oversized Terminal (Plaintiff) v City of Oakland (Defendant,)* Civil Action No. 3:16-cv-07014-VC (US District Court for the Northern District of California, San Francisco Division).

112. Declaration (December 2017) on behalf of the Environmental Integrity Project in the matter of permit issuance for ATI Flat Rolled Products Holdings, Breckenridge, PA to the Allegheny County Health Department.

113. Expert Report (Harm Phase) (January 2018), Rebuttal Expert Report (Harm Phase) (May 2018) and Supplemental Expert Report (Harm Phase) (April 2019) on behalf of Plaintiffs in the matter of *Natural Resources Defense Council, Inc., Sierra Club, Inc., and Respiratory Health Association v. Illinois Power Resources LLC, and Illinois Power Resources Generating LLC (Defendants)*, Civil Action No. 1:13-cv-01181 (US District Court for the Central District of Illinois, Peoria Division).

114. Declaration (February 2018) on behalf of the Chesapeake Bay Foundation, et. al., in the matter of the Section 126 Petition filed by the state of Maryland in *State of Maryland v. Pruitt (Defendant)*, Civil Action No. JKB-17-2939 (Consolidated with No. JKB-17-2873) (US District Court for the District of Maryland).

115. Direct Pre-filed Testimony (March 2018) on behalf of the National Parks Conservation Association (NPCA) in the matter of *NPCA v State of Washington, Department of Ecology and BP West Coast Products, LLC*, PCHB No. 17-055 (Pollution Control Hearings Board for the State of Washington.

116. Expert Affidavit (April 2018) and Second Expert Affidavit (May 2018) on behalf of Petitioners in the matter of *Coosa River Basin Initiative and Sierra Club (Petitioners) v State of Georgia Environmental Protection Division, Georgia Department of Natural Resources (Respondent) and Georgia Power Company (Intervenor/Respondent)*, Docket Nos: 1825406-BNR-WW-57-Howells and 1826761-BNR-WW-57-Howells, Office of State Administrative Hearings, State of Georgia.

117. Direct Pre-filed Testimony and Affidavit (December 2018) on behalf of Sierra Club and Texas Campaign for the Environment (Appellants) in the contested case hearing before the Texas State Office of Administrative Hearings in Docket Nos. 582-18-4846, 582-18-4847 (Application of GCGV Asset Holding, LLC for Air Quality Permit Nos. 146425/PSDTX1518 and 146459/PSDTX1520 in San Patricio County, Texas).

118. Expert Report (February 2019) on behalf of Sierra Club in the State of Florida, Division of Administrative Hearings, Case No. 18-2124EPP, Tampa Electric Company Big Bend Unit 1 Modernization Project Power Plant Siting Application No. PA79-12-A2.

119. Declaration (March 2019) on behalf of Earthjustice in the matter of comments on the renewal of the Title V Federal Operating Permit for Valero Houston refinery.

120. Expert Report (March 2019) on behalf of Plaintiffs for Class Certification in the matter of *Resendez et al v Precision Castparts Corporation* in the Circuit Court for the State of Oregon, County of Multnomah, Case No. 16cv16164.

121. Expert Report (June 2019), Affidavit (July 2019) and Rebuttal Expert Report (September 2019) on behalf of Appellants relating to the NPDES permit for the Cheswick power plant in the matter of *Three Rivers Waterkeeper and Sierra Club (Appellants) v. State of Pennsylvania Department of Environmental Protection (Appellee) and NRG Power Midwest (Permittee)*, before the Commonwealth of Pennsylvania Environmental Hearing Board, EHB Docket No. 2018-088-R.

122. Affidavit/Expert Report (August 2019) relating to the appeal of air permits issued to PTTGCA on behalf of Appellants in the matter of *Sierra Club (Appellants) v. Craig Butler, Director, et. al., Ohio EPA (Appellees)* before the State of Ohio Environmental Review Appeals Commission (ERAC), Case Nos. ERAC-19-6988 through -6991.

123. Expert Report (October 2019) relating to the appeal of air permit (Plan Approval) on behalf of Appellants in the matter of *Clean Air Council and Environmental Integrity Project (Appellants) v. Commonwealth of Pennsylvania Department of Environmental Protection and Sunoco Partners Marketing and Terminals L.P.*, before the Commonwealth of Pennsylvania Environmental Hearing Board, EHB Docket No. 2018-057-L.

124. Expert Report (December 2019), Affidavit (March 2020), Supplemental Expert Report (July 2020), and Declaration (February 2021) on behalf of Earthjustice in the matter of *Objection to the*

Issuance of PSD/NSR and Title V permits for Riverview Energy Corporation, Dale, Indiana, before the Indiana Office of Environmental Adjudication, Cause No. 19-A-J-5073.

125. Affidavit (December 2019) on behalf of Plaintiff-Intervenor (Surfrider Foundation) in the matter of *United States and the State of Indiana (Plaintiffs), Surfrider Foundation (Plaintiff-Intervenor), and City of Chicago (Plaintiff-Intervenor) v. United States Steel Corporation (Defendant)*, Civil Action No. 2:18-cv-00127 (US District Court for the Northern District of Indiana, Hammond Division).

126. Declarations (January 2020, February 2020, May 2020, July 2020, and August 2020) and Pre-filed Testimony (April 2021) in support of Petitioner's Motion for Stay of PSCAA NOC Order of Approval No. 11386 in the matter of the *Puyallup Tribe of Indians v. Puget Sound Clean Air Agency (PSCAA) and Puget Sound Energy (PSE)*, before the State of Washington Pollution Control Hearings Board, PCHB No. P19-088.

127. Expert Report (April 2020) on behalf of the plaintiff in the matter of Orion Engineered Carbons, GmbH (Plaintiff) vs. Evonik Operations, GmbH (formerly Evonik Degussa GmbH) (Respondent), before the German Arbitration Institute, Case No. DIS-SV-2019-00216.

128. Expert Independent Evaluation Report (June 2020) for *PacifiCorp's Decommissioning Costs Study Reports dated January 15, 2020 and March 13, 2020 relating to the closures of the Hunter, Huntington, Dave Johnston, Jim Bridger, Naughton, Wyodak, Hayden, and Colstrip (Units 3&4) plants*, prepared for the Oregon Public Utility Commission (Oregon PUC).

129. Direct Pre-filed Testimony (July 2020) on behalf of the Sierra Club in the matter of *the Application of the Ohio State University for a certificate of Environmental Compatibility and Public Need to Construct a Combined Heat and Power Facility in Franklin County, Ohio*, before the Ohio Power Siting Board, Case No. 19-1641-EL-BGN.

130. Expert Report (August 2020) and Rebuttal Expert Report (September 2020) on behalf of WildEarth Guardians (petitioners) in the matter of *the Appeals of the Air Quality Permit No. 7482-M1 Issued to 3 Bear Delaware Operating – NM LLC (EIB No. 20-21(A) and Registrations Nos. 8729, 8730, and 8733 under General Construction Permit for Oil and Gas Facilities (EIB No. 20-33 (A)*, before the State of New Mexico, Environmental Improvement Board.

131. Expert Report (July 2020) on the *Initial Economic Impact Analysis (EIA) for A Proposal To* Regulate *NOx Emissions from Natural Gas Fired Rich-Burn Natural Gas Reciprocating Internal Combustion Engines (RICE) Greater Than 100 Horsepower* prepared on behalf of Earthjustice and the National Parks Conservation Association in the matter of Regulation Number 7, Alternate Rules before the Colorado Air Quality Control Commission.

132. Expert Report (August 2020) and Supplemental Expert Report (February 2021) on the Potential Remedies to Avoid Adverse Thermal Impacts from the Merrimack Station on behalf of Plaintiffs in the matter of *Sierra Club Inc. and the* Conservation *Law Foundation (Plaintiffs) v. Granite Shore Power, LLC et. al., (Defendants)*, Civil Action No. 19-cv-216-JL (US District Court for the District of New Hampshire.)

133. Expert Report (August 2020) and Supplemental Expert Report (December 2020) on behalf of Plaintiffs in the matter of *PennEnvironment Inc., and Clean Air Council (Plaintiffs) and Allegheny County Health Department (Plaintiff-Intervenor) v. United States Steel Corporation (Defendant)*, Civil Action No. 2-19-cv-00484-MJH (US District Court for the Western District of Pennsylvania.)

134. Pre-filed Direct Testimony (October 2020) and Sur-rebuttal Testimony (November 2020) on behalf of petitioners (Ten Persons Group, including citizens, the Town of Braintree, the Town of Hingham, and the City of Quincy) in the matter of Algonquin Gas Transmission LLC, Weymouth MA, No. X266786 Air Quality Plan Approval, before the Commonwealth of Massachusetts, Department of Environmental Protection, the Office of Appeals and Dispute Resolution, OADR Docket Nos. 2019-008, 2019-009, 2019010, 2019-011, 2019-012 and 2019-013.

135. Expert Report (November 2020) on behalf of Protect PT in the matter of *Protect PT v. Commonwealth of Pennsylvania Department of Environmental Protection and Apex Energy (PA) LLC*, before the Commonwealth of Pennsylvania Environmental Hearing Board, Docket No. 2018-080-R (consolidated with 2019-101-R)(the "Drakulic Appeal").

136. Expert Report (December 2020) on behalf of Plaintiffs in the matter of *Sierra Club Inc. (Plaintiff) v. GenOn Power Midwest LP (Defendants)*, Civil Action No. 2-19-cv-01284-WSS (US District Court for the Western District of Pennsylvania.)

137. Pre-filed Testimony (January 2021) on behalf of the Plaintiffs (Shrimpers and Fishermen of the Rio Grande Valley represented by Texas RioGrande Legal Aid, Inc.) in the matter of the Appeal of Texas Commission on Environmental Quality (TCEQ) Permit Nos. 147681, PSDTX1522, GHGPSDTX172 for the Jupiter Brownsville Heavy Condensate Upgrader Facility, Cameron County, before the Texas State Office of Administrative Hearings, SOAH Docket No. 582-21-0111, TCEQ Docket No. 2020-1080-AIR.

138. Expert Reports (March 2021 and May 2021) regarding the Aries Newark LLC Sludge Processing Facility, Application No. CPB 20-74, Central Planning Board, City of Newark, New Jersey.

139. Expert Report (April 2021) for *Charles Johnson Jr. (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant),* Civil Action No. 2:20-CV-01329 (Related to 12-968 BELO in MDL No. 2179). (US District Court for the Eastern District of Louisiana, New Orleans Division).

140. Affidavit (April 2021) for *Clayton Faerber et.al., (Plaintiff), v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 20-CV-00328 01329 (Related to 12-968 BELO in MDL No. 2179). (US District Court for the Southern District of Mississippi).

141. Expert Report (April 2021, June 2023) for *Floyd Ruffin (Plaintiff), v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 2:20-cv-00334-CJB-JCW (US District Court for the Eastern District of Louisiana, New Orleans Division).

142. Expert Report (April 2021) and Sur-Rebuttal Report (June 2021) on behalf of the Plaintiffs in the matter of *Modern Holdings, LLC, et al. (Plaintiffs) v. Corning Inc., et al. (Defendants)*, Civil Action No. 5:13-cv-00405-GFVT, (US District Court for the Eastern District of Kentucky, Central Division at Lexington).

143. Expert Report (May 2021) for *Clifford Osmer (Plaintiff) v. BP Exploration and Production Inc., et. al., (Defendants)* related to No. 18-CV-12557 (US District Court for the Eastern District of Louisiana).

144. Expert Report (May 2021) and Rebuttal Expert Report (January 2022) for *James Noel (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant),* Civil Action No. 1:19-CV-00694-JB-MU-C (US District Court for the Southern District of Alabama, Southern Division).

145. Expert Report (June 2021) and Declarations (May 2021 and June 2021) on behalf of Plaintiffs in the matter of *Sierra Club (Plaintiff) v. Woodville Pellets, LLC (Defendant)*, Civil Action No. 9:20-cv-00178-MJT (US District Court for the Eastern District of Texas, Lufkin Division.)

146. Expert Witness Disclosure (June 2021) on behalf of the Plaintiffs in the matter of *Jay Burdick, et. al., (Plaintiffs) v. Tanoga Inc. (d/b/a Taconic) (Defendant)*, Index No. 253835, (State of New York Supreme Court, County of Rensselaer).

147. Expert Report (June 2021) on behalf of Appellants in the matter of *PennEnvironment and Earthworks (Appellants) v. Commonwealth of Pennsylvania Department of Environmental Protection (Appellee) and MarkWest Liberty Midstream and resource, LLC (Permittee)*, before the Commonwealth of Pennsylvania Environmental Hearing Board, EHB Docket No. 2020-002-R.

148. Expert Report (June 2021) for *Antonia Saavedra-Vargas (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 2:18-CV-11461 (US District Court for the Eastern District of Louisiana, New Orleans Division).

149. Affidavit (June 2021) for Lourdes Rubi in the matter of *Lourdes Rubi (Plaintiff) v. BP Exploration and Production Inc., et. al., (Defendants)*, related to 12-968 BELO in MDL No. 2179 (US District Court for the Eastern District of Louisiana, New Orleans Division).

150. Expert Report (June 2021) for *Wallace Smith (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 2:19-CV-12880 (US District Court for the Eastern District of Louisiana, New Orleans Division).

151. Declaration (July 2021) on behalf of Plaintiffs in the matter of *Stephanie Mackey and Nick Migliore, on behalf* of *themselves and all others similarly situated (Plaintiffs) v. Chemtool Inc. and Lubrizol Corporation (Defendants)*, Case No. 2021-L-0000165, State of Illinois, Circuit Court of the 17th Judicial Circuit, Winnebago County.

152. Declaration (July 2021, August 2021) on behalf of Petitioners in the matter of the Petition for a Hearing on the Merits Regarding Air Quality Permit No. 3340-RMD issued to New Mexico Terminal Services, LLC by *Mountain View Neighborhood Association et. al., (Petitioners) v. City of Albuquerque Environmental Health Department*, AQCB Petition No. 2020-1 before the Albuquerque-Bernalillo County Air Quality Control Board.

153. Expert Disclosure (September 2021), Affidavit (May 2023), and Affirmation (May 2024) on behalf of the Plaintiffs in the matter of *State of New York, Town of Hempstead, Town of Brookhaven, Incorporated Village of Garden City and Long Island Power Authority et. al., (Plaintiffs) v. Covanta Hempstead Company et. al., (Defendants)*, Index No. 7549/2013 before the Supreme Court of the State of New York, County of Nassau.

154. Expert Report (October 2021) for *John A. Battiste (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 1:21-CV-00118 (US District Court for the Southern District of Alabama, Mobile Division)

155. Declaration/Expert Report (October 2021) for *Charles K. Grasley et. al., (Plaintiffs) v. Chemtool Incorporated (Defendant)*, Case No. 2021-L-0000162 (State of Illinois, In the Circuit Court of the 17th Judicial Circuit, Winnebago County).

156. Declaration (October 2021) and Expert Report (November 2021) on behalf of the Plaintiffs in the matter of Toll Brothers, Inc., and Porter Ranch Development Company (Plaintiffs) v. Sempra Energy, Southern California Gas Company et. al., (Defendants), Southern California [Aliso Canyon] Gas Leak Cases, JCCP No.: 4861, Lead Case No.: BC674622, Superior Court of the State of California for the County of Los Angeles.

157. Expert Report (November 2021) and Declaration (September 2022) on behalf of Plaintiffs in Re: Deepwater Horizon BELO Cases, Case No. 3:19cv963-MCR-GRJ (US District Court for the Northern District of Florida, Pensacola Division).

158. Declaration (November 2021) for the *United States of America and the State of Kansas, Department of Health and Environment (Plaintiffs) v. Coffeyville Resources Refining & Marketing, LLC (Defendant)*, Civ. No. 6:04-cv-01064-JAR-KGG (US District Court for the District of Kansas).

159. Expert Report/Affidavit (December 2021) on behalf of the City of Detroit in the matter of Marathon Petroleum Company (Claimant) v. City of Detroit Building Safety Engineering and Environmental Department, BSEED Case No. MCR 2018-2525, DAH Appeal No. 21-SWA-01, before the State of Michigan, City of Detroit Department of Appeals and Hearings.

160. Expert Report (December 2021) for *John Pabst (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 21-CV-00290 (US District Court for the Eastern District of Louisiana).

161. Expert Report (December 2021) for *Audrey Annette Tillery-Perdue individually and as person representative of the estate of Eddie Lewis Perdue (Plaintiff) v. BP Exploration and Production Inc., et. al., (Defendant)*, Civil Action No. 5:19-cv-00052-MCR-GRJ (US District Court for the Northern District of Florida, Pensacola Division).

162. Expert Report (February 2022) for *Richard Dufour (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 19-cv-00591 (US District Court for the Southern District of Mississippi).

163. Expert Report (February 2022) and Rebuttal Expert Report (June 2022, in preparation) for *Kamuda (Plaintiff) v. Sterigenics U.S., LLC, et. al., (Defendant)*, Case No. 2018-L-010475 (Circuit Court of Cook County, Illinois).

164. Expert Report (February 2022) in the matter of the *Appeal Petition for Hearing on Air Quality Permit No. 8585 on behalf of Earth Care New Mexico et. al., (Petitioners) v. New Mexico Environment Department and Associated Asphalt and Materials, LLC (Applicant),* No. EIB 21-48 before the State of New Mexico Environmental Improvement Board.

165. Expert Report (March 2022), Affidavit (June 2022), Supplemental Expert Report (April 2023) in the matter of *Clean Air Council et. al., (Appellants) v. Commonwealth of Pennsylvania, Department of Environmental Protection (Appellee) and Renovo Energy Center (Permittee)* EHB Docket No. 2021-055-R before the Commonwealth of Pennsylvania Environmental Hearing Board.

166. Declaration (March 2022) in the matter of Max Midstream Texas LLC Air Quality Permit No. 162941 for the Seahawk Crude Condensate Terminal in Calhoun County Texas, TCEQ Docket No. 2022-0157-AIR, before the Texas Commission on Environmental Quality.

167. Expert Pre-filed Testimony (April 2022) in the matter of Application of TPC Group LLC for New State and PSD Air Quality Permits (various), TCEQ Docket No. 2021-1422-AIR, SOAH Docket No. 582-22-0799, Before the Texas State Office of Administrative Hearings.

168. Expert Report (April 2022) and Rebuttal Report (August 2022) for *Teresa Fornek (Plaintiff) v. Sterigenics U.S., LLC, et. al., (Defendant)*, Case No. 2018-L-010744 (Circuit Court of Cook County, Illinois.)

169. Rule 26 Disclosure (May 2022) in the matter of the *Water Works and Sewer Board of the City of Gadsden (*Plaintiff*) v. 3M Company, et. al., (Defendants)*, Civil Action No.: 31 CV-2016-900676.00 (Circuit County of Etowah County, Alabama)

170. Expert Report (June 2022) for *Heather Schumacher (Plaintiff) v. Sterigenics U.S., LLC, et. al., (Defendant)*, Case No. 2018-L-011939 (Circuit Court of Cook County, Illinois.)

171. Expert Report (June 2022), Rebuttal Reports (August 2022, September 2022) for Plaintiffs in *Phylliss Grayson et. al. (Plaintiffs), v Lockheed Martin Corporation (Defendant),* Case No. 6:20-cv-01770. (US District Court for the Middle District of Florida – Orlando Division.)

172. Expert Affidavit (July 2022) for Center for Environmental Rights in connection with the 2019 South Africa Integrated Resource Plan in *African Climate Alliance et. al. v. The Minister of Mineral Resources and Energy et. al.*, in the High Court of South Africa, Gauteng Division, Pretoria.

173. Expert Affidavit (July 2022) for Center for Environmental Rights in connection with the Limpopo Mine (Lephalale Coal Mines Ltd.) in *Earthlife Africa v. The Minister of Forestry, Fisheries and Environment et. al.*, in the High Court of South Africa, Gauteng Division, Pretoria, Case No. 9149/2022.

174. Pre-filed Testimony (July 2022) and Rebuttal Testimony (September 2020) on behalf of the Puyallup Tribe of Indians in the matter of *Washington Utilities and Transportation Commission (Complainant) v. Puget Sound Energy (Respondent)* before the Washington Utilities and Transportation Commission, Docket UE-220066 and UG-220067 (Consolidated).

175. Expert Report (September 2022) *Clean Air Council, Citizens for Pennsylvania's Future, Mountain Watershed Association (Appellants) v. Allegheny County Health Department (Appellee) and Allegheny Energy Center (*Intervenor, *Permittee),* Case No. 21-043 before the Hearing Officer of the Allegheny County Health Department.

176. Expert Affidavit (October 2022) for *Concerned Citizens of Cook County GA (Petitioner) v. Georgia Department of Natural Resources (Respondent) and Spectrum Energy Georgia, LLC (Respondent Intervenor)* before the Office of State Administrative Hearings, State of Georgia, Docket No: 2303405-OSAH-BNR-AQ-37-Barnes.

177. Expert Rebuttal Report (January 2023), Supplemental Rebuttal Expert Report (March 2023, May 2023, November 2023) for *Ann Jordan et. al., and Blake Darnell (Plaintiffs) v. Terumo BCT et. al., (Defendants)* before District Court, Jefferson County, Colorado Case Numbers: 2020CV031457, 2021CV030474 (consolidated with 2020CV031457) and 2020CV03148.

178. Expert Report (January 2023) and Rebuttal Expert Report (April 2023) for *Potomac Riverkeeper and Sierra Club (Plaintiffs) v. Virginia Electric and Power Company (Defendant)*, Civil Action No. 2:21-CV-23 (Kleeh) (US District Court for the Northern District of West Virginia, Elkins Division).

179. Affidavit (January 2023) for *Richard Dufour (Plaintiff), v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 1:19-cv-00591-HSO-BWR (Related to 12-968 BELO in MDL No. 2179). (US District Court for the Southern District of Mississippi).

180. Expert Report (January 2023) and Supplemental Expert Report (July 2023) on behalf of Plaintiffs in the matter of *Stephanie* Mackey *et. al., (Plaintiffs) v. Chemtool Inc. et. al., (Defendants) and Holian Insulation Company Inc. (Third-party Defendant)*, Case No.: 3:21-cv-50283, U.S. District Court, Northern District of Ilinois, Western Division.

181. Expert Report (February 2023) for *Vervicia Henderson, et al. (Plaintiff) v. Lockheed Martin Corporation (Defendant)*, Case No. 6:21-cv-01363, U.S. District Court, Middle District of Florida, Orlando Division.

182. Expert Report (February 2023) for *Carol Davis (Plaintiff) v. Lockheed Martin Corporation (*Defendant*)*, Case No. 6:22-cv-81-RBD-EJK, U.S. District Court, Middle District of Florida, Orlando Division.

183. Expert Report (February 2023) for Mark Letart (Plaintiff), et al. v. Union Carbide Corporation, et al. (Defendants), Case No. 2:19-cv-877, U.S. District Court, Southern District of West Virginia, Charleston Division.

184. Affidavit (March 2023) on behalf of plaintiffs in the matter of the *State of New Mexico, ex rel. Raul Torrez, Attorney General (Plaintiffs) v. Sterigenics US LLC, Sotera Health Holdings, LLC, Sotera Health LLC and Sotera Health Company (Defendants)*, Case No.: D-307-CV-2020-02629, State of New Mexico, Third Judicial District Court, County of Dona Ana

185. Pre-filed Direct Testimony (March 2023) in the matter of *Algonquin Gas Transmission LLC., on behalf of Community Residents (*Petitioners*)*, Commonwealth of Massachusetts Department of Environmental Protection, Office of Appeals and Dispute Resolution, OADR Docket Nos. 2017-011 and 012, Waterways Application License No. W16-4600, Weymouth Mass.

186. Declaration (April 2023) in the matter of Sierra Club (Plaintiff) v. Tennessee Valley Authority in the matter of the Johnsonville Aeroderivative Combustion Turbines Project, Case No.: 3:22-cv-1054, U.S>, District Court, Middle District of Tennessee, Nashville Division.

187. Expert Report (May 2023/June 2023), Affidavit (April 2023) and Declaration (July 2023) for *Ezequiel Caraballo-Pache (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 8:20-cv-00263-SCB-JSS (US District Court for the Middle District of Florida, Tampa Division).

188. Affidavit (May 2023) for *Lawrence Tucei (Plaintiff), v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 1:22-cv-00078-HSO-BWR (US District Court for the Southern District of Mississippi).

189. Expert Report (May 2023/June 2023) for *Vincent Culliver (Plaintiff), v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 3:21-cv-4942-MCR/HTC (US District Court for the Northern District of Florida).

190. Expert Report (June 2023) for *Matthew Williams (Plaintiff), v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 1:22-cv-00278-LG-BWR (US District Court for the Southern District of Mississippi).

191. Declaration (June 2023) in support of public commenters relating to the Michigan Department of Environment Great Lakes and Energy (EGLE)'s Annual Network Monitoring Plan 2024.

192. Expert Report (July 2023) and Rebuttal Expert Report (September 2023) relating to Greenhouse Gas and Energy Management (GEMM2) for Manufacturing in Colorado (September 2023) on behalf of Environmental Defense Fund.

193. Pre-filed Direct Testimony (July 2023) on behalf of Citizens for Environmental Justice in the matter of the permit Application of Valero Refining-Texas, LP for Modification to State and Prevention of Significant Deterioration Air Quality Permits No. 38754 and PSDTX324M15 before the Texas State Office of Administrative Hearings, SOAH Docket No. 582-23-14975, TCEQ Docket No. 2023-0203-AIR.

194. Declaration (August 2023) in support of comments by Environmental Defense Fund in connection with the "Good Neighbor Plan" for the 2015 Ozone National Ambient Air Quality Standards, published at 88 Fed. Reg. 36,654 (June 5, 2023) ("Final Rule"), Docket ID No. EPA-HQ-OAR-2021-0668.

195. Expert Report (August 2023) on behalf of Appellants in the matter of *PennEnvironment and Sierra Club (Appellants) v. Commonwealth of Pennsylvania, Department of Environmental Protection, (Appellee), and PPG Industries, Inc. (Permittee)*, EHB Docket No. 2022-032-B. Environmental Hearing Board, Department of Environmental Protection, State of Pennsylvania.

196. Pre-filed Testimony (September 2023) and Cross Answering Testimony (October 2023) on behalf of the Puyallup Tribe of Indians in the matter of *Washington Utilities and Transportation Commission (Complainant) v. Puget Sound Energy (Respondent)*, Docket: UG-230393. Before the Washington Utilities and Transportation Commission.

197. Expert Report (December 2023) on behalf of plaintiffs in the matter of *PennEnvironment and Sierra Club (Plaintiffs) v. PPG Industries, Inc. (Defendant).* Case No.: Civil Action Nos. 2:12-cv-00342, 2:12-cv-00527, 2:13-cv-01395, 1:13-cv-01396, 2:14cv-00229 (consolidated). U.S. District Court Western District of Pennsylvania.

198. Expert Report (December 2023) and Rebuttal Expert Report (June 2024) on behalf of the plaintiff in the matter of *Jennifer Perrotti (Plaintiff) v. Lockheed Martin Corporation (Defendant).* Case No. 6:22-cv-01338 in the U.S. District Court Middle District of Florida – Orlando Division.

199. Expert Report (Tranche 1 - January 2024, Tranche 2 – May 2024, Tranche 3 – June 2024) and Rebuttal Report (Tranche 1 – June 2024) on behalf of the plaintiffs in the matter of *Emily Glass et. al., (Plaintiff) v. B. Braun Medical Inc., et. al., (Defendants).* Case No. 00315 (May Term 2021) and Consolidated Cases in the First Judicial District of Pennsylvania Court of Common Pleas of Philadelphia County.

200. Expert Report (February 2024) and Supplemental Expert Report (March 2024) on behalf of the plaintiff in the matter of *Kathleen Koch (Plaintiff) v. Medline Industries, Inc. et. al. and Vantage Specialty Chemicals, Inc. (Defendants)*. Case No. 2320 L 000686 in the Circuit Court of Cook County, IL.

201. Expert Report (April 2024 and August 2024) on behalf of the plaintiff in the matter of *Paula Johnson et. al., (Plaintiff) v. Prairie Farms Dairy, Inc. et. al., (Defendants).* Case No. 2017 L 001562 in the Circuit Court, Third Judicial Circuit Madison County, Illinois.

202. Expert Report (April 2024) on behalf of the plaintiffs in the matter of *Tom Mutz et al., (Plaintiffs) v. Sterigenics US, LLC (Defendants).* Civil Action File No. 20-A-3448 in the State Court of Cobb County, State of Georgia.

203. Expert Report (April 2024), Declaration (August 2024) and Rebuttal Expert Report (November 2024) on behalf of the plaintiff in the matter of *United States of America (plaintiff) v. EES Coke*

Battery, LLC (Defendant). Civil Action No. 22-11191 in the US District Court for the Eastern District of Michigan.

204. Affidavit on behalf of the petitioner (April 2024) in the matter of Dr. Darren Masier (Petitioner) v. North Carolina State University (Expected Adverse Party). File No. 24CV013058-910 in the General Court of Justice, Superior Court Division, Wake County, North Carolina.

205. Affirmation (June 2024) on behalf of the petitioners in the matter of Gwendolyn Harris et. al. (Petitioners) v. Marie Therese Dominguez (Commissioner of the New York State Department of Transportation) et. al., (Respondents) in the Supreme Court of the State of New York, County of Erie relating to the Kensington Expressway.

206. Expert Report (July 2024) on behalf of the Plaintiff in the matter of *Mourad Abdelaziz et. al., (Plaintiff) v. B. Braun Medical Inc., (Defendant).* Case No. 2020-C-1984 in the Pennsylvania Court of Common Pleas, Lehigh County.

207. Prefiled Direct Testimony (August 2024) on behalf of *Sierra Club and Portland Citizens United in the matter of the permit Application by Corpus Christie Liquefaction LLC* for Air Quality Permit Nos. 105710 and PSDTX1306M1 before the Texas State Office of Administrative Hearings, SOAH Docket No. 582-24-14373, TCEQ Docket No. 2023-1474-AIR.

208. Expert Report (August 2024) on behalf of the Plaintiff in the matter of *Pamela Knobbe (Plaintiff) v. Isomedix Operations, Inc., and Cosmed Group, Inc. (Defendants).* Case No. 2022 L 008574 in re. Medline EtO Release, Consolidated with 2023 L 00686 in the Circuit Court of Cook County, Illinois.

209. Expert Rebuttal Report (September 2024) for *Eve Isaacks et. al., (Plaintiffs) v. Terumo BCT et. al., (Defendants)* before District Court, Jefferson County, Colorado Case Numbers: 2022CV031124 (consolidated with *Douglass et. al.* 2023CV30085).

210. Prefiled Direct Testimony (October 2024) and Rebuttal Testimony (December 2024) on behalf of the *Sierra Club in the matter of the Application of Duke Energy Kentucky, Inc. for a Certificate of Public Convenience and Necessity* to Convert its Wet FGD etc. Case No. 2024-00152 before the Public Service Commission, Commonwealth of Kentucky.

211. Expert Report (December 2024) on behalf of the plaintiffs in the matter of *Mary Beth Tamm et. al., (Plaintiff), Cibelli (Case No. 2023-L-011216) and Wagner (Case No. 2024-L-009290) v. Sterigenics U.S., LLC, et. al., (Defendants),* Case No. 2023-L-5701 in the Circuit Court of Cook County, Illinois.

C. Occasions where Dr. Sahu has provided oral testimony <u>in depositions, at trial or in similar proceedings</u> include the following:

212. Deposition on behalf of Rocky Mountain Steel Mills, Inc. located in Pueblo, Colorado – dealing with the manufacture of steel in mini-mills including methods of air pollution control and BACT in steel mini-mills and opacity issues at this steel mini-mill.

213. Trial Testimony (February 2002) on behalf of Rocky Mountain Steel Mills, Inc. in Denver District Court.

214. Trial Testimony (February 2003) on behalf of the United States in the Ohio Edison NSR Cases, *United States, et al. v. Ohio Edison Co., et al.*, C2-99-1181 (Southern District of Ohio).

215. Trial Testimony (June 2003) on behalf of the United States in the Illinois Power NSR Case, *United States v. Illinois Power Co., et al.*, 99-833-MJR (Southern District of Illinois).

216. Deposition (10/20/2005) on behalf of the United States in connection with the Cinergy NSR Case. *United States, et* al. *v. Cinergy Corp., et al.*, IP 99-1693-C-M/S (Southern District of Indiana).

217. Oral Testimony (August 2006) on behalf of the Appalachian Center for the Economy and the Environment re. the Western Greenbrier plant, WV before the West Virginia DEP.

218. Oral Testimony (May 2007) on behalf of various Montana petitioners (Citizens Awareness Network (CAN), Women's Voices for the Earth (WVE) and the Clark Fork Coalition (CFC)) re. the Thompson River Cogeneration plant before the Montana Board of Environmental Review.

219. Oral Testimony (October 2007) on behalf of the Sierra Club re. the Sevier Power Plant before the Utah Air Quality Board.

220. Oral Testimony (August 2008) on behalf of the Sierra Club and Clean Water re. Big Stone Unit II before the South Dakota Board of Minerals and the Environment.

221. Oral Testimony (February 2009) on behalf of the Sierra Club and the Southern Environmental Law Center re. Santee Cooper Pee Dee units before the South Carolina Board of Health and Environmental Control.

222. Oral Testimony (February 2009) on behalf of the Sierra Club and the Environmental Integrity Project re. NRG Limestone Unit 3 before the Texas State Office of Administrative Hearings (SOAH) Administrative Law Judges.

223. Deposition (July 2009) on behalf of MTD Products, Inc., in the matter of *Alice Holmes and Vernon Holmes v. Home Depot USA, Inc., et al.*

224. Deposition (October 2009) on behalf of Environmental Defense and others, in the matter of challenges to the proposed Coleto Creek coal fired power plant project at the Texas State Office of Administrative Hearings (SOAH).

225. Deposition (October 2009) on behalf of Environmental Defense, in the matter of permit challenges to the proposed Las Brisas coal fired power plant project at the Texas State Office of Administrative Hearings (SOAH).

226. Deposition (October 2009) on behalf of the Sierra Club, in the matter of challenges to the proposed Medicine Bow Fuel and Power IGL plant in Cheyenne, Wyoming.

227. Deposition (October 2009) on behalf of Environmental Defense and others, in the matter of challenges to the proposed Tenaska coal fired power plant project at the Texas State Office of Administrative Hearings (SOAH). (April 2010).

228. Oral Testimony (November 2009) on behalf of the Environmental Defense Fund re. the Las Brisas Energy Center before the Texas State Office of Administrative Hearings (SOAH) Administrative Law Judges.

229. Deposition (December 2009) on behalf of Environmental Defense and others, in the matter of challenges to the proposed White Stallion Energy Center coal fired power plant project at the Texas State Office of Administrative Hearings (SOAH).

230. Oral Testimony (February 2010) on behalf of the Environmental Defense Fund re. the White Stallion Energy Center before the Texas State Office of Administrative Hearings (SOAH) Administrative Law Judges.

231. Deposition (June 2010) on behalf of the United States in connection with the Alabama Power Company NSR Case. *United States v. Alabama Power Company*, CV-01-HS-152-S (Northern District of Alabama, Southern Division).

232. Trial Testimony (September 2010) on behalf of Commonwealth of Pennsylvania – Dept. of Environmental Protection, State of Connecticut, State of New York, State of Maryland, and State of New Jersey (Plaintiffs) in connection with the Allegheny Energy NSR Case in US District Court in the Western District of Pennsylvania. *Plaintiffs v. Allegheny Energy Inc., et al.,* 2:05cv0885 (Western District of Pennsylvania).

233. Oral Direct and Rebuttal Testimony (September 2010) on behalf of Fall-Line Alliance for a Clean Environment and others in the matter of the PSD Air Permit for Plant Washington issued by Georgia DNR at the Office of State Administrative Hearing, State of Georgia (OSAH-BNR-AQ-1031707-98-WALKER).

234. Oral Testimony (September 2010) on behalf of the State of New Mexico Environment Department in the matter of Proposed Regulation 20.2.350 NMAC – *Greenhouse Gas Cap and Trade Provisions,* No. EIB 10-04 (R), to the State of New Mexico, Environmental Improvement Board.

235. Oral Testimony (October 2010) on behalf of the Environmental Defense Fund re. the Las Brisas Energy Center before the Texas State Office of Administrative Hearings (SOAH) Administrative Law Judges.

236. Oral Testimony (November 2010) regarding BART for PSCo Hayden, CSU Martin Drake units before the Colorado Air Quality Commission on behalf of the Coalition of Environmental Organizations.

237. Oral Testimony (December 2010) regarding BART for TriState Craig Units, CSU Nixon Unit, and PRPA Rawhide Unit) before the Colorado Air Quality Commission on behalf of the Coalition of Environmental Organizations.

238. Deposition (December 2010) on behalf of the United States in connection with the Louisiana Generating NSR Case. *United States v. Louisiana Generating, LLC*, 09-CV100-RET-CN (Middle District of Louisiana).

239. Deposition (February 2011 and January 2012) on behalf of Wild Earth Guardians in the matter of opacity exceedances and monitor downtime at the Public Service Company of Colorado (Xcel)'s Cherokee power plant. No. 09-cv-1862 (D. Colo.).

240. Oral Testimony (February 2011) to the Georgia Office of State Administrative Hearings (OSAH) in the matter of Minor Source HAPs status for the proposed Longleaf Energy Associates power plant (OSAH-BNR-AQ-1115157-60-HOWELLS) on behalf of the Friends of the Chattahoochee and the Sierra Club).

241. Deposition (August 2011) on behalf of the United States in *United States of America v. Cemex, Inc.*, Civil Action No. 09-cv-00019-MSK-MEH (District of Colorado).

242. Deposition (July 2011) and Oral Testimony at Hearing (February 2012) on behalf of the Plaintiffs MYTAPN in the matter of Microsoft-Yes, Toxic Air Pollution-No (MYTAPN) v. State of Washington, Department of Ecology and Microsoft Corporation Columbia Data Center to the Pollution Control Hearings Board, State of Washington, Matter No. PCHB No. 10-162.

243. Oral Testimony at Hearing (March 2012) on behalf of the United States in connection with the Louisiana Generating NSR Case. *United States v. Louisiana Generating, LLC*, 09-CV100-RET-CN (Middle District of Louisiana).

244. Oral Testimony at Hearing (April 2012) on behalf of the New Hampshire Sierra Club at the State of New Hampshire Public Utilities Commission, Docket No. 10-261 – the 2010 Least Cost Integrated Resource Plan (LCIRP) submitted by the Public Service Company of New Hampshire (re. Merrimack Station Units 1 and 2).

245. Oral Testimony at Hearing (November 2012) on behalf of Clean Wisconsin in the matter of Application of Wisconsin Public Service Corporation for Authority to Construct and Place in Operation a New Multi-Pollutant Control Technology System (ReACT) for Unit 3 of the Weston Generating Station, before the Public Service Commission of Wisconsin, Docket No. 6690-CE-197.

246. Deposition (March 2013) in the matter of various Environmental Petitioners v. North Carolina DENR/DAQ and Carolinas Cement Company, before the Office of Administrative Hearings, State of North Carolina.

247. Deposition (August 2013) on behalf of the Sierra Club in connection with the Luminant Big Brown Case. *Sierra Club v. Energy Future Holdings Corporation and Luminant Generation Company LLC*, Civil Action No. 6:12-cv-00108-WSS (Western District of Texas, Waco Division).

248. Deposition (August 2013) on behalf of the Sierra Club in connection with the Luminant Martin Lake Case. *Sierra Club v. Energy Future Holdings Corporation and Luminant Generation*

Company LLC, Civil Action No. 5:10-cv-0156-MHS-CMC (Eastern District of Texas, Texarkana Division).

249. Deposition (February 2014) on behalf of the United States in *United States of America v. Ameren Missouri*, Civil Action No. 4:11-cv-00077-RWS (Eastern District of Missouri, Eastern Division).

250. Trial Testimony (February 2014) in the matter of *Environment Texas Citizen Lobby, Inc and Sierra Club v. ExxonMobil Corporation et al.*, Civil Action No. 4:10-cv-4969 (Southern District of Texas, Houston Division).

251. Trial Testimony (February 2014) on behalf of the Sierra Club in connection with the Luminant Big Brown Case. *Sierra Club v. Energy Future Holdings Corporation and Luminant Generation Company LLC*, Civil Action No. 6:12-cv-00108-WSS (Western District of Texas, Waco Division).

252. Deposition (June 2014) and Trial (August 2014) on behalf of ECM Biofilms in the matter of the *US Federal Trade Commission (FTC) v. ECM Biofilms* (FTC Docket #9358).

253. Deposition (February 2015) on behalf of Plaintiffs in the matter of *Sierra Club and Montana Environmental Information Center (Plaintiffs) v. PPL Montana LLC, Avista Corporation, Puget Sound Energy, Portland General Electric Company, Northwestern Corporation, and Pacificorp (Defendants)*, Civil Action No. CV 13-32-BLG-DLC-JCL (US District Court for the District of Montana, Billings Division).

254. Oral Testimony at Hearing (April 2015) and Testimony via Zoom (April 2024) on behalf of Niagara County, the Town of Lewiston, and the Villages of Lewiston and Youngstown in the matter of CWM Chemical Services, LLC New York State Department of Environmental Conservation (NYSDEC) Permit Application Nos.: 9-2934-00022/00225, 9-2934-00022/00231, 9-2934-00022/00232, and 9-2934-00022/00249 (pending).

255. Deposition (August 2015) on behalf of Plaintiff in the matter of *Conservation Law Foundation (Plaintiff) v. Broadrock Gas Services LLC, Rhode Island LFG GENCO LLC, and Rhode Island Resource Recovery Corporation (Defendants)*, Civil Action No. 1:13-cv-00777-M-PAS (US District Court for the District of Rhode Island).

256. Testimony at Hearing (August 2015) on behalf of the Sierra Club in the matter of *Amendments to 35 Illinois Administrative Code Parts 214, 217, and 225* before the Illinois Pollution Control Board, R15-21.

257. Deposition (May 2015) on behalf of Plaintiffs in the matter of *Northwest Environmental Defense Center et. al., (Plaintiffs) v. Cascade Kelly Holdings LLC, d/b/a Columbia Pacific Bio-Refinery, and Global Partners LP (Defendants)*, Civil Action No. 3:14-cv-01059-SI (US District Court for the District of Oregon, Portland Division).

258. Trial Testimony (October 2015) on behalf of Plaintiffs in the matter of *Northwest Environmental Defense Center et. al., (Plaintiffs) v. Cascade Kelly Holdings LLC, d/b/a Columbia Pacific Bio-Refinery, and Global Partners LP (Defendants)*, Civil Action No. 3:14-cv-01059-SI (US District Court for the District of Oregon, Portland Division).

259. Deposition (April 2016) on behalf of the Plaintiffs in *Natural Resources Defense Council, Respiratory Health Association, and Sierra Club (Plaintiffs) v. Illinois Power Resources LLC and Illinois Power Resources Generation LLC (Defendants)*, Civil Action No. 1:13-cv-01181 (Central District of Illinois, Peoria Division).

260. Trial Testimony at Hearing (July 2016) in the matter of Tesoro Savage LLC Vancouver Energy Distribution Terminal, Case No. 15-001 before the State of Washington Energy Facility Site Evaluation Council.

261. Trial Testimony (December 2016) on behalf of the challengers in the matter of the Delaware Riverkeeper Network, Clean Air Council, et. al., vs. Commonwealth of Pennsylvania Department of Environmental Protection and R. E. Gas Development LLC regarding the Geyer well site before the Pennsylvania Environmental Hearing Board.

262. Trial Testimony (July-August 2016) on behalf of the United States in *United States of America v. Ameren Missouri*, Civil Action No. 4:11-cv-00077-RWS (Eastern District of Missouri, Eastern Division).

263. Trial Testimony (January 2017) on the Environmental Impacts Analysis associated with the Huntley and Huntley Poseidon Well Pad Hearing on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.

264. Trial Testimony (January 2017) on the Environmental Impacts Analysis associated with the Apex energy Backus Well Pad Hearing on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.

265. Trial Testimony (January 2017) on the Environmental Impacts Analysis associated with the Apex energy Drakulic Well Pad Hearing on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.

266. Trial Testimony (January 2017) on the Environmental Impacts Analysis associated with the Apex energy Deutsch Well Pad Hearing on behalf citizens in the matter of the special exception use Zoning Hearing Board of Penn Township, Westmoreland County, Pennsylvania.

267. Deposition Testimony (July 2017) on behalf of Plaintiffs in the matter of *Casey Voight and Julie Voight v Coyote Creek Mining Company LLC (Defendant)* Civil Action No. 1:15-CV-00109 (US District Court for the District of North Dakota, Western Division).

268. Deposition Testimony (November 2017) on behalf of Defendant in the matter of *Oakland Bulk and Oversized Terminal (Plaintiff) v City of Oakland (Defendant,)* Civil Action No. 3:16-cv-07014-VC (US District Court for the Northern District of California, San Francisco Division).

269. Deposition Testimony (December 2017) on behalf of Plaintiff in the matter of *Wildearth Guardians (Plaintiff) v Colorado Springs Utility Board (Defendant)* Civil Action No. 1:15-cv-00357-CMA-CBS (US District Court for the District of Colorado).

270. Deposition Testimony (January 2018) in the matter of National Parks Conservation Association (NPCA) v. State of Washington Department of Ecology and British Petroleum (BP) before the Washington Pollution Control Hearing Board, Case No. 17-055.

271. Trial Testimony (January 2018) on behalf of Defendant in the matter of *Oakland Bulk and Oversized Terminal (Plaintiff) v City of Oakland (Defendant,)* Civil Action No. 3:16-cv-07014-VC (US District Court for the Northern District of California, San Francisco Division).

272. Trial Testimony (April 2018) on behalf of the National Parks Conservation Association (NPCA) in the matter of NPCA v State of Washington, Department of Ecology and BP West Coast Products, LLC, PCHB No. 17-055 (Pollution Control Hearings Board for the State of Washington.

273. Deposition (June 2018) (harm Phase) on behalf of Plaintiffs in the matter of *Natural Resources Defense Council, Inc., Sierra Club, Inc., and Respiratory Health Association v. Illinois Power Resources LLC, and Illinois Power Resources Generating LLC (Defendants)*, Civil Action No. 1:13-cv-01181 (US District Court for the Central District of Illinois, Peoria Division).

274. Trial Testimony (July 2018) on behalf of Petitioners in the matter of *Coosa River Basin Initiative and Sierra Club (Petitioners) v State of Georgia Environmental Protection Division, Georgia Department of Natural Resources (Respondent) and Georgia Power Company (Intervenor/Respondent)*, Docket Nos: 1825406-BNR-WW-57-Howells and 1826761-BNR-WW-57-Howells, Office of State Administrative Hearings, State of Georgia.

275. Deposition (January 2019) and Trial Testimony (January 2019) on behalf of Sierra Club and Texas Campaign for the Environment (Appellants) in the contested case hearing before the Texas State Office of Administrative Hearings in Docket Nos. 582-18-4846, 582-18-4847 (Application of GCGV Asset Holding, LLC for Air Quality Permit Nos. 146425/PSDTX1518 and 146459/PSDTX1520 in San Patricio County, Texas).

276. Deposition (February 2019) and Trial Testimony (March 2019) on behalf of Sierra Club in the State of Florida, Division of Administrative Hearings, Case No. 18-2124EPP, Tampa Electric

Company Big Bend Unit 1 Modernization Project Power Plant Siting Application No. PA79-12-A2.

277. Deposition (June 2019) relating to the appeal of air permits issued to PTTGCA on behalf of Appellants in the matter of *Sierra Club (Appellants) v. Craig Butler, Director, et. al., Ohio EPA (Appellees)* before the State of Ohio Environmental Review Appeals Commission (ERAC), Case Nos. ERAC-19-6988 through -6991.

278. Deposition (September 2019) on behalf of Appellants relating to the NPDES permit for the Cheswick power plant in the matter of *Three Rivers Waterkeeper and Sierra Club (Appellants) v. State of Pennsylvania Department of Environmental Protection (Appellee) and NRG Power Midwest (Permittee)*, before the Commonwealth of Pennsylvania Environmental Hearing Board, EHB Docket No. 2018-088-R.

279. Deposition (December 2019) on behalf of the Plaintiffs in the matter of David Kovac, individually and on behalf of wrongful death class of Irene Kovac v. BP Corporation North America Inc., Circuit Court of Jackson County, Missouri (Independence), Case No. 1816-CV12417.

280. Deposition (February 2020, virtual) and testimony at Hearing (August 2020, virtual) on behalf of Earthjustice in the matter of *Objection to the Issuance of PSD/NSR and Title V permits for Riverview Energy Corporation*, Dale, Indiana, before the Indiana Office of Environmental Adjudication, Cause No. 19-A-J-5073.

281. Hearing (July 14-15, 2020, virtual) on behalf of the Sierra Club in the matter of *the Application of the Ohio State University for a certificate of Environmental Compatibility and Public Need to Construct a Combined Heat and Power Facility in Franklin County, Ohio*, before the Ohio Power Siting Board, Case No. 19-1641-EL-BGN.

282. Hearing (September 2020, virtual) on behalf of WildEarth Guardians (petitioners) in the matter of *the Appeals of the Air Quality Permit No. 7482-M1 Issued to 3 Bear Delaware* Operating – *NM LLC (EIB No. 20-21(A) and Registrations Nos. 8729, 8730, and 8733 under General Construction Permit for Oil and Gas Facilities (EIB No. 20-33 (A)*, before the State of New Mexico, Environmental Improvement Board.

283. Deposition (December 2020, March 4-5, 2021, all virtual) and Hearing (April 2021, virtual) in support of Petitioner's Motion for Stay of PSCAA NOC Order of Approval No. 11386 in the matter of the *Puyallup Tribe of Indians v. Puget Sound Clean Air Agency (PSCAA) and Puget Sound Energy (PSE),* before the State of Washington Pollution Control Hearings Board, PCHB No. P19-088.

284. Hearing (September 2020, virtual) on the *Initial Economic Impact Analysis (EIA) for A Proposal To* Regulate *NOx Emissions from Natural Gas Fired Rich-Burn Natural Gas Reciprocating Internal Combustion Engines (RICE) Greater Than 100 Horsepower* prepared on behalf of Earthjustice and the National Parks Conservation Association in the matter of Regulation Number 7, Alternate Rules before the Colorado Air Quality Control Commission.

285. Deposition (December 2020, virtual and Hearing February 2021, virtual) on behalf of the Plaintiffs (Shrimpers and Fishermen of the Rio Grande Valley represented by Texas RioGrande Legal Aid, Inc.) in the matter of the Appeal of Texas Commission on Environmental Quality (TCEQ) Permit Nos. 147681, PSDTX1522, GHGPSDTX172 for the Jupiter Brownsville Heavy Condensate Upgrader Facility, Cameron County, before the Texas State Office of Administrative Hearings, SOAH Docket No. 582-21-0111, TCEQ Docket No. 2020-1080-AIR.

286. Deposition (January 2021, virtual) on behalf of Plaintiffs in the matter of *PennEnvironment Inc., and Clean Air Council (Plaintiffs) and Allegheny County Health Department (Plaintiff-Intervenor) v. United States Steel Corporation (Defendant)*, Civil Action No. 2-19-cv-00484-MJH (US District Court for the Western District of Pennsylvania.)

287. Deposition (February 2021, virtual) on behalf of Plaintiffs in the matter of *Sierra Club Inc. (Plaintiff) v. GenOn Power Midwest LP (*Defendants*)*, Civil Action No. 2-19-cv-01284-WSS (US District Court for the Western District of Pennsylvania.)

288. Deposition (April 2021, virtual) on the Potential Remedies to Avoid Adverse Thermal Impacts from the Merrimack Station on behalf of Plaintiffs in the matter of *Sierra Club Inc. and the* Conservation *Law Foundation (Plaintiffs) v. Granite Shore Power, LLC et. al., (Defendants)*, Civil Action No. 19-cv-216-JL (US District Court for the District of New Hampshire.)

289. Deposition (June 2021, virtual) on behalf of Plaintiffs in the matter of *Sierra Club (Plaintiff) v. Woodville Pellets, LLC (Defendant)*, Civil Action No. 9:20-cv-00178-MJT (US District Court for the Eastern District of Texas, Lufkin Division).

290. Deposition (June 2021, virtual) on behalf of the Plaintiffs in the matter of *Modern Holdings, LLC, et al. (Plaintiffs) v. Corning Inc., et al. (Defendants)*, Civil Action No. 5:13-cv-00405-GFVT, (US District Court for the Eastern District of Kentucky, Central Division at Lexington).

291. Testimony (June 2021, virtual) regarding the Aries Newark LLC Sludge Processing Facility, Application No. CPB 20-74, (Central Planning Board, City of Newark, New Jersey).

292. Testimony at Hearing (October 2021) on behalf of Evraz Rocky Mountain Steel in the matter of Colorado's Proposed Revisions to Regulation 22, the Greenhouse Gas Emissions and Energy Management for the Manufacturing Sector in Colorado (GEMM Rule), before the Colorado Air Quality Control Commission.

293. Deposition (November 2021) for *Charles Johnson Jr. (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant),* Civil Action No. 2:20-CV-01329 (Related to 12-968 BELO in MDL No. 2179). (US District Court for the Eastern District of Louisiana).

294. Testimony at Hearing (November 2021) on behalf of *National Parks Conservation Association, et. al.*, in the matter of the Proposed Revisions to Colorado's Regional Haze State Implementation Plan (SIP) and Colorado Regulation 23, before the Colorado Air Quality Control Commission.

295. Deposition (December 2021) on behalf of Plaintiffs in Re: Deepwater Horizon BELO Cases, Case No. 3:19cv963-MCR-GRJ (US District Court for the Northern District of Florida, Pensacola Division).

296. Deposition (December 2021) for *James Noel (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant),* Civil Action No. 1:19-CV-00694-JB-MU-C (US District Court for the Southern District of Alabama, Southern Division).

297. Testimony at Hearing (February 2022, virtual) in the matter of the *Appeal Petition for Hearing on Air Quality Permit No. 8585 on behalf of Earth Care New Mexico et. al., (Petitioners) v. New Mexico Environment Department and Associated Asphalt and Materials, LLC (Applicant),* No. EIB 21-48 before the State of New Mexico Environmental Improvement Board.

298. Deposition (March 2022) and Rebuttal Deposition (July 2022) for *Kamuda (Plaintiff) v. Sterigenics U.S., LLC, et. al., (Defendant)*, Case No. 2018-L-010475 (Circuit Court of Cook County, Illinois.)

299. Deposition (April 2022, virtual) in the matter of Application of TPC Group LLC for New State and PSD Air Quality Permits (various), TCEQ Docket No. 2021-1422-AIR, SOAH Docket No. 582-22-0799, Before the Texas State Office of Administrative Hearings.

300. Deposition (May 2022, virtual) in the matter of the *Water Works and Sewer Board of the City of Gadsden (Plaintiff) v. 3M Company, et. al., (*Defendants*)*, Civil Action No.: 31 CV-2016-900676.00 (Circuit County of Etowah County, Alabama)

301. Deposition (June 2022 and September 2022, both virtual) for *Teresa* Fornek *(Plaintiff) v. Sterigenics U.S., LLC, et. al., (Defendant)*, Case No. 2018-L-010744 (Circuit Court of Cook County, Illinois.)

302. Deposition (June 2022, virtual) on behalf of the Plaintiffs in the matter of Toll Brothers, Inc., and Porter Ranch Development Company (Plaintiffs) v. Sempra Energy, Southern California Gas Company et. al., (Defendants), Southern California [Aliso Canyon] Gas Leak Cases, JCCP No.: 4861, Lead Case No.: BC674622, Superior Court of the State of California for the County of Los Angeles.

303. Deposition (July 2022) for *Richard Dufour (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 19-cv-00591 (US District Court for the Southern District of Mississippi).

304. Trial (August 2022) on behalf of the Plaintiffs in the matter of Modern *Holdings, LLC, et al. (Plaintiffs) v. Phillips (Defendants)*, Civil Action No. 5:13-cv-00405-GFVT, (US District Court for the Eastern District of Kentucky, Central Division at Lexington).

305. Trial (August 2022, in person) for *Susan Kamuda (Plaintiff) v. Sterigenics U.S., LLC, et. al., (Defendant)*, Case No. 2018-L-010475 (Circuit Court of Cook County, Illinois).

306. Deposition (September 2022, virtual) for *Heather Schumacher (Plaintiff) v. Sterigenics U.S., LLC, et. al., (Defendant)*, Case No. 2018-L-010744 (Circuit Court of Cook County, Illinois.)

307. Deposition (September 2022) on behalf of Plaintiffs in *Phylliss Grayson et. al. (Plaintiffs), v Lockheed Martin Corporation (Defendant),* Case No. 6:20-cv-01770. (US District Court for the Middle District of Florida – Orlando Division.)

308. Deposition (September 2022) for *Teresa Fornek (Plaintiff) v. Sterigenics U.S., LLC, et. al., (Defendant)*, Case No. 2018-L-010475 (Circuit Court of Cook County, Illinois).

309. Hearing (October 2022) on behalf of the Puyallup Tribe of Indians in the matter of *Washington Utilities and Transportation Commission (Complainant) v. Puget Sound Energy (Respondent)* before the Washington Utilities and Transportation Commission, Docket UE-220066 and UG-220067 (Consolidated).

310. Trial (October 2022, in person) for *Teresa Fornek (Plaintiff) v. Sterigenics U.S., LLC, et. al., (Defendant)*, Case No. 2018-L-010475 (Circuit Court of Cook County, Illinois).

311. Depositions (March 2023, June 2023) for *Ann Jordan et. al., and Blake Darnell (Plaintiffs) v. Terumo BCT et. al., (Defendants)* before District Court, Jefferson County, Colorado Case Numbers: 2020CV031457, 2021CV030474 (consolidated with 2020CV031457) and 2020CV03148.

312. Depositions (March 2023, April 2023, May 2023) for Quinn Buczek (Plaintiff) v. Sterigenics US, LLC, Sotera Health, LLC, Prologis First US Properties, LP, et. al., (Defendants) before State Court of Gwinnett County, State of Georgia, Case No. Civil Action File No. 20-C-05918-S1.

313. Deposition (May 2023) for *Potomac Riverkeeper and Sierra Club (Plaintiffs) v. Virginia Electric and Power Company (Defendant)*, Civil Action No. 2:21-CV-23 (Kleeh) (US District Court for the Northern District of West Virginia, Elkins Division).

314. Deposition (May 2023) for Mark Letart (Plaintiff), et al. v. Union Carbide Corporation, et al. (Defendants), Case No. 2:19-cv-877, U.S. District Court, Southern District of West Virginia, Charleston Division.

315. Testimony at Hearing on behalf of Evraz North America In the Matter of Colorado Air Quality Regulation Proposed Revisions to Regulation Number 3 to establish enhanced Modeling, monitoring and permitting requirements for Stationary sources in disproportionately impacted communities 5 CCR 1001-5, before the Air Quality Control Commission, State of Colorado.

316. Deposition (2023) and Daubert Hearing (August 2024) for *Vervicia Henderson, et al. (Plaintiff) v. Lockheed Martin Corporation (Defendant)*, Case No. 6:21-cv-01363, U.S. District Court, Middle District of Florida, Orlando Division.

317. Testimony at Hearing (July 2023) *Clean Air Council, Citizens for Pennsylvania's Future, Mountain* Watershed *Association (Appellants) v. Allegheny County Health Department (Appellee) and Allegheny Energy Center (*Intervenor, *Permittee),* Case No. 21-043 before the Hearing Officer of the Allegheny County Health Department.

318. Deposition (July 2023) for *Ezequiel Caraballo-Pache (Plaintiff) v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 8:20-cv-00263-SCB-JSS (US District Court for the Middle District of Florida, Tampa Division).

319. Deposition (August 2023) for *Floyd Ruffin (Plaintiff), v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 2:20-cv-00334-CJB-JCW (US District Court for the Eastern District of Louisiana, New Orleans Division).

320. Deposition (August 2023) on behalf of petitioners in *Doreen Carey et; al., (Petitioners) v. Fulcrum Centerpoint LLC. (Permittee/Respondent) and Indiana Department of Environmental Management (Respondent)*, Permit Number 089-44042-00660, before the Indiana Office of Environmental Adjudication.

321. Deposition (August 2023) on behalf of the Plaintiff in the *Water Works and Sewer Board of the Town of Centre, Alabama v. 3M Company, et. al.*, Civil Action No.: CV-2017-900049. Circuit Court of Cherokee County, State of Georgia.

322. Deposition (August 2023) for *Matthew Williams (Plaintiff), v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 1:22-cv-00278-LG-BWR (US District Court for the Southern District of Mississippi).

323. Deposition (September 2023) for *Vincent Culliver (Plaintiff), v. BP Exploration and Production Inc., et. al. (Defendant)*, Civil Action No. 3:21-cv-4942-MCR/HTC (US District Court for the Northern District of Florida).

324. Testimony at Hearing for Greenhouse Gas and Energy Management (GEMM2) for Manufacturing in Colorado (September 2023) on behalf of Environmental Defense Fund.

325. Testimony at Hearing (October 2023) in the matter of *Algonquin Gas Transmission LLC., on behalf of Community Residents (*Petitioners*)*, Commonwealth of Massachusetts Department of Environmental Protection, Office of Appeals and Dispute Resolution, OADR Docket Nos. 2017-011 and 012, Waterways Application License No. W16-4600, Weymouth Mass.

326. Testimony at Hearing (August 2023) on behalf of Citizens for Environmental Justice in the matter of the permit Application of Valero Refining-Texas, LP for Modification to State and Prevention of Significant Deterioration Air Quality Permits No. 38754 and PSDTX324M15 before the Texas State Office of Administrative Hearings, SOAH Docket No. 582-23-14975, TCEQ Docket No. 2023-0203-AIR.

327. Testimony at Hearing (September 2023) on behalf of Appellants in the matter of *PennEnvironment and Sierra Club (Appellants) v. Commonwealth of Pennsylvania, Department of Environmental Protection, (Appellee), and PPG Industries, Inc. (Permittee)*, EHB Docket No. 2022-032-B. Environmental Hearing Board, Department of Environmental Protection, State of Pennsylvania.

328. Testimony at Hearing (November 2023) on behalf of the Puyallup Tribe of Indians in the matter of *Washington Utilities and Transportation Commission (Complainant) v. Puget Sound Energy (Respondent)*, Docket: UG-230393. Before the Washington Utilities and Transportation Commission.

329. Deposition (February 6, 2024, July 2024) in the matter of *Gena M. McLendon (Plaintiff) v. Becton, Dickinson and Company, et. al. (Defendants)*, on behalf of the Plaintiff in Civil Action File No. 20-C-07123-S1 in the State Court of Gwinnett County, State of Georgia.

330. Testimony at Hearing (February 7, 2024) in the matter of *Jefferson County Foundation, et. al., (Appellants) v. Laura M. Crowder, Director, Division of Air Quality, Department of Environmental Protection (Appellee)*, No. 23-02.AQB on behalf of the Appellant, before the West Virginia Air Quality Hearing Board, Charleston, WV. Also, testimony in related matter No. 23-01-AQB (Roxul USA Inc., d/b/a Rockwool v. same Appellee at No. 23-02-AQB).

331. Deposition (February 2024) and Trial testimony (June 2024) on behalf of the Plaintiffs in the matter of *Penn Environment and Sierra Club (Plaintiffs) v. PPG Industries, Inc. (Defendants).* Case No. 2:12-CV-00342 in the US District Court for the Western District of Pennsylvania.

332. Deposition (March 2024 and April 2024) on behalf of the Plaintiff in the matter of Kathleen *Koch (Plaintiff) v. Medline Industries, Inc. et. al. and Vantage Specialty Chemicals, Inc. (Defendants).* Case No. 2320 L 000686 in the Circuit Court of Cook County, IL.

333. Deposition (May 2024 and September 2024) on behalf of the plaintiff in the matter of *Paula Johnson et. al., (Plaintiff) v. Prairie Farms Dairy, Inc. et. al., (Defendants).* Case No. 2017 L 001562 in the Circuit Court, Third Judicial Circuit Madison County, Illinois.

334. Deposition (August 2024) on behalf of the plaintiffs in the matter of *Tom Mutz et al., (Plaintiffs) v. Sterigenics US, LLC (Defendants).* Civil Action File No. 20-A-3448 in the State Court of Cobb County, State of Georgia.

335. Deposition (October 2024 and November 2024) in the matter of *Gary B. Walker (Plaintiff) v. Becton, Dickinson and Company, et. al. (Defendants)*, on behalf of the Plaintiff in Civil Action File No. 21-C-08201-S1 in the State Court of Gwinnett County, State of Georgia.

336. Trial (November 2024) on behalf of the plaintiffs in the matter of *Emily Glass et. al., (Plaintiff) v. B. Braun* Medical *Inc., et. al., (Defendants).* Case No. 00315 (May Term 2021) and Consolidated Cases in the First Judicial District of Pennsylvania Court of Common Pleas of Philadelphia County.

337. Deposition (August 2024) on behalf of the plaintiff in the matter of *Jennifer Perrotti (Plaintiff) v. Lockheed Martin Corporation (Defendant).* Case No. 6:22-cv-01338 in the U.S. District Court Middle District of Florida – Orlando Division.

338. Deposition (August 2024) and Hearing (September 2024) on behalf of *Sierra Club and Portland Citizens United in the matter of the* permit *Application by Corpus Christie Liquefaction LLC* for Air Quality Permit Nos. 105710 and PSDTX1306M1 before the Texas State Office of Administrative Hearings, SOAH Docket No. 582-24-14373, TCEQ Docket No. 2023-1474-AIR.

339. Deposition (September 2024) and Trial (December 2024) on behalf of the Plaintiff in the matter of *Pamela Knobbe (Plaintiff) v. Isomedix Operations, Inc., and Cosmed Group, Inc. (Defendants).* Case No. 2022 L 008574 in re. Medline EtO Release, Consolidated with 2023 L 00686 in the Circuit Court of Cook County, Illinois.

340. Deposition (December 2024) for *Eve Isaacks et. al., (Plaintiffs) v. Terumo BCT et. al., (Defendants)* before District Court, Jefferson County, Colorado Case Numbers: 2022CV031124 (consolidated with *Douglass et. al.* 2023CV30085).

Exhibit B | O3.63

Southern California Edison Transportation Electrification Program Advisory Council

September 12, 2025

Energy for What's Ahead®

SOUTHERN CALIFORNIA EDISON®

O3.63 cont.

VIRTUAL MEETING EMERGENCY PROTOCOL

Follow these steps when a virtual or hybrid meeting attendee is incapacitated.

BEFORE THE MEETING STARTS — ASSIGN ROLES

- Who will call ESOC? **(626-815-5611)**
- Who will contact the leader?
- Who will stay on the call with the employee?
- Identify the location of employees who may be in transit or out in the field and feel comfortable providing that information.

1. A medical emergency occurs or seems to be occurring.
2. If you know the employee's location, call 911.
3. Call Edison Security Operations Center (ESOC) at **626-815-5611.**
4. If 911 has not been called, ESOC will contact 911 to dispatch emergency services to employee's location.
5. Contact the employee's leader.
6. Remain on the line with the employee until emergency services arrives.

If the employee is a supplemental worker, ESOC will contact the vendor to provide known information; if unavailable, 911 will be contacted.

EDISON® Energy for What's Ahead® | Edison Safety

Energy for What's Ahead®

O3.63 cont.

Agenda

Topic	Presenter
Welcome & Agenda	Jeannie Nguyen
Safety Moment	Myk Cruz
Charge Ready Schools and Parks (AB 1082/1083)	Alex Vandenbroek
Charge Ready Transport	Arron Calvache
Charge Ready Light Duty	Alex Vandenbroek & Karen Siman-Tov
Q&A	

O3.63 cont.

SCE welcomes questions from all participants; however, we cannot share non-public or confidential information in this forum. Questions that warrant further discussion can be sent to eMobility@sce.com and our team will respond in a timely manner.

Energy for What's Ahead® 3

STAY FIT, STAY SAFE!

Physical Activity Benefits

Incorporating stretch breaks and short walks reduces injury risks and boosts overall energy levels at work.

Nutrition and Hydration

Providing healthy snacks and promoting hydration helps employees stay focused and alert throughout the workday.

Mental Wellness Practices

Mindfulness exercises and deep breathing help manage stress and prevent burnout among employees.

Wellness Challenges

Fun, goal-oriented wellness challenges promote physical fitness and team camaraderie in the workplace.

O3.63 cont.

Energy for What's Ahead® 4

Charge Ready Schools and Parks (AB 1082/1083)

Energy for What's Ahead®

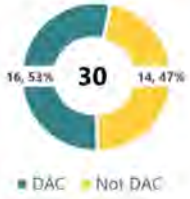
O3.63 cont.

SOUTHERN CALIFORNIA EDISON®

Charge Ready Schools Pilot

Pilot Background

- Pilot was kicked off November 2020
- Pilot goal of 250 ports
- Pilot goal of 40% DAC sites



Status of Projects

- Program is fully committed
  - 30 schools for 250 ports
  - 16 of the 30 are in disadvantaged communities (DACs)
  - One site is a tribal community (Bishop Paiute Education Center)
- Two schools (one school district) elected for the customer own and operate model
  - All remaining sites are SCE owned and operate
- Program to date installs: 250 ports across 30 sites
  - Final site was installed in June 2025
- Program challenges have included: long district approval and permit timelines, long lead time on switchgear and other equipment delivery, personnel changes, and continued vandalism (cable theft)
- EV Education Pilot Program
  - Run by our partner, The Energy Coalition with a goal of enrolling educators at participating schools to teach EV curriculum.
  - As of program conclusion in June: 35% of participating schools engaged, 17 educators enrolled from 11 schools reaching ~2,000 students

O3.63 cont.

Data as of August 31, 2025

Energy for What's Ahead® | 6

Charge Ready Parks Pilot

Pilot Background

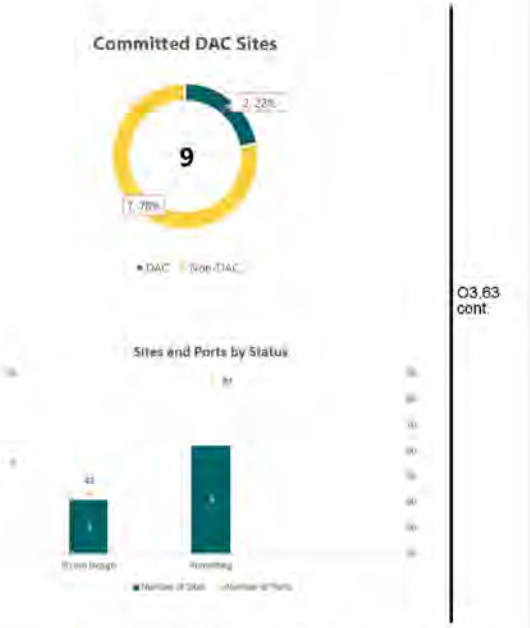
- Master Agreement executed April 2022
- Pilot goal of 120 Level 2 ports and 10 Direct Current Fast Charging (DCFC) ports

Pilot Status

- Advice Letter on reallocation of funds for DACs approved in June 2023
- Funds have been committed for 9 sites with a total of 120 Level 2 ports and 10 DCFC ports
  - 22% of sites are located in a DAC

Site Progress Update

- SCE and Department of State Parks are proceeding with 9 sites (120 Level 2 ports, 10 DCFC ports)
- Sites are in design and permitting and we hope to begin construction in early 2026
- Challenges: short staffed state park districts, re-designs, power availability for DCFC, long timelines for environmental review



O3.63 cont.

Data as of August 31, 2025

Energy for What's Ahead® 7

Charge Ready Transport

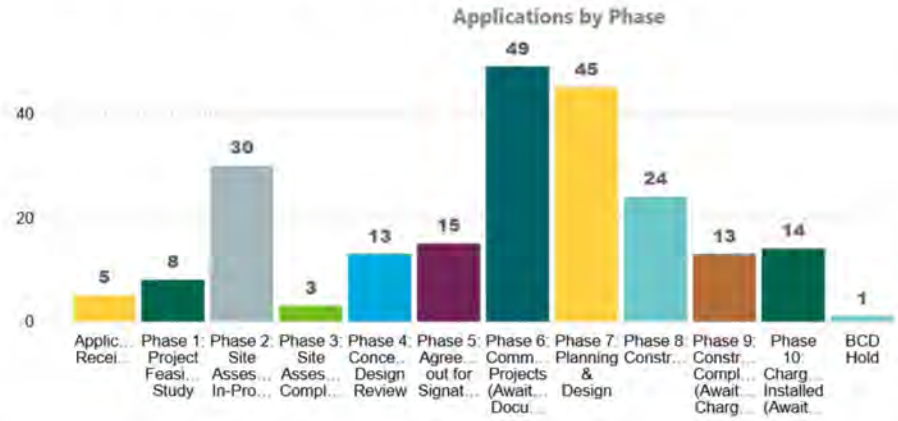
Energy for What's Ahead®

O3.63 cont.

SOUTHERN CALIFORNIA EDISON®

Charge Ready Transport: Current Progress

- SCE was working with **313** active sites to potentially support approximately **6,835** MDHD electric vehicles



Completed Projects

93 Sites

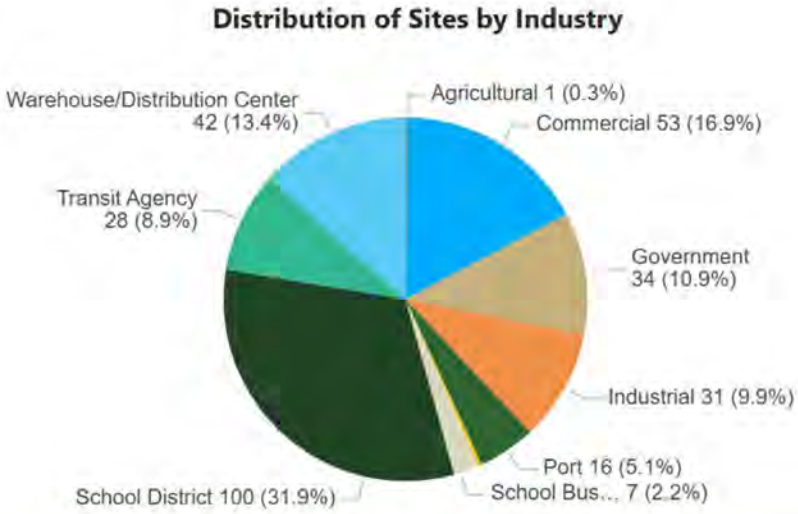
2,196 Vehicles

O3.63 cont.

Data as of September 4, 2025

Energy for What's Ahead® | 9

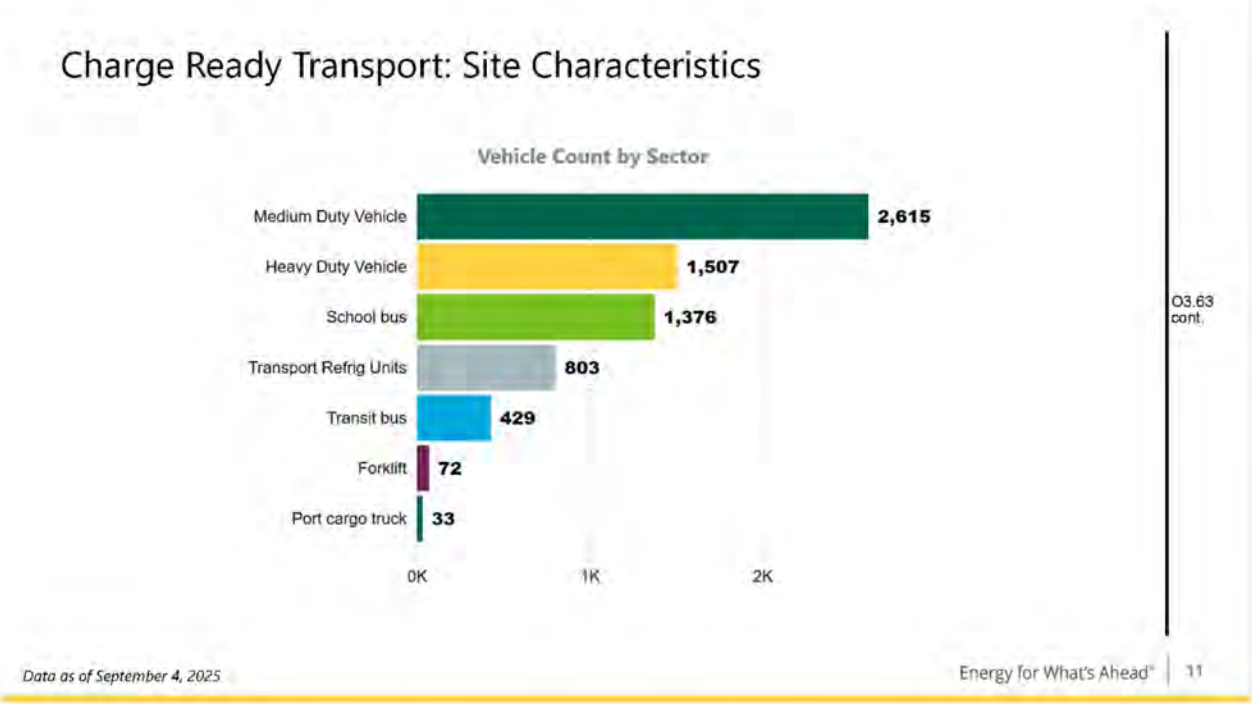
Charge Ready Transport: Site Characteristics



O3.63 cont.

Data as of September 4, 2025

Energy for What's Ahead® | 10



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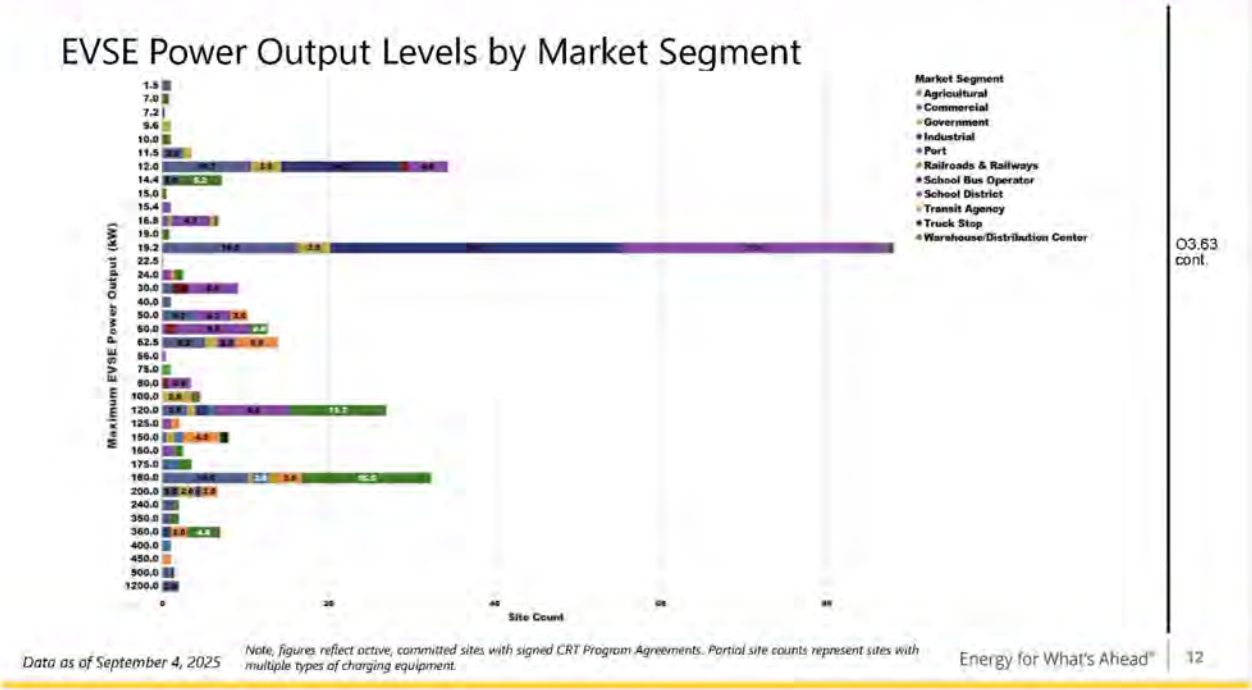


O3.63 cont.

Recent Regulatory Filings

CRT Extension Request

- SCE requested to extend the CRT Program until funds are exhausted
- Filed July 1, 2025
- AL is suspended for 120 days beginning July 30, 2025

Portable Tesla Charger Temporary Deviation Request

- SCE requested a temporary deviation that will enable CRT customers to use non-ISO 15118 compliant chargers to serve Tesla Semis until 3 months after a compliant charger is added to the APL or 24 months from the effective date of the Advice Letter, whichever comes first
- Filed July 21, 2025
- AL is suspended for 120 days beginning August 20, 2025

O3.63 cont.

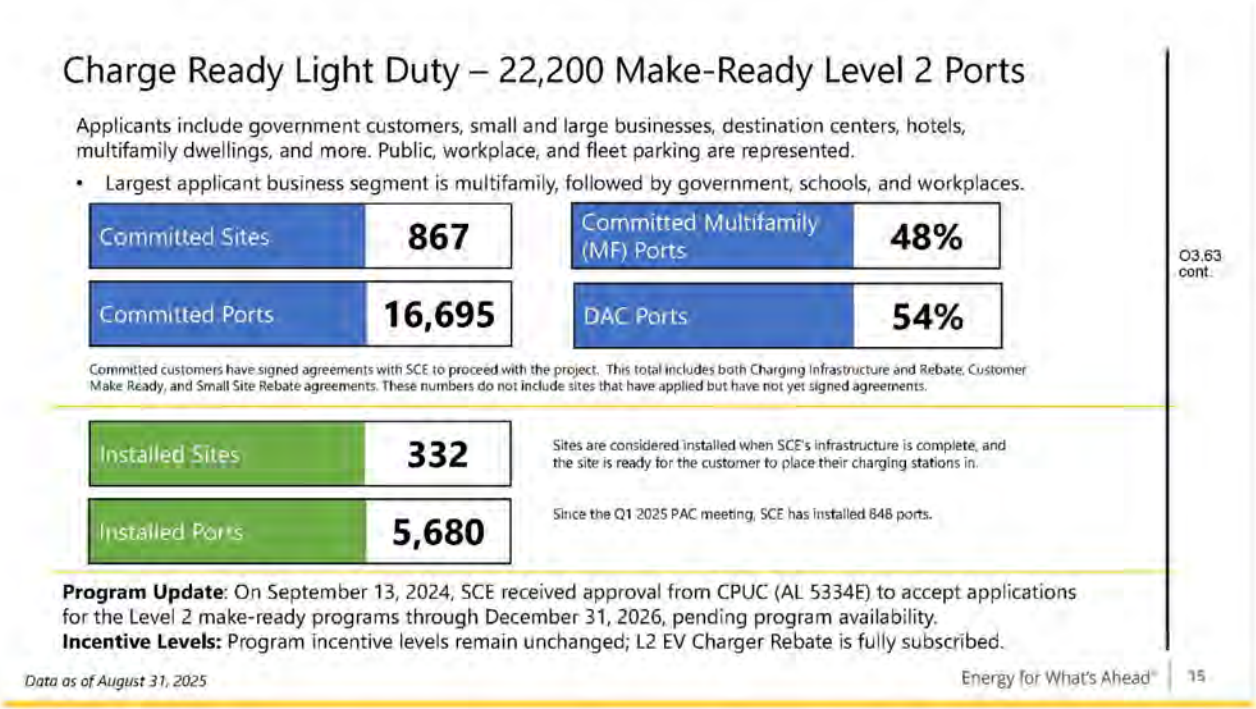
Energy for What's Ahead® | 13

Charge Ready (Light Duty)

Energy for What's Ahead®

O3.63 cont.

SOUTHERN CALIFORNIA EDISON®



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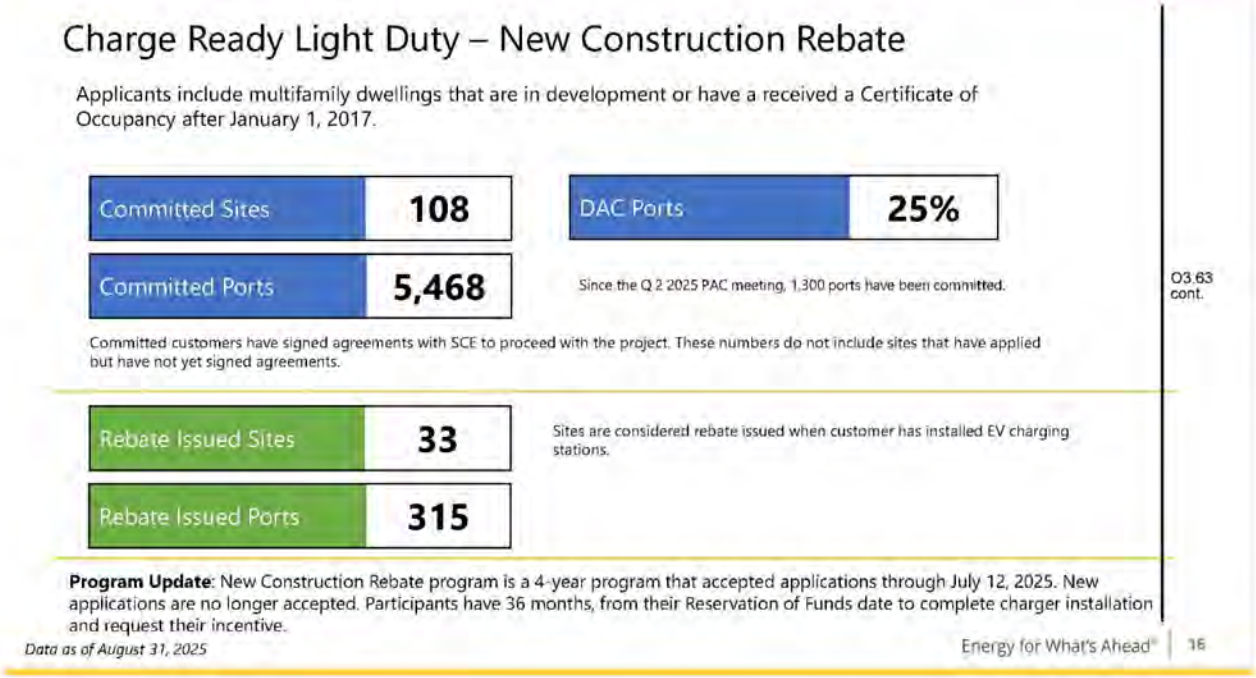

O3.63 cont.

Charge Ready Light Duty – DCFC

Applicants include local governments, small and large businesses, restaurants, and destination centers. All sites are required to be publicly accessible with short dwell times (less than 2 hours)

- Largest applicant business segment is small and large retail

Applications Received	232	Committed Sites	12	DAC Ports	45%
Ports Requested	2,022	Committed Ports	94	MF Adjacent Ports	89%

O3.63 cont.

Program targeting to install **205 DCFC** ports.

Program is no longer accepting new applications; third application window will be considered based on application commitments from the first two windows.

Program guidelines were updated in Q2 to allow for up to 350 kW capacity chargers, subject to power availability.

Site assessments are underway, and program agreements are being offered to a subset of applications, while other applications remain on hold to ensure the program does not get oversubscribed

- Applications are screened and approved to undergo Desktop Review based on CPUC and program criteria
  - DAC status, proximity to MF, potential number of visitors, vehicle traffic, proximity to existing DCFC stations
- 11 applications for 61 ports have been offered a program agreement and are awaiting signature
  - 12 site commitments for 94 ports received as of August 31, 2025

Data as of August 31, 2025

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Third Party Evaluator Public Presentations

O3.63 cont.

Energy for What's Ahead®

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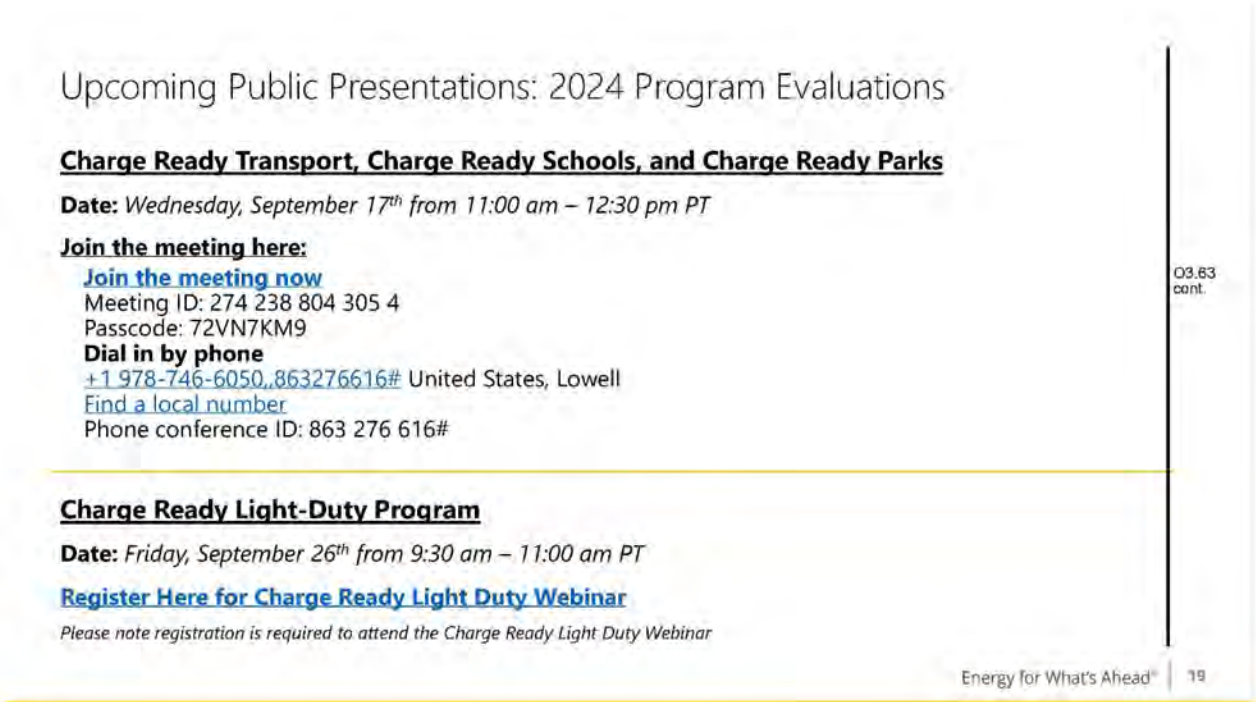
Upcoming Public Presentations: 2024 Program Evaluations
Charge Ready Transport, Charge Ready Schools, and Charge Ready Parks
Date: Wednesday, September 17th from 11:00 am – 12:30 pm PT
Join the meeting here:
Join the meeting now
Meeting ID: 274 238 804 305 4
Passcode: 72VN7KM9
Dial in by phone
+1 978-746-6050,,863276616# United States, Lowell
Find a local number
Phone conference ID: 863 276 616#
Charge Ready Light-Duty Program
Date: Friday, September 26th from 9:30 am – 11:00 am PT
Register Here for Charge Ready Light Duty Webinar
Please note registration is required to attend the Charge Ready Light Duty Webinar
O3.63 cont.
Energy for What's Ahead
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Q&A
O3.63 cont.
Energy for What's Ahead
SOUTHERN CALIFORNIA EDISON
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Contact Information

Program	Name	Email
General PAC Contact	eMobility	eMobility@sce.com
Business Development & Partnerships (BD&P) - Sr. Manager	Maricela Carlos	Maricela.Carlos@sce.com
BD&P - Medium/Heavy Duty Vehicles; Schools/Government	Jason Groves	Jason.Groves@sce.com
BD&P – Transportation Electrification Advisory Services	Maricela Carlos	Maricela.Carlos@sce.com
Electrification Data Analytics, Manager	Eddie Muñoz	Eduardo.Munoz@sce.com
Charge Ready (Light Duty)	Lauren Neff	Lauren.Neff@sce.com
Charge Ready Schools & Parks	Dani Mahrer	Dani.Mahrer@sce.com
Charge Ready Transport	Brad Hooker	Brad.Hooker@sce.com
Pre-Owned EV Rebate California Clean Fuel Reward	Brett Palmquist	Brett.Palmquist@sce.com

O3.6 cont.

Energy for What's Ahead® | 21

TE Advisory Services: Overview

- Program Overview
  - Approved through 2026, TEAS is a $4.8M program providing customers with enhanced education, tools, and support to transition to transportation electrification.
  - The program provides the following services:
    - EV Readiness Studies (EVRS)
    - Load Management Plans (LMP)
    - Online Tools
    - Educational Webinars and Events

O3.63 cont.

- Program Status Updates
  - Since August 2021, 1,142 EV Readiness Studies (EVRS) have been completed for multi-family, commercial and medium- and heavy-duty fleet customers. 42% of the studies completed are in disadvantaged communities.
  - 312 EVRS completed YTD.
  - 20 LMP completed since program launch in April 2025.

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Response to Comment Letter O3: Peoples Collective for Environmental Justice, et. al. (121 pages)

Comment O3.1: This comment provides an introduction to the comment letter and states that the comment is submitted regarding the sufficiency of the Recirculated Draft EIR's analysis.

Response to Comment O3.1: The comment is introductory in nature and does not raise a specific issue with the adequacy of the Recirculated Draft EIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Comment O3.2: This comment states that the County has not approved new applications for the Project even though there is a new developer and applicant in charge of the Project. The comment further states that State law contemplates that a change of ownership results in a different Project, which would mean the new Project would not be exempt from the requirements within AB 98 and SB 415 since it will be approved after January 1, 2026. The comment concludes by stating that the Recirculated Draft EIR must include analysis showing compliance with State legislation and disclose the significant impacts imposed on the nearby sensitive receptors.

Response to Comment O3.2: Assembly Bill 98 (AB 98) introduced Government Code section 65098 including Section 65098.1.5(a)(3), which states, "notwithstanding any other provision of law, if, by September 30, 2024, a property is currently in a local entitlement process to become a logistics use, then the proposed logistics use development shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if a sensitive receptor is constructed, established, or permitted after the effective date of this chapter." Furthermore, Senate Bill 415 (SB 415) amended Government Code section 65098.1.5(a)(3), to read as "notwithstanding any other law, except as provided in Section 65098.1.6, if by September 30, 2024, a property is currently in a local entitlement process to become a logistics use development, then the proposed logistics use development shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if a sensitive receptor is constructed, established, or permitted after the effective date of this chapter," and added Section 65098.1.6(a) which specifies, "notwithstanding any other law, this chapter shall not apply to any logistics use development that was subject to a local entitlement process that began before September 30, 2024." The proposed Project entered the local entitlement process with the County of San Bernardino prior to September 30, 2024. Therefore, pursuant to Government Code Sections 65098.1.5(a)(3) and 65098.1.6(a), the requirements established by AB 98 and SB 415 do not apply to the proposed Project, and the Project is not required to comply with these statutes.

The mere change of ownership of the Project site does not render AB 98/SB 415 applicable. Land use approvals such as those contemplated for the Project run with the land and are not personal to a particular developer (*see Malibu Mountains Recreation, Inc. v. County of Los Angeles* (1998) 67 Cal. App. 4th 359, 367-368: "…a CUP creates a right which runs with the land, not to the individual permittee"). Commenter's assertion that the definition of a "project" under CEQA depends on the identity of the property owner is also incorrect. In *Maintain our Desert Environment v. Town of Apple Valley* (2004) 124 Cal. App. 4th 430, 444, the court stated: "So long as the project is approved, CEQA has no concern about who uses it. If CEQA compliance required the identification of the project end user, a new EIR would need to be considered every time property was sold or a different tenant moved into a building, regardless of the use to which the property was to be put. In addition to the problems listed above, such a requirement also violates the standard of efficiency required by CEQA." (citations omitted). Therefore, the change of ownership of the Project site is legally irrelevant and does not render later-adopted legislation applicable to the Project.

The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment O3.3: This comment states that the proposed Project would convert a rural area surrounded by schools and residences into an industrial complex. The comment further states that the Recirculated Draft EIR does not provide an adequate analysis of potential alternatives for the Project that would provide a mix of uses. The comment emphasizes that the Project would result in the conversion of an existing residential site to entirely industrial uses.

Response to Comment O3.3: Pursuant to CEQA Guidelines Section 15126.6(a), an EIR must describe a reasonable range of alternatives to a proposed project or to a project's location that would feasibly avoid or lessen its significant environmental impacts while attaining most of the proposed project's objectives. CEQA Guidelines Section 15126.6(b) emphasizes that the selection of project alternatives be based primarily on the ability to reduce impacts relative to the proposed project. Further, an EIR is not required to consider every conceivable alternative to the Project. The Project Alternatives are discussed in Section 7.0, *Alternatives*, of the Recirculated Draft EIR. As shown in Table 7-3, *Impact Comparison of the Proposed Project and Alternatives*, on page 7-25 of the Recirculated Draft EIR, all three alternatives would reduce impacts to environmental topics analyzed in the EIR when compared to the proposed Project. Alternative 1: No Project/No Development would reduce impacts to 16 of the 17 environmental topics, Alternative 2: No Project / Buildout of Existing Zoning would reduce impacts to 13 of the 17 environmental topics, and Alternative 3: Reduced Project Alternative would reduce impacts to 15 of the 17 environmental topics. In addition, Alternative 1 would not require mitigation and Alternatives 2 and 3 would require fewer mitigation measures than the proposed Project. As the Reduced Project Alternative would avoid the Project's significant air quality impact, the Recirculated EIR considers a reasonable range of alternatives.

As discussed on page 7-24 of the Recirculated Draft EIR, CEQA requires identification of the "environmentally superior alternative" when significant environmental impacts result from a proposed project. As such, the Environmentally Superior Alternative for the proposed Project would be Alternative 1 as it would result in lessened impacts to 16 of the 17 environmental topics, would avoid the significant and unavoidable Project impacts to air quality, and would not require the implementation of mitigation measures. However, per CEQA Guidelines Section 15126.6(3)(1), if the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. Accordingly, the Environmentally Superior Alternative among the other alternatives would be Alternative 3, which would result in lessened impacts to 15 of the 17 environmental topics analyzed in the EIR, would avoid the significant and unavoidable Project impacts to air quality, and would require implementation of fewer mitigation measures than the proposed Project. CEQA does not require the Lead Agency (the County of San Bernardino) to choose the environmentally superior alternative. Instead, CEQA requires the County to consider environmentally superior alternatives, weigh those considerations against the environmental impacts of the proposed Project, and make findings that the benefits of those considerations outweigh the harm. The comment does not provide substantial evidence of the inadequacy of the Alternatives analysis and therefore, no further response is required or provided.

Regarding a mixed-use alternative, introducing commercial uses to the Project site would result in increased impacts due to the increased vehicle trips associated with commercial retail uses. For example, if the Recirculated Draft EIR were to consider an alternative for development of only Building 1 (383,000 SF warehouse) with 400,000 SF of commercial retail uses and 400 dwelling units, approximately 17,855 trips would occur from such an alternative. These trips would be approximately 2.7 times the amount of trips that would occur under the Project (6,626 daily trips), which would substantially increase air quality emissions, greenhouse gas emissions, and noise and potentially trigger new significant impacts. The comment does not provide substantial evidence of the inadequacy of the Alternatives analysis and, therefore, no further response is required or provided.

Comment O3.4: This comment states that the Recirculated Draft EIR's list of Project objectives are too narrow and reject the consideration of any non-industrial development within the area making approval of the Project and rejection of the alternatives a foregone conclusion. The commenter states that the Project

objective being limited to a mix of industrial and business park uses improperly tie the Couty to approving the industrial development.

Response to Comment O3.4: The Project objectives included in the Recirculated Draft EIR reflect a range of planning, economic, infrastructure, and sustainability goals, and are not limited solely to industrial land use. Project objectives include:

- Provide for a master-planned, job-producing development near the I-10 corridor to accommodate uses that benefit from access to the regional transportation network.
- Identify and provide for the installation and ongoing maintenance of water, sewer, drainage, and road facility infrastructure to adequately serve the Specific Plan Area.
- Provide guidelines and standards for building and site development aesthetics that provide a well-defined identity for the Specific Plan development.
- Provide guidelines for sustainable development design that reduces potable water use, energy use, and fossil fuel consumption.
- Provide an area in which replacement housing units could be built pursuant to Senate Bill 330.

These objectives are sufficiently flexible to allow consideration of alternatives that reduce environmental impacts while still achieving the Project's core purposes. Courts have upheld objectives of similar specificity where they reflect the basic purpose of the project and the applicable planning framework (*North Coast Rivers Alliance v. Kawamura* (2016) 243 Cal.App.4th 647). CEQA expressly allows for alternatives that only partially meet project objectives (CEQA Guidelines § 15126.6(c)). The alternatives analysis provided decisionmakers with meaningful choices and did not predetermine approval of the proposed Project. Furthermore, the Court expressly rejected previous arguments that the Project objectives were unduly narrow. As such, no revisions to the Project objectives were required as part of the Recirculated Draft EIR and only the analysis of the impacts related to air quality, energy, greenhouse gas, noise, and alternatives associated with the proposed Project was updated per the San Bernardino County Superior Court September 2024 Ruling (see further discussion re scope of Recirculated Draft EIR in Master Response 2).

Comment O3.5: This comment states that the Recirculated Draft EIR does not provide a reasonable range of alternatives as the provided alternatives do not represent feasible options that would achieve basic Project objectives while reducing significant impacts. The comment further states that the alternatives discussion only includes two "no project" alternatives and Alternative 3, which all fail to meet the Project's objectives. Alternative 1 would leave the site in its existing conditions and does not represent a true alternative as no development is proposed. Alternative 2 would develop the site under the existing residential zoning, but the assessment fails to address the numerous demolitions that have already occurred at the site. The comment concludes that the alternatives discussion did not provide a reasonable range of alternatives to meeting Project objectives and reduce significant impacts and should be revised.

The comment contains a footnote stating that the Recirculated Draft EIR assumes that the site contains 117 dwelling units but 81 demolition permits have been issued between 2021 and 2024 and the Recirculated Draft EIR's baseline is inaccurate as it has not been updated. The comment states that for Alternative 2, the Recirculated Draft EIR gives the impression that 230 homes would be provided, when at least 81 demolition permits have been issued. The comment states that the Recirculated Draft EIR should be revised to disclose the site's actual conditions at the time of the release of the NOP for the Recirculated Draft EIR.

Response to Comment O3.5: CEQA does not require the EIR to analyze every conceivable alternative, nor does it require that all alternatives meet all project objectives (*Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 576; CEQA Guidelines § 15126.6(c)). The Recirculated Draft EIR evaluates two No Project alternatives: Alternative 1 (No Project/No Development) and Alternative 2 (No Project/Buildout of Existing Zoning), which is consistent with CEQA Guidelines § 15126.6(e). The purpose of No Project alternatives is to provide a baseline comparison that illustrates the environmental consequences of not

approving the Project; not necessarily to meet project objectives. The fact that Alternatives 1 and 2 do not meet the Project's objectives does not render them invalid or improper. To the contrary, CEQA expressly requires inclusion of No Project alternatives even though they will often fail to achieve project objectives.

Alternative 3 (Reduced Project/No Specific Plan Alternative) represents a substantially reduced intensity industrial development that avoids the Project's significant air quality impacts. It retains industrial use on a portion of the site while eliminating the Specific Plan and reducing overall development. While Alternative 3 does not fully meet all of the Project objectives, an environmentally superior alternative may only partially meet project objectives. The Recirculated Draft EIR's acknowledgment that Alternative 3 fails to meet certain objectives is not a basis for rejecting it from analysis but rather part of the balanced information provided to decision makers. Furthermore, the discussion of Alternative 3 in the Recirculated Draft EIR was directly responsive to the San Bernardino County Superior Court's 2024 Ruling, which found that Alternative 3 was not a meaningful alternative, given the fact that Alternative 3 in the Original EIR was essentially the same core development proposed under the Project (development of Option 1, Planning Area A) and that it would not substantially reduce or avoid the significant and unavoidable air quality impacts. Alternative 3 was therefore revised to reflect an 88.2 percent decrease in land acreage that could otherwise be developed under the Specific Plan (versus the 35 percent reduction under Alternative 3 in the Original EIR), which would avoid the Project's significant and unavoidable air quality impact. Therefore, the range of alternatives within the Recirculated Draft EIR is adequate under CEQA, and no further response is required.

Regarding the Recirculated Draft EIR's baseline, CEQA generally defines the environmental baseline as the physical environmental conditions that exist at the time the Notice of Preparation (NOP) is published (CEQA Guidelines § 15125(a)). The County published the NOP for the Original Draft EIR in 2020, and the Recirculated Draft EIR is a revision of that environmental document prepared in response to a court remand. Consistent with CEQA and controlling case law, the County appropriately retains the 2020 baseline conditions for purposes of environmental analysis. In *Save our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal. App. 4th 99, 120-125, the court upheld respondent's interpretation of Section 15125 that existing conditions must be evaluated as closely as possible to the date the notice of preparation of the EIR is filed, as that is the date the project is officially commenced within the meaning of CEQA, and rejected appellant's argument that the baseline should constitute the conditions immediately before the project is approved and permits are issued. Further, with respect to Alternative 2, page 7-9 of the Recirculated Draft EIR clearly states that under Alternative 2, the Specific Plan Area would be redeveloped with approximately 230 detached single-family residential units, which would be a net increase of approximately 113 dwelling units over existing conditions at the time the original NOP was published in 2020.

Comment O3.6: This comment states that the Recirculated Draft EIR should be revised in order to include a reasonable range of alternatives. The commenter suggests an alternative consisting of a master planned development with a mix of uses should be considered feasible. The commenter provides examples of mixed-use development which include commercial, residential and industrial developments in the region. The comment further states that mixed-use developments offer greater long term community benefits and employment opportunities as warehouse jobs are more susceptible to automation in the future. The comment further states that the Recirculated Draft EIR fails to provide a meaningful range of alternatives, and an additional mixed-use alternative would offer significant benefits to the community and stimulate local economies.

Response to Comment O3.6: As discussed above in Response to Comment O3.5, the Recirculated Draft EIR provides a reasonable range of Alternatives for decision makers. Regarding a mixed-use alternative, introducing commercial uses to the Project site would result in increased impacts due to the increased vehicle trips associated with commercial retail uses. For example, if the Recirculated Draft EIR were to consider an alternative for development of only Building 1 (383,000 SF warehouse) with 400,000 SF of commercial retail uses and 400 dwelling units, approximately 17,855 trips would occur from such an alternative. These

trips would be approximately 2.7 times the amount of trips that would occur under the Project (6,626 daily trips, the equivalent to or 8,555 passenger car equivalent (PCE) trips), which would substantially increase air quality emissions, greenhouse gas emissions, and noise. The other examples of retail and mixed-use projects cited by the commenter are inapplicable to the current Project and merely reflect the preferences and opinion of the commenter.

Likewise, the nature and type of jobs potentially created by the Project or the possibility of future automation are not within the purview of CEQA, which is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). As further discussed in Master Response 1, the environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). The Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project. The Project's social and economic merits are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). The comment does not provide substantial evidence of the inadequacy of the Alternatives analysis and, therefore, no further response is required or provided.

Comment O3.7: This comment states that the Recirculated Draft EIR should include an alternative that meets the requirements of AB 98 with increased setbacks and design alternatives which would reduce operational impacts to the nearby sensitive receptors. The comment concludes in stating that the Recirculated Draft EIR failed to provide a reasonable range of alternatives which would lessen impacts, meet Project objectives, and continue to include industrial uses.

Response to Comment O3.7: A design modification to increase setbacks between loading docks and sensitive receptors does not constitute a distinct alternative to the Project; rather, it is a potential site design consideration that may be addressed through mitigation measures, conditions of approval, or compliance with applicable law.

CEQA does not require the EIR to analyze every conceivable alternative, nor does it require that all alternatives meet all project objectives (*Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 576; CEQA Guidelines § 15126.6(c)). The Recirculated Draft EIR evaluates two No Project alternatives: Alternative 1 (No Project/No Development) and Alternative 2 (No Project/Buildout of Existing Zoning), which is consistent with CEQA Guidelines § 15126.6(e). Alternative 3 (Reduced Project/No Specific Plan Alternative) represents a substantially reduced-intensity industrial development that avoids or substantially lessens several of the Project's significant environmental impacts, including air quality impacts. It retains industrial use on a portion of the site while eliminating the Specific Plan and reducing overall development. While Alternative 3 does not fully meet all of the Project objectives, an environmentally superior alternative may only partially meet project objectives. The Recirculated Draft EIR's acknowledgment that Alternative 3 fails to meet certain objectives is not a basis for rejecting it from analysis but rather part of the balanced information provided to decision makers. With regard to the applicability of AB 98 requirements to the Project, please refer to Response to Comment O3.2.

Furthermore, as disclosed throughout the Original Draft EIR and Recirculated Draft EIR, the Project would not result in significant operational impacts to nearby sensitive receptors.

Comment O3.8: This comment states that the Recirculated Draft EIR's air quality analysis is faulty. The comment states that the proposed mitigation measures for air quality are insufficient and unenforceable and fail to require any Class 7 or 8 ZE trucks for the Project.

Response to Comment O3.8: This comment is introductory in nature and does not provide any substantial evidence that the Project's air quality analysis is faulty or that the mitigation measures are insufficient. Regarding ZE trucks, CEQA requires mitigation that is feasible in light of technological, regulatory, and

economic considerations; it does not obligate the County to impose every policy level initiative still under development at CARB, nor to mandate full ZE construction and truck fleets before those technologies are commercially available and practically deployable for this type of warehouse project. As documented in the Recirculated Draft EIR and Recirculated Draft EIR Appendix B, the current heavy duty ZE truck market remains extremely limited in population, range capability, and supporting charging/hydrogen infrastructure, and grid capacity constraints further limit the near-term feasibility of large-scale electrification of regional truck fleets (RDEIR Appendix B p. 12–15). The Project's mitigation therefore uses a phased, performance-based approach. It requires provision of truck and light /medium duty EV charging infrastructure, mandates transition to ZE light and heavy-duty trucks once such vehicles are "widely commercially available" under specified cost and performance-based criteria and requires lease provisions and recordkeeping to ensure enforceability. Please refer to Responses to Comments O3.13 to O3.38 herein for more detailed responses to specific issues raised pertaining to the air quality analysis, air quality mitigation and ZE trucks.

Comment O3.9: This comment states that the Recirculated Draft EIR should be revised to reflect the existing conditions of 2024 and not 2020. The comment states that the County utilizes data points reflecting conditions in other years than 2020 and the County should revisit its entire analysis to reflect the conditions of 2024.

Response to Comment O3.9: CEQA generally defines the environmental baseline as the physical environmental conditions that exist at the time the Notice of Preparation (NOP) is published (CEQA Guidelines § 15125(a)). The County published the NOP for the Original Draft EIR in 2020, and the Recirculated Draft EIR is a revision of that environmental document prepared in response to a court remand. Consistent with CEQA and controlling case law, the County appropriately retains the 2020 baseline conditions for purposes of environmental analysis. In *Save our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal. App. 4th 99, 120-125, the court upheld respondent's interpretation of Section 15125 that existing conditions must be evaluated as closely as possible to the date the notice of preparation of the EIR is filed, as that is the date the project is officially commenced within the meaning of CEQA, and rejected appellant's argument that the baseline should constitute the conditions immediately before the project is approved and permits are issued.

The Recirculated Draft EIR's use of certain updated data points regarding ZE vehicle availability in 2024 does not impact the adequacy of the environmental baseline. CEQA allows, and in some cases encourages, the use of more recent data to provide context, inform impact modeling, or evaluate regulatory compliance, provided the underlying environmental baseline remains clearly identified (*Cherry Valley Pass Acres & Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316). Similarly, CEQA allows in some cases historic data to inform an environmental baseline. *North County Advocates v. City of Carlsbad* (2015) 241 Cal.App.4th 94. The County's use of the environmental baseline as the physical environmental conditions that existed at the time of the NOP for the Original EIR was published is legally proper.

Comment O3.10: This comment states that the Air Quality section of the Recirculated Draft EIR must be revised in order to include the new national ambient air quality standard (NAAQS) for fine particulate matter which was strengthened to 9 micrograms per cubic meter instead of 12. The comment further states that the Recirculated Draft EIR must address the County's inability to meet the new standard by 2032, requiring further restrictions on polluting activities in the Basin.

Response to Comment O3.10: The Recirculated Draft EIR's Table 5.3-1 correctly reports the $PM_{2.5}$ annual National Ambient Air Quality Standard that was in effect at the time the air quality analysis was prepared and circulated. As explained in Section 5.3.1, *Introduction*, Section 5.3.2, *Regulatory Setting*, and Section 5.3.3, *Environmental Setting*, on pages 5.3-1 through 5.3-17, the Recirculated Draft EIR relies on the then current federal and state standards and associated attainment designations when describing applicable regulations and environmental setting. CEQA requires use of substantial evidence available at the time of analysis and does not require the County to anticipate or incorporate speculative future changes to federal standards, whether more or less stringent.

The commenter is correct that USEPA subsequently revised the annual $PM_{2.5}$ NAAQS from 12.0 µg/m³ to 9.0 µg/m³, with the final rule published in February 2024. Accordingly, Table 5.3-1 has been updated in Final EIR Section 3.0, *Revisions to the Draft EIR*, to reflect the revised federal standard of 9.0 µg/m³ as part of the descriptive regulatory summary.

However, this update does not alter the Recirculated Draft EIR's significance determinations or require any revision to the air quality analysis. As detailed on pages 5.3-31 through 5.3-33 and 5.3-51 through 5.3-56 of the Recirculated Draft EIR, significance determinations for criteria pollutants are based on SCAQMD mass emission thresholds and localized significance thresholds (LSTs) established by SCAQMD, not on direct comparison of modeled Project concentrations to the federal annual $PM_{2.5}$ NAAQS. Because the Project's significance conclusions are not derived from the federal standard, the revision to the NAAQS has no effect on the Recirculated Draft EIR's impact findings or mitigation requirements. The air quality analysis and conclusions of the Recirculated Draft EIR therefore remain valid.

The commenter's suggestion that the County must revise the Recirculated Draft EIR solely because EPA later adopted a more stringent annual $PM_{2.5}$ NAAQS misstates CEQA's standard for "new information." The change in the federal standard does not alter the Project's modeled emission rates, its compliance with SCAQMD localized thresholds, or the conclusion that localized $PM_{2.5}$ impacts at nearby receptors are less than significant with mitigation. Instead, the revised NAAQS will be addressed through future AQMP and SIP updates that determine basin-wide control strategies for a wide range of sources. As CEQA lead agency, the County is not required to forecast or incorporate speculative future basin-wide control measures into the project-level analysis so long as it discloses existing nonattainment, evaluates project emissions against appropriate thresholds, and imposes all feasible mitigation, which it has done here through stringent construction controls (Mitigation Measure AQ-2 [Tier 4 Final equipment], Mitigation Measure AQ-3 [acreage limits], Rule 403 compliance) and operational mitigation measures aimed at reducing diesel truck emissions and facilitating a transition to zero-emission technologies as they become commercially available (Mitigation Measure AQ-19 and AQ-20). The Recirculated Draft EIR Section 5.3 discloses existing nonattainment in the South Coast Air Basin, evaluates project emissions against SCAQMD thresholds, and imposes all feasible mitigation.

Finally, while the commenter notes that regional air quality in San Bernardino County is not expected to meet the revised $PM_{2.5}$ NAAQS by 2032, CEQA does not require a project-level EIR to demonstrate basin-wide attainment or to guarantee that no future regulatory restrictions will be adopted by SCAQMD. The Recirculated Draft EIR already acknowledges the Basin's $PM_{2.5}$ nonattainment status, identifies that Project regional NOx and VOC emissions at full buildout remain significant and unavoidable even after implementation of all feasible measures, and explicitly characterizes those impacts as cumulatively considerable, thus providing decision-makers with a conservative and forthright disclosure of the Project's contribution to regional $PM_{2.5}$ and ozone problems. Given this comprehensive and health-protective analysis, no further revisions to the Recirculated Draft EIR are required to comply with CEQA as a result of EPA's 2024 $PM_{2.5}$ NAAQS update.

Comment O3.11: This comment states that the Recirculated Draft EIR should be revised to give an updated status of the ambient air quality of the South Coast Air Basin as it currently includes outdated data from 2020 and fails to describe local air quality planning efforts past 2022.

Response to Comment O3.11: The Recirculated Draft EIR provides a current, CEQA-adequate description of existing air quality and air quality planning in the South Coast Air Basin and is not required to be rewritten each time federal standards or long-range planning documents are updated. The air quality section explains EPA's role in establishing NAAQS, CARB's role in adopting CAAQS, and SCAQMD's responsibility for preparing AQMPs that implement those standards, including the most recent 2022 AQMP adopted by the SCAQMD Governing Board. (See Recirculated Draft EIR at p. 5.3-1 to 5.3-8). The environmental setting further summarizes current Basin's attainment designations, identifies that the Basin remains in nonattainment

for ozone and PM2.5, and uses the latest four years of monitoring data at the time the Recirculated Draft EIR was prepared (2020–2023) from the Central San Bernardino Valley 1 station to characterize existing ozone, PM_{10}, and $PM_{2.5}$ conditions. In direct response to comments provided on the Original Draft EIR, Recirculated Draft EIR Table 5.3-2 was already updated to include 2020 data, and the monitoring summary now spans 2020–2023 rather than ending in 2019, addressing prior concerns about "old" data.

Under CEQA, the baseline is the physical conditions in the environment at the time the Notice of Preparation and environmental analysis are commenced, not conditions at the time of later federal rulemakings. (Refer to Response to Comment O3.9). The Recirculated Draft EIR's impact analysis therefore properly uses recent Central San Bernardino Valley monitoring data and SCAQMD's CEQA thresholds and localized significance thresholds to evaluate whether project emissions would cause or substantially contribute to violations of applicable standards, including $PM_{2.5}$. The County also went beyond typical CEQA practice by preparing refined AERMOD dispersion modeling and both construction-source and operational-source health risk assessments as part of the Original Draft EIR and Original Final EIR, which demonstrate that localized $PM_{2.5}$ concentrations and diesel particulate cancer risks at residences and schools, including Zimmerman Elementary, remain below SCAQMD thresholds (Recirculated Draft EIR Impact AQ-3 at pages 5.3-49 to 5.3-66).

The commenter's request to revise the Recirculated Draft EIR whenever SCAQMD or EPA updates regional planning documents or ambient standards misconstrues CEQA's informational purpose. CEQA requires a reasonable, good-faith effort to describe the regulatory context and existing environmental conditions; it does not mandate continuous updates to track every post-circulation change in basin-wide planning so long as the EIR accurately discloses current nonattainment status and evaluates the Project's incremental contribution using appropriate thresholds. The Recirculated Draft EIR meets this standard. by (1) acknowledging that the Basin is in nonattainment for ozone and $PM_{2.5}$, (2) identifying that project regional VOC and NOx emissions at buildout are significant and unavoidable and cumulatively considerable, and (3) explaining, consistent with Friant Ranch guidance and multiple air district briefing papers, why project-level health-impact modeling for secondary pollutants has inherent limitations even though a conservative regional COBRA analysis and comparative Friant Ranch/CSUDH benchmarking have been provided (Recirculated Draft EIR pages 5.3-43 through 5.3-48). Because the updated monitoring data and planning context are already reflected in the Recirculated Draft EIR and associated Final EIR responses, and because no new information shows that Project-related $PM_{2.5}$ or ozone impacts would be more severe than disclosed, no revision or recirculation of the Recirculated Draft EIR is required in response to this comment.

Comment O3.12: This comment states that the Recirculated Draft EIR should be updated to account for the cumulative impacts by new industrial projects within the County since the Original EIR was certified. The comment provides an example of two new industrial developments that are to be developed in the area.

Response to Comment O3.12: The Recirculated Draft EIR already provides a CEQA-compliant cumulative air quality analysis that evaluates the Project's incremental contribution to regional and localized air pollutant burdens in the context of growth in the South Coast Air Basin. The air quality section explains that, consistent with SCAQMD methodology, a project that exceeds SCAQMD regional mass thresholds for criteria pollutants is considered to result in a cumulatively considerable contribution to the Basin's existing nonattainment status, and the Recirculated Draft EIR therefore discloses that operational VOC and NOx emissions are significant and unavoidable and cumulatively considerable. (See Recirculated Draft EIR at 5.3-31; 5.3-39 to 5.3-41). For localized impacts, the analysis uses SCAQMD Localized Significance Thresholds (LSTs) and refined AERMOD dispersion modeling to demonstrate that both construction and operational NOx, PM_{10}, and $PM_{2.5}$ concentrations at sensitive receptors would remain below localized thresholds after implementation of Mitigation Measure AQ-2 and other applicable measures, indicating that the Project's incremental localized contribution, even when added to background conditions created by other development in the Bloomington area, is not cumulatively considerable.

Further, with respect to cumulative health risk impacts, the SCAQMD uses the same significance thresholds for project-specific and cumulative impacts for all environmental topics analyzed in a CEQA document. As such, project emissions that exceed the project-specific significance thresholds are also considered by the SCAQMD to be cumulatively considerable. Therefore, since construction and operational health risk impacts would be below SCAQMD's 10 in one million threshold, impacts would be less than significant on a project and cumulative level.

CEQA does not require an EIR to enumerate or model every other individual warehouse in the county, but instead to evaluate whether the Project's emissions are significant on a regional basis and whether they meaningfully contribute to cumulative conditions. The cumulative analysis in the Recirculated Draft EIR accomplishes this by (1) basing its forecasts on SCAG regional growth projections and SCAQMD's AQMP, which already incorporate reasonably foreseeable regional industrial and warehouse development, and (2) explicitly tying significance determinations to SCAQMD's mass-emission thresholds that were developed to represent a project's fair-share contribution to basin-wide cumulative air quality problems. The Recirculated Draft EIR additionally uses COBRA regional health-impact modeling and comparative Friant Ranch/CSUDH analyses to relate the Project's emissions to potential ozone and $PM_{2.5}$ health indicators, demonstrating that incremental health effects from the Project's contribution to cumulative emissions are negligible and within the margin of error even under conservative assumptions (Recirculated Draft EIR pages 5.3-43 through 5.3-48).

The commenter's reference to other projects such as Pepper 210 and the Muscoy Warehouse Project does not show that the Recirculated Draft EIR omitted any "reasonably foreseeable" projects from its cumulative scenario or that inclusion of additional individual facilities would change the significance conclusions. CEQA case law makes clear that a cumulative analysis may rely on a summary of projections contained in a general plan, regional plan, or official planning document in lieu of listing every project individually, particularly for regional pollutants such as ozone and $PM_{2.5}$. See *League to Save Lake Tahoe Mtn. Area Preservation Found. v County of Placer* (2022) 75 CA5th 63, 151–52. The Recirculated Draft EIR's air quality analysis follows this accepted approach by relying on SCAG's regional transportation plan/sustainable communities strategy and SCAQMD's AQMP, which encompass countywide industrial growth and goods-movement expansion, including warehouse development corridors similar to those cited by the commenter. In addition, the County's Countywide Plan Mitigation Measure AQ-3 requires project-specific HRAs to consider cumulative diesel risk from other warehouse projects within 1,000 feet when applicable, ensuring that any close-proximity overlapping diesel sources are evaluated in cumulative health-risk terms. The Original Final EIR included a discussion of cumulative diesel risk from other warehouse projects within 1,000 feet in Response A3.19. As discussed, there are four projects within 1,000 feet of the Project or the Project's truck routes. Two projects, Cedar Avenue Technology Park and Thrifty Oil Warehouse are located approximately 4,800 feet north of the proposed Project. It was determined that due to the distance between these two projects and the proposed Project at over 1,000 feet, the cumulative risk from these projects would not result in any significant impacts to nearby sensitive receptors as the dispersion of TACs would not overlap. Another project, the Cedar Avenue Truck Terminal, is located approximately 2,100 feet northwest of the proposed Project. A review of the health risk assessment prepared for this project revealed that the 1 in one million risk isopleth does not extend to any receptors modeled in the HRA for the proposed Project. As a result, the cumulative risk from this project would not result in any significant impacts for nearby sensitive receptors.

The Bloomington Industrial Warehouse, located at 11191 Linden Avenue, is adjacent to the eastern boundary of the proposed Project. As presented in the HRA (Original Draft EIR Appendix C2), the maximally exposed individual receptor (MEIR) is located west of the warehouse and on the site of the proposed Project. The results of the HRA indicate that the 30-year cancer risk at the MEIR is 4.14 in one million. It is estimated that the MEIR for the Bloomington Industrial Warehouse is located approximately 1,400 feet northwest of the MEIR for the proposed Project. The cancer risk at the MEIR for the proposed Project from construction and operations combined is 4.91 in one million. Should the maximum cancer risk from the two MEIRs be summed,

the total risk would be 9.05, which is below the SCAQMD's significance threshold of 10 in one million. It should be noted that because the MEIRs are in different locations, the actual risk would be lower. As a result, any cumulative health risk impacts would be considered less than significant.

Because the Recirculated Draft EIR already (1) discloses that the Project's operational VOC and NOx emissions are significant and cumulatively considerable on a regional basis, (2) demonstrates through LSTs and refined dispersion modeling that localized pollutant concentrations and diesel health risks remain below applicable thresholds at sensitive receptors, and (3) bases its cumulative context on basin-wide planning documents that account for ongoing industrialization throughout San Bernardino County, no further revision is required to comply with CEQA's cumulative impact requirements in response to this comment.

Comment O3.13: This comment states that a Friant Ranch analysis must be included within the Recirculated Draft EIR to discuss the potential health impacts from the Project. The comment further states that the Recirculated Draft EIR fails to explain why the Friant Ranch analysis cannot be performed for the Project and only makes baseless conclusions based on several agencies' statements, which contain no technical support. The comment then explains that Friant Ranch analysis has been used in two cases, and there are two models which can perform photochemical modeling and the US EPA has acknowledged project specific photochemical modeling can be done.

Response to Comment O3.13: CEQA and Friant Ranch do not mandate project-level CMAQ/CAMx-BenMAP modeling. Friant Ranch requires an EIR to meaningfully connect significant air quality impacts to human health consequences or to explain in detail why a more quantitative correlation is not feasible. The Friant Ranch Ruling and CEQA do not prescribe any particular model or require CMAQ, CAMx, or BenMAP for every project. Consistent with that holding, multiple air districts and expert organizations (SJVAPCD, SCAQMD, SMAQMD, and the Association of Environmental Professionals) have explained that regional photochemical grid models were developed to evaluate basin-wide attainment strategies, and that using these tools to resolve the marginal effects of a single development project falls within model error and yields results that are speculative for CEQA purposes (Recirculated Draft EIR Appendix B Memo p. 8-12). The City of Los Angeles' Air Quality and Health Effects guidance likewise concludes that directly correlating mass emissions from a typical project to quantified local health outcomes "is currently not scientifically feasible," because secondary pollutants such as ozone and $PM_{2.5}$ depend on complex regional chemistry, meteorology, and population patterns, and the underlying regional models exhibit errors on the order of 20–90 percent for concentration predictions (City of Los Angeles Air Quality and Health Effects p. 27-33).

The Recirculated Draft EIR reasonably relies on expert air district guidance regarding feasibility. The comment's assertion that policy-level statements about infeasibility are "unsupported" overlooks the detailed technical bases compiled by SCAQMD, SJVAPCD, SMAQMD, and BAAQMD, which the Recirculated Draft EIR summarizes and incorporates. These agencies explain that, for criteria pollutants, human-health protection is implemented through attainment of regional ambient air quality standards, not through project-specific health assessments, and that current models cannot reliably resolve the incremental change in ozone or $PM_{2.5}$ concentrations, or associated health outcomes, caused by emissions that are a tiny fraction of the regional inventory (Recirculated Draft EIR Appendix B Memo p. 6-9). The City of Los Angeles guidance further documents why regional CMAQ/CAMx and BenMAP tools, while technically capable of running a "Friant-type" analysis, are ill-suited to CEQA project review due to coarse spatial resolution, strong dependence on assumed background trends, and the fact that predicted incremental changes are typically smaller than the models' own uncertainty bands (City of Los Angeles Air Quality and Health Effects p. 28-33).

The Recirculated Draft EIR goes beyond qualitative discussion by using comparative and COBRA screening analyses. Even though expert agencies indicate that fully quantified project-level CMAQ/CAMx-BenMAP analyses are unreliable, the Recirculated Draft EIR and Appendix B still provide a conservative, quantitative health-impact discussion that exceeds what Friant Ranch requires. First, the Recirculated Draft EIR's Appendix B memo compares the Project's peak daily NOx, VOC, PM_{10}, and $PM_{2.5}$ emissions to those of Friant Ranch

and CSU Dominguez Hills, two projects that did undergo CAMx/BenMAP health analyses. Those studies found that even projects with substantially higher emissions than the proposed Project produced only negligible regional changes in ozone and $PM_{2.5}$ concentrations and very small percentages of background mortality and morbidity. The Friant Ranch project is a 942-acre specific plan consisting of 2,500 residences and a commercial center while the CSU Dominguez Hills project is a 344-acre college campus including student housing, university buildings, and a 30,000 seat stadium. The Project's emissions are lower than Friant Ranch for all criteria pollutants and lower than CSUDH for ROG/VOC, SO_2, and $PM_{2.5}$ (with NOx between the two). Additionally, The Friant Ranch project is located within the San Joaquin Valley Air Basin, which is a nonattainment area for ozone and particulate matter; and the CSUDH project is located within the SCAB, similar to the proposed Project. Therefore, because ambient background conditions are similar and the Project would result in similar or reduced emissions, it is reasonable, consistent with CEQA's substantial-evidence standard, to conclude that any incremental regional health effects from the Project will likewise be negligible. Second, to provide an explicit numerical connection to health outcomes, Recirculated Draft EIR's Appendix B applies USEPA's COBRA screening tool to the Project's peak daily ROG/VOC, NOx, SO_2, and $PM_{2.5}$ emissions over the four-county region associated with the South Coast Air Basin. COBRA estimates an incremental increase in all-cause mortality of approximately 0.00035 percent relative to baseline regional mortality, along with extremely small increases in asthma cases, emergency room visits, and respiratory hospital admissions. These values are similar to Friant Ranch and substantially lower than CSUDH, reinforcing that health impacts would be negligible in the regional context. CEQA does not require more refined or less conservative methods where additional modeling would fall within the same magnitude of uncertainty and would not materially change the impact characterization (City of Los Angeles Air Quality and Health Effects p. 28-33).

The commenter suggests a conflict between citing Friant Ranch and CSUDH health-impact studies and relying on air district and professional-society guidance describing project-level modeling as infeasible. In fact, the Recirculated Draft EIR reconciles these sources by recognizing that Friant Ranch and CSUDH are unusual, large-scale benchmark studies whose results show that even much greater emissions produce only minimal changes in regional health metrics. Those results support, rather than undercut, the conclusion that the Project's smaller emissions will not generate meaningful additional health risks. At the same time, SJVAPCD, SCAQMD, SMAQMD, BAAQMD, the City of Los Angeles, and AEP all caution that repeating those highly resource-intensive analyses for typical development projects does not yield reliable, decision-useful information, because the incremental modeled concentration changes are within the models' error margins and are strongly driven by regional background assumptions rather than project emissions. Out of the hundreds of large projects that have undergone CEQA review within the South Coast Air Basin since the California Supreme Court's 2018 ruling in the Friant Ranch case, the County is unaware of, and commenter fails to cite to any other large-scale Friant Ranch/CSUDH analyses that have been made available for public review. The fact that only two such studies have been widely publicized further illustrates the fact that even for large projects, conducting such analysis is not standard under CEQA due to the limitations discussed above and that such studies would not produce any additional meaningful data from which to base informed public decision making. CEQA allows a lead agency to rely on such expert consensus to explain why a more granular model run would be speculative and unnecessary, so long as the EIR still provides a meaningful narrative and comparative explanation of likely health consequences, which the Recirculated Draft EIR does.

For these reasons, the Friant Ranch–style analysis provided within the Recirculated Draft EIR is accurate, conservative, and adequate under CEQA for describing how the Project's air emissions relate to potential human health consequences. Appendix B uses methods consistent with Friant Ranch by: (1) quantifying project related criteria and toxic emissions using agency accepted modeling; (2) applying a regional scale screening tool (COBRA) in the manner intended by EPA to translate those emissions into changes in ambient pollutant levels and health outcomes over the South Coast Air Basin; and (3) comparing the Project's incremental regional health effects to existing background conditions and to other large projects that have undergone detailed health impact review. The memorandum clearly discloses model assumptions and limitations,

explains that the results represent conservative screening level estimates rather than site specific epidemiological predictions, and shows that the Project's incremental contribution to regional health outcomes is small relative to existing basin wide burdens. This level of analysis reasonably "bridges the gap" between quantified emissions and health effects required by Friant Ranch and provides substantial evidence that additional, more complex quantitative health consequence modeling would not materially change the EIR's conclusions. For additional discussion of choice of modeling tools, see Response to Comments A5.

Comment O3.14: This comment states that the Recirculated Draft EIR fails to justify its scaling of the results on the CSUDH and Friant Ranch analysis despite major differences between the two projects. The comment states that the projects take place in two different regions resulting in completely different geography, stack heights, emissions, meteorology, and non-project pollutant concentrations which cannot be scaled between the projects. The comment further notes that while the proposed Project is located within the same air basin as the CSUDH project, the South Coast Air Basin contains many different areas with different geography, climatology, background concentrations, and attributes.

Response to Comment O3.14: Under CEQA and Friant Ranch, lead agencies are allowed to rely on regional-scale health analyses and to explain why project-level quantitative health modeling is not scientifically feasible, rather than generate new, project-specific concentration-to-health calculations.

The Recirculated Draft EIR summarizes expert air district guidance (SCAQMD, SJVAPCD, SMAQMD, BAAQMD, and the City of Los Angeles) that current models like CAMx, CMAQ, BenMAP-CE, and COBRA are designed for regional planning, have large margins of error at the project scale, and cannot reliably translate an individual project's NOx/VOC/PM emissions into specific local health outcomes (Recirculated Draft EIR p. 5.3-44–5.3-45).

Contrary to the commenter's claim, the Recirculated Draft EIR does not simply "scale" the Friant Ranch and CSUDH results by emissions alone. It explains the modeling and health-risk results for those two projects, both of which used accepted regional photochemical and health-benefits tools (CAMx and BenMAP-CE) and found negligible incremental health risk even at substantially higher emissions than this Project. The Recirculated Draft EIR then compares this Project's daily ROG/VOC, NOx, PM_{10}, and $PM_{2.5}$ to Friant Ranch and CSUDH, demonstrating that Project emissions are generally lower than both benchmarks (with Project NOx between the two), and uses those studies as conservative upper-bound indicators of regional health risk, not as a simple linear scaling exercise.

The comment's focus on geographic differences between the San Joaquin Valley and the South Coast Air Basin overlooks that the health-effects relationships for criteria pollutants (e.g., NOx and VOC as ozone precursors, $PM_{2.5}$ mortality risk) are derived from regional-scale epidemiology and are applied basin-wide through ambient standards and air district CEQA thresholds, rather than through project-by-project receptor-specific concentration modeling. The Recirculated Draft EIR Appendix B acknowledges that the Basin contains subareas with different meteorology and background conditions, but explains that SCAQMD's regional thresholds and modeling already account for those basin-specific features, and that a single project's emissions are too small to measurably change regional ozone or $PM_{2.5}$ concentrations within the models' error bands (Recirculated Draft EIR Appendix B at page 10).

Consistent with Friant Ranch, the Recirculated Draft EIR still goes beyond qualitative discussion. It inputs the Project's peak daily ROG/VOC, NOx, SO_2, and $PM_{2.5}$ into the USEPA COBRA model to estimate regional changes in ozone/$PM_{2.5}$-related health indicators (mortality, asthma symptoms, hospital admissions), and reports that the incremental increase in regional mortality (approximately 0.00035 percent relative to baseline) is similar to or lower than Friant Ranch and well below CSUDH. Given that Friant Ranch and CSUDH both found negligible health impacts at higher emissions, this comparative, region-scale COBRA evaluation provides a reasonable, evidence-based connection between the Project's significant air emissions and expected human health consequences, satisfying CEQA. Overall, the Recirculated Draft EIR compares the Project's peak daily NOx, VOC, PM_{10}, and $PM_{2.5}$ emissions to those of Friant Ranch and CSU Dominguez

Hills, projects for which full CAMx/BenMAP health impact modeling was performed, and explains that (1) the Project's emissions are generally lower than or comparable to those projects, and (2) those projects' modeled mortality and morbidity increments were negligible relative to background incidences (Recirculated Draft EIR p.5.3-46–5.3-49). The City of Los Angeles guidance explicitly recognizes this type of benchmarking as an appropriate way to relate the magnitude of project emissions to projects for which health impacts have been quantified while also acknowledging the limitations of extrapolating precise numeric risk to a new site. For additional information, please refer to Response to Comment A5.

The commenter's focus on local meteorology, topography, and background chemistry is more appropriately addressed in the Project's localized air-quality and TAC analyses, which already use localized dispersion modeling, SCAQMD LST methods, and OEHHA Health Risk Assessment guidance to evaluate concentrations and health risk at sensitive receptors. the comment's suggestion that basin-wide similarity language renders the analysis "absurd" ignores the Recirculated Draft EIR's reliance on conservative, health-protective SCAQMD regional and localized thresholds, detailed construction and operational modeling, and a separate mobile-source HRA that shows diesel particulate cancer risks at nearby residences and schools remain below the 10 in one million significance threshold. In light of this substantial technical evidence and the expert-agency guidance that project-specific ozone and secondary $PM_{2.5}$ health modeling is currently infeasible and would be speculative, the Recirculated Draft EIR's use of Friant Ranch and CSUDH as conservative benchmarks, combined with COBRA modeling and localized risk analysis, provides an adequate and CEQA-compliant health impact assessment that reasonably addresses the Friant Ranch decision.

Comment O3.15: This comment states that the Recirculated Draft EIR relies on a flawed analysis based on EPA's COBRA tool, which presents an inaccurate and unrepresentative analysis for the Project's impacts. The comment states that the COBRA tool depicts emissions located at the center of the County which is more than 100 miles from the Project site and within a different geographical region than the Project site.

Response to Comment O3.15: The Recirculated Draft EIR explains that COBRA is an EPA tool expressly designed to estimate regional ozone and $PM_{2.5}$ health outcomes from precursor emissions for counties and multi-county regions, consistent with EPA's stated purpose for the model. (Recirculated Draft EIR page 5.3-35). Recirculated Draft EIR Appendix B further describes COBRA's built-in air quality module, its reliance on precursor mass emissions, and its use of county-level population and baseline health data to calculate changes in mortality, asthma, emergency visits, and hospitalizations. Thus, the Recirculated Draft EIR does disclose how COBRA conducts its analysis and how project emissions are introduced into the model.

COBRA operates at a regional, county-scale grid and is not intended to resolve parcel-scale gradients in topography or distance from Bloomington to the county center. As Recirculated Draft EIR's Appendix B explains, COBRA and similar regional photochemical tools (CAMx, CMAQ, BenMAP) are used to estimate small changes in regional pollutant concentrations and health outcomes, not to site-specifically locate emissions at the project fence line, and those small incremental effects fall within model uncertainty for individual projects. (Appendix B, p. 8-9). Accordingly, portraying Project emissions at a representative county grid cell is consistent with the model's design and does not render the analysis inaccurate or unrepresentative for CEQA purposes.

The comment's focus on local topographic differences between Bloomington and the County center misconstrues the scale of the COBRA health-effects assessment. COBRA estimates changes in regional ozone and $PM_{2.5}$ concentrations and then applies epidemiological concentration–response relationships over the affected multi-county population. Recirculated Draft EIR Appendix B notes that regional photochemical models necessarily use spatial averaging and low-resolution grids, and that meteorology and background conditions dominate over the relatively small increment from a single project. The Association of Environmental Professionals' technical review cited in Appendix B explains that, for individual projects, uncertainties and spatial averaging in regional models often exceed the project signal, so predicted marginal health effects are within the models' error range and become speculative under CEQA. Consistent

with this guidance, the Recirculated Draft EIR does not rely on COBRA to draw fine-scale conclusions about localized gradients near Bloomington. Localized construction and operational concentrations are instead addressed through SCAQMD localized significance thresholds and AERMOD dispersion modeling, which demonstrate that NO_2, CO, PM_{10}, and $PM_{2.5}$ concentrations at the nearest receptors remain below applicable ambient air standards. Therefore, concerns about intervening mountains and micro-scale terrain do not undermine the regional health-effects conclusions.

Recirculated Draft EIR Appendix B was prepared specifically to address the September 2024 Ruling concerning the Friant Ranch analysis and to demonstrate why a full Friant Ranch-style CAMx/BenMAP run is not feasible or required to reach a meaningful health-effects conclusion for this Project. First, Appendix B summarizes the Friant Ranch and CSU Dominguez Hills health impact assessments, including modeled peak emissions, predicted ozone and $PM_{2.5}$ increments, and resulting health endpoints, all of which were negligible relative to background health incidences. The Project's buildout emissions of ROG, NOx, SO_2, PM_{10}, and $PM_{2.5}$ are lower than Friant Ranch and generally comparable to or lower than CSUDH (with Project NOx lower than Friant Ranch and modestly higher than CSUDH), indicating that regional health impacts would likewise be negligible.

Second, Appendix B uses COBRA to quantify the Project's regional health indicators for ozone- and $PM_{2.5}$-related outcomes across Riverside, San Bernardino, Los Angeles, and Orange Counties. The model predicts an incremental all-cause mortality increase of approximately 0.00035 percent relative to regional baseline mortality, essentially the same order of magnitude as Friant Ranch and well below the CSUDH project, along with extremely small increases in asthma incidence and respiratory hospital use. This quantified, project-specific discussion of the "nature and magnitude" of potential health effects is consistent with Friant Ranch and with emerging agency guidance.

Third, Appendix B cites the City of Los Angeles Air Quality and Health Effects technical advisory and AEP's "We Can Model Regional Emissions, But Are the Results Meaningful for CEQA?" article, both of which conclude that no expert agency has endorsed a reliable, project-scale quantitative method to translate mass emissions of criteria pollutants into precise, geographically resolved health outcomes for typical CEQA projects. These expert sources explain that regional models such as CAMx, BenMAP, and COBRA are technically capable but subject to substantial uncertainty and spatial averaging, such that marginal project-level health effects often lie within model error and therefore are speculative under CEQA. The Recirculated Draft EIR appropriately incorporates this expert evidence and uses COBRA only to bracket reasonable ranges of potential health effects, not to imply a false level of precision.

Contrary to the assertion of a "fatal flaw," the Recirculated Draft EIR and Appendix B provide a multi-layered analysis consistent with CEQA Guidelines and post-Friant Ranch guidance:

- They identify and quantify Project criteria pollutant emissions, compare them to SCAQMD regional and localized thresholds, and disclose that regional NOx and VOC emissions remain significant and unavoidable even with mitigation.
- They perform refined dispersion and health risk assessments for DPM and other TACs using SCAQMD/OEHHA methods, demonstrating that cancer risks and non-cancer hazards at nearby residences and schools are well below applicable thresholds.
- They present a comparative health-effects analysis against Friant Ranch and CSUDH and then use COBRA to estimate the Project's incremental mortality and morbidity, explicitly concluding that these increases are negligible and likely within model uncertainty.
- They rely on the City of Los Angeles' technical paper and AEP guidance that substantiate why attempting to assign precise numbers of deaths or hospitalizations to this single Project using regional photochemical models would not be scientifically reliable or required by CEQA.

CEQA requires a good-faith, reasoned analysis, not the use of any particular model, and allows agencies to reject or qualify the use of methods that are not scientifically reliable at the project scale. The Recirculated Draft EIR's documented methodology, comparative benchmarks, quantified regional COBRA outputs, and refined localized risk analyses collectively satisfy Friant Ranch's directive to connect Project emissions to the nature and magnitude of potential health effects to the extent supported by current science. For additional information on choice of modelling tool, see Response to Comment A5.

Comment O3.16: This comment states that the Recirculated Draft EIR must propose mitigation to minimize the significant air quality impacts. The comment states that many of the proposed mitigation measures defer application, are unenforceable and are overall ineffective. The comment further explains that the Recirculated Draft EIR fails to include feasible mitigation measures. The comment states that MM AQ-1 and AQ-2 are unlikely to achieve the reduction levels anticipated in the Recirculated Draft EIR as neither include methods of enforcement. The comment suggests that these measures specify methods of enforcement including inspections to verify compliance

Response to Comment O3.16: The commenter does not provide any specific comments on how the included mitigation measures are unenforceable or will not be implemented. The Project Applicant would bear responsibility for compliance with all mitigation measures included in the Mitigation and Monitoring Reporting Program, included as Section 4.0 of this Final EIR. All of the mitigation measures are included in the Project's Mitigation Monitoring and Reporting Program, which is a legally binding instrument of the Final EIR, to ensure implementation along with the Specific Plan. Further, adherence to the mitigation measures would be included as a condition of approval for the Project.

While Mitigation Measures AQ-1 and AQ-2 are required to be implemented prior to the issuance of building or grading permits, the measures provide specific details or measures that the Applicant and/or Project must attain in order to comply with the mitigation and receive building or grading permits. These measures include requirements for the use of super compliant low VOC paints, Tier 4 final construction equipment, and ridesharing for construction employees. Until these measures are implemented, no building or grading permit will be issued by the County. Therefore, these are fully enforceable in alignment with the requirements of CEQA.

Comment O3.17: This comment states that Mitigation Measure AQ-4 should specify the method, frequency, and lead time that the community liaison will share information with the surrounding community.

Response to Comment O3.17: CEQA requires mitigation measures to be feasible, enforceable, and capable of reducing or avoiding significant environmental impacts, but it does not require mitigation measures to prescribe detailed administrative procedures such as fixed communication schedules, advance notice periods, or specific communication methods where such details are not necessary to achieve the mitigation measure's purpose. The effectiveness of Mitigation Measure AQ-4 lies in establishing accountability and accessibility through the designation of a community liaison and the public availability of contact information, rather than in mandating rigid communication protocols.

Comment O3.18: This comment states that Mitigation Measure AQ-5 is not an effective mitigation measure as there are feasible alternatives to this mitigation which would substantially lessen the significant impacts. The comment further states that the Project should require ZE heavy-duty haul trucks to access the site. The comment further states that there is currently no method of enforcement and the measure should specify that the construction and operation plans and specifications should prohibit the use of heavy-duty haul trucks that are not zero-emission

Response to Comment O3.18: As discussed in further detail below in Response to Comment O3.30, Mitigation Measures AQ-19 and AQ-20 require the Project to utilize ZE trucks when they are widely commercially available. However, as described in pages 5.3-41 through 5.3-43, requiring heavy-emission heavy-duty trucks is not a feasible mitigation measure at this time. As discussed above in Response to

Comment O3.16, the Applicant would bear responsibility for compliance with all mitigation measures included in the Mitigation and Monitoring Reporting Program, included as Section 4.0 of this Final EIR. All of the mitigation measures are included in the Project's Mitigation Monitoring and Reporting Program, which is a legally binding instrument of the Final EIR, to ensure implementation along with the Specific Plan. Further, adherence to the mitigation measures would be included as a condition of approval for the Project.

Regarding ZE haul trucks, CEQA requires mitigation that is feasible in light of technological, regulatory, and economic considerations; it does not obligate the County to impose every policy level initiative still under development at CARB, nor to mandate full ZE construction and truck fleets before those technologies are commercially available and practically deployable for this type of warehouse project. As documented in the Recirculated Draft EIR and Recirculated Draft EIR Appendix B, the current heavy duty ZE truck market remains extremely limited in population, range capability, and supporting charging/hydrogen infrastructure, and grid capacity constraints further limit the near-term feasibility of large-scale electrification of regional truck fleets (Recirculated Draft EIR Appendix B p. 12–15). ZE haul trucks are similarly, if not more, commercially unavailable as operational ZE trucks. For construction, the Recirculated Draft EIR already requires Tier 4 off road fleets, hours of use limits, and other best available measures that achieve substantial reductions in NOx and DPM and reduce peak construction emissions below SCAQMD's regional and localized thresholds after mitigation. The commenter does not provide substantial evidence that requiring ZE haul trucks is presently feasible for the regional construction market serving Bloomington, or that such a mandate would be consistent with market availability, contractor bidding practices, or CARB's own implementation timelines.

Comment O3.19: This comment states that Mitigation Measure AQ-6 lacks any enforceability and it does not cite any authority or permit that will ensure compliance. The comment requests that the measure includes how it would be enforced, such as periodic site inspections to verify compliance.

Response to Comment O3.19: As discussed above in Response to Comment O3.16, the Applicant would bear responsibility for compliance with all mitigation measures included in the Mitigation and Monitoring Reporting Program, included as Section 4.0 of this Final EIR. All of the mitigation measures are included in the Project's Mitigation Monitoring and Reporting Program, which is a legally binding instrument of the Final EIR, to ensure implementation along with the Specific Plan. Further, adherence to the mitigation measures would be included as a condition of approval for the Project. Through implementation of the Project's Mitigation and Monitoring Reporting Program and Mitigation Measure AQ-6, County staff would ensure that Project plans prohibit off-road diesel-powered construction from being in the on position more than 10 hours per day.

Comment O3.20: This comment states that Mitigation Measure AQ-10 should be stricter and include means of verifying compliance such as assigning a full-time staff person to ensure idling rules are followed and trucks are moving as efficiently as possible. The comment further states that the measure should include a 30-minute limit on truck turnaround time and idling limits should include yard tractors as well.

Response to Comment O3.20: The comments suggestion to include a 30-minue limit on truck turnaround time is infeasible as future tenants of the proposed warehouses within the Specific Plan are currently unknown and unlikely to reduce impacts beyond the 3-minute idling limitation included in revised Mitigation Measure AQ-10, since trucks that are stopped at a dock and not idling do not produce additional emissions. In addition to a facility manager that would be onsite to ensure compliance, Mitigation Measure AQ-4 requires the Project Applicant/Developer/Owner to identify a person to act as a community liaison concerning onsite construction activities and operations and provide contact information for the community liaison to the surrounding community. Thus, the surrounding community would also be able to enforce these measures. Additionally, see Response to Comment O3.19 regarding enforceability of mitigation measures. Regarding the comments suggestion to limit the idling time of yard tractors, Mitigation Measure AQ-13 requires that all onsite yard hostlers, yard equipment, forklifts, and pallet jacks be ZE equipment. Therefore, yard equipment would not result in any idling emissions.

Comment O3.21: This comment states that Mitigation Measure AQ-11 should include information for all applicable funding programs to be shared, not just the Carl Moyer grant funding.

Response to Comment O3.21: Mitigation Measure AQ-11 already requires that leasing agreements ensure tenants are provided with information on incentive programs "such as the Carl Moyer Program and Voucher Incentive Program." The phrasing of the measure is intentionally non-exclusive, and allows the County, Applicant, or designee to provide information on additional state, regional, or local incentive programs that may be available at the time of tenant occupancy. Accordingly, the measure is not limited solely to Carl Moyer funding but instead establishes a flexible framework that can accommodate evolving incentive programs over the life of the Project.

Comment O3.22: This comment states that Mitigation Measure AQ-12 is unenforceable and should be strengthened by specifying the number of electric vehicle charging stations to be included in plans.

Response to Comment O3.22: Mitigation Measure AQ-12 requires the Project plans and specifications for the industrial buildings to include electric vehicle charging stations. Based on the latest plans for Buildings 1 and 2, Building 1 would contain 59 electric vehicle charging stalls and Building 2 would contain 101 electric vehicle charging stalls. Mitigation Measure AQ-24 requires conduit to be provided proportional to parking spaces at a ratio of conduit for one charging station for every 10 truck parking spaces and one light-duty truck charging station for every five light-duty truck parking spaces. Thus, Mitigation Measure AQ-12 assures that the charging stations are provided on future industrial building plans, and Mitigation Measure AQ-24 provides the number of spaces that must provide conduit for future charging infrastructure to be included in the plans. Additionally, see Response to Comment O3.19 regarding enforceability of mitigation measures.

Comment O3.23: This comment states that Mitigation Measure AQ-13 should include a requirement that signed lease documents incorporate the requirement that all onsite yard trucks/holsters shall be ZE and should include forklifts and pallet jacks.

Response to Comment O3.23: Mitigation Measure AQ-13 already states "the requirement that all onsite yard hostlers, yard equipment, forklifts, and pallet jacks shall be ZE equipment, or equivalent language, shall be incorporated in all Project facility lease documents." Thus, no further response is warranted. Additionally, see Response to Comment O3.19 regarding enforceability of mitigation measures.

Comment O3.24: This comment states that Mitigation Measure AQ-15 should be strengthened to require a vehicle with a gross vehicle weight rating greater than 14,000 pounds accessing the site be ZE.

Response to Comment O3.24: As discussed below in Response to Comments O3.29, it is not feasible to implement a fully electric fleet at this time, and requiring such a measure would be setting the mitigation up for failure and therefore infeasible. CEQA requires mitigation that is feasible in light of technological, regulatory, and economic considerations; it does not obligate the County to impose every policy level initiative still under development at CARB, nor to mandate full ZE construction and truck fleets before those technologies are commercially available and practically deployable for this type of warehouse project. As documented in the Recirculated Draft EIR and Recirculated Draft EIR Appendix B, the current heavy duty ZE truck market remains extremely limited in population, range capability, and supporting charging/hydrogen infrastructure, and grid capacity constraints further limit the near-term feasibility of large-scale electrification of regional truck fleets (Recirculated Draft EIR Appendix B p. 12–15). The Project's Mitigation Measures AQ-19 and AQ-20 therefore use a phased, performance-based approach. Mitigation Measures AQ-19 and AQ-20 mandate transition to ZE light and heavy-duty trucks once such vehicles are "widely commercially available" under specified cost and performance-based criteria and requires lease provisions and recordkeeping to ensure enforceability.

Comment O3.25: This comment states that Mitigation Measure AQ-17 is vague, ineffective, and unenforceable and should specify the roads that trucks are prohibited from using and that truck route signs should be posted at every truck exit from the Project site. The comment further states that there is no method

for verifying compliance with the measure, and requests that a full-time staff person should be assigned to ensure that truck route rules are being followed.

Response to Comment O3.25: Mitigation Measure AQ-17 requires the Project Applicant/Developer/Owner to post signs at every truck exit driveway providing directional information to the truck route. CEQA does not require mitigation measures to enumerate all prohibited actions, provided the measure clearly directs compliance with designated truck routes. The purpose of this measure is to ensure trucks are directed to the appropriate truck routes in order to avoid sensitive receptors. Including prohibited roadways to the signage would not help in this effort; rather, it would add more confusion with too much information included in the signage. While Mitigation Measure AQ-17 is required to be implemented prior to the issuance of occupancy permits or tenant business license issuance, the measure provides specific details of measures that the Applicant and/or Project must attain in order to comply with the mitigation and receive occupancy permits or tenant business license issuance. Until the measure is achieved, no occupancy permits or tenant business licenses will be issued by the County. Therefore, these measures are fully enforceable in alignment with the requirements of CEQA. Further, it would be infeasible to require a full-time staff person assigned to ensure that truck route rules are being followed given there would be no way for this person to accurately or reasonably track all trucks entering and exiting the Project site.

Comment O3.26: This comment states that Mitigation Measures AQ-19 and AQ-20 are ineffective, deferred, and unenforceable as they are contingent on the County concluding that ZE light-duty and medium and heavy-duty trucks are widely commercially available and there is no process in place for how and when the County would make such determinations. The comment suggests that Mitigation Measures AQ-19 and AQ-20 should be effective immediately and require all trucks accessing the site to be ZE, or should analyze mitigation requiring 25, 50, and 75 percent of heavy-duty trucks entering the property to be ZE.

Response to Comment O3.26: As discussed above in Response to Comment O3.16, the Applicant would bear responsibility for compliance with all mitigation measures included in the Mitigation and Monitoring Reporting Program, included as Section 4.0 of this Final EIR. All of the mitigation measures are included in the Project's Mitigation Monitoring and Reporting Program, which is a legally binding instrument of the Final EIR, to ensure implementation along with the Specific Plan. Further, adherence to the mitigation measures would be included as a condition of approval for the Project. In addition, Mitigation Measures AQ-19 and AQ-20 provide guidance on what is defined as widely commercially available to be considered by the County; it does not provide an arbitrary date but instead provides guidance for when this measure can be feasibly implemented. As discussed below in Response to Comments O3.29, it is not feasible to implement a fully electric fleet at this time, and requiring such a measure would be setting the mitigation up for failure and therefore would be infeasible. The use of the parameters given in the Recirculated Draft EIR would ensure that the mitigation can be executed in a way that would allow operations to continue while also reducing emissions.

Regarding the commenter's assertion that the mitigation measure is deferred, Mitigation Measures AQ-19 and AQ-20 provide performance standards and requirements that must be implemented once those performance standards are met. The provision of performance standards and requiring that the measures be implemented once such equipment is widely commercially available does not constitute mitigation deferral pursuant to CEQA Guidelines Section 15126.4. Further, it would be speculative to set a specific date trigger for implementation as the evolution of ZE battery technology for heavy duty and medium duty trucks is out of the Applicant's control and highly dependent on market and technological conditions.

Comment O3.27: This comment states that Mitigation Measure AQ-21 should require onsite renewable energy storage as backup generators utilizing microgrid technology, as it would make the Project's operations more resilient and strengthen the grid by bringing power closer to the point of use.

Response to Comment O3.27: The Recirculated Draft EIR already addresses energy efficiency and renewable energy measures through Mitigation Measures AQ-11 and AQ-23, and related sustainability

measures, which require onsite renewable energy generation or purchase of renewable energy (e.g., solar photovoltaic systems) and promote the use of energy-efficient equipment, including trucks and fleet vehicles. Battery storage functions by shifting or storing electricity from one time period to another. It does not generate additional renewable energy, and it does not reduce the total electricity consumption or associated emissions from Project operations. If the Project's electricity demand is met by the existing grid mix, including energy generated from renewable energy or from rooftop solar, storing that electricity onsite temporarily through batteries does not decrease grid emissions, fuel use, or air quality impacts. The stored electricity still ultimately relies on the same energy sources and produces the same environmental footprint. Because battery energy storage alone does not decrease energy use or reduce emissions, requiring a battery system would not constitute meaningful mitigation of the Project's energy or air quality impacts.

Comment O3.28: This comment states that Mitigation Measure AQ-23 Option 2, which allows the purchasing of offsite renewable energy is inefficient, vague, and unenforceable as it provides little clarity on what acquiring renewable energy really means or would look like upon implementation. The comment states that the commenter is in agreement with Option A of the mitigation, requiring solar PV panels to provide 100 percent of the expected building load as there is substantial evidence that shows that rooftop solar is a feasible measure that would lessen the Project's air quality impact. The commenter further states that purchasing offsite renewable energy lacks clarity regarding what acquiring energy means and deprives the public the ability to evaluate its effectiveness in reducing impacts.

Response to Comment O3.28: CEQA does not require the Lead Agency to mandate a single prescriptive technology where multiple feasible approaches are available to achieve the same mitigation objective and specific performance standards are adopted that the mitigation measure shall achieve (CEQA Guidelines § 15126.4(a)(1)(B)). Mitigation Measure AQ-23 appropriately balances environmental benefit with implementation feasibility by allowing flexibility while maintaining a strict and enforceable mitigation outcome by requiring documentation be provided to the County prior to issuance of the Certificate of Occupancy. In the case of Mitigation Measure AQ-23, it meets the requirements of CEQA Guidelines Section 15126.4(a)(1)(B) as it identifies the types of actions that the Applicant and County can take to achieve the set performance standard of utilizing 100 percent renewable energy to power the buildings' electrical needs. The acquisition of renewable energy through utility programs, power purchase agreements, or other legally recognized renewable energy procurement mechanisms is a common and established practice in California. CEQA does not require that mitigation rely solely on onsite infrastructure where offsite measures can achieve equivalent environmental outcomes. Additionally, Mitigation Measure AQ-23 explicitly recognizes practical constraints related to utility interconnection and system sizing by requiring Southern California Edison (SCE) approval of the final photovoltaic generation facility size and allowing compliance to be adjusted accordingly.

Comment O3.29: This comment states that Mitigation Measure AQ-24 must be strengthened to require the actual installation of truck charging stations such that electric truck chargers are available for opening day operations as ZE trucks are technologically available. The comment further requests the measure include one charger for every five heavy duty truck parking spaces. The comment also requests the mitigation includes the requirement for day one installation of light- and medium-duty truck charging stations.

Response to Comment O3.29: As stated above, the CEQA Guidelines allows for the development of mitigation after project approval when it is impractical or infeasible to include those details prior to approval. Due to the limited availability of ZE trucks to utilize the charging stations, charging stations would be implemented when these trucks are commercially available and would actually utilize charging stations onsite. The limited availability of ZE medium- and heavy-duty vehicles is borne out in CARB's Emission Factor (EMFAC) Model, as well as data published by California's Clean Truck and Bus Voucher Incentive Project (HVIP). EMFAC model outputs provide detailed information to the vehicle fleet in California, including fuel types for various vehicle classes and vehicle populations. Per EMFAC data, in 2024, battery electric trucks made up 0.01 percent of California's medium-duty truck fleet, and 0.21 percent of the heavy-duty truck

fleet.[11] Similarly, based on HVIP's Zero-Emission Vehicle Population Dashboard,[12] as of October 2024, there are currently 226 medium-duty and 197 heavy-duty zero-emission vehicles within the SCAQMD jurisdiction, which includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. In 2023, statewide deliveries of ZE trucks totaled 183 medium-duty vehicles and 121 heavy-duty vehicles, while in 2024 there have been no ZE medium-duty truck vehicle deliveries and 13 heavy-duty truck deliveries. Further, in February 2026, the EPA repealed all federal GHG emission standards for light-duty, medium-duty, and heavy-duty vehicles and engines, which may hinder market growth of ZE vehicles.[13]

Although infrastructure improvements and the installation of medium- and heavy-duty ZE truck capable DC fast chargers and hydrogen fueling stations are currently in progress, the current state of charging and refueling infrastructure severely limits the feasibility of ZE trucks beyond local routes where charging or hydrogen refueling would not be necessary outside of the location where trucks would be domiciled.

Finally, based on the current state of the electrical grid and the increasing adoption of electric vehicles in California, significant investments in the grid will need to occur in the coming decades to keep pace. However, these upgrades will be spread out over a period of decades such that the costs of infrastructure upgrades in any given year may be kept reasonable.

Comment O3.30: This comment states that the Project's impacts related to greenhouse gas emissions, air quality, noise, and energy are largely due to the increased amount of diesel-fueled semi-truck trips associated with the Project and the original EIRs analysis was found deficient because substantial evidence did not support the finding that zero-emission trucks are not commercially available. This comment states that the Recirculated Draft EIR failed to include mitigation measures requiring the use of ZE Class 7 and 8 semi-trucks in lieu of diesel semi-trucks. The comment states that electric semi-trucks offer 82 percent life cycle GHG reductions compared to diesel models which would only increase as the state moves away from fossil fuels for electricity generation. The comment also states that ZE vehicles also reduce $PM_{2.5}$ and NOx emissions and greatly reduce health impacts associated with those pollutants. The comment further claims that ZE Class 7 and 8 trucks would greatly reduce air quality impacts and therefore be effective mitigation.

Response to Comment O3.30: The County recognizes that zero-emission vehicles would reduce air quality impacts from the Project. However, substantial evidence presented in the Recirculated Draft EIR demonstrates that a fixed requirement that tenants now use ZE Class 7–8 trucks is not feasible because such vehicles and their supporting infrastructure are not yet widely commercially available. As of 2026, ZE Class 7–8 trucks made up only a small, pilot-scale share of the overall truck market, on the order of a few dozen units in individual fleets and well under one percent of the statewide medium- and heavy-duty truck population (Recirculated Draft EIR Appendix B). ZE truck technology has not reached the level of commercial maturity needed to support a mandatory conversion for all or a fixed share of trucks serving this Project.

The Recirculated Draft EIR further explains that ZE truck deployment is constrained by the lack of truck-scale infrastructure: in 2023, California had only one publicly accessible DC fast-charging station for medium- and heavy-duty trucks, and the United States and Canada together had only a limited number of heavy-duty-capable charging and hydrogen stations, meaning that, at any given time, only a small number of Class 6–8 ZE trucks could charge or refuel. As a result, most ZE trucks are effectively confined to short local routes between a home base and nearby customers and cannot yet support the regional and long-haul

[11] California Air Resources Board. (2026). *EMFAC*. https://arb.ca.gov/emfac/
[12] California HVIP. (2026). https://californiahvip.org/industryinitiatives/#cazevdashboard
[13] Holland & Knight. (February 2026). *EPA Repeals Vehicle Greenhouse Gas Standards and the Underlying Endangerment Finding*. Accessed from: https://www.hklaw.com/en/insights/publications/2026/02/epa-repeals-vehicle-all-greenhouse-gas-standards-for-vehicles

movements that would realistically serve tenants at this multi-tenant logistics Project. (See Recirculated Draft EIR, p. 5.3-42)

The Recirculated Draft EIR, Appendix B also cites SCAQMD's recognition that widespread medium- and heavy-duty electrification will require major grid upgrades costing billions of dollars and implemented over decades, which are outside the control of the County or the Project Applicant and will not be in place at or near the Project at initial operation. (Appendix B, p. 14). In this context, a mandate that tenants immediately operate all or a fixed percentage of Class 7–8 trucks as ZE vehicles would require both a vehicle supply and an infrastructure network that simply do not yet exist at the necessary scale in the South Coast Air Basin. Feasibility under CEQA is inherently project- and context-specific and must account for technological, infrastructural, economic, and practical factors, as well as the lead agency's legal authority. Here, the Project is a speculative multi-tenant industrial park expected to attract a variety of shippers and carriers, many of whom rely on third-party common carriers whose fuel choices cannot be controlled by the County or Project tenants. Even assuming some ZE tractors are technically available somewhere in the market today, the Recirculated Draft EIR and Final EIR show that they are not available in sufficient numbers to serve this Project's anticipated truck trips, that truck-scale charging and hydrogen infrastructure is sparse and largely limited to pilot installations, and that the grid upgrades needed to support large on-site truck charging cannot be delivered in the near term.

On this record, the County reasonably concluded that a blanket ZE requirement, untethered to commercial availability, for all or a fixed percentage of Class 7–8 trucks serving the Project is not a feasible mitigation measure under CEQA, even if such a mandate might appear feasible in the abstract. Instead, the County adopted mitigation measures, including Mitigation Measures AQ-19 and AQ-20, that require tenants to transition to ZE heavy-, medium-, and light-duty trucks once those vehicles are "widely commercially available," using an objective cost- and performance-based definition, and that require installation of on-site conduit and infrastructure to support future truck charging. These measures ensure that the Project will shift to ZE trucks as soon as it is practical to do so.

The commenter's position that only an immediate fixed ZE truck percentage can qualify as mitigation also misstates CEQA. CEQA requires adoption of all feasible mitigation supported by substantial evidence and disclosure of any remaining significant impacts; it does not require agencies to impose measures that are technologically, economically, or practically infeasible, or that exceed their legal authority. Many emissions sources, such as consumer-product VOCs and most regional mobile-source NOx, are regulated primarily by CARB and federal standards and are not under the County's direct control, and the County and tenants cannot lawfully or practically control the fuel type of all third-party trucks that may serve the site.

Moreover, the record shows that the Project's package of construction controls, truck-related mitigation, idling limits, electric yard equipment, EV charging infrastructure, transportation management measures, and future ZE truck commitments already provides robust and effective mitigation that substantially reduces greenhouse gas, criteria pollutant, and toxic air contaminant emissions, even though regional NOx and VOC emissions remain significant and unavoidable. Mobile-source health risk assessments and refined dispersion modeling confirm that, with these measures, diesel particulate and localized pollutant concentrations at nearby residences and schools, including Zimmerman Elementary School, would be well below SCAQMD's cancer-risk and localized-impact thresholds.

Further, imposing a project-specific ZE truck mandate before the broader market and infrastructure are ready could unintentionally worsen regional air quality by shifting, rather than eliminating, truck activity. Because this Project will compete with other warehouses in the Inland Empire and the Basin, a stringent ZE requirement that most carriers cannot presently meet would likely divert shippers to other facilities without such constraints, which may be located farther from the ports or key customers and thereby increase average truck VMT and aggregate diesel emissions within the Basin.

Accordingly, the claim that the Recirculated Draft EIR "fails to include feasible mitigation measures by refusing to require Class 7 and 8 ZE trucks" is not supported by substantial evidence. The Recirculated Draft EIR identifies the Project's significant regional air quality and GHG impacts, includes all feasible mitigation, including enforceable, phased commitments to ZE trucks as they become widely available, and explains, based on detailed technical analysis, why an immediate fixed ZE truck mandate is not currently feasible. The Recirculated Draft EIR's treatment of ZE truck mitigation therefore complies with CEQA.

Comment O3.31: This comment states that ZE Class 7 and 8 trucks would be feasible mitigation that would reduce air quality impacts. The comment supports this by stating the total cost of ownership for battery-electric trucks is less than diesel trucks. The comment further states that the major barriers including battery and charging infrastructure availability have been overcome and there are numerous battery-electric truck models available for purchase. Finally, the comment notes that California government agencies are pushing for widespread usage through regulatory mandates, grant programs, and financial incentives.

Response to Comment O3.31: Please refer also to Response to Comment O3.30. Substantial evidence in the Recirculated Draft EIR and its Appendix B demonstrates that, notwithstanding emerging technologies and State incentive programs, a current blanket requirement that all or a fixed percentage of tenant trucks be Class 7–8 ZE vehicles is not a feasible mitigation measure for this Project under CEQA. As of 2024–2025, battery-electric Class 7–8 trucks constitute well under one percent of the statewide medium- and heavy-duty fleet and are deployed in small pilot fleets, so the technology has not reached the level of commercial maturity or availability needed to reliably serve the Project's full truck demand (Recirculated Draft EIR Appendix B). The comment's generalized references to "numerous studies" on total cost of ownership do not overcome this evidence that, in practice, only a limited number of ZE tractors are available today and they remain concentrated in specialized fleets and routes, not in the broader carrier market from which Project tenants will draw service.

The Recirculated Draft EIR further explains that ZE truck deployment is constrained by the current lack of truck-scale charging and hydrogen infrastructure and by grid limitations. In 2023, California had only one publicly accessible DC fast-charging station able to serve medium- and heavy-duty trucks, and the United States and Canada together had only a small number of heavy-duty-capable DC-fast-charging and hydrogen stations, such that at any time only a limited number of Class 6–8 ZE trucks can practically charge or refuel. (Recirculated Draft EIR, p. 5.3-42). SCAQMD has also recognized that widespread medium- and heavy-duty truck electrification will require substantial grid upgrades costing billions of dollars and implemented over decades, which are outside the control of the County or the Project Applicant and will not be in place when the Project first operates. (*Id*). These infrastructure and grid constraints directly undermine the comment's assertion that "sufficient charging infrastructure" barriers have been "overcome" for purposes of a project-level feasibility finding.

Feasibility under CEQA is project- and context-specific and must consider technological, infrastructural, economic, legal, and practical factors, not only long-term policy goals or theoretical life-cycle cost projections. Here, the Project is a speculative multi-tenant industrial park that will be served largely by third-party common carriers whose truck-purchase decisions the County and individual tenants cannot control. Even assuming some ZE tractors are commercially available somewhere in the market and may have favorable total cost of ownership for certain high-utilization routes, the Recirculated Draft EIR and Appendix B show that (1) they are not available in sufficient numbers to meet the Project's aggregate heavy-duty truck demand; (2) existing and planned truck-scale charging and hydrogen infrastructure in the South Coast Air Basin is sparse, geographically limited, and largely in pilot phases; and (3) the local and regional grid does not yet have capacity to support the large number of high-capacity chargers needed to electrify most or all of the Project's truck trips in the near term. The commenter's reliance on emerging State regulations, incentives, and grant programs likewise does not compel a contrary feasibility finding. Those programs are designed to transform the heavy-duty market over time, but they do not ensure that adequate ZE tractor supply, charging infrastructure, or grid capacity will be in place coincident with this Project's initial buildout, nor do

they give the County legal authority to require all independent carriers serving the site to convert immediately to ZE trucks. CEQA does not obligate a lead agency to mandate compliance with aspirational long-term policy objectives before the necessary technological and infrastructural conditions exist, particularly where the agency lacks direct regulatory authority over the affected mobile sources.

On this record, the County reasonably concluded that a blanket requirement that all or a fixed percentage of Class 7–8 trucks serving the Project be ZE is not currently "capable of being accomplished in a successful manner within a reasonable period of time," considering economic, technological, infrastructural, and legal constraints, and therefore is not a feasible mitigation measure under CEQA. Instead, the County adopted a suite of enforceable measures, including Mitigation Measures AQ-19 and AQ-20, that require tenants to transition to ZE heavy-, medium-, and light-duty trucks when they become "widely commercially available" under an objective cost- and performance-based definition, and that require installation of onsite electrical infrastructure to support future truck charging. These measures, together with stringent construction controls, idling limits, electric yard equipment, EV charging for passenger vehicles, and transportation-management strategies, substantially reduce the Project's emissions while ensuring that ZE trucks will be adopted as soon as it is feasible to do so. Accordingly, the claim that CEQA compels an immediate Class 7–8 ZE truck mandate is not supported by substantial evidence. The Recirculated Draft EIR and Final EIR identify the Project's significant regional air quality impacts, adopt all feasible mitigation, and provide a reasoned, evidence-based explanation for declining to impose a ZE truck requirement that is not yet feasible in light of current market, infrastructure, and legal constraints.

Comment O3.32: This comment states that the total cost of ownership (TCO) for battery-electric trucks is less than diesel trucks, and expect to further decrease as technology progresses. In addition, California and the South Coast Air Basin have many financial incentives in place to speed up the introduction of an electric fleet. The comment states that numerous studies, including studies by CARB and the International Council on Clean Transportation, demonstrate that the electric semi-trucks have a lower TCO than both diesel and natural gas semi-trucks. The comment further states that when the environmental externalities of air pollution and GHG emissions are monetized and incorporated into a TCO analysis, battery-electric trucks are even cheaper compared to diesel.

Response to Comment O3.32: Please refer to also Response to Comment O3.30. The comment focuses narrowly on regional or statewide total cost of ownership comparisons and long-term cost trends for battery-electric semi-trucks, but CEQA's feasibility test is broader and project-specific: a mitigation measure must be "capable of being accomplished in a successful manner within a reasonable period of time", considering technological, infrastructural, economic, legal, and practical factors in the context of the particular project. The Recirculated Draft EIR and Appendix B present substantial evidence that, notwithstanding promising total cost of ownership projections, a blanket requirement that all or a fixed percentage of Class 7–8 trucks serving this multi-tenant logistics Project be ZE on day one is not presently feasible. As of 2026, ZE Class 7–8 trucks constitute a very small, pilot-scale share of the statewide medium- and heavy-duty fleet, on the order of a few hundred vehicles spread among multiple fleets and well under one percent of the total truck population, so the number of commercially available units is insufficient to meet the Project's anticipated truck demand (Recirculated Draft EIR Appendix B).

In addition, the CARB report referenced by the commenter relies on theoretical implementation of zero emission trucks at a wider scale in order to support the development of the Advanced Clean Fleets regulation. The study focuses on the TCO for ZE trucks at a fleet-wide basis in California and does not present that ZE trucks are truly commercially available or feasible for individual developments. Further, while state benefits like the Clean Truck and Bus Voucher Incentive Project can theoretically lower upfront purchase costs, this funding is only provided through eligible dealers, which as discussed within Appendix B to the Recirculated Draft EIR, still do not have sufficient vehicles to provide 100 percent ZE trucks for entire fleets. Further, the report by Dale Hall and Nic Lutsey that is referenced by the commenter relies on theoretical implementation of ZE trucks and discloses the potential for future cost reductions.

Further, the Recirculated Draft EIR explains that deployment of ZE trucks is constrained by current truck-scale charging and hydrogen infrastructure and by grid capacity, factors which the cited total cost of ownership studies either treat at a high level or assume will be addressed region-wide over time. In 2023, California had only one publicly accessible DC fast-charging station for medium- and heavy-duty trucks, and the United States and Canada together had only a small number of heavy-duty-capable charging and hydrogen stations, such that only a limited number of Class 6–8 ZE trucks can practically charge or refuel at any given time. (Recirculated Draft EIR, p. 5.3-42). SCAQMD has also recognized that widespread medium- and heavy-duty truck electrification will require large-scale grid upgrades costing billions of dollars and implemented over decades, both factors outside of the control of the County or the Project Applicant, and which will not be in place at or near the Project at initial operation.[14] Total cost of ownership results that assume broad availability of incentives, off-site ratepayer-funded infrastructure, or future grid upgrades, all of which remain uncertain at present and going forward, therefore do not demonstrate that this Project can reliably secure enough ZE trucks and usable charging capacity in the near term to support an immediate on-site mandate.

The commenter's reliance on monetized environmental externalities and long-term projections that ZE trucks will be cost-competitive without incentives by 2030 likewise does not alter the present-day feasibility analysis under CEQA. Those studies are useful policy tools, but they do not establish that sufficient ZE tractors, charging infrastructure, or local grid capacity exist today in the South Coast Air Basin to serve all or most of the Project's truck trips, nor do they address the County's limited legal authority over independent carriers that will serve multiple customers and facilities. CEQA does not require the County to mandate early adoption based on projected future cost parity where the necessary vehicles and infrastructure are not yet available at scale and where the County cannot practically require third-party trucking companies operating across the region to replace their fleets on an accelerated schedule.

On this record, the County reasonably concluded that a blanket ZE requirement for all or a fixed percentage of Class 7–8 trucks serving the Project is not a feasible mitigation measure under CEQA at this time, even if certain TCO studies indicate that ZE trucks may be economically attractive under specific statewide incentive and rate assumptions. Instead, the County adopted mitigation measures, including Mitigation Measures AQ-19 and AQ-20, that require tenants to transition to ZE heavy-, medium-, and light-duty trucks once those vehicles are "widely commercially available," based on objective cost and performance criteria, and that require installation of on-site electrical infrastructure and conduit to support future truck charging as the grid and market evolve.

Moreover, the Project's comprehensive package of construction controls, truck-related mitigation, idling limits, electric yard equipment, EV charging for passenger vehicles, transportation management measures, and phased ZE truck commitments already provides robust and effective mitigation that substantially reduces greenhouse gas, criteria pollutant, and toxic air-contaminant emissions. The Recirculated Draft EIR identifies the Project's significant regional air quality impacts, includes all mitigation that is presently feasible, including enforceable, phased commitments to ZE trucks as they become widely available, and provides a reasoned explanation, supported by detailed technical analysis, why an immediate ZE truck mandate is not currently capable of being successfully implemented for this Project.

Comment O3.33: This comment states that the price of battery packs for semi-trucks, and all heavy-duty vehicles, has significantly declined over the past decade, and is expected to continue declining over the next decade. The comment further states that battery technology has advanced enough to support long haul freight operations. The comment cites a study which found that with fast charging, battery-electric semi-trucks

[14] SCAQMD Mobile Source Air Pollution Reduction Review Committee. (2025). *Electric Vehicle Charging Infrastructure Resiliency Program*. Accessed from: https://www.aqmd.gov/docs/default-source/grants/pon2026-01.pdf?sfvrsn=2d056b7e_2

would spend approximately 2 hours charging on a trip between Los Angeles and Chicago and would not significantly affect daily driving time.

Response to Comment O3.33: Please refer also to Response to Comment O3.30 through O3.32. While the commenter is correct in the fact that battery technology for ZE vehicles, including trucks, is improving and will continue to improve, substantial evidence in the Recirculated Draft EIR and Appendix B demonstrates that, notwithstanding emerging technologies, recent corridor projects, and substantial State and utility investments, a present-day blanket requirement that all or a fixed percentage of tenant trucks be Class 7–8 ZE vehicles is not a feasible mitigation measure for this Project under CEQA.

While the commenter alludes to a theoretical conclusion that ZE truck charging may only take two hours for a trip between Los Angeles and Chicago, the Recirculated Draft EIR further explains that ZE truck deployment remains constrained by truck-scale charging and hydrogen infrastructure and by grid capacity, particularly in the South Coast Air Basin. The Recirculated Draft EIR documents that, as of early 2026, only a small number of heavy-duty-capable DC-fast-charging and hydrogen stations were in operation across the United States and Canada, such that only a limited number of Class 6–8 ZE trucks could practically charge or refuel at any given time. In addition, as discussed in Response to Comment O3.32, SCAQMD has recognized that achieving widespread medium- and heavy-duty truck electrification will require substantial grid upgrades costing billions of dollars and implemented over decades, which are outside the control of the County or the Project applicant and will not be in place when the Project initially operates. These documented infrastructure and grid constraints directly rebut the assertion that charging barriers have already been "overcome" for purposes of requiring an immediate ZE truck mandate at this individual facility. Overall, while ZE truck charging may not take a significant amount of time, it does not alter the fact that there are not enough, if any, publicly available charging stations along routes for long haul ZE trucks to charge.

Further, as discussed by the report by Dale Hall and Nic Lutsey that is referenced by the commenter, "the total infrastructure costs are substantial, into the hundreds of millions of dollars to reach 10,000 electric trucks".[15] To note, as estimated by CARB, there are approximately 1.8 million medium and heavy-duty trucks operating daily within California.[16] As shown, while battery technology may be improving, there is still not enough charging infrastructure or ZE trucks for purchase to mandate purchase of ZE trucks at this time.

CEQA's feasibility standard is project- and context-specific, and requires consideration of technological, infrastructural, economic, legal, and practical constraints, not only long-term policy objectives or generalized descriptions of statewide trends. This Project is a multi-tenant industrial park with no known tenants expected to be served largely by third-party common carriers whose fleet procurement and routing decisions the County and individual tenants do not control. Even assuming some long-haul ZE tractors exist and individual depots or corridors are emerging, the Recirculated Draft EIR and Appendix B show that: (1) zero-emission trucks are not yet available in sufficient numbers to meet the Project's aggregate heavy-duty truck demand; (2) existing and foreseeable truck-scale charging and hydrogen infrastructure in the region is still sparse, limited to select corridors and nodes, and largely in pilot or early-deployment phases; and (3) the local and regional grid does not yet have the capacity to support the large number of high-capacity chargers that would be needed to electrify most or all of the Project's truck trips in the near term.

On this record, the County reasonably concluded that a blanket requirement that all or a fixed percentage of Class 7–8 trucks serving the Project be ZE is not presently "capable of being accomplished in a successful manner within a reasonable period of time" and therefore is not a feasible mitigation measure under CEQA.

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[15] Dale Hall and Nic Lutsey. (2019). *Estimating the Infrastructure Needs and Costs for the Launch of Zero-Emission Trucks*. International Council on Clean Transportation. Accessed from: https://theicct.org/sites/default/files/publications/ICCT_EV_HDVs_Infrastructure_20190809.pdf.

[16] California Air Resources Board. (2024, September 25). *California truck availability analysis.* https://ww2.arb.ca.gov/sites/default/files/2024-09/240925_actmemo_ADA_0.pdf

Instead, the County adopted a suite of enforceable measures including MM AQ-19 and MM AQ-20, that require tenants to transition to ZE heavy-, medium-, and light-duty trucks when those vehicles are "widely commercially available" under an objective cost- and performance-based definition, and that require installation of on-site electrical infrastructure sized to support future truck charging as the market and grid evolve. Together with stringent construction controls, idling restrictions, electric yard equipment, EV charging for passenger vehicles, and transportation-management strategies, these measures substantially reduce the Project's emissions while ensuring that ZE trucks will be adopted as soon as it is practical to do so. The Recirculated Draft EIR and Final EIR identify the Project's significant regional air-quality and GHG impacts, adopt all mitigation that is currently feasible, and provide a reasoned, evidence-based explanation for declining to impose a ZE-truck requirement that cannot yet be implemented reliably given existing market, infrastructure, and legal constraints.

Comment O3.34: This comment states that there has been significant investment by California public utilities in medium and heavy-duty charging infrastructure. The comment states that there are projects all over the state and country building up charging infrastructure for medium and heavy-duty electric trucks. The comment further states that the Recirculated Draft EIR's reliance on 2025 data regarding the number of charging ports in the US is not substantial evidence that battery electric trucks are infeasible. The comment further states that microgrid-enabled charging hubs could supplement power for electric fleets and cites a hub in Torrance, California which powers 96 charging stalls on a 9-MW microgrid made up of six independent units with 18 megawatt-hours of onsite battery storage. The commenter also cites the proposed Greenlane, with plans for a 280-mile electric truck charging corridor and a charging depot in Ontario which offers 10 charging ports that can charge up to 20 vehicles daily. The comment says these examples undermine the Recirculated Draft EIR's premise that charging infrastructure is infeasible without major grid upgrades.

Response to Comment O3.34: Substantial evidence presented in the Recirculated Draft EIR demonstrates that a fixed requirement that tenants now use ZE Class 7–8 trucks is not feasible because such vehicles and their supporting infrastructure are not yet widely commercially available. As of 2026, ZE Class 7–8 trucks made up only a small, pilot-scale share of the overall truck market, on the order of a few dozen units in individual fleets and well under one percent of the statewide medium- and heavy-duty population (Recirculated Draft EIR Appendix B). ZE truck technology has not reached the level of commercial maturity needed to support a mandatory conversion for all or a fixed share of trucks serving this Project. The commenter's reliance on aggregate investment commitments and program budgets for future charging infrastructure does not alter this present-day market condition or demonstrate that sufficient ZE tractors are currently available in the broader common-carrier market to meet the Project's heavy-duty truck demand.

The Recirculated Draft EIR, Appendix B further explains that ZE truck deployment is constrained by the lack of truck-scale infrastructure: in 2026, California had only five publicly accessible DC fast-charging stations for medium- and heavy-duty trucks[17], and the United States and Canada together had only a limited number of heavy-duty-capable charging and hydrogen stations, meaning that, at any given time, only a small number of Class 6–8 ZE trucks could practically charge or refuel. (Appendix B, p. 13-14). As a result, most ZE trucks are effectively confined to short local routes between a home base and nearby customers and cannot yet support the regional and long-haul movements that would realistically serve tenants at this multi-tenant logistics Project, even if some corridor or port-area charging projects are beginning to come online. Updated statewide counts of medium-duty and heavy-duty charging points and emerging microgrid-based depots likewise indicate a transition in progress, but they do not show that a mature, widely accessible heavy-duty charging network exists today across the full range of routes that will serve this Project.

[17] CalStart. (2026). National Medium & Heavy Duty Zero-Emission Infrastructure Map. Accessed from: https://calstart.org/mhd-infrastructure-map/

The Recirculated Draft EIR also cites SCAQMD's recognition that widespread medium- and heavy-duty electrification will require major grid upgrades costing billions of dollars and implemented over decades, which are outside the control of the County or the Project applicant and will not be in place at or near the Project at initial operation. (See Recirculated Draft EIR, p. 5.3-42). In this context, a mandate that tenants immediately operate all or a fixed percentage of Class 7–8 trucks as ZE vehicles would require both a vehicle supply and an infrastructure network that simply do not yet exist at the necessary scale in the South Coast Air Basin.

The commenter's reliance on CPUC approvals, CEC program budgets, and utility planning targets therefore does not compel a different feasibility conclusion. Those programs are designed to transform the medium- and heavy-duty truck market over time, but they do not guarantee that sufficient ZE tractor supply, operational charging access along the specific routes serving this Project, or adequate grid capacity will exist during the Project's initial operating years, nor do they provide the County with legal authority to require all independent carriers serving the site to convert immediately to ZE trucks. CEQA does not obligate a lead agency to mandate compliance with aspirational long-term policy goals before the necessary vehicles, infrastructure, and regulatory authority exist to implement such a mandate successfully.

While the commenter provides multiple examples of EV truck charging stations that have either been developed or are in the planning stage, these chargers would not provide sufficient charging stations for Project trucks to charge alongside ZE trucks accessing other industrial facilities throughout California. In addition, only two Greenlane facilities are open that provide 13 pull-through chargers for trucks with trailers and 29 chargers for bobcats.[18] As demonstrated by the limited number of developed chargers, ZE truck charging stations have not been developed at the scale necessary to support widespread commercial availability and use of ZE trucks.

Feasibility under CEQA is inherently project- and context-specific and must account for technological, infrastructural, economic, and practical factors, as well as the lead agency's legal authority; statewide utility funding and CEC program totals, by themselves, do not establish that a project-specific mandate is presently "capable of being accomplished in a successful manner within a reasonable period of time." Here, the Project is a multi-tenant industrial park expected to attract a variety of shippers and carriers, many of whom rely on third-party common carriers whose fuel choices and capital-investment decisions the County and tenants cannot control. Even assuming that utility-funded programs and port initiatives will, over time, support more than 10,000 trucks and buses, the Recirculated Draft EIR and Final EIR show that ZE tractors are not yet available in sufficient numbers to serve this Project's anticipated truck trips, that truck-scale charging and hydrogen infrastructure remains sparse and geographically limited, and that the grid upgrades needed to support large on-site truck charging cannot be delivered in the near term. The commenter's description of economies of scale and future cost reductions therefore reflects expected long-term trends, not current project-level feasibility.

On this record, the County reasonably concluded that a blanket ZE requirement for all or a fixed percentage of Class 7–8 trucks serving the Project is not a feasible mitigation measure under CEQA, even if such a mandate might appear feasible in the abstract. Instead, the County adopted mitigation measures, including Mitigation Measures AQ-19 and AQ-20, that require tenants to transition to ZE heavy-, medium-, and light-duty trucks once those vehicles are "widely commercially available," using an objective cost- and performance-based definition, and that require installation of on-site conduit and infrastructure to support future truck charging. These measures ensure that the Project will shift to ZE trucks as soon as it is practical to do so, consistent with the build-out of regional charging networks and grid capacity.

[18] Greenlane Infrastructure LLC. (2026). *Locations*. https://www.drivegreenlane.com/locations/

Accordingly, the claim that utility and agency charging investments render infrastructure constraints irrelevant and compel an immediate Class 7–8 ZE truck mandate is not supported by substantial evidence. As discussed in Response to Comment O3.33, above, the Recirculated Draft EIR identifies the Project's significant regional air quality, impacts includes all feasible mitigation (including enforceable, phased commitments to ZE trucks as they become widely available) and explains, based on detailed technical analysis, why an immediate fixed ZE truck mandate is not currently feasible. The Recirculated Draft EIR's treatment of ZE truck mitigation therefore complies with CEQA.

Comment O3.35: This comment stated that ZE trucks are readily available that could make the Project's average trip length of 40 miles. The comment states that numerous companies such as Tesla and Daimler have announced numerous models of Class 7 and 8 Battery-Electric semi-trucks that are currently available for purchase. The comment states that the Recirculated Draft EIR's claim that there are currently 226 medium-duty and 197 heavy-duty ZE vehicles within the SCAQMD is incorrect, as the San Pedro Bay ports Clean Air Action Plan states there are currently 629 ZE port drayage trucks. The commenter provides examples of several companies in several industries that are upgrading their fleet to ZE such as the Beaumont Pointe Project in Beaumont, approximately 35 miles from the proposed Project. The comment concludes by stating that the various studies demonstrating the affordability of battery-electric semi-truck on a lifetime basis as well as the numerous examples of companies implementing these electric fleets illustrate the feasibility for the widespread usage of Class 7 and 8 battery-electric trucks.

Response to Comment O3.35: Substantial evidence presented in the Recirculated Draft EIR demonstrates that a fixed requirement that tenants now use ZE Class 7–8 trucks is not feasible because such vehicles and their supporting infrastructure are not yet widely commercially available. As of 2026, ZE Class 7–8 trucks made up only a small, pilot-scale share of the overall truck market. The technology has not reached the level of commercial maturity needed to support a mandatory conversion for all or a fixed share of trucks serving this Project. The examples cited by the commenter (orders by specific companies, port-drayage programs, USPS pilots, and other individual warehouse projects) reflect specific examples of use but do not show that ZE tractors are currently widely available in sufficient numbers within the general common-carrier market from which Project tenants will obtain most truck service. These examples may inform future projects but are not reflective of industry trends.

Furthermore, as discussed in Response to Comment O3.33, above, the Recirculated Draft EIR identifies the Project's significant regional air quality impacts, includes all feasible mitigation (including enforceable, phased commitments to ZE trucks as they become widely available) and explains, based on detailed technical analysis, why an immediate fixed ZE truck mandate is not currently feasible. The Recirculated Draft EIR's treatment of ZE truck mitigation therefore complies with CEQA.

Comment O3.36: This comment states that California is incentivizing the use of ZE semi-trucks and SCAQMD cites the commercial availability of electric trucks and is beginning to strongly incentivize the purchase of these types of trucks. On June 12, 2025, Governor Newsom signed Executive Order N- 27-25, reaffirming California's commitment to deploy ZE vehicle technologies to improve air quality, especially in communities disproportionately impacted by pollution. CARB launched Drive Forward, an initiative that will support the development of medium- and heavy-duty ZE vehicle regulations, incentive programs, outreach and education, and complementary programs and policies that enable clean vehicle deployment. The Port of Los Angeles has prioritized ZE trucks and infrastructure, and has collected approximately $123 million in Clean Truck Fund revenues to help operators purchase ZE trucks and develop supporting infrastructure. The comment states these incentives are not incorporated into TCO studies and the programs, regulations, and incentives show the feasibility of requiring Class 7 and 8 battery-electric semi-trucks at freight facilities.

Response to Comment O3.36: Substantial evidence presented in the Recirculated Draft EIR demonstrates that a fixed requirement that tenants now use ZE Class 7–8 trucks is not feasible because such vehicles and their supporting infrastructure are not yet widely commercially available. While the County recognizes and

supports ongoing State and regional efforts to accelerate ZE truck deployment, those policy initiatives do not, at this time, compel an immediate Class 7–8 ZE truck mandate for this Project. Regarding Port of Los Angeles investments in ZE trucks and infrastructure, while the Port provides incentives for ZE trucks that access the Port area, the Port of Los Angeles currently has no ZE truck charging infrastructure. As discussed in Responses to Comments O3.29 through O3.35, above, the Recirculated Draft EIR identifies the Project's significant regional air quality impacts, includes all feasible mitigation (including enforceable, phased commitments to ZE trucks as they become widely available) and explains, based on detailed technical analysis, why an immediate fixed ZE truck mandate is not currently feasible. The Recirculated Draft EIR's treatment of ZE truck mitigation therefore complies with CEQA.

Comment O3.37: The comment explains that diesel and particulate matter emissions have been linked to various health impacts which children are especially susceptible to. This comment states that the operation of Class 7 and Class 8 ZE semi-trucks would greatly reduce significant sources of particulate matter and NOx pollution, and provide significant health benefits to the people of Bloomington. The comment concludes in stating that not only is an electric truck fleet feasible, but it would also greatly reduce the proposed Projects' significant impacts.

Response to Comment O3.37: While the commenter is correct that the use of a fully electric truck fleet would reduce operational air quality impacts, implementation of the measure is not feasible at this time. As discussed on page 5.3-48 through 5.3-50 of the Recirculated Draft EIR, as of 2026, the use of ZE heavy-duty trucks in support of uses such as those proposed by the Project remains infeasible given the extremely limited commercial availability of ZE trucks, as well as infrastructure limitations, including limited truck-accessible charging/refueling stations and electrical grid capacity. Please see additional discussion in Responses to Comments O3.29 through 3.35. As discussed in Response to Comment O3.33, above, the Recirculated Draft EIR identifies the Project's significant regional air quality impacts, includes all feasible mitigation (including enforceable, phased commitments to ZE trucks as they become widely available) and explains, based on detailed technical analysis, why an immediate fixed ZE truck mandate is not currently feasible. The Recirculated Draft EIR's treatment of ZE truck mitigation therefore complies with CEQA.

Comment O3.38: This comment states that implementation of an electric truck fleet would aid in California achieving compliance with federal NAAQS as well as State GHG goals such as SB 32, EO S-3-05, and EO B-55-18. The comment provides that heavy-duty vehicles, including diesel semi-trucks, are a significant source of GHG emissions. Battery electric trucks have significantly less life cycle GHG emissions than diesel semi-trucks, and the GHG emissions from battery-electric trucks will continue to decrease as California increases the proportion of electricity generated by renewable sources. This comment concludes that requiring usage of battery-electric semi-trucks at the Project site will aid California in meeting its aspirational GHG emissions reduction goals. The comment further states that electrification would have multiple positive economic impacts including greater net employment, and industry activity per dollar invested compared to investment in natural gas vehicles.

Response to Comment O3.38: The commenter is correct in their assertion that battery-electric semi-trucks would aid in California reaching its GHG and air pollution reduction goals. However, as stated above in Response to Comment O3.29 through O3.35, this measure is not feasible at this time. Thus, Mitigation Measures AQ-19 and AQ-20 have been included in the Recirculated Draft EIR to ensure that the Project uses ZE trucks once they are widely commercially available in order to help meet the State's GHG and air pollution reduction goals.

Comment O3.39: This comment states that the Recirculated Draft EIR does not properly analyze or mitigate the Project's significant GHG emissions impact. The comment further states that climate change has caused adverse impacts on human health, livelihoods, and key infrastructure. In response to inadequate action on the national level, California has taken steps through legislation and regulation to fight climate change and reduce statewide GHG emissions. The legislature has found that failure to achieve GHG emissions reductions

would be "detrimental" to California economy. The comment states that the Recirculated Draft EIR relies on the County's GHG Reduction Plan to quantify GHG emissions. The comment further states that the EIR is still unclear in its GHG analysis as it provides no substantial evidence to support the claim that the Project would be consistent with the GHG Reduction Plan, as that is also included as mitigation to be determined at a later date. The comment states the analysis continues to be ambiguous, that all mitigation is hypothetical, and that the Recirculated Draft EIR fails as an informational document. The comment states the Project incorrectly relies on the screening tables as a threshold and a mitigation measure and unlawfully defers the GHG mitigation measures.

Response to Comment O3.39: The County of San Bernardino adopted its GHG Reduction Plan in September 2021, which provides direction for evaluation of GHG emissions during the CEQA review of proposed development projects within the County. The County employs a GHG Development Review Process that specifies a two-step approach in quantifying GHG emissions. First, a screening threshold of 3,000 MTCO2e/yr is used to determine if additional analysis is required. Projects that exceed the 3,000 MTCO2e/yr threshold are required to either achieve a minimum 100 points per the Screening Tables or quantify project-specific GHG emissions and achieve the equivalent level of GHG emissions efficiency as a 100-point project. Consistent with CEQA guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.

Mitigation Measure GHG-1 has been included to ensure application of the GHG reduction measures. Additionally, as stipulated by Mitigation Measure GHG-1, individual projects can utilize different measures than those chosen in Recirculated Draft EIR Tables 5.8-6 and 5.8-7 as long as the total of the measures utilized meet 100 points, which would be verified by the County's Building and Safety Division during permitting of each development within the Specific Plan area, thus ensuring the mitigation measure's occurrence. According to the County's 2021 GHG Emissions Reduction Plan, any project that adopts at least 100 points of GHG performance standards listed in the 2021 Screening Tables, would be consistent with the County's GHG Emissions Reduction Plan to reduce emissions to 40 percent below 2016 levels. Meeting this reduction would be consistent with the State's long-term goal to achieve statewide carbon neutrality (zero net emissions) by 2045, and thus, would result in a Project having a less than significant impact related to GHG emissions.

Regarding the commenter's assertion that Mitigation Measure GHG-1 is deferred and improperly used as a threshold, the measure provides performance standards (achievement of 100 points) and requirements that must be implemented once those performance standards are met. The provision of performance standards and requiring that the measures be implemented in order to achieve 100 points does not constitute mitigation deferral pursuant to CEQA Guidelines Section 15126.4. In addition, the Recirculated Draft EIR does not utilize 100 points as the threshold for determining whether the Project results in a significant impact, it utilizes Mitigation Measure GHG-1 and meeting 100 points as a means to ensure consistency with the County GHG Reduction Plan and thereby mitigation against potentially significant impacts related to GHG emissions.

Comment O3.40: This comment states an EIR must include measures to reduce the wasteful, inefficient, and unnecessary consumption of energy. The comment further states that the Recirculated Draft EIR fails to analyze and mitigate the Project's energy impacts as it relies on vague analysis and unsupported assumptions.

Response to Comment O3.40: This comment is introductory in nature and does not provide any substantial evidence that the Project's energy analysis is faulty or that the mitigation measures are insufficient. Please see Response to Comment O3.41 through O3.46 for responses to the comments summarized here.

Comment O3.41: This comment states that the Recirculated Draft EIR's energy impact analysis is not based on adequate discussion of whether any renewable energy features could be incorporated. The comment states that the courts have ruled that reliance on Title 24 Energy Efficiency Standards and CALGreen Building

Standards is not a sufficient basis for a less than significant finding related to energy use. The comment states that the EIR must be revised to ensure the use of renewable energy options are considered.

Response to Comment O3.41: Renewable energy options are discussed within the Recirculated Draft EIR on page 5.6-23 which discusses that, as required by Mitigation Measure AQ-23, the proposed Project would be required to either install solar photovoltaic panels or other renewable energy generation system onsite or purchase renewable energy so that 100 percent of the expected building load is provided by renewable energy. As future tenants are not known currently, it is too speculative to estimate the energy demand solar panels would offset. As future tenants are unknown and ZE trucks are not yet commercially available nor feasible (as defined in Section 5.3.11), conservatively this analysis does not assume any building energy or transportation energy reductions associated with Mitigation Measures AQ-13, AQ-19, AQ-20, AQ-23, E-1, and GHG-1. Nevertheless, Mitigation Measures AQ-13, AQ-19, AQ-20, AQ-23, E-1 and GHG-1 would ensure that the Project would incorporate renewable energy infrastructure and energy efficient features into Project operations. and that the buildings would operate using solely renewable energy Thus, impacts related to inefficient and wasteful use of energy would be less than significant with incorporation of the cited mitigation measures.

Upon implementation of Mitigation Measure AQ-23, 100 percent of the expected building load is to be provided by renewable energy, either from onsite solar energy systems or through the purchase of offsite renewable energy. This requirement goes beyond the prior reliance on Title 24 and CALGreen compliance and directly responds to the Court's finding that such compliance alone was insufficient to support a finding of no significant energy impact. The inclusion of Mitigation Measure AQ-23 ensures that renewable energy features/use are not merely speculative but are required as a condition of Project approval.

Comment O3.42: This comment states that Mitigation Measure GHG-1 is insufficient as it is improperly deferred and lacks enforcement. The comment states that the EIR points to the County's GHG Reduction Plan Screening Tables which include measures such as increased insulation and cool roof features; however, Mitigation Measure GHG-1 only requires that the Project meet 100 points and does not specify the means by which the Project must meet the measure. As some measures include features such as bike paths and sidewalk, which would not reduce energy use, the EIR cannot rely on the Screening Tables to reduce impacts related to energy use.

Response to Comment O3.42: As stated on page 5.6-20 of the Recirculated Draft EIR, "As future tenants are unknown and ZE trucks are not yet commercially available nor feasible (as defined in Section 5.3.11), conservatively this analysis does not assume any building energy or transportation energy reductions associated with Mitigation Measures AQ-13, AQ-19, AQ-20, AQ-23, E-1, and GHG-1. Nevertheless, Mitigation Measures AQ-13, AQ-19, AQ-20, AQ-23, E-1, and GHG-1 would ensure that the Project would incorporate renewable energy infrastructure and energy efficient features into Project operations." Thus, the Recirculated Draft EIR did not rely solely on implementation of the screening table in its evaluation of operational energy impacts. Further, Mitigation Measure GHG-1 is not deferred mitigation as the screening tables within the County's GHG Reduction Plan set forth specific performance standards that must be met. In addition, Mitigation Measure GHG-1 would be fully enforceable through implementation of the Project's Mitigation Monitoring and Reporting Program and conditions of approval.

Comment O3.43: This comment states that the Recirculated Draft EIR lacks analysis of Mitigation Measure AQ-23 on the difference between onsite solar and the purchasing of renewable energy. The comment claims that while purchasing offsite renewable energy would lessen the Project's energy impact in some ways, onsite renewable generation like solar PV panels would deliver more local and cumulative benefits to the Project site. It further claims that by failing to properly analyze the effects of these feasible measures, the Recirculated Draft EIR fails to disclose the ways in which the individual measures could substantially lessen the Project's energy impact. The comment further states that onsite solar is a feasible measure which has

been carried out in various industrial projects in Southern California such as at the Amazon Air Hub at San Bernardino International Airport

Response to Comment O3.43: The proposed Project incorporates Mitigation Measure AQ-23 which requires either: 1) installed solar photovoltaic (PV) panels or other source of renewable energy generation on the site, or 2) otherwise acquired energy that has been generated by renewable sources, such that either option will provide 100 percent of the expected building load for such building. through renewable energy sources This is because future tenants for proposed buildings are not known at this time. Therefore, future energy demands of the future tenants cannot be precisely determined at this time. Thus, if due to building constraints or operational characteristics, it is not possible to provide 100 percent of the operation electricity demand, there is still a requirement to ensure that offsite energy purchased for operations would need to be from renewable sources. It should be noted that as of 2022, approximately one third of the power generated by Southern California Edison is from renewable sources, and this is anticipated to continue to increase under the State's Renewable Portfolio Standard, which requires retail sellers of electric services to increase procurement from eligible renewable resources to 44 percent of total retail sales by 2024. The amount of retail electricity provided from renewable sources is expected to further increase significantly in order to meet the state goal of carbon neutrality by 2045. Nevertheless, Mitigation Measure AQ-23 would ensure that electricity for the proposed Project buildings would come from 100 percent renewable energy sources, either onsite or offsite. Therefore, the source of the renewable energy would not change the resulting energy efficiency associated with the Project.

Comment O3.44: This comment states that the Recirculated Draft EIR should consider mitigation measures such as onsite renewable energy storage to prevent the wasteful use of fossil fuels. The comment states that projects around the state are including behind-the-meter microgrids. The comment further states that microgrids would reduce NOx and $PM_{2.5}$ and toxic air contaminants in the community. The comment concludes by stating that the Bloomington area has a high wildfire risk which endures public safety power shut offs to mitigate risks, and onsite energy storage would avoid the use of wasteful diesel.

Response to Comment O3.44: The Recirculated Draft EIR already addresses energy efficiency and renewable energy measures through Mitigation Measures AQ-11 and AQ-23, and related sustainability measures, which require onsite renewable energy generation (e.g., solar photovoltaic systems) and promote the use of energy-efficient equipment, including trucks and fleet vehicles. Battery storage functions by shifting or storing electricity from one time period to another. It does not generate additional renewable energy, and it does not reduce the total electricity consumption or associated emissions from Project operations. If the Project's electricity demand is met by 100 percent renewable energy, either produced onsite or offsite, storing that electricity onsite temporarily through batteries does not decrease grid emissions, fuel use, or air quality impacts. The stored electricity still ultimately relies on the same energy sources and produces the same environmental footprint. Because battery energy storage alone does not decrease energy use or reduce emissions, requiring a battery system would not constitute meaningful mitigation of the Project's energy or air quality impacts. Further, there is no evidence within the record that the Project would result in strain on the grid or surrounding infrastructure and due to the inclusion of Mitigation Measure AQ-23, the Project would not rely on traditional electricity sources that strain the grid. In this case, the Project buildings would be required to utilize 100 percent renewable energy, independent of requiring battery storage.

Comment O3.45: This comment states that the Recirculated Draft EIR should consider the use of ZE trucks as they are readily available and feasible today and refusing to include them as mitigation is considered a wasteful, inefficient, and unnecessary consumption of energy resources.

Response to Comment O3.45: As discussed above in Response to Comment O3.29 through O3.35, unlike commercial solar equipment, ZE trucks and the required charging infrastructure are not currently commercially available such that the proposed industrial building would be able to operate with a fully electric fleet at this time.

Comment O3.46: This comment states that the Recirculated Draft EIR cumulative energy impact analysis is deficient as it lacks any real quantitative or qualitative analysis on the Project's cumulative energy impacts. The comment further states that energy resources in the region are cumulatively impacted due to overloaded infrastructure and high energy demand. For this reason, the County should prioritize onsite renewable energy generation, energy storage, and microgrids in addition to purchasing offsite renewable energy to fill any remaining delta. The comment further claims that generating renewable energy onsite will have significantly more cumulative benefits for the region than purchasing renewable energy offsite.

Response to Comment O3.46: In the San Bernardino County Superior Court's September 2024 Ruling, the Court concluded that the cumulative energy impacts analysis was deficient because the EIR had not adequately determined whether the Project would result in wasteful, inefficient, or unnecessary consumption of energy resources on a project-level. The Recirculated Draft EIR corrects this deficiency by expanding the Project-level energy analysis within Section 5.6, *Energy*, and adopting enforceable mitigation measures such as Mitigation Measure AQ-23, which requires each building to meet 100 percent of its expected energy load through renewable energy sources. Regarding microgrids and battery storage, the commenter is referred to O3.44.

Because the Project's energy consumption is conditioned upon renewable energy supply, as required by Mitigation Measure AQ-23, the Project does not contribute to cumulative impacts associated with wasteful, inefficient, or unnecessary energy use. The cumulative analysis is therefore appropriately grounded in a revised and adequate Project-level determination, consistent with CEQA Guidelines § 15130(a)(1).

Comment O3.47: This comment states that the Recirculated Draft EIR fails to connect Project-related noise emissions with real-world impacts on nearby residents such as increases in the risk of high blood pressure, coronary heart disease, and heart attacks, in violation of CEQA. Ambient noise at several of the sensitive receptors is already quite close to the 80 dBA threshold used in the Recirculated Draft EIR and the Project would generate sufficient noise to more than double the ambient noise at some of those receptors and the Recirculated Draft EIR fails to discuss the potential impacts from the increased noise levels.

Response to Comment O3.47: This comment appears to conflate peak noise levels (Lmax) with typical average exterior ambient levels (Leq). As shown on Table 5-1 of the 2021 Noise Study (included as Appendix J1 to the Original Draft EIR), the existing ambient daytime noise levels are shown to range from 55.3 to 75.0 dBA Leq. Table 5 of the 2025 Noise Assessment (included as Appendix C to the Recirculated Draft EIR) shows that the unmitigated typical daytime construction noise levels will range from 60.1 to 69.1 dBA Leq. Therefore, the Project will not add noise levels that would result in a doubling of ambient noise levels. The comment is otherwise introductory in nature and additional responses are provided to the more detailed comments below.

Comment O3.48: This comment states that the Recirculated Draft EIR establishes a threshold of significance for noise without substantial evidence that claims that increases in noise of up to 12 decibels are not significant, unless the increase would result in an exceedance of one of the Recirculated Draft EIR's other noise thresholds. The comment states that the Caltrans report used to justify the 12-dBA threshold was for building new or fixing old highways and expressly cautions against the application of its analyses to other, unrelated projects. The comment further states that the Recirculated Draft EIR unlawfully relies on this to avoid meaningfully analyzing Project-related noise impacts on nearby sensitive receptors and fails to explain why the threshold is sufficient to be used on this project. The comment claims the analysis provides evidence of a significant impact as noise levels would reach above 67 dBA, which the Caltrans report states is the approximate level at which noise begins to interfere with human speech, and the noise analysis should be redone to mandate mitigation measures to minimize impacts.

Response to Comment O3.48: According to Appendix G of the CEQA Guidelines, impacts would be potentially significant if the Project results in or causes the generation of a *substantial* temporary or permanent increase in ambient noise levels in the vicinity of the project. As discussed in Section 4.2 of the

Noise Analysis Report, while there is no completely satisfactory way to measure the subjective effects of noise or of the corresponding human reactions of annoyance and dissatisfaction, the Federal Interagency Committee on Noise (FICON) developed guidance to be used for the assessment of long-term noise level increases. These limits are based primarily on the annoyance caused by the change over a long period; however, FICON offers no guidance on short-term increases or human reactions to short-term changes in noise levels.

In California, according to Caltrans Guidance, a *substantial* noise increase is considered to occur when the "project's predicted worst-hour design-year noise level exceeds the existing worst-hour noise level by 12 dBA or more. According to the Caltrans Traffic Noise Analysis Protocol, the use of 12 dBA was established in California many years ago and is based on the concept that a 10 dB increase generally is perceived as a doubling of permanent loudness. A collective decision by Caltrans staff, which was approved by FHWA, was made to use 12 dBA.

The commenter highlights the fact that Caltrans acknowledges that this *12 dB increase should not necessarily be used for all projects* (such as quiet rural environments); however, the commenter conveniently fails to include the full text. The full text suggests that the limitation of the 12 dB limit is that a 12 dB increase would not necessarily be deemed significant for noisy urban environments.

Further review of published substantial evidence from the City of Los Angeles in their recent adoption of new construction thresholds indicates there should not be any daytime noise-level increase threshold. The City of Los Angeles found the 10 dBA daytime construction noise increase thresholds previously employed in the City of Los Angeles to be overly conservative, especially in the context of impacts on public health that often results in *significant* impact determinations, even for routine construction activities that are expected to occur in an urban environment. Based on these findings, the updated City of Los Angeles CEQA Thresholds Guide identifies a 5 dBA nighttime construction noise increase threshold but no longer maintains a numerical threshold above ambient noise levels for daytime construction activities. Therefore, the use of a 12 dBA threshold for construction noise impacts captures the significant perceptible increases while acknowledging the temporary nature of construction activities, even when other jurisdictions and the substantial evidence do not support the use of daytime construction noise increase thresholds altogether.

In this regulatory context, the County's use of a 12 dBA threshold for evaluating construction noise impacts is conservative and appropriate. It captures clearly perceptible and *substantial* increases in noise (consistent with Caltrans guidance) while recognizing the temporary nature of construction activities, particularly where other jurisdictions no longer apply any daytime construction noise increase threshold. Accordingly, the Recirculated Draft EIR's construction noise threshold of significance is supported by substantial evidence and consistent with accepted CEQA practice.

Comment O3.49: This comment states that the Recirculated Draft EIR fails to analyze or mitigate noise impacts on nearby wildlife. Field observations and controlled laboratory experiments have shown that traffic noise can significantly degrade habitat value for migrating songbirds. The comment claims that the Recirculated Draft EIR fails to acknowledge those impacts, which is in violation of CEQA.

Response to Comment O3.49: As further discussed in Master Response 2, the Recirculated Draft EIR analysis focused on the areas that were determined to be inadequate by the San Bernardino Superior Court September 2024 Ruling, specifically impacts related to air quality, energy, greenhouse gas, noise, and alternatives. Therefore, concerns outside those areas (including noise impacts to wildlife) are not further addressed in this document although they were fully analyzed in the Original Draft EIR and will be taken into consideration by the County decision makers in evaluating what action to take on this Project.

Comment O3.50: This comment states that Mitigation Measures NOI-2 through NOI-8 are unenforceable and must consider amending the measures to require County staff to regularly inspect the site to ensure compliance. In addition, the comment provides additional mitigation measures to implement including

shielding loading dock doors, truck route restrictions, on-site queuing, and verifying muffler and acoustic shrouds are equipped. The comment further states that these are standard warehousing measures that should be mandated by the County to reduce impacts or provide an explanation for declining such measures. The comment also states that electric trucks would significantly reduce Project related noise impacts while also reducing other impact areas.

Response to Comment O3.50: The Project Applicant would bear responsibility for compliance with all mitigation measures included in the Mitigation and Monitoring Reporting Program, included as Section 4.0 of this Final EIR. All of the mitigation measures are included in the Project's Mitigation Monitoring and Reporting Program, which is a legally binding instrument of the Final EIR, to ensure implementation along with the Specific Plan. Further, adherence to the mitigation measures would be included as a condition of approval for the Project. While Mitigation Measures NOI-2 through NOI-8 are required to be implemented prior to the issuance of demolition and/or grading permits, the measures provide specific details or measures that the Applicant and/or Project must attain in order to comply with the mitigation and receive demolition and/or grading permits. Until these measures are achieved, no demolition or grading permit will be issued by the County. These measures include enforceable requirements for construction sound walls, mufflers, properly locating stationary equipment and construction areas, limiting construction equipment and material delivery hours, and prohibiting music. Therefore, these are fully enforceable in alignment with the requirements of CEQA.

As discussed in Section 5.12.12 of the Recirculated Draft EIR, all impacts related to noise and vibration would be mitigated to a level that is less than significant upon implementation of Mitigation Measures NOI-1 through NOI-8.

Furthermore, while the commenter provides suggested mitigation measures to reduce operational noise levels, including use of electric trucks, as substantiated within Recirculated Draft EIR pages 5.12-42 through 5.12-56 would be less than significant. Thus, as operational noise impacts are less than significant, there is no nexus for implementation of the operational mitigation measures suggested by the commenter.

Comment O3.51: This comment states that substantial changes have occurred since the original certification in 2022 regarding research into the impacts of industrial operations on communities like Bloomington. The comment further states that the Recirculated Draft EIR should revisit portions of the Original EIR that were not deemed legally deficient to reevaluate the entire analysis and include a list of circumstances that have changed since 2022.

Response to Comment O3.51: The commenter incorrectly conflates the requirements for subsequent and supplemental analysis under CEQA Guidelines Section 15162 with the requirements to revise certain sections of the Draft EIR pursuant to the Court's writ. The San Bernardino County Superior Court's 2024 decision granted the CEQA writ of petition related to: (1) Alternatives; (2) air quality impacts (Friant Ranch analysis and feasibility of ZE truck mitigation); (3) greenhouse gas emissions impacts; (4) energy impacts; and (5) construction noise impacts. The Court denied the CEQA writ petition on all other grounds raised. Further, no substantial changes are proposed in the Project compared to what was analyzed in the Original Draft and Final EIR; no substantial changes occur with respect to the circumstances under which the Project is being undertaken; and no new information of substantial importance shows that the Project will have one or more significant effects not discussed in the Original EIR, significant effects will be substantially more severe than previously discussed, and no new mitigation measures or alternatives would be feasible that the Applicant declines to adopt.

CEQA generally defines the environmental baseline as the physical environmental conditions that exist at the time the Notice of Preparation (NOP) is published (CEQA Guidelines § 15125(a)). The County published the NOP for the original EIR in 2020, and the Revised Draft EIR is a revision of that environmental document prepared in response to a court remand. Consistent with CEQA Guidelines and controlling case law, the County appropriately retains the 2020 baseline conditions for purposes of environmental analysis. In *Save*

our Peninsula Committee v. Monterey County Board of Supervisors (2001) 87 Cal. App. 4th 99, 120-125, the court determined "If the determination of a baseline condition requires choosing between conflicting expert opinions or differing methodologies, it is the function of the agency to make those choices based on all of the evidence." Specifically, the court upheld respondent's interpretation of Section 15125 that existing conditions must be evaluated as closely as possible to the date the notice of preparation of the EIR is filed, as that is the date the project is officially commenced within the meaning of CEQA, and rejected appellant's argument that the baseline should constitute the conditions immediately before the project is approved and permits are issued.

Here, there are no such changed circumstances that would trigger recirculation. This comment is introductory in nature and the specifically referenced changes are discussed in more detail in comments below.

Comment O3.52: This comment states that the County should reconsider the Project in light of AB 98 and SB 415, which impose new design sitting, and operational standards for warehouse and logistics facilities near sensitive receptors. It further states that the EIR must evaluate feasible project and design alternatives that comply with AB 98's Warehouse Design and Build Standards, including alternatives providing a minimum 500-foot setback between truck loading bays and sensitive receptors, reorienting truck bays away from sensitive uses, incorporating onsite battery storage, and updating the traffic analysis to reflect the Countywide Plan's revised Circulation Element and updated truck routes, particularly near Bloomington.

Response to Comment O3.52: As discussed above in Response to Comment O3.2, the proposed Project entered the local entitlement process with the County of San Bernardino prior to September 30, 2024. Therefore, pursuant to Government Code Sections 65098.1.5(a)(3) and 65098.1.6(a), the requirements established by AB 98 and SB 415 do not apply to the proposed Project, and the Project is not required to comply with these statutes.

A design modification to increase setbacks between loading docks and sensitive receptors does not constitute a distinct alternative to the Project; rather, it is a potential site design consideration that may be addressed through mitigation measures, conditions of approval, or compliance with applicable law.

CEQA does not require the EIR to analyze every conceivable alternative, nor does it require that all alternatives meet all project objectives (*Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 576; CEQA Guidelines § 15126.6(c)). The Recirculated Draft EIR evaluates two No Project alternatives; Alternative 1 (No Project/No Development) and Alternative 2 (No Project/Buildout of Existing Zoning) which is consistent with CEQA Guidelines § 15126.6(e). Alternative 3 (Reduced Project/No Specific Plan Alternative) represents a substantially reduced-intensity industrial development that avoids or substantially lessens several of the Project's significant environmental impacts, including air quality impacts. It retains industrial use on a portion of the site while eliminating the Specific Plan and reducing overall development. While Alternative 3 does not fully meet all of the Project Objectives, an environmentally superior alternative may only partially meet project objectives. The Recirculated Draft EIR's acknowledgment that Alternative 3 fails to meet certain objectives is not a basis for rejecting it from analysis but rather part of the balanced information provided to decision makers.

Regarding the request to update the Recirculated Draft EIR's traffic analysis to account for updated truck routes nearby, the Transportation and Mobility Element of the Countywide Plan was last fully updated in October 2020, prior to the release of Original Draft EIR. In regard to the County's truck routes, the Project would properly utilize identified truck routes and would be prohibited from utilizing certain roadways for truck travel. Given the Project's proximity to I-10, trucks would be funneled to Cedar Avenue, directly to I-10 or SR-60, in line with Countywide Plan Policy TM-5.6.

Comment O3.53: This comment states that Recirculated Draft EIR should be updated to address cumulative impacts from other new or proposed industrial projects in San Bernardino County that have emerged since the Original EIR was certified.

Response to Comment O3.53: CEQA generally defines the environmental baseline as the physical environmental conditions that exist at the time the Notice of Preparation (NOP) is published (CEQA Guidelines § 15125(a)). The County published the NOP for the original EIR in 2020, and the Revised Draft EIR is a revision of that environmental document prepared in response to a court remand. Consistent with CEQA Guidelines and controlling case law, the County appropriately retains the 2020 baseline conditions for purposes of environmental analysis. In *Save our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal. App. 4th 99, 120-125, the court determined "If the determination of a baseline condition requires choosing between conflicting expert opinions or differing methodologies, it is the function of the agency to make those choices based on all of the evidence." Specifically, the court upheld respondent's interpretation of Section 15125 that existing conditions must be evaluated as closely as possible to the date the notice of preparation of the EIR is filed, as that is the date the project is officially commenced within the meaning of CEQA, and rejected appellant's argument that the baseline should constitute the conditions immediately before the project is approved and permits are issued.

As discussed in Response to Comment O3.12, the commenter's reference to other proposed industrial projects does not show that the Recirculated Draft EIR omitted any "reasonably foreseeable" projects from its cumulative scenario or that inclusion of additional individual facilities would change the significance conclusions. CEQA case law makes clear that a cumulative analysis may rely on a summary of projections contained in a general plan, regional plan, or official planning document in lieu of listing every project individually, particularly for regional pollutants such as ozone and $PM_{2.5}$. The Recirculated Draft EIR's air quality analysis follows this accepted approach by relying on SCAG's regional transportation plan/sustainable communities strategy and SCAQMD's AQMP, which encompass countywide industrial growth and goods-movement expansion, including warehouse development corridors similar to those cited by the commenter. In addition, the County's Countywide Plan Mitigation Measure AQ-3 requires project-specific HRAs to consider cumulative diesel risk from other warehouse projects within 1,000 feet when applicable, ensuring that any close-proximity overlapping diesel sources are evaluated in cumulative health-risk terms.

Because the Recirculated Draft EIR already (1) discloses that the Project's operational VOC and NOx emissions are significant and cumulatively considerable on a regional basis, (2) demonstrates through LSTs and refined dispersion modeling that localized pollutant concentrations and diesel health risks remain below applicable thresholds at sensitive receptors, and (3) bases its cumulative context on basin-wide planning documents that account for ongoing industrialization throughout San Bernardino County, no further revision is required to comply with CEQA's cumulative impact requirements in response to this comment.

Comment O3.54: This comment states that the County must analyze and incorporate updated scientific information on greenhouse gas emissions and climate change that has become available since the Original Final EIR was certified in 2022, in particular the IPCC six assessment cycle and report released in Jul 2023.

Response to Comment O3.54: CEQA generally defines the environmental baseline as the physical environmental conditions that exist at the time the Notice of Preparation (NOP) is published (CEQA Guidelines § 15125(a)). The County published the NOP for the original EIR in 2020, and the Revised Draft EIR is a revision of that environmental document prepared in response to a court remand. Consistent with CEQA Guidelines and controlling case law, the County appropriately retains the 2020 baseline conditions for purposes of environmental analysis. In *Save our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal. App. 4th 99, 120-125, the court determined "If the determination of a baseline condition requires choosing between conflicting expert opinions or differing methodologies, it is the function of the agency to make those choices based on all of the evidence." Specifically, the court upheld respondent's interpretation of Section 15125 that existing conditions must be evaluated as closely as possible to the date the notice of preparation of the EIR is filed, as that is the date the project is officially commenced within the

meaning of CEQA, and rejected appellant's argument that the baseline should constitute the conditions immediately before the project is approved and permits are issued.

Further, while the County acknowledges that scientific information is constantly being refined on greenhouse gas emissions and climate change, as discussed on pages 5.8-10 through 5.8-11, Project impacts related to GHG within the County of San Bernardino are analyzed as set forth in the County's GHG Reduction Plan. Therefore, consistent with the requirements of CEQA Guidelines Section 15064.7, the County has its own significance threshold for GHG impacts and the Recirculated Draft EIR's analysis employs the County's GHG Development Review Process that specifies a two-step approach in quantifying GHG emissions. First, a screening threshold of 3,000 MTCO2e/yr is used to determine if additional analysis is required. Projects that exceed the 3,000 MTCO2e/yr threshold are required to either achieve a minimum 100 points per the Screening Tables or quantify project-specific GHG emissions and achieve the equivalent level of GHG emissions efficiency as a 100-point project. Consistent with CEQA guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.

Mitigation Measure GHG-1 has been included to ensure application of the GHG reduction measures. Additionally, as stipulated by Mitigation Measure GHG-1, individual projects can utilize different measures than those chosen in Recirculated Draft EIR Tables 5.8-6 and 5.8-7 as long as the total of the measures utilized meet 100 points, which would be verified by the County's Building and Safety Division during permitting of each development within the Specific Plan area. According to the County's 2021 GHG Emissions Reduction Plan, any project that adopts at least 100 points of GHG performance standards listed in the 2021 Screening Tables, would be consistent with the County's GHG Emissions Reduction Plan to reduce emissions to 40 percent below 2016 levels. Meeting this reduction would be consistent with the State's long-term goal to achieve statewide carbon neutrality (zero net emissions) by 2045, and thus, would result in a Project having a less than significant impact related to GHG emissions.

Comment O3.55: This comment states that the Recirculated Draft EIR contains numerous deficiencies that must be corrected before the County proceeds with the Project and urges the County to fully address the concerns raised in the comment letter.

Response to Comment O3.55: This comment is conclusory in nature and does not provide any substantial evidence that the Recirculated Draft EIR is insufficient. Please see Response to Comment O3.2 through O3.54 for responses to the comments on the adequacy of the Recirculated Draft EIR. No further response is warranted.

Comment O3.56: This comment states that the Recirculated Draft EIR failed to provide a sufficient Friant Ranch analysis for significant and unavoidable air quality impacts. The comment further states that the letter includes comments on the technical memorandum provided within the Recirculated Draft EIR.

Response to Comment O3.56: This comment is introductory in nature and does not provide any substantial evidence that the Project's Friant Ranch Analysis is insufficient. As discussed below in Response to Comments O3.57 through O3.60, Recirculated Draft EIR Appendix B satisfies Friant Ranch by (1) clearly identifying that regional NOx, VOC, and PM emissions from Project operations would be significant and unavoidable, (2) explaining, consistent with expert agency guidance, why quantitatively correlating those emissions to precise, localized health outcomes is not scientifically feasible at the project scale, and (3) using COBRA and comparisons to large, modeled projects to demonstrate that the Project's incremental regional health-risk contribution is expected to be negligible. Accordingly, the commenter's assertion that Appendix B "fails to meet the burden of an adequate Friant Ranch analysis" is not supported by substantial evidence and does not show that the Recirculated Draft EIR's health-effects discussion is inadequate under CEQA.

Comment O3.57: This comment states that the Quereshi Memo's argument that a technical analysis such as the one completed in the Friant Ranch case cannot be done is unreliable and is not supported by substantial evidence. The comment further states that none of the statements from different air quality management

agencies cited in the Memo contain any quantitative information and, therefore, is not substantial evidence. The comment states that the agencies argue that the air quality modeling tools are designed for regional assessments as project specific analyses come with more complex issues, however they never state that such an analysis is infeasible. The comment further states that they disagree with the assertions made by the City of Los Angeles Panel that this type of analysis is currently infeasible, as other agencies such as the EPA acknowledge the applicability of project-specific photochemical modeling. The comment further states that the Friant Ranch project was able to complete such an analysis, and the EPA acknowledges that project specific photochemical modeling can be done.

Response to Comment O3.57: The comment mischaracterizes both the purpose and content of the Recirculated Draft EIR Appendix B Memo and the record on which the County relied. The Memo does not simply repeat "nontechnical" statements to claim that project-level ozone and $PM_{2.5}$ health-impact analysis is impossible; rather, it synthesizes statements from multiple expert air districts and advisory panels explaining the scientific and technical limitations of using regional photochemical models to quantify health outcomes from a single project's precursor NOx and VOC emissions, and evaluates those statements in light of the Friant Ranch decision and applicable EPA guidance. These expert summaries—together with the detailed explanation of model structure, input requirements, and uncertainty—provide substantial evidence that a full project-specific regional health-impact quantification would be unusually complex, resource-intensive, and of limited reliability for this Project, even if such modeling can be performed.

Contrary to the comment's suggestion, the air district briefs cited in the Recirculated Draft EIR Appendix B Memo do not merely say that CMAQ and CAMx are "complex"; they explain that those models were developed and are principally applied for regional planning and attainment demonstrations, not for predicting incremental health outcomes from a single warehouse project whose emissions constitute a very small share of basin-wide precursor loads. As the Memo notes, the agencies caution that current photochemical tools are not well-suited to provide reliable, decision-useful health-impact estimates at the individual-project scale because secondary pollutants form through non-linear chemistry and are strongly influenced by regional background conditions, transport, and meteorology.

The Recirculated Draft EIR and Appendix B to the Recirculated Draft EIR appropriately treat these statements as evidence about the limits of the available methodology, not as a categorical legal bar to analysis, and then explains why, in this case, those limitations render a full Friant-style regional health-impact quantification unnecessary and impractical under CEQA's "rule of reason".

Comment O3.58: This comment states that both the Friant Ranch and the CSUDH project have illustrated the feasibility of this technical analysis. The comment further points out that the Quereshi Memo recognized at least two models that are widely used for photochemical modeling. The comment concludes in stating that the Memo fails to include a discussion of the EPA's position, as they have acknowledged that project-specific photochemical modeling can be done.

Response O3.58: The commenter's reliance on Friant Ranch and the CSUDH project does not demonstrate that the same level of modeling is required or feasible here. As the Recirculated Draft EIR Appendix B and the City of Los Angeles report both explain, Friant Ranch involved a very large, long-term residential development in a valley air basin with specific existing modeling platforms and datasets, and the CSUDH project was evaluated in a highly data-rich coastal setting with bespoke modeling resources. The Memo expressly recognizes that CMAQ and CAMx can be applied at local scales and that some agencies have used them to conduct project-level analyses, but it also explains that such efforts require extensive emissions inventories, multi-year meteorological fields, boundary conditions, and specialized expertise that are not routinely available for individual CEQA projects. Further, as discussed on page 32 of the City of Los Angeles Guidance, tools like BenMap and CAMx would not yield reliable results, as emissions from a development project would be small in comparison to regional projects that these tools are meant for. CEQA does not obligate a lead agency to replicate the most elaborate modeling ever performed in the state where, as

here, the record already contains conservative regional emissions estimates, detailed dispersion-based health-risk analysis for diesel particulate matter and other primary pollutants, and a reasoned explanation of why additional regional secondary-pollutant health quantification would not materially improve decision-making. For additional discussion on choice of modeling tools, see Response to Comment A5.

Comment O3.59: This comment includes an excerpt from a memo published by the EPA, which states that analysis using a MERPS photochemical model and scaling analysis can provide project-level analysis. The comment further states that the Quereshi memo fails to provide adequate justification for failing to include such an analysis.

Response to Comment O3.59: The comment overstates EPA's guidance on "MERPs" and single-source ozone and $PM_{2.5}$ analysis. The Recirculated Draft EIR Appendix B Memo accurately describes EPA's two-tier framework, including the potential use of values derived from hypothetical modeling (such as MERP) and, where warranted, more detailed source-specific photochemical modeling. However, EPA's guidance does not mandate that every project conduct full photochemical modeling; instead, it emphasizes that the appropriate tier and methods depend on the size of the source, its contribution relative to background, the availability of technically credible relationships between emissions and ambient impacts, and consultation with the reviewing authority. For this Project, the Memo explains that no basin-specific values or hypothetical-source modeling currently exist for the South Coast Air Basin that could be credibly scaled to the Bloomington site, and that undertaking a new MERP-type development or full CMAQ/CAMx run solely for this warehouse Project would require extraordinary time and resources without yielding proportionately more informative results than the conservative regional emissions analysis and localized health-risk assessment already provided.

Similarly, the comment selectively quotes the City of Los Angeles Technical Advisory Panel while ignoring the broader context summarized in the City's own Air Quality and Health Effects report. That report acknowledges that, although advanced photochemical modeling is technically possible, no consensus quantitative methodology has yet been adopted by expert agencies to "reliably and meaningfully" translate the relatively small incremental emissions from typical CEQA projects into specific regional health-outcome estimates, and it cautions that results may be highly model-dependent and sensitive to uncertain inputs. Further, as discussed on page 32 of the City of Los Angeles Guidance, tools like BenMap and CAMx would not yield reliable results, as emissions from a development project would be small in comparison to regional projects that these tools are meant for. The Recirculated Draft EIR Appendix B Memo and Recirculated Draft EIR rely on this same body of evidence to conclude that, at present, there is no generally accepted, standardized approach for deriving robust, project-specific regional health metrics for ozone and secondary $PM_{2.5}$ akin to the cancer-risk and hazard-index metrics routinely used for diesel PM and other primary pollutants. That conclusion is consistent with Friant Ranch, which requires a reasonable effort to connect emissions to health consequences, not a particular modeling tool or level of precision in every case.

In any event, the record shows that the County has gone well beyond a mere emissions inventory. The Recirculated Draft EIR provides quantitative regional NOx, VOC, and $PM_{2.5}$ emissions estimates for construction and operation; compares those emissions to SCAQMD regional significance thresholds; conducts refined dispersion modeling and health-risk assessment for diesel particulate and other primary pollutants at nearby receptors, including schools and residences; and discloses that certain regional criteria-pollutant impacts remain significant and unavoidable even with extensive mitigation. The City of Los Angeles report confirms that this combination—quantitative emissions, comparison to health-protective standards, local-scale health-risk analysis, and transparent disclosure of remaining significant regional impacts—constitutes a reasonable, health-protective CEQA approach where regional photochemical health-impact modeling is not reliably available.

Accordingly, the assertion that there is "no justification" under Friant Ranch for not performing full project-specific photochemical modeling for the proposed Project is not supported by the record. The Recirculated Draft EIR Appendix B Memo does not claim that such modeling can never be done. Appendix B explains, consistent with air-district and EPA guidance, why applying those tools to this particular warehouse project would be technically uncertain and disproportionate in light of the Project's relatively small contribution to regional secondary pollutants and the extensive analyses already provided. Under CEQA's rule of reason, the County was entitled to rely on this substantial evidence in determining the appropriate level of analysis. The Recirculated Draft EIR and Final EIR therefore satisfy Friant Ranch by making a reasonable, good-faith effort to relate project emissions to air-quality and health outcomes, explaining the limitations of more speculative modeling, and fully disclosing that certain regional air-quality impacts remain significant and unavoidable. For additional discussion on choice of modeling tools, see Response to Comment A5.

Comment O3.60: The comment states that the comparative analysis included in the Recirculated Draft EIR is unjustified, as it utilizes comparative analysis using the previous results from the CSUDH and Friant Ranch analyses. The comment states that these projects take place in different geographical regions and the Recirculated Draft EIR provides no justification for the comparative analysis. The comment further states that while the proposed Project and the CSUDH project are both located within the South Coast Air Basin, they do not have the same meteorology, climatology, background concentrations, or other attributes. The comment also states that there is no correlation between the existing attainment status of the respective air basins and the background concentrations of pollutants at the various locations. The comment states that the Friant ranch memo provides no justification for the claim that the Project site experiences coastal winds which enhance dispersion. The comment concludes in stating that the conclusions made based on this comparative analysis cannot be relied upon and a comprehensive health impact modeling must be conducted

Response to Comment O3.60: The commenter mischaracterizes both the purpose and content of Recirculated Draft EIR Appendix B. Appendix B does not purport to replace the Project's dispersion modeling or TAC health-risk assessment; those analyses are provided elsewhere in the DEIR/Recirculated Draft EIR using CalEEMod, AERMOD, and OEHHA/SCAQMD-recommended HRA methods to evaluate site-specific emissions, concentrations, and cancer/non-cancer risk at local receptors.

As discussed on Recirculated Draft EIR pages 5.3-44 through 5.3-49 and further clarified in Response to Comment A5 within this Final EIR, Appendix B instead responds to the California Supreme Court's Friant Ranch decision by providing a regional-scale discussion that relates significant criteria-pollutant emissions (NOx, VOC, $PM_{2.5}$) to potential health outcomes, using accepted tools such as USEPA's COBRA model and comparisons to large, modeled projects (Friant Ranch and CSU Dominguez Hills) whose peak daily emissions exceed or are comparable to the Project's. This approach is consistent with expert guidance from SCAQMD, SJVAPCD, SMAQMD, and the City of Los Angeles, which explains that Friant Ranch does not require a project-specific, fine-scale quantitative model of health outcomes where no reliable, non-speculative methodology exists, but instead allows an explanation, supported by substantial evidence, of why only regional or comparative analyses are feasible.

The City of Los Angeles guidance, prepared with a technical advisory panel and appending the very SCAQMD and SJVAPCD amicus briefs cited by the Supreme Court, concludes that for typical development projects, there is "no quantitative method to reliably and meaningfully translate mass emission estimates of criteria air pollutants to specific health effects for the scale of projects typically analyzed" and that regional models such as CAMx/CMAQ and BenMAP are not accurate at project scale because the incremental change in concentrations is within the models' margins of error. The same document explains that, in response to Friant Ranch, lead agencies may satisfy CEQA by (1) relating emissions to health qualitatively and with regional comparisons, and (2) explaining why more refined project-level quantification is infeasible. Appendix B follows this framework.

Contrary to the commenter's claim that comparative analysis "is not what the court ordered," both the SCAQMD and SJVAPCD Friant Ranch amicus briefs, attached to the City of Los Angeles paper, emphasize that (a) criteria-pollutant health impacts are evaluated on a regional basis, (b) existing tools cannot reliably tie an individual project's NOx/VOC/PM emissions to localized health outcomes, and (c) requiring such an analysis would be speculative and inconsistent with CEQA. Those briefs specifically caution against exactly the kind of fine-scale, site-specific criteria-pollutant health-risk modeling the commenter demands, and support the use of regional models and comparative projects to demonstrate that incremental health effects are negligible at the basin scale.

Furthermore, Appendix B does not rely solely on mass-emission comparison without context. It compares the Project's peak daily NOx, VOC, PM_{10}, and $PM_{2.5}$ emissions to those of Friant Ranch and CSU Dominguez Hills, projects for which full CAMx/BenMAP health impact modeling was performed, and explains that (1) the Project's emissions are generally lower than or comparable to those projects, and (2) those projects' modeled mortality and morbidity increments were negligible relative to background incidences (Recirculated Draft EIR p.5.3-46–5.3-49). The City of Los Angeles guidance explicitly recognizes this type of benchmarking as an appropriate way to relate the magnitude of project emissions to projects for which health impacts have been quantified while also acknowledging the limitations of extrapolating precise numeric risk to a new site.

The commenter's focus on local meteorology, topography, and background chemistry is more appropriately addressed in the Project's localized air-quality and TAC analyses, which already use localized dispersion modeling, SCAQMD LST methods, and OEHHA HRA guidance to evaluate concentrations and health risk at sensitive receptors. Those analyses show that localized NO_2, PM_{10}, and $PM_{2.5}$ concentrations remain below applicable standards, DPM-related cancer risks are below SCAQMD's 10 in one million threshold, and non-cancer hazard indices are below 1.0 at all receptors, including schools.

In sum, Appendix B satisfies Friant Ranch by (1) clearly identifying that regional NOx, VOC, and PM emissions from Project operations would be significant and unavoidable, (2) explaining, consistent with expert agency guidance, why quantitatively correlating those emissions to precise, localized health outcomes is not scientifically feasible at the project scale, and (3) using COBRA and comparisons to large, modeled projects to demonstrate that the Project's incremental regional health-risk contribution is expected to be negligible. Accordingly, the commenter's assertion that Appendix B "fails to meet the burden of an adequate Friant Ranch analysis" is not supported by substantial evidence and does not show that the Recirculated Draft EIR's health-effects discussion is inadequate under CEQA. For additional discussion on choice of modeling tools, see Response to Comment A5.

Comment O3.61: This comment states that the COBRA modeling tool which was utilized is faulty as the COBRA tool utilizes various formulas to calculate the emission concentrations in a geographic area and then relates those concentrations to health outcomes using another set of equations. The comment states that this method is flawed as the effective stack height of the Project is less than 250 meters and thus the analysis reflects the concentrations originating at the geographic center of the County, which is over 100 miles from the Project site. The stack heights contemplated by this methodology are typically associated with power plants or similar large industrial sources and the release heights associated with the proposed warehouses are significantly shorter. The comment further illustrates through figures that the topography near the Project site is dissimilar to that of the center of the County, which is a desert with mountain ranges between the two locations. The comment concludes in stating that the COBRA analysis is flawed and its conclusions are meaningless.

Response to Comment O3.61: The County acknowledges that COBRA and BenMAP-CE are distinct US EPA tools with different capabilities. However, these differences do not establish that the Recirculated Draft EIR's use of COBRA was improper, or that a project-specific BenMAP-CE analysis driven by CAMx or CMAQ

photochemical modeling was required for CEQA compliance in the context of the Court's September 2024 Ruling on the Original EIR. Further, the comment does not demonstrate that the Recirculated Draft EIR Appendix B Memo's COBRA analysis is unreliable or non-compliant with CEQA. Instead, the Memo uses COBRA in the way EPA intended, to provide a conservative, regional-scale screening of potential health outcomes from project emissions in the four-county South Coast Air Basin—and the EIR clearly discloses the tool's limitations and the contextual nature of the results.

As further elaborated in Appendix B to the Recirculated Draft EIR and Response to Comment A5 within this Final EIR, COBRA is a screening model developed by EPA to estimate how changes in county-level emissions of $PM_{2.5}$ and ozone precursors translate into regional changes in concentrations and associated health outcomes and monetized health costs. Its use here is consistent with that purpose: the Memo applies COBRA to peak daily project emissions to provide an order-of-magnitude indication of potential health outcomes across Riverside, San Bernardino, Los Angeles, and Orange Counties, not to predict parcel-level concentrations at Bloomington. COBRA is explicitly presented as one line of evidence within a broader CEQA analysis that already:

- Quantifies project construction and operational emissions using CalEEMod and compares them to SCAQMD regional thresholds.
- Evaluates localized concentrations and health risk at nearby sensitive receptors using SCAQMD LST methodology and a diesel PM health risk assessment.

CEQA requires a "reasoned analysis," not the most refined model available, and expressly allows the use of conservative screening tools where a more detailed analysis is infeasible or would not change the impact conclusion. The Recirculated Draft EIR explains that expert agencies (SCAQMD, CARB, SJVAPCD, City of Los Angeles, SMAQMD, and AEP) have concluded that current photochemical grid and health-impact models cannot provide reliable, project-specific quantification of regional health outcomes from emissions of criteria pollutants; thus, any attempt to do so is inherently uncertain and potentially speculative. (Recirculated Draft EIR, p. 5.3-45). Against that backdrop, using COBRA strictly as a conservative, regional screening tool fully comports with Friant Ranch and CEQA.

The commenter also suggests that the COBRA screening tool is technically inadequate because it does not resolve local topography, meteorology, and background chemistry. However, Appendix B uses COBRA precisely for its intended purpose: to estimate incremental regional health indicators from changes in emissions across multiple counties, not to resolve micro-scale concentrations at particular receptors. As the City of Los Angeles paper explains, tools like COBRA, CAMx, and BenMAP are designed and validated for regional policy analyses and to place project emissions in a regional health-effects context; they are not intended to produce receptor-specific risk estimates, and CEQA does not require such use. Furthermore, Appendix B does not rely solely on mass-emission comparison without context. It compares the Project's peak daily NOx, VOC, PM_{10}, and $PM_{2.5}$ emissions to those of Friant Ranch and CSU Dominguez Hills—projects for which full CAMx/BenMAP health impact modeling was performed—and explains that (1) the Project's emissions are generally lower than or comparable to those projects, and (2) those projects' modeled mortality and morbidity increments were negligible relative to background incidences. As discussed in the City of Los Angeles Guidance, BenMAP "is used for assessing impacts over large areas and populations and is not intended to be used for individual projects, as it would not provide meaningful or reliable results at the smaller scale."

The commenter focuses on COBRA's use of county-level "source–receptor" transfer coefficients and the assumption that most low-stack emissions are represented at the county centroid, arguing that this misplaces Bloomington emissions in the Mojave Desert and renders the analysis "nonsensical." However, that criticism misunderstands both the spatial resolution of COBRA and the nature of the analysis performed:

- COBRA is explicitly designed for county-scale evaluation of changes in regional air quality and health—not for near-field, facility-specific dispersion modeling or identification of localized hot spots.
- The Appendix B Memo uses COBRA only at this intended scale to estimate incremental changes in total county-level mortality and morbidity relative to existing regional baseline health statistics; it does not rely on COBRA for local receptor concentrations, localized cancer risk, or SCAQMD LST compliance.

Thus, even if the centroid representation is imperfect for depicting dispersion immediately adjacent to the project, that limitation does not meaningfully affect the magnitude of the modeled change in regional average concentrations or the minuscule incremental health outcomes being reported. The Recirculated Draft EIR already discloses that these modeled regional health increments are far smaller than background rates and are within the uncertainty of the tools themselves.

CEQA's core concern for this Project is exposure of nearby residents and other sensitive receptors to substantial pollutant concentrations (Impact AQ-3), not the precise spatial placement of county-average emissions within a regional screening model. Those local impacts are evaluated using tools that explicitly resolve receptor locations and topography:

- Construction and operational localized impacts are evaluated with SCAQMD LST methodology using the appropriate Source Receptor Area (Central San Bernardino Valley 1, SRA-34) and actual distances to the nearest residences and schools; after Mitigation Measure AQ-2 (Tier 4 equipment), localized construction emissions do not exceed LST thresholds.
- Diesel mobile-source health risks are assessed using SCAQMD-approved health risk assessment methods; the analysis demonstrates cancer risks and hazard indices below SCAQMD significance thresholds at the nearest sensitive receptors with mitigation.

These receptor-scale analyses directly respond to CEQA Guidelines Appendix G criterion AQ-3 and are not dependent on COBRA's county-centroid representation. Therefore, even if the commenter's criticisms of COBRA's spatial assumptions were accepted, they would not undermine the EIR's localized impact findings or the conclusion that localized construction and operational concentrations are less than significant (with mitigation where identified).

Friant Ranch held that where a project's criteria-pollutant emissions are significant, an EIR must make a reasonable effort to connect those emissions to health outcomes or explain why such quantification is not scientifically feasible. The Recirculated Draft EIR and the Appendix B Memo satisfy this requirement in two complementary ways:

1. They summarize the well-established health literature explaining how ozone, $PM_{2.5}$, NOx, and VOCs affect respiratory and cardiovascular health, drawing heavily on SCAQMD and City of Los Angeles syntheses.
2. They apply COBRA to quantify regional health indicators and show that the Project's incremental mortality and morbidity are extremely small compared to existing regional baseline incidences (e.g., mortality increase on the order of 0.00035 percent), and comparable to or smaller than analogous projects (Friant Ranch and CSUDH) for which detailed CAMx/BenMAP analyses found negligible health effects.

At the same time, the Recirculated Draft EIR carefully explains why more refined modeling (e.g., project-specific CAMx/BenMAP) is not currently capable of producing reliable, project-level health effect estimates, consistent with the published guidance and amicus briefs of SCAQMD, SJVAPCD, SMAQMD, BAAQMD, AEP, and the City of Los Angeles. (See Recirculated Draft EIR, p. 5.3-45). This is precisely the type of "reasonable effort plus feasibility explanation" Friant Ranch contemplates.

In sum, the commenter's criticism is directed at a known, disclosed limitation of a regional screening model that is being used within its proper domain and only as a supplemental line of evidence. The core CEQA determinations regarding:

- Regional significance of project emissions,
- Local construction and operational concentrations, and
- Diesel health risk at nearby receptors are all based on SCAQMD-recommended methods. The COBRA analysis further demonstrates that, even under conservative regional assumptions, incremental health outcomes are negligible compared to regional background conditions and consistent with other large projects for which detailed health-impact modeling found no substantial health effects.

For these reasons, the Appendix B Memo and Recirculated Draft EIR's use of COBRA is appropriate, transparent, and consistent with CEQA and Friant Ranch, and the comment does not provide substantial evidence that the COBRA analysis, or the EIR's health-impact conclusions, are fatally flawed or should be rejected. For additional discussion on choice of modeling tools, see Response to Comment A5.

Comment O3.62: This comment states that the Recirculated Draft EIR should conduct full photochemical modeling for the Project in order to determine the adverse health effects of the Project.

Response to Comment O3.62: The Recirculated Draft EIR does not avoid or "shortcut" any analyses. The commenter's assertion that "there is no short-cut" and that CEQA compels full regional photochemical modeling for this Project misstates the law and ignores CEQA's rule of reason.

CEQA and the CEQA Guidelines require an EIR to provide decision-makers with a reasonable level of analysis that meaningfully informs them about a project's significant environmental effects; they do not mandate the most complex or resource-intensive methodology available in every case, nor do they require agencies to engage in speculative or disproportionate analysis when simpler tools adequately disclose impacts.

The California Supreme Court in Friant Ranch held that an EIR must make a good-faith effort to relate air-pollutant emissions to health effects, but it expressly declined to prescribe any particular modeling approach, emphasizing that the analysis must be commensurate with what is reasonably feasible for the lead agency and supported by substantial evidence. Here, the Recirculated Draft EIR does exactly what CEQA requires. It provides quantitative estimates of regional NOx, VOC, and $PM_{2.5}$ emissions; compares those emissions to health-protective SCAQMD significance thresholds; performs refined dispersion modeling and health-risk assessment for diesel particulate matter and other primary pollutants at sensitive receptors; and discloses that certain regional criteria-pollutant impacts would remain significant and unavoidable even with extensive mitigation. Recirculated Draft EIR Appendix B explains, drawing on expert air-district and EPA guidance, that applying full CMAQ or CAMx photochemical modeling solely for this single warehouse project would require extraordinary time, data, and resources, and would still produce highly uncertain regional health-impact estimates given the Project's small incremental contribution to basin-wide secondary pollutants. Under CEQA's rule of reason, the County was not required to undertake that level of speculative modeling when the existing emissions and health-risk analyses already provide a robust, health-protective basis for informed decision-making.

There is no single "required" method for satisfying Friant Ranch, and a combination of quantitative emissions analysis, comparison to regulatory standards, localized health-risk modeling, and transparent disclosure of significant residual impacts is an appropriate CEQA approach where regional photochemical health-outcome models are not reliably available or proportionate for individual projects. That is precisely the approach used here. The commenter's insistence that only full basin-scale photochemical modeling followed by monetization of health outcomes and costs can satisfy CEQA is therefore legally incorrect and inconsistent with both the statute and governing case law. CEQA requires a reasoned, good-faith analysis and the

Recirculated Draft EIR meets that standard without adopting the commenter's "no short-cut" rule. For additional discussion on choice of modeling tools, see Response to Comment A5.

Comment O3.63: This comment includes a presentation from Southern California Edison and the Transportation Electrification Program Advisory Council.

Response to Comment O6.63: This comment is informational in nature and does not provide any substantial evidence that the Recirculated Draft EIR is insufficient. As stated previously, the commenter's reliance on emerging State regulations, incentives, and grant programs likewise does not compel a contrary feasibility finding. Those programs are designed to transform the heavy-duty market over time, but they do not ensure that adequate ZE tractor supply, charging infrastructure, or grid capacity will be in place coincident with this Project's initial buildout, nor do they give the County legal authority to require all independent carriers serving the site to convert immediately to ZE trucks. CEQA does not obligate a lead agency to mandate compliance with aspirational long-term policy objectives before the necessary technological and infrastructural conditions exist, particularly where the agency lacks direct regulatory authority over the affected mobile sources.

On this record, the County reasonably concluded that a blanket requirement that all or a fixed percentage of Class 7–8 trucks serving the Project be ZE is not currently "capable of being accomplished in a successful manner within a reasonable period of time," considering economic, technological, infrastructural, and legal constraints, and therefore is not a feasible mitigation measure under CEQA. Instead, the County adopted a suite of enforceable measures, including Mitigation Measures AQ-19 and AQ-20, that require tenants to transition to ZE heavy-, medium-, and light-duty trucks when they become "widely commercially available" under an objective cost- and performance-based definition, and that require installation of on-site electrical infrastructure to support future truck charging. These measures, together with stringent construction controls, idling limits, electric yard equipment, EV charging for passenger vehicles, and transportation-management strategies, substantially reduce the Project's emissions while ensuring that ZE trucks will be adopted as soon as it is feasible to do so. Accordingly, the claim that CEQA compels an immediate Class 7–8 ZE truck mandate is not supported by substantial evidence. The Recirculated Draft EIR and Final EIR identify the Project's significant regional air-quality and GHG impacts, adopt all feasible mitigation, and provide a reasoned, evidence-based explanation for declining to impose a ZE-truck requirement that is not yet feasible in light of current market, infrastructure, and legal constraints.

Comment Letter O4: Advocates for the Environment, December 12 2025

December 12, 2025

Advocates for the Environment

A non-profit public-interest law firm
and environmental advocacy organization

Gina Gibson-Williams
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Via U.S. Mail and email to Gina.Gibson-Williams@lus.sbcounty.gov

Re: Comments on Recirculated Draft Environmental Impact Report for the Bloomington Business Park Specific Plan Project, SCH No. 2020120545

Dear Ms. Gibson-Williams:

Advocates for the Environment submits the comments in this letter regarding the Draft Environmental Impact Report (**DEIR**) for the Bloomington Business Park Specific Plan Project (**Project**). The Project Site is 213 acres located in the community of Bloomington, in the Valley Region of unincorporated San Bernardino County. The Project proposes to develop 3,235,836 square feet of light industrial and business park uses, such as e-commerce, light industrial and manufacturing uses, warehouses, business parks, and trailer parking. O4.1

Advocates for the Environment is a public interest law firm and advocacy organization with the mission to educate the public about the law as it pertains to the environment and provide legal services in support of environmental causes. We have reviewed the DEIR and submit comments regarding the sufficiency of the DEIR's Greenhouse-Gas (**GHG**) analysis under the California Environmental Quality Act (**CEQA**).

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The County should require the Project to be net-zero.

Given the current regulatory context and technological advancements, a net-zero significance threshold is feasible and extensively supportable. GHG emissions from buildings, including indirect emissions from offsite generation of electricity, direct emissions produced onsite, and from construction with cement and steel, amounted to 21% of global GHG emissions in 2019. (IPCC Sixth Assessment Report, Climate Change 2022, WGIII, Mitigation of Climate Change, p. 9-4.) This is a considerable portion of global GHG emissions. It is much more affordable to construct new building projects to be net-zero than to obtain the same level of GHG reductions by expensively retrofitting older buildings to comply with climate change regulations. Climate damages will keep increasing until we reach net zero GHG emissions, and there is a California state policy requiring the state to be net-zero by 2045. It therefore is economically unsound to construct new buildings that are not net-zero. O4.2

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Environmental groups have achieved incredible outcomes by litigation under CEQA. Two of the largest mixed-use development projects in the history of California, Newhall Ranch (now FivePoint Valencia), and Centennial (part of Tejon Ranch) decided to move forward as net-zero communities after losing CEQA lawsuits to environmental groups. The ability for these large projects to become net-zero indicates that it is achievable, even for large-scale developments. The Applicant for this Project should do the same.

We urge the County to adopt net-zero as the GHG significance threshold for this project. This threshold is well-supported by plans for the reduction of GHG emissions in California, and particularly the CARB Climate Change Scoping Plans. The CARB 2017 Scoping Plan states that "achieving no net additional increase in GHG emissions, resulting in no contribution to GHG impacts, is an appropriate overall objective for new development." (CARB 2017 Scoping Plan, p. 101.) Additionally, the CARB 2022 Scoping Plan reaffirms the necessity of a net zero target by expressing: "it is clear that California must transition away from fossil fuels to zero-emission technologies with all possible speed … in order to meet our GHG and air quality targets." (CARB 2022 Scoping Plan, p. 184.) CARB further encourages a net-zero threshold in its strategies for local actions in Appendix D to the 2022 Scoping Plan. (CARB 2022 Scoping Plan, Appendix D p. 24-26.) O4.2 cont.

Moving this Project forward as a net-zero project would not only be the right thing for the County to do, but also would help protect the County and the Applicant from CEQA GHG litigation.

GHG Significance Analysis

The DEIR adopted two significance thresholds based on the CEQA Guidelines Appendix G. The County used San Bernardino County's Regional Greenhouse Gas Reduction Plan (**GHGRP**) screening threshold of 3,000 metric tons of carbon dioxide equivalent (**MTCO2e**) to analyze quantified GHG emissions under the first threshold. (DEIR, p. 5.8-11.)

There are two scenarios that the DEIR analyzes for the opening year development, each of which would involve warehousing: 1) Option 1 would consist of a 383,000 square foot warehouse on 17.7 acres at Development Site 1, a 1,251,640 square foot warehouse on 57.6 acres at Development Site 2, a 479,000 square foot warehouse on 30.5 acres at Development Site 3, and an ancillary truck trailer parking area on 9.5 acres at Development Site 4. (**Scenario 1**); 2) Option 2 would consists of a 710,400 square-foot warehouse on 36.7 acres at Development Site 1, a 1,251,640 square-foot warehouse on 57.6 acres of Development Site 2, a 750,000 square-foot warehouse on 37.7 acres at Development Site 3, and an ancillary truck trailer parking area on 9.5 acres at Development Site 4. (**Scenario 2**). In addition, a future development specific plan buildout and an upzone site plan was analyzed. The calculated project-related emissions amount to 17,437.57 metric tons of carbon dioxide equivalent O4.3

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(**MTCO2e**) per year under Scenario 1; 22,420,04 MTCO2e per year under Scenario 2; and 30,515.40 MTCO2e per year for the Specific Plan buildout (DEIR, p. 5.8-14.) In addition, the upzone site would have a net increase in GHG emissions by 7,416.48 MTCO2e. (DEIR, p. 5.8-14.)

Overall, the DEIR concluded that the Project's GHG emissions would be potentially significant before mitigation but less than significant after mitigation. (DEIR, p. 5.8-39.) This analysis violated CEQA because the determination that the mitigation measures would reduce the Project's significant impact to a less-than-significant level was not supported by substantial evidence.

The significance determination under threshold (a) is not supported by substantial evidence.

Threshold (a), asks whether the Project would "generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment." (DEIR, p. 5.8-10.) The County adopted a screening threshold of 3,000 MTCO2e based on the County's Greenhouse Gas Emissions Reduction Plan Update (**GHGRP Update**).[1] (DEIR, p. S-17.) Under this threshold, the County concluded that the Project would have a potentially significant impact before mitigation, because the Project's GHG emissions would greatly exceed the County's screening threshold of 3,000 MTCO2e. (DEIR, p. 4.7-19.)

O4.3 cont.

Yet, this significance conclusion is invalid because, given the current regulatory setting, the chosen threshold and the method of reaching 100 points on the Screening Table is not supported by substantial evidence. The County did not justify applying the threshold and Screening Table as an indicator of significant GHG impact of this Project. In particular, the DEIR did not demonstrate, by substantial evidence, that the mitigation measures (**MM**), including MM GHG-1, MM AQ-12 and MM E-1, would reduce the Project's GHG emissions impact to the degree necessary for a finding of less-than-significant GHG impact. The DEIR did not estimate GHG emissions with mitigation included, and it is unclear how reaching 100 points on the Screening Table would achieve substantial GHG emissions reductions. The DEIR did not provide substantial evidence that this emissions level would be less-than-significant.

Inconsistency with Applicable Plans, Policies, and Regulations

The County chose, as its second GHG threshold, Threshold (b), which asks whether the Project would "[c]onflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs." (DEIR, p. 5.8-10.) This language requires

O4.4

[1] Available at: https://www.gosbcta.com/wp-content/uploads/2019/09/San_Bernardino_Regional_GHG_Reduction_Plan_Main_Text_Mar_2021.pdf

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that the DEIR analyze the Project's consistency with *all* other applicable plans, not just the plans that the County prefers to analyze. The DEIR briefly discussed the San Bernardino GHG Reduction Plan, Assembly Bill (**AB**) 32 and Senate Bill (**SB**) 32, the California Air Resources Board (**CARB**) Scoping Plan, and the Countywide Plan Conservation Element.

This significance analysis violates CEQA by overlooking the Project's conflict with the CARB Scoping Plan and failing to acknowledge and analyze all applicable plans for the reduction of GHGs. There is evidence that the Project would conflict with several plans it analyzed, as well as at least one policy which was not mentioned in the DEIR. Conflict with a single applicable plan is sufficient to find that the chosen threshold is not met, and therefore the County should have found a significant GHG impact due to conflict with applicable climate policy. O4.4 cont.

The DEIR accounted for a building lifespan of 30 years. (DEIR, p. 5.8-12.) The Project will likely be operating through the year 2055. Thus, the Project must show consistency with long-term State GHG goals to comply with CEQA. In particular, the DEIR must also demonstrate consistency with Executive Order B-55-18 (**EO B-55-18**), the 2022 CARB Scoping Plan, and the 2017 CARB Scoping Plan.

EO B-55-18 requires the State of California to achieve carbon neutrality—net zero GHG emissions—by 2045. The Project is inconsistent with EO B-55-18 because it does not prohibit the use of gasoline, diesel, and natural gas, and burning such non-renewable fuels results in substantial GHG emissions. In particular, the trucks anticipated in this Project use diesel fuel which emit high quantities of GHGs, preventing the Project from ever achieving carbon neutrality. O4.5

The DEIR also did not adequately address 2022 Scoping Plan from the California Air Resources Board (**2022 Scoping Plan**), which is an applicable plan for the reduction of GHGs. The DEIR stated that the Project would comply with regulatory requirements associated with the 2022 Scoping Plan without analyzing how the Project would conform to the Plan's broader climate goals as applied to the Project. For example, the DEIR does not address how the Project would conform or be consistent with the 2022 Scoping Plan's goal of 50% of all industrial energy demand to be electrified by 2045 (2022 CARB Scoping Plan, p. 77).

The 2022 CARB Scoping Plan also places particular emphasis on decarbonizing industrial facilities by "displacing fossil fuel use with a mix of electrification, solar thermal heat, biomethane, low- or zero-carbon hydrogen, and other low-carbon fuels to provide energy for heat and reduce combustion emissions" (2022 CARB Scoping Plan, p. 208). And one of the principal goals of the 2022 Scoping Plan is to reduce statewide GHG emissions to 85% below 1990 levels by 2045. The Project is inconsistent with these goals because it would create an additional large source of emissions from non-renewable sources, contrary to the statewide electrification and decarbonization contemplated by the 2022 Scoping Plan. O4.6

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Although the DEIR mentions several measures and regulations aimed at reducing GHG emissions from mobile sources, such as the Advanced Clean Truck Regulation and Clean Off-Road Fleet Recognition Program, it does not specifically address how the Project will contribute to or comply with the goal of electrifying 50% of industrial energy demand by 2045. Therefore, the Project conflicts with the goals of the 2022 Scoping Plan by not adequately reducing its reliance on fossil fuels and failing to incorporate sufficient low- or zero-carbon energy sources. O4.6 cont.

The 2017 Scoping Plan was developed to facilitate California's compliance with SB 32, which requires statewide GHG emissions to be reduced to 40% below 1990 levels by 2030. (Health & Safety Code § 38566.) The DEIR did not discuss how the Project is consistent with any of the goals, including the 2050 goal of 80% below 1990 levels. The 2017 Scoping Plan also sets out statewide goals for total GHG emissions targets of 6 MTCO2e/capita by 2030, and 2 MTCO2e/capita by 2050 (CARB Scoping Plan, p. 99). O4.7

Even the option with the least GHG emissions would be over seventeen thousand MTCO2e annually. With 2,709 anticipated employees,[2] the Project's per-service population GHG emissions would be over 6 MTCO2e/capita, exceeding the 2030 target and tripling the 2050 target, which would have to be achieved well within the Project's lifespan to be consistent with the 2017 Scoping Plan.[3] Thus, the Project's GHG impact is significant under the second threshold because it is inconsistent with applicable plans for the reduction of GHGs.

The Project's GHG impacts must be fully mitigated.

CEQA requires that the Project include fair-share mitigation for all significant GHG impacts, a conclusion the DEIR reached. (*Napa Citizens for Honest Gov't v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 364.) Here, this means mitigation of the full extent of the Project's GHG impacts.

Instead of requiring full mitigation of the Project's impacts, the DEIR's GHG Analysis included Greenhouse Gas Mitigation Measure 1 (**MM GHG-1**), which would require compliance with the CAP's Screening Tables, only addressing several areas of building efficiency. (DEIR, p. 5.8-16 – 26.) According to the DEIR, a project can achieve a less than significant individual and cumulative impact by earning 100 points on the CAP Screening tables. (DEIR, p. 5.8-27.) The DEIR references table 5.8-6, which lists the CAP Screening Table with the points the Project would meet. While the Screening Table lists a total of 104 points, the County's CAP only mandates that projects achieve at least 100 points, making the 100-point minimum the only enforceable requirement. This creates ambiguity, potentially O4.8

[2] DEIR, p. 5.3-37.
[3] *17,437.57 MTCO2e ÷ 2,709 employees = approx. 6.44 MTCO2e/service population*

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allowing the project to comply with a lower standard of mitigation rather than the higher number of points listed.

Moreover, there is no commitment to any particular measures on the Screening Table, meaning the points listed in the screening table may be changed, rendering the applied measures uncertain. This failure to identify and commit to specific measures constitutes an improper deferral of mitigation, as reserves the decision of which mitigation measures to apply for a later time, leaving the true extent of achievable mitigation unclear. Additionally, there is no showing that achieving 100 points on the CAP Screening Tables would in fact mitigate the Project's GHG impacts to the level of significance, let alone the fair-share level.

O4.8 cont.

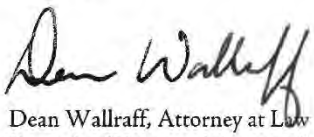
Conclusion

For the reasons given in this letter, the DEIR is not in conformance with CEQA requirements. Notably, the significance analysis was unsupported, and the mitigation measures were inadequate to reduce the Project's impact to a less-than-significant level. The DEIR's mitigation measures were not sufficient to meet the Project's fair share of GHG reductions as required by CEQA.

Please put Advocates for the Environment on the interest list to receive updates about the progress of this Project. We make this request under Public Resources Code, section 21092.2.

O4.9

Sincerely,



Dean Wallraff, Attorney at Law
Executive Director, Advocates for the Environment

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Response to Comment Letter O4: Advocates for the Environment (6 pages)

Comment O4.1: This comment provides an introduction to the comment letter and states that the comment is submitted regarding the sufficiency of the Recirculated Draft EIR's greenhouse gas (GHG) analysis.

Response to Comment O4.1: The comment is introductory in nature and does not raise a specific issue with the adequacy of the Recirculated Draft EIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Comment O4.2: This comment states that the County should require the proposed Project to be net-zero in order to comply with California's policy to be net-zero by 2045. The comment states that it is more affordable to construct new buildings to be net-zero now than to retrofit an old building in the future to meet the same standard. The comment then lists some examples of two large mixed-use projects in California that utilized net-zero thresholds. The comment concludes by stating that the net-zero GHG significance threshold is well-supported by plans such as CARB, and the County should adopt a net-zero threshold.

Response to Comment O4.2: The State has not adopted a net-zero GHG threshold (or any GHG threshold) of significance for individual development projects. The State's policy to achieve net-zero GHG emissions by 2045 requires the California Air Resources Board (CARB) to ensure that Scoping Plan updates identify and recommend measures to achieve carbon neutrality, and to identify and implement policies and strategies that enable carbon dioxide removal solutions and carbon capture, utilization, and storage technologies.

The Project includes industrial development at the site. The examples provided in this comment refer to non-industrial projects that are not necessarily comparable to the proposed Project, where the vast majority of GHG emissions would be generated from mobile sources (i.e. trucks) which are outside the control of the Project Applicant and the County of San Bernardino. As shown in Recirculated Draft EIR Tables 5.8-2 to 5.8-4, the vast majority of the proposed Project's GHG emissions (82% - 84%) would be from mobile sources. As outlined in the zero-emission truck feasibility analysis included in Appendix B to the Recirculated Draft EIR, it would not be feasible at this time to impose a requirement that all of the Project's heavy-duty trucks must be fully electric vehicles prior to commercial availability.

The 2022 CARB Scoping Plan does not recommend a net-zero GHG threshold for individual development projects. Local governments have the discretion to adopt targets that apply to their jurisdictions as long as those targets are supported by substantial evidence. The GHG analysis provided in the Recirculated Draft EIR is based on current thresholds utilized consistently by the County of San Bernardino as lead agency as described in Section 5.8.4 of the Recirculated Draft EIR. As described in Section 5.8.4 of the Recirculated Draft EIR, the numeric threshold applied is a widely accepted screening threshold developed by SCAQMD and used by the County and numerous cities throughout the South Coast Air Basin and is an acceptable approach for projects like the proposed Project. Further the qualitative analysis of impacts related to plans is consistent with Section 15064.4 of the CEQA Guidelines. In addition, the court upheld the use of the screening threshold and reliance on the County's GHG Reduction Plan within the Original Draft EIR. As such, the County declines the suggestion of the commenter that it adopt and implement of a County "net-zero GHG emission threshold" as suggested.

Comment O4.3: This comment summarizes the two scenarios for opening year development. The comment then summarizes the County's screen threshold used in the Recirculated Draft EIR. The comment states that the Recirculated Draft EIR does not quantitatively analyze the effectiveness of the proposed mitigation measures for reducing GHG emissions and that the conclusion that impacts would be reduced to a less than significant level is not supported by substantial evidence. The comment concludes that the Recirculated Draft EIR should justify the use of the Screening Table and provide evidence that emissions would be less than significant by providing quantitative analysis of the proposed mitigation measures.

Response to Comment O4.3: The County of San Bernardino adopted its GHG Reduction Plan in September 2021, which provides direction for evaluation of GHG emissions during the CEQA review of proposed development projects within the County. The County's GHG Reduction Plan was not subject to legal challenge or found invalid by any court; therefore, compliance with the plan is presumed to constitute enforceable and effective mitigation. The County employs a GHG Development Review Process that specifies a two-step approach in quantifying GHG emissions. First, a screening threshold of 3,000 MTCO2e/yr is used to determine if additional analysis is required. Projects that exceed the 3,000 MTCO2e/yr threshold are required to either achieve a minimum 100 points per the Screening Tables or quantify project-specific GHG emissions and achieve the equivalent level of GHG emissions efficiency as a 100-point project. Consistent with CEQA guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.

Mitigation Measure GHG-1 has been included to ensure application of the GHG reduction measures. As stated in Mitigation Measure GHG-1, individual projects can utilize different measures than those chosen in Recirculated Draft EIR Tables 5.8-6 and 5.8-7 as long as the total of the measures utilized meet 100 points, which would be verified by the County's Building and Safety Division during permitting of each development within the Specific Plan area. According to the County's 2021 GHG Emissions Reduction Plan, any project that adopts at least 100 points of GHG performance standards listed in the 2021 Screening Tables, would be consistent with the County's GHG Emissions Reduction Plan to reduce emissions to 40 percent below 2016 levels. Meeting this reduction would be consistent with the State's long-term goal to achieve statewide carbon neutrality (zero net emissions) by 2045, and thus, would result in a Project having a less than significant impact related to GHG emissions. This comment does not otherwise provide any substantial evidence of significant environmental impacts that have not already been disclosed in the Recirculated Draft EIR or that the Recirculated Draft EIR's GHG analysis is inadequate.

Comment O4.4: This comment states that the GHG significance analysis is in violation of CEQA as it does not discuss the Project's consistency with the CARB Scoping Plan and all applicable plans for the reduction of GHG emissions. The comment further states that the Project would conflict with many applicable plans and the County should have found impacts to GHG significant.

Response to Comment O4.4: As discussed within Recirculated Draft EIR Table 5.8-8, *Project Consistency with the CARB 2022 Scoping Plan Actions,* new development pursuant to the proposed Project would include energy-efficient/energy-conserving design features as part of compliance with Mitigation Measures E-1 and GHG-1. In addition, the Project would not interfere with the State's implementation of AB 1279's target of 85 percent below 1990 levels and carbon neutrality by 2045 as it would be consistent with the VMT reductions listed in CARB's most recent Scoping Plan (2022) and would be consistent with the County of San Bernardino GHG Reduction Plan. Therefore, the Recirculated Draft EIR properly discusses the Project's consistency with the CARB 2022 Scoping Plan. This comment does not otherwise provide any substantial evidence of significant environmental impacts that have not already been disclosed in the Recirculated Draft EIR or that the Recirculated Draft EIR's GHG analysis is inadequate.

Comment O4.5: This comment states that the Project must show consistency with long-term plans such as Executive Order B-55-18, the 2022 CARB Scoping Plan, and the 2017 CARB Scoping Plan. The comment further states that the Project is inconsistent with EO B-55-18's net-zero requirements by 2045 as it does not prohibit the use of non-renewable fuels such as diesel and gasoline.

Response to Comment O4.5: As described in Section 5.8 of the Recirculated Draft EIR, the Project would be implemented consistent with the County's Greenhouse Gas Reduction Plan Update and would implement GHG reduction measures through Mitigation Measure GHG-1 and the County's GHG Screening Tables that identify various measures to meet the County's points requirements to ensure that impacts would be reduced to a less than significant level. As discussed above in Response to Comment O4.2, the 2022 CARB Scoping Plan does not recommend a net-zero GHG threshold for individual development projects, noting that such

thresholds may make it more difficult to achieve statewide goals by prohibiting or complicating projects that are needed to support the State's climate goals, like infill development or solar arrays. The Scoping Plan also cautions using net-zero targets and specifically notes that jurisdictions considering a net-zero target should carefully consider the implications it may have on emissions in neighboring communities and beyond. Regarding a prohibition of gasoline, diesel, and natural gas, Executive Order B-55-18, which was codified by AB 1279 does not require that individual projects prohibit the use of gasoline, diesel, or natural gas. Instead, AB 1279 sets a target goal of carbon neutrality by 2045. The Project would not interfere with the State's implementation of AB 1279's target of 85 percent below 1990 levels and carbon neutrality by 2045 as it would be consistent with the VMT reductions and electrification goals listed in CARB's most recent Scoping Plan (2022), as disclosed in Table 5.8-8 of the Recirculated Draft EIR, and would be consistent with the County of San Bernardino GHG Reduction Plan.

Comment O4.6: This comment states that the Recirculated Draft EIR fails to adequately analyze consistency with the 2022 CARB Scoping Plan broader climate goal of 50% of all industrial energy demand to be electrified by 2045. The comment further states that the Project would be inconsistent with the goals of the Scoping Plan as it would create large sources of emissions from non-renewable resources. The comment states that the Recirculated Draft EIR is inconsistent with the 2022 CARB Scoping Plan as it fails to specifically address how the project will contribute to the 50% reduction goal and failing to adequately reduce its reliance on fossil fuels and failing to incorporate low or zero-carbon energy sources.

Response to Comment O4.6: The comment is incorrect in its assertion that the Recirculated Draft EIR failed to analyze the Project's consistency with the 2022 CARB Scoping Plan. As discussed within Recirculated Draft EIR Table 5.8-8, *Project Consistency with the CARB 2022 Scoping Plan Actions,* new development pursuant to the proposed Project would include energy-efficient/energy-conserving design features as part of compliance with Mitigation Measures E-1 and GHG-1. In addition, the Project would not interfere with the State's implementation of AB 1279's target of 85 percent below 1990 levels and carbon neutrality by 2045 as it would be consistent with the VMT reductions listed in the 2022 CARB's Scoping Plan and would be consistent with the County of San Bernardino GHG Reduction Plan. In addition, Mitigation Measure AQ-23 would require either the installation of solar panels to generate or acquisition of renewable energy to supply 100 percent of each building's expected energy load. The 2021 Greenhouse Gas Reduction Plan Update provides a target for greenhouse gas emission reductions for the year 2030, which is to reduce emissions to 40 percent below 2016 levels. This reduction would be consistent with the State's long-term goal to achieve statewide carbon neutrality (zero net emissions) by 2045, as well as the goals outlined by the 2022 CARB Scoping Plan (as demonstrated by Table 5.8-8 of the Recirculated Draft EIR). The comment does not otherwise provide any substantial evidence of significant environmental impacts that have not already been disclosed in the Recirculated Draft EIR or that the Recirculated Draft EIR's GHG analysis is inadequate.

Comment O4.7: This comment states that the Recirculated Draft EIR failed to discuss how the Project is consistent with the goals of the 2017 Scoping Plan, including the 2050 goal of 80% below 1990 levels. The comment also states the Project is inconsistent as it would result in emissions well over the per capita targets set within the 2017 Scoping Plan.

Response to Comment O4.7: The Project's consistency with SB 32 and the goals of the 2017 CARB Scoping plan are discussed on page 5.8-27 of the Recirculated Draft EIR. On December 15, 2022, CARB adopted the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan). The 2022 Scoping Plan builds on the previous 2017 Scoping Plan as well as the requirements set forth by AB 1279, which directs the State to become carbon neutral no later than 2045. To achieve this statutory objective, the 2022 Scoping Plan lays out how California can reduce GHG emissions by 85 percent below 1990 levels and achieve carbon neutrality by 2045. The Scoping Plan scenario to do this is to "deploy a broad portfolio of existing and emerging fossil fuel alternatives and clean technologies, and align with statutes, Executive Orders, Board direction, and direction from the governor." The 2022 Scoping Plan sets one of the most aggressive

approaches to reach carbon neutrality in the world. Unlike the 2017 Scoping Plan, CARB no longer includes a numeric per capita threshold and instead advocates for compliance with a local GHG reduction strategy (CAP) consistent with CEQA Guidelines section 15183.

Prior to mitigation, the proposed Project would potentially interfere with the State's implementation of Executive Order B-30-15 and SB 32's target of reducing statewide GHG emissions to 40 percent below 1990 levels by 2030; Executive Order S-3-05's target of reducing statewide GHG emissions to 80 percent below 1990 levels by 2050; or AB 1279's target of achieving carbon neutrality by 2045 because it would interfere with implementation of the GHG reduction measures listed in CARB's 2022 Scoping Plan and results in a substantial increase in GHG emissions that exceeds the County's screening threshold. However, with the incorporation of Mitigation Measures E-1 and GHG-1, the development resulting from the Project would be required to be designed and constructed to include sufficient sustainable design features related to reduction of GHG emissions to achieve 100 points under the County's GHG Screening Tables and designed to achieve LEED silver certification and therefore also be consistent with the goals of the 2017 Scoping Plan.

Comment O4.8: This comment states that the Recirculated Draft EIR fails to provide sufficient evidence that the proposed Mitigation Measure GHG-1 is sufficient in reducing potential impacts to a less than significant level. The comment states that there is no specific commitment to the measures within the screening table and no evidence to show that 100 points would mitigate the proposed Project's impact. The comment further states that the failure to identify specific mitigation measures constitutes an improper deferral of mitigation, and there is no substantial evidence to support the finding that achieving 100 points on the CAP Screening Tables would result in less than significant GHG impacts.

Response to Comment O4.8: As detailed previously in Responses O4.3 through O4.7, the Recirculated Draft EIR clearly describes the County's GHG Emissions Reduction Plan Update threshold, provides an adequate analysis of the Project's GHG emissions and identifies feasible mitigation to reduce those impacts to a less than significant level. The County's GHG Reduction Plan was adopted in 2021 and was not subject to legal challenge or found invalid by any court; therefore, compliance with the County's 2021 GHG Reduction Plan is presumed to constitute enforceable and effective mitigation.

As further described on Recirculated Draft EIR page 5.8-38, Mitigation Measure GHG-1 requires that prior to issuance of building permits for each building, the Project applicant shall provide documentation to the County of San Bernardino Building Department demonstrating that the improvements and/or buildings subject to the building permit application include measures from the Greenhouse Gas Reduction Plan Screening Tables, as needed to achieve a minimum of 100 points. Specific measures may be substituted for other measures that achieve an equivalent amount of GHG reduction, subject to the County of San Bernardino Building Department approval. Thus, Mitigation Measure GHG-1would be enforced during the permitting review for each development.

Comment O4.9: This comment concludes the letter by stating that the lead agency has not shown that the significance analysis is supported or that the mitigation measures are adequate in reducing impacts to a less than significant level, and that the mitigation measures are insufficient to meet the Project's fair share of GHG reduction as required by CEQA.

Response to Comment O4.9: The commenters' concerns have been addressed above in Responses O4.2 through O4.8. In reviewing the above listed comments, the impacts disclosed in the Recirculated Draft EIR accurately reflect the proposed Project and subsequent potential environmental impacts.

Comment Letter I1: Alisa Slaughter, November 30, 2025

Submit Public Comment
Bloomington Business Park Specific Plan

Please make people, health, schools, & rural life your priority. People are attached to their homes & neighborhoods. Warehouses are a short-term & obsolescent industry. I1.1

Name Alisa Slaughter

Phone Number 9094968273

Address 36996 Sycamore Manore

Date 11-30-25

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Response to Comment Letter I1: Alisa Slaughter (1 Page)

Comment I1.1: This comment requests that people, health, schools, and rural life be made a priority over warehouses.

Response to Comment I1.1: As further discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Commet Letter I2: Xochiti Pedraza, November 30, 2025

Submit Public Comment
Bloomington Business Park Specific Plan

I2.1

I oppose to the plan, we in Bloomington need community based plans. Shopping centers, parks, horse trails and homes with land to grow food & sustain the rural life style that is typical of Bloomington

Name Xochiti Pedraza

Phone Number (323)240-7121

Address

Date 11/30/2025

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Response to Comment Letter I2: Xochiti Pedraza (1 Page)

Comment I2.1: This comment states opposition to the Project in favor of community-based opportunities such as shopping centers, parks, and horse trails to maintain rural lifestyle in Bloomington.

Response to Comment I2.1: As further discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this project. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR..

Comment Letter I3: Ana Carlos, December 3, 2025

COMMUNITY MEETING COMMENT CARD

Bloomington Specific Plan Project

Please use the space below to record your comments relevant to the proposed project, adding additional sheets if necessary.

Name: Ana Carlos

Address: 11193 Alder Ave Bloomington, CA 92316

Email: ana26ana.ac@gmail.com

Issue(s) of Concern:

This project with the new DEIR looks exactly like the previous proposed plan. I see no difference.
It doesnot give benefits to my health or life style. Trucks, pollutions, traffic, and the high density of the project will negatively impact my community.
Thank you. I3.1

Response to Comment Letter I3: Ana Carlos (1 Page)

Comment I3.1: This comment states that the Project analyzed in the Recirculated Draft EIR is not different from the previously proposed Project and that the Project would not benefit the commenter. The comment also states that trucks, pollution, traffic, and the density of Project would negatively impact the community.

Response to Comment I3.1: This comment expresses the commenter's opposition to the proposed Project. As discussed in Section 2.0, *Introduction*, of the Recirculated Draft EIR, the proposed Project did not change, only the analysis of the impacts related to air quality, energy, greenhouse gas, noise, and alternatives associated with the proposed Project was updated per the San Bernardino County Superior Court September 2024 Ruling. Regarding trucks, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Impacts related to air quality and pollution are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Comment Letter I4: Jasmin Duarte Alvarado, December 3, 2025

Tarjeta de Comentarios para la Reunión Comunitaria

Proyecto del Bloomington Specific Plan

Por favor, utilice el espacio a continuación para registrar sus comentarios relacionados con el proyecto propuesto.

Nombre: Jasmin Duarte Alvarado

Dirección: Hawthorne Ave, Bloomington, CA 92316

Correo electrónico: jjduarte0301@gmail.com

Temas de interés: Buisness Park Speific Plan Project

I think this plan in its entirety is absurd. Profit over people is what this project showcases. Not only will traffic increase immensely, this project bring a lot of health risks adding the warehouses that this plan proposes will pollute the air more than it already is. On a normal basis the Air quality in Bloomington is 55 US AQI, already making everyday Bloomington residents vulnerable to the air we breathe The main pollutant being PM2.5, which will only increase with warehouses. According to the World Health Organization is 7.2 times the guideline value. Peoples lives matter more than profit. I hope these comments are actually considered. People of Bloomington deserve to be considered over buildings. I4.1

Response to Comment Letter I4: Jasmin Duarte Alvarado (1 Page)

Comment I4.1: This comment states that traffic will increase as a result of the proposed Project causing health risks and polluting the air quality. The comment states that the current air quality in Bloomington is 55 US AQI with $PM_{2.5}$ as the main pollutant, and that pollutants are over the World Health Organization guidelines. The comment states that $PM_{2.5}$ will increase with the proposed warehouses.

Response to Comment I4.1: This comment expresses the commenter's opposition to the proposed Project. As discussed further in Master Response 2, transportation-related impacts were not required to be reanalyzed as part of the Recirculated Draft EIR and therefore no further response related to trucks and/or traffic is required or provided, only the analysis of the impacts related to air quality, energy, greenhouse gas, noise, and alternatives associated with the proposed Project was updated per the San Bernardino County Superior Court September 2024 Ruling. Impacts related to air quality and pollution are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR. Although construction and operation of the proposed Project would generate $PM_{2.5}$ emissions, these emissions would not exceed SCAQMD regional or localized thresholds for $PM_{2.5}$ prior to and after implementation of any mitigation measures. As shown in Tables 5.3-9 and 5.3-10, the proposed Project's maximum peak construction emissions, with and without mitigation, would not exceed SCAQMD regional thresholds for $PM_{2.5}$ under any analyzed scenario. Therefore, construction-related $PM_{2.5}$ impacts would be less than significant. Similarly, Tables 5.3-11 and 5.3-12 demonstrate that peak summer and winter operational emissions would not exceed SCAQMD regional thresholds for $PM_{2.5}$, resulting in less-than-significant operational impacts. In addition, Table 5.3-13 shows that emissions associated with the proposed Project under the upzoning scenario would not exceed SCAQMD regional thresholds for $PM_{2.5}$ when compared to existing conditions. Localized air quality impacts are evaluated in Tables 5.3-19 through 5.3-25, which indicate that construction and operational emissions would not exceed SCAQMD localized significance thresholds for $PM_{2.5}$.

The comment references the World Health Organization guidelines, but does not provide any evidence that the SCAQMD thresholds are inappropriate significance thresholds. Impacts related to toxic air contaminants and health risks are discussed under Impact AQ-3 of Section 5.3, Air Quality in the Recirculated Draft EIR on pages 5.3-56 through 5.3-66. Based on existing SCAQMD recommendations for Mobile Source Health Risk Assessments, with implementation of mitigation, the combined construction and operational impacts of the proposed Project at the maximally impacted residential receptor is estimated to be 4.91 in one million, which is less than the SCAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be less than 0.01, which would not exceed the applicable SCAQMD significance threshold of 1.0. As such, the proposed Project would result in emissions that are below existing SCAQMD significance thresholds. Therefore, the proposed Project's potential impacts on human health risks would not be cumulatively considerable and would be less than significant. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Comment Letter I5: Yarisel Carlos-Casas, December 3, 2025

COMMUNITY MEETING COMMENT CARD

Bloomington Specific Plan Project

Please use the space below to record your comments relevant to the proposed project, adding additional sheets if necessary.

Name: Yarisel Carlos-Casas

Address: 11193 Alder Ave Bloomington, CA 92316

Email: yarisecarlos28@gmail.com

Issue(s) of Concern: No clear changes made in project.

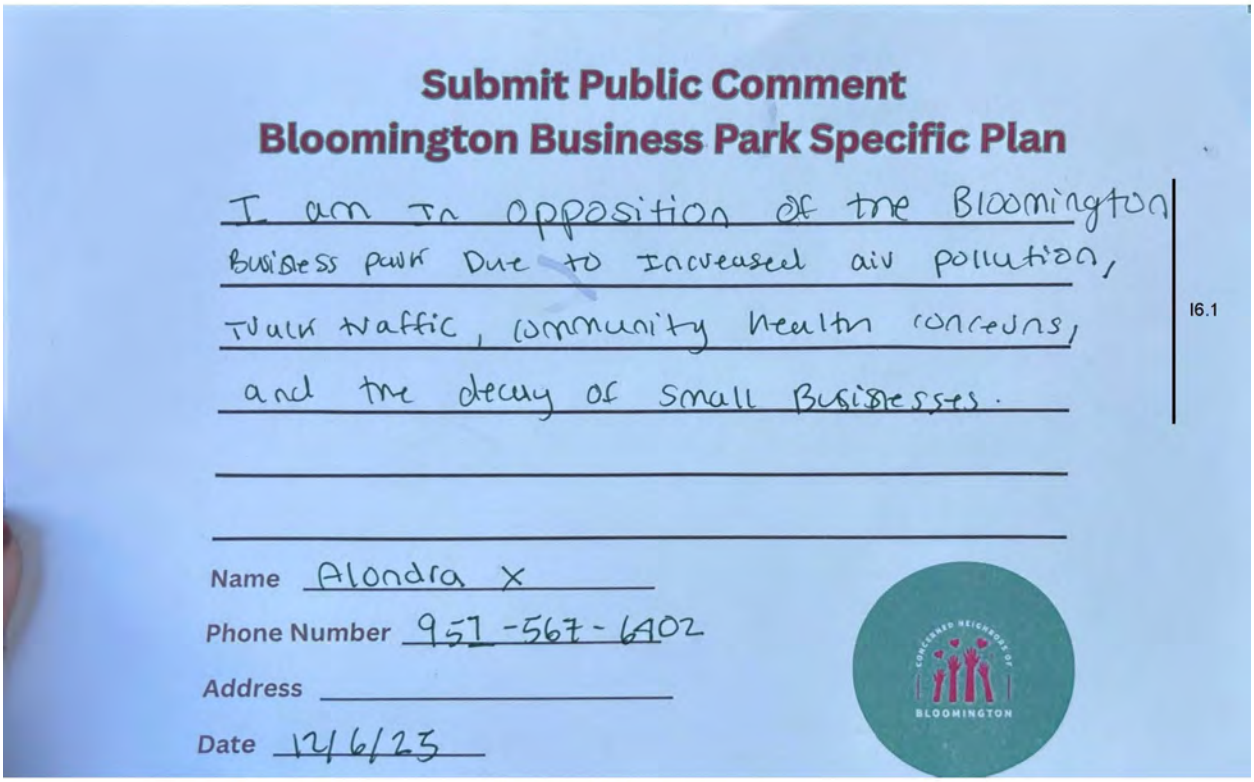
The project's changes in size and improvements are unclear. Major highway useage is marked, but there is no guarantee that designated truck routes will only be used. Improvements in streets and sewage do not seem to benefit the community in any way as they are simply designed for the project, not the actual surrounding areas. I5.1

Response to Comment Letter I5: Yarisel Carlos-Casas (1 Page)

Comment I5.1: This comment states that the Project's changes in size and improvements are not clear and does not guarantee that only designated truck routes would be used. The comment also states that the proposed street and sewer improvements associated with the Project would not benefit the community.

Response to Comment I5.1: This comment expresses the commenter's opposition to the proposed Project. The Project Description did not change from the previously circulated EIR, only the analysis of the impacts related to air quality, energy, greenhouse gas, noise, and alternatives associated with the proposed Project was updated per the San Bernardino County Superior Court September 2024 Ruling. Regarding truck routes, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR and will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment Letter I6: Alondra X, December 6, 2025



Submit Public Comment
Bloomington Business Park Specific Plan

I am in opposition of the Bloomington Business park Due to increased air pollution, truck traffic, community health concerns, and the decay of small Businesses.

I6.1

Name Alondra X

Phone Number 951-567-6402

Address

Date 12/6/25

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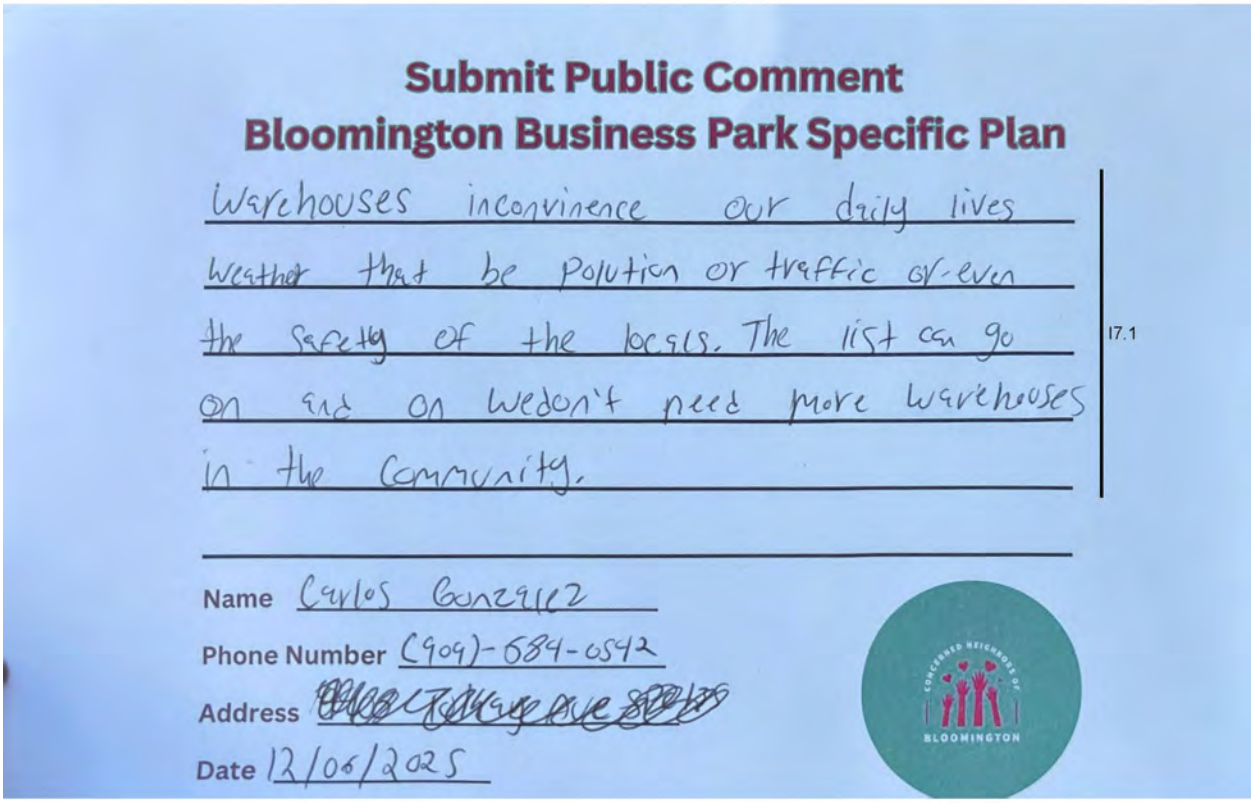
Response to Comment Letter I6: Alondra X (1 Page)

Comment I6.1: This comment states opposition to the Project due to increased air pollution, truck traffic, and community health concerns.

Response to Comment I6.1:. Impacts related to air quality and pollution, which incorporates community health concerns, are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR. Regarding truck traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Comment Letter I7: Carlos Gonzalez, December 6, 2025



Submit Public Comment
Bloomington Business Park Specific Plan

Warehouses inconvinence our daily lives weather that be polution or traffic or even the safety of the locals. The list can go on and on wedon't need more warehouses in the Community. I7.1

Name Carlos Gonzalez
Phone Number (909)-684-0542
Address [redacted]
Date 12/06/2025

Concerned Neighbors of Bloomington

Scanned with CamScanner

Response to Comment Letter I7: Carlos Gonzalez (1 Page)

Comment I7.1: This comment states opposition to warehouses in Bloomington citing pollution, traffic, and safety concerns.

Response to Comment I7.1: Impacts related to air quality and pollution are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR. As discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Comment Letter I8: Brandalyne Evans, December 9, 2025

From: BRANDALYNE EVANS
To: Gibson-Williams, Gina; Mineo-Wells, Maryn
Subject: Bloomington Business Park
Date: Tuesday, December 9, 2025 2:32:32 PM

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Good Afternoon,
My name is Brandalyne Evans and I am a teacher at Ruth O Harris Middle School here in Bloomington, I don't just teach here, I also grew up just across the bridge down the street from Ruth Grimes Elementary School. Bloomington is a place that has always and will always be home. The community here is so loving and vibrant and I am happy that I have got to be a part of it for so much of my life.
It has been so disheartening in the last few years, as I have rejoined the Bloomington community, to see the warehouses taking over the homes and the little farms that were here during my childhood. It has also been disheartening to see the effects it has had on the community and the kids that I have the privilege and honor to serve everyday. I will never in all of my life forget the day when driving back from a field trip, a student pointed out her house and the Warehouse next door to it to me and then said "There's my house! There used to be horses next door, now there's a warehouse, I miss the horses" That moment truly broke my heart, other students began chiming in with their frustration about the warehouses and the loss of community here- and that is what is happening with the Bloomington Business Park- those of you with the power to stop this atrocity, are choosing money over community. I8.1
We do not need more warehouses in the Inland Empire, and definitely not in Bloomington, we need to invest in the people who live here, in our students who are so brilliant and amazing and just want opportunities to grow and succeed. My school has continued to shrink since I started here, and kids come in all the time talking about the people who want to purchase their homes and their parents who are resisting the best they can.
One argument I continue to hear for the warehouses is that they bring jobs- but I'd like to remind all of you that our community is worth more than jobs in Warehouses, and deserve other opportunities.
I thank you so much for your time, and hope that you make the choices that are best for our community.
Sincerely,

Response to Comment Letter I8: Brandalyne Evans (1 Page)

Comment I8.1: This comment expresses sadness over how the Bloomington community has changed overtime and states opposition to warehouses in Bloomington. The comment also expresses that the Bloomington community is worth more than jobs created by warehouses.

Response to Comment I8.1: As further discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this project. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Comment Letter I9: Ana Carlos, December 10, 2025

From: Gibson-Williams, Gina
To: Mineo-Wells, Maryn
Subject: FW: Comment on the Recirculated Draft EIR
Date: Thursday, December 11, 2025 3:33:37 PM

From: Ana Carlos <ana26ana.ac@gmail.com>
Sent: Wednesday, December 10, 2025 8:32 PM
To: Gibson-Williams, Gina <Gina.Gibson-Williams@lus.sbcounty.gov>
Cc: Bloomington Neighbor <concernedneighborbloomington@gmail.com>
Subject: Comment on the Recirculated Draft EIR

You don't often get email from ana26ana.ac@gmail.com. Learn why this is important

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I am a resident of Bloomington and did not see much difference in the recirculated DEIR. Bloomington residents continue to oppose this project and all of the negative effects it will have on our community, Air quality mitigation measures continue to be "significant and unavoidable". That is not enough for a community already burdened with bad air quality. I9.1

The project does not state real solutions for the thousands of diesel trucks that will run constantly through the project. It also does not take into account the years of adverse and negative effects it will have in the community. The giant parking lot property #4 is located just feet from Bloomington High School and directly behind homes. There is no accountability and smart planning in having a parking lot that can hold hundreds of trucks in this area. Constant truck movement will bring traffic risks, noise pollution, diesel pollution and an unhealthy environment for students and families. Please consider the cumulative project table on page 228 when considering the future pollution levels for residents. I9.2

Construction mitigation measures do not ensure that mitigation measures are followed by the developer and do not give information on where to report violations from community witnesses with appropriate consequences. As we have seen before, developers and construction crews do not always follow through on rules and regulations, and when neighbors complain, the developers and construction crews point fingers at each other with no appropriate consequences. I9.3

MM AQ states that lease agreements require that all facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the

site meet or exceed 2014 model-year emissions equivalent engine standards. This makes no guarantee that trucks owned by owner-operators from in or out of state are at the same standards. I9.3 cont.

The impact of greenhouse gases will continue to be significant. The applicant does not state the levels they consider less than significant for an area like Bloomington already burdened with significant emissions and poor air quality. I9.4

The noise impact section is inaccurate because the developer does not know the type of business that will move into the building. The groundborne noise level report does not take into account the wildlife that is native to the region and the destruction and loss of habitat or life in burrowing animals.
People residing in the area would be exposed to inevitable and excessive noise levels and the developer would have no accountability if they go over the noise threshold. Again, what accountability would developers or construction crews have if they break these measures? I9.5

The biological resource section states that no substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species but there are many types of wildlife that are protected under the U.S. Migratory Bird Treaty Act that this project would displace because of the habitat loss, noise and vibration levels and light pollution. I9.6

The existing views and existing site photos of the projects on the updated DEIR on pages 195-207 are dated October 2025 and are False and Not accurate representations of the existing view of Bloomington. These photos have not been updated. I9.7

Alternate Site Alternative states that there is no other alternate place for this project and again fails to give an alternative to the project.

The residents of Bloomington would vote on : 7.6 ALTERNATIVE 1: NO PROJECT/NO DEVELOPMENT. We would like ranch homes with large lots to keep our equestrian way of life. I9.8

Response to Comment Letter I9: Ana Carlos, December 10, 2025 (2 Pages)

Comment I9.1: This comment states that the commenter did not identify a difference between the original and Recirculated Draft EIR. This comment states that residents continue to oppose the Project and that the air quality mitigation does not lessen the significant and unavoidable impacts.

Response to Comment I9.1: In regard to the Project not changing, the Project Description did not change from the previously circulated EIR, only the analysis of the impacts related to air quality, energy, greenhouse gas, noise, and alternatives associated with the proposed Project was updated per the San Bernardino County Superior Court September 2024 Ruling. As discussed in Section 2.0, *Introduction*, of the Recirculated Draft EIR on pages 2-3 through 2-4, the public process for the proposed Project included an original 2021 Draft EIR that was circulated for public comment from September 29, 2021, through December 15, 2021, and a Final EIR that was certified on November 15, 2022. Several parties filed lawsuits challenging the adequacy of the 2022 FEIR, and the cases were consolidated in the Court. On September 17, 2024, the Court issued a ruling granting the CEQA writ petition related to alternatives, air quality impacts (Friant Ranch analysis and feasibility of zero-emission truck mitigation), greenhouse gas emissions impacts, energy impacts, and noise impacts, ordering the County to set aside certification of the Final EIR and related Project approvals. The Court denied the CEQA writ petition on all other grounds raised. Therefore, the Recirculated Draft EIR was not meant to address changes to the Project itself, but to revise the analysis contained within the Air Quality, Energy, Greenhouse Gas, Noise, and Alternatives sections, consistent with the September 2024 Ruling.

Impacts and mitigation measures related to air quality are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR. As discussed under Impact AQ-2 in the Recirculated Draft EIR on pages 5.3-7 through 5.3-48, emissions from operation of the Project would exceed SCAQMD's thresholds for VOC and NOx after implementation of regulatory requirements and mitigation measures. A majority of operational-source NOx emissions (by weight) would be generated by Project vehicles, and the VOC emissions would be generated by consumer products that are outside the control of both the Project applicant and the County. With regard to air quality impacts to sensitive receptors, as discussed under Impact AQ-3 in the Recirculated Draft EIR on pages 5.3-49 through 5.3-66, the Project would not result in significant impacts related to exposure of sensitive receptors to substantial pollutant concentrations and impacts would be less than significant for operational emissions and less than significant with implementation of mitigation for construction emissions. The comment does not provide any substantial evidence of significant environmental impacts that have not already been disclosed in the Recirculated Draft EIR or that the Recirculated Draft EIR's air quality analysis is lacking. Therefore, no further response is required or provided.

Comment I9.2: This comment states that no solution is provided for the thousands of trucks that will serve the Project and that years of negative impacts on the community are not considered. The comment states that the proposed parking lot is located adjacent to Bloomington High School and residential homes that would hold hundreds of trucks which pose traffic risks, noise pollution, diesel pollution, and an unhealthy environment for students and families. The comment asks that the cumulative project table on page 228 of the Recirculated Draft EIR to be considered in regard to future pollution impacts to residents.

Response to Comment I9.2: Please refer to Response to Comment 19.1, above, to the extent the comment is referring to air quality impacts of trucks. This comment does not provide any substantial evidence of significant environmental impacts that have not already been disclosed in the Recirculated Draft EIR, and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis. Noise related impacts are analyzed in Section 5.12, *Noise*, pages 5.12-27 through 5.12-59 of the Recirculated Draft EIR, which concluded that construction noise impacts would be less than significant with mitigation and operational noise impacts would be less than significant. Impacts related to air quality, pollution, health risk, and cumulative air quality impacts are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which concluded that impacts related to regional emissions would be significant

and unavoidable, while impacts related to sensitive receptors being exposed to pollutants would be less than significant for operation and less than significant with mitigation for construction. In addition, the analysis concluded that impacts related to health risk would be less than significant. Section 4.6, *Assumptions Regarding Cumulative Impacts*, includes Table 4-4, *Cumulative Project List*, on page 4-40, which identifies nearby projects either under consideration, approved but not yet constructed, and recently constructed that were included in the cumulative impact analyses throughout the Recirculated Draft EIR as applicable.

Regarding traffic risks, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I9.3: The comment states that there is no assurance that developers will follow construction mitigation measures and no information on where the community can report violations as previous developers and construction crews have not followed rules and regulations and faced no consequences. The comment states that there is no guarantee that independent truck owners meet the standards described in the air quality mitigation measure which required lease agreements to specify that all facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site meet or exceed 2014 model-year emissions equivalent engine standards.

Response to Comment I9.3: CEQA requires a lead or public agency that approves or carries out a project for which an EIR has been certified, which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "…reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6). As such, Section 4.0, *Mitigation Monitoring and Report Summary*, of this Recirculated Final EIR, includes a Mitigation Monitoring and Reporting Program (MMRP), which accompanies the Project development and permitting requirements to ensure that adopted mitigation measures are successfully implemented. The County of San Bernardino is the Lead Agency for the Project and is responsible for implementation of the MMRP. Table 4-1, *Mitigation Monitoring and Reporting Program*, on pages 4-3 through 4-23 of this Recirculated Final EIR, identifies binding and enforceable mitigation measures required by the County to mitigate or avoid significant impacts associated with the implementation of the Project, the timing of implementation, the responsible party or parties for monitoring compliance, and a column that will be used by the compliance monitor to document when implementation of the measure is completed. According to Table 4-1, Mitigation Measure AQ-15 would be implemented prior to tenant occupancy or tenant business license insurance which would be verified by the County of San Bernardino staff review of lease agreements. This would incorporate that requirement on all trucks, including owner-operated and out of state. This comment does not otherwise provide any substantial evidence of significant environmental impacts or that the Recirculated Draft EIR's analysis is lacking.

Comment I9.4: This comment states that greenhouse gases will continue to be significant and that the applicant has not stated the levels they consider less than significant for Bloomington, an area already burdened by significant emissions and poor air quality.

Response to Comment I9.4: Impacts related to greenhouse gases are global in nature rather than local and are distinguished from localized air quality impacts. Further, the analysis within the Recirculated Draft EIR utilized the threshold set forth by the County's GHG Reduction Plan pursuant to CEQA Guidelines Section 15183.5. As such, there is no applicable Bloomington community level GHG threshold of significance that would be applicable to the Project. Impacts related to greenhouse gas emissions are discussed in Section 5.8, *Greenhouse Gas Emissions*, pages 5.8-11 through 5.8-39 of the Recirculated Draft EIR and a discussion

on the existing site conditions, thresholds of significance, and methodology used in the greenhouse gas emissions analysis can be found on pages 5.8-10 and 5.8-11. Impacts related to greenhouse gas emissions would be less than significant with implementation of regulatory requirements and mitigation.

Impacts related to air quality and pollution are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73. The applicant is not responsible for establishing significance thresholds based on existing ambient air quality; rather, the Recirculated Draft EIR utilizes the thresholds of significance for air quality impacts established by SCAQMD, which take into account existing air quality within the air basin. Recirculated Draft EIR Table 5.3-2 identifies the number of days ambient air quality standards were exceeded in the area, based on data from the nearest monitoring station to the proposed Project, within Source/Receptor Area 34 (SRA 34). Comparison of the proposed Project's criteria pollutant emissions with the SCAQMD's localized thresholds are provided in Recirculated Draft EIR Table 5.3-19 to Table 5.3-25. As discussed under impact AQ-3, impacts related to exposure of sensitive receptors to substantial pollutant concentrations would be less than significant with mitigation. The comment does not otherwise raise substantial new evidence of significant environmental impacts that have not already been disclosed in the Recirculated Draft EIR or raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I9.5: This comment states that the noise section of the Recirculated Draft EIR is inaccurate as the developer has not identified a tenant and the noise report does not account for native wildlife nor the loss and destruction of burrowing animal habitats. The comment states that residents would be exposed to excessive noise levels and that there is no developer accountability for exceeding noise thresholds.

Response to Comment I9.5: Noise and vibration-related impacts are analyzed in Section 5.12, *Noise*, pages 5.12-27 through 5.12-59 of the Recirculated Draft EIR, which determine that impacts related to construction noise would be less than significant with implementation of mitigation. Additionally, as further discussed in Master Response 2, the Recirculated Draft EIR analysis focused on the areas that were determined to be inadequate by the San Bernardino Superior Court September 2024 Ruling, specifically impacts related to air quality, energy, greenhouse gas, noise (construction-related only), and alternatives. Therefore, concerns outside those areas (including operational noise and biological resources) are not further addressed in this document although they were fully analyzed in the Original Draft EIR and will be taken into consideration by the County decision makers as in determining what action to take on the proposed Project. Mitigation Measures NOI-1 to NOI-8 are incorporated to address construction-related noise and vibration impacts and are fully binding and enforceable by the County as part of the MMRP, as discussed under Response to Comment I9.3, above. The comment does not otherwise raise substantial new evidence of significant environmental impacts that have not already been disclosed in the Recirculated Draft EIR or raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I9.6: This comment states that the biological resource section concludes no significant impacts to special status species; however, there are many wildlife species protected under the U.S. Migratory Bird Treaty Act that would be displaced by the Project due to habitat loss, noise and vibration levels, and light pollution.

Response to Comment I9.6: As further discussed in Master Response 2, the Recirculated Draft EIR analysis focused on the areas that were determined to be inadequate by the San Bernardino Superior Court September 2024 Ruling, specifically impacts related to air quality, energy, greenhouse gas, noise, and alternatives. Therefore, concerns outside those areas (including biological resources) are not further addressed in this document although they were fully analyzed in the Original Draft EIR and will be taken into consideration by the County decision makers in evaluating what action to take on this Project. Further, biological resource impacts were fully analyzed in the Original EIR, which was included as Volume II to the Recirculated Draft EIR.

Comment I9.7: This comment states that the existing site photos, dated October 2025, on Pages 195-207 of the Recirculated Draft EIR were not updated and are not accurate representations of the existing view of Bloomington.

Response to Comment I9.7: According to CEQA Guidelines 15125(a)(1) the lead agency has the discretion to determine baseline conditions as of the original Notice of Preparation publishing date. As such, Section 4.0 of the Recirculated Draft EIR, Environmental Setting, states on page 4-1 that for the purpose of the analysis within the Recirculated Draft EIR, the environmental conditions that existed within the Specific Plan area at the time of the original Notice of Preparation publication (December 20, 2020) represent the environmental baseline for the proposed Project. Therefore, the existing site photos included on pages 4-17, 4-19, 4-29, 4-31 and of the Recirculated Draft EIR were not updated. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I9.8: This comment states that the Alternative Section fails to provide an alternative to the Project, as the Alternate Site Alternative concludes there is no alternate location for the Project and that the residents would vote for the no project/no development alternative. The comment states that the commenter would like ranch homes and to maintain an equestrian way of life.

Response to Comment I9.8: The Project Alternatives are discussed in Section 7.0, *Alternatives*, of the Recirculated Draft EIR. As discussed in Section 7.4, *Alternatives Considered but Rejected*, on page 7-3, the Alternate Site Alternative was eliminated from consideration as there is not a suitable site within the control of the Project applicant; however, if land could be purchased of suitable size, development of a master planned industrial business park at a different location would likely require demolition of existing structures and require similar mitigation. CEQA specifies that the key question regarding alternative site consideration is whether the basic Project objectives would be attained and if any of the significant effects of the Project would be avoided or substantially lessened by having the Project at another location. In consideration of those factors, it would be infeasible to develop and operate the Project on an alternate site with fewer environmental impacts while meeting Project objectives. Therefore, the Alternative Site Alternative was rejected from further consideration. The three alternatives to the Project that were selected for further analysis are discussed on pages 7-3 through 7-26 of Section 7.0. The comment does not otherwise provide substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment Letter I10: Beatriz Leon, December 10, 2025

From: Beatriz Leon
To: Gibson-Williams, Gina; Mineo-Wells, Maryn
Subject: Concerned Resident of Bloomington
Date: Wednesday, December 10, 2025 5:12:46 PM

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It is disappointing to even have to right this email but here we are, to even think to go through with the Bloomington Buisness Park Specific Plan is insane. Not only will the livelihood of Bloomington decrease, life span for residents of Bloomington and surrounding cities will decrease due to the new position that will come from the warehouse and the trailer parking lot. The air quality of Bloomington is already bad and sensitive populations have to be careful everyday. This plan will cause the creation of so much more health risk factors. On top of that the traffic will be worse than it already is. Security of kids crossing those streets to get to their schools will be compromised. For once take the community seriously and look factors other than profit.
Sent from my iPhone

I10.1

Response to Comment Letter I10: Beatriz Leon (1 Page)

Comment I10.1: This comment states opposition to the Project and expresses that the livelihood and life span of Bloomington residents would decrease as a result of the Project. The comment also states that the existing air quality in Bloomington is bad and that the Project would create more health risks, increased traffic, and unsafe conditions for kids going to school.

Response to Comment I10.1: Impacts related to air quality and health risk are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which concluded that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risks would be less than significant. Additionally, per the San Bernardino County Superior Court September 2024 Ruling, only the analysis of air quality, energy, greenhouse gas, noise, and alternatives associated with the proposed Project was updated. Regarding traffic and unsafe pedestrian conditions, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Comment Letter I11: Caitlin Towne, December 10, 2025

From: Gibson-Williams, Gina
To: Mineo-Wells, Maryn
Subject: FW: Opposed to the Bloomington Business Park Specific Plan
Date: Thursday, December 11, 2025 3:33:04 PM

From: Caitlin Towne <caitietowne@gmail.com>
Sent: Wednesday, December 10, 2025 11:07 PM
To: Gibson-Williams, Gina <Gina.Gibson-Williams@lus.sbcounty.gov>
Subject: Opposed to the Bloomington Business Park Specific Plan

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Good evening?
As a teacher in Bloomington for the past 12 years and an alum of Bloomington high school and a lifelong inland empire resident I strongly oppose the Bloomington business park specific plan and any other future warehouse being built in Bloomington. The community does not want or need any more warehouses and the increased pollution would cause so many more health issues for all the community. The pollution from trucks and the cutting down of so many trees and natural environment is terrible for the future I11.1

The increased traffic will be terrible for the residents and those who work in the area as well as for the streets which already have so many potholes. I11.2

The warehouses will not create good, secure jobs for the community because of the advancement of AI and robotics which will soon take over the work in warehouses.

This is a horrible plan and I strongly urge everyone in power to vote against this plan to save the community of Bloomington and the larger area of the inland empire. No more warehouses in our backyards! I11.3

Thank you,
Caitlin Towne

Response to Comment Letter I11: Caitlin Towne (1 Page)

Comment I11.1: This comment states opposition to the Project and all future warehouse development in Bloomington citing increase pollution from truck traffic and removal of trees, causing community health issues.

Response to Comment I11.1: Impacts related to Air Quality, pollution, and health risk are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which concluded that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant. Additionally, per the San Bernardino County Superior Court September 2024 Ruling, only the analysis of air quality, energy, greenhouse gas, noise, and alternatives associated with the proposed Project was updated. Regarding truck traffic and removal of trees, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts and biological impacts) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Comment I11.2: This comment states that increased traffic would impact residents and degrade the streets. The comment also states that the jobs created by warehouses would not provide secure jobs for the community as advancements in AI and robotics would take over the work in warehouses.

Response to Comment I11.2: Regarding traffic, as discussed in Master Response 2, transportation-related impacts, including impacts related to truck traffic, were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

In regard to warehouse jobs, as further discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Any economic and social effects of the proposed project are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Therefore, consistent with CEQA, the Recirculated Draft EIR includes an analysis of the Project's potentially significant physical impacts on the environment and does not include a discussion of the Project's potential jobs although it this comment will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I11.3: This comment states that the Project is horrible and urges decision makers to vote against the Project as the commenter does not want any more warehouses in Bloomington.

Response to Comment I11.3: This comment expresses the commenter's opposition to the proposed Project. The comment does not provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR. This comment will be provided to County decisionmakers as part of the Final EIR.

Comment Letter I12: Eduardo Vargas, December 10, 2025

Name: Eduardo Vargas
Address: 18772 9th Street Bloomington California
Email: edvar8942@gmail.com

Dear Maryn Wells, Gina Gibson-Williams and San Bernardino County Land Use Services,

My name is Eduardo Vargas and I am a student at Bloomington Highschool, I am writing to express my opposition to the Bloomington Business Park. The new Bloomington Revised Environmental Impact Report continues to underestimate its impacts to the nearby residents and schools. This project might look good on paper, but for us, it just means more trucks, more pollution, and more stress. Our community is already surrounded by warehouses, and it feels like we're being boxed in. A lot of us have grown up dealing with bad air, constant traffic, and noise. Adding another huge development doesn't make our lives better, it will make things worse. I12.1

What frustrates me even more is the new impact report. It's basically the exact same thing as before. They just redid it, but nothing actually changed. It will be the same problems, same harms, same lack of real solutions. It feels like they're checking a box instead of actually listening to the community or trying to fix anything. If the report doesn't address the issues we've been bringing up for years, then what's the point? I12.2

This project also affects our health and future. My friends and other students here already struggle with asthma and other respiratory problems. We shouldn't have to get used to polluted air or unsafe streets just because companies want more space for trucks. It really feels like our community's safety and well-being don't matter compared to profit.

We also need places for people, not just businesses or warehouses. We want parks, shops, sidewalks, things that make a neighborhood feel livable . This project does the opposite. It replaces what our community needs with even more industrial development we never asked for. I12.3

Please listen to us

Sincerely,

Eduardo Vargas

Response to Comment Letter I12: Eduardo Vargas (1 Page)

Comment I12.1: This comment states opposition to the Project and that the Recirculated Draft EIR underestimates the Project's impacts on the nearby residents and schools. The comment states that the Project would bring more trucks, pollution, and stress to the community which is already surrounded by warehouses. The comment states that residents have to deal with bad air, traffic, and noise which would be worsened by the Project.

Response to Comment I12.1: This comment expresses the commenter's opposition to the proposed Project. The comment does not provide any substantial evidence of environmental impacts related to air quality or noise. Impacts related to air quality and pollution are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant. Noise related impacts are analyzed in Section 5.12, *Noise*, on pages 5.12-27 through 5.12-59, which determined that impacts related to construction noise would be less than significant with mitigation and impacts related to operational noise would be less than significant. Additionally, per the San Bernardino County Superior Court September 2024 Ruling, only the analysis of air quality, energy, greenhouse gas, noise, and alternatives associated with the proposed Project was updated. Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I12.2: This comment states that the Recirculated Draft EIR does not show any changes from the previous Draft EIR and that the impacts remained the same without any real resolutions. The comment states that the Recirculated Draft EIR does not address the issue brought up by the community. This comment also states that the proposed Project would impact the health of the residents as many already struggle with respiratory health issues and that truck traffic will worsen air pollution and make the streets unsafe.

Response to Comment I12.2: Section 2.0, *Introduction*, summarizes the Recirculated Draft EIR's revised analysis on pages 2-3 through 2-4. Section 2.0 also includes Tables 2-1 and 2-2 which summarize the public comment letters received in response to the NOP and the public comments from the scoping meeting respectively, with references to the Recirculated Draft EIR sections where the issues raised are addressed on pages 2-5 through 2-20. This comment expresses the commenter's opinion and does not provide any substantial evidence of significant environmental impacts. Impacts related to air quality, pollution, and health risk are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR. Per the San Bernardino County Superior Court September 2024 Ruling, only the analysis of air quality, energy, greenhouse gas, noise, and alternatives associated with the proposed Project was updated. As further discussed in Master Response 2, topics outside of those areas (including transportation related impacts) are not further addressed in this Final EIR, although they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I12.3: This comment states that the Bloomington community wants parks, shops, and sidewalks to improve the neighborhood, not another warehouse and more industrial development.

Response to Comment I12.3: The comment does not provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR. This comment will be provided to County decisionmakers as part of the Final EIR.

Comment Letter I13: Jasmin Duarte, December 10 & 11, 2025

From: Jasmin Duarte
To: Gibson-Williams, Gina; Mineo-Wells, Marvn
Subject: Bloomington Resident
Date: Wednesday, December 10, 2025 5:18:18 PM

You don't often get email from jjduarte0301@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

It is heartbreaking to even have to write this email but here we are, to even think to go through with the Bloomington Business Park Specific Plan is insane. Not only will the livelihood of Bloomington decrease, life span for residents of Bloomington and surrounding cities will decrease due to the new pollution that will come from the warehouse and the trailer parking lot. The air quality of Bloomington is already bad and sensitive populations have to be careful everyday. This plan will cause the creation of so much more health risk factors. On top of that the traffic will be worse than it already is. Security of kids crossing those streets to get to their schools will be compromised. For once take the community seriously and look factors other than profit. The meeting held for residents to learn about this project was uneventful and strategically planned to divide the community. Do better and stand by the community. We do not want these warehouses. Put them in your back yard. Sent from my iPhone

I13.1

From: Jasmin Duarte
To: Mineo-Wells, Maryn; Gibson-Williams, Gina
Subject: Concerned resident
Date: Thursday, December 11, 2025 9:58:35 PM

You don't often get email from jjduarte0301@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Since yall want to change up the emails here is my previous comment once again

It is heartbreaking to even have to write this email but here we are, to even think to go through with the Bloomington Business Park Specific Plan is insane. Not only will the livelihood of Bloomington decrease, life span for residents of Bloomington and surrounding cities will decrease due to the new pollution that will come from the warehouse and the trailer parking lot. The air quality of Bloomington is already bad and sensitive populations have to be careful everyday. This plan will cause the creation of so much more health risk factors. On top of that the traffic will be worse than it already is. Security of kids crossing those streets to get to their schools will be compromised. For once take the community seriously and look factors other than profit. The meeting held for residents to learn about this project was uneventful and strategically planned to divide the community. Do better and stand by the community. We do not want these warehouses. Put them in your back yard. I13.1

Response to Comment Letter I13: Jasmin Duarte (2 Pages)

Comment I13.1: This comment states opposition to the Project and expresses that the livelihood and life span of Bloomington residents would decrease as a result of pollution associated with the Project. The comment also states that the existing air quality in Bloomington is bad and that the Project would create more health risks, increased traffic, and unsafe conditions for kids going to school. The comment also expresses that the community meeting was planned to divide the community.

Response to Comment I13.1: Impacts related to Air Quality, pollution, and health risk are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR. As further discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Comment Letter I14: Kimberly Torres, December 10, 2025

From: Kimberly Torres
To: Gibson-Williams, Gina; Mineo-Wells, Marvn
Subject: Bloomington Resident
Date: Wednesday, December 10, 2025 8:28:26 PM

You don't often get email from kimbecarra2003@icloud.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

It's heartbreaking having to write this email but here we are. To even think to go through with the Bloomington Business Park Specific Plan is insane.
I truly don't think this is helping our state, I understand things change but our city just doesn't feel like home anymore it's just getting ruined because of all these buildings being built that aren't even homes for residents!
Not only will the livelihood of Bloomington decrease, life span for residents of Bloomington and surrounding cities will decrease due to the new pollution that will come from the warehouse and the trailer parking lot. The air quality of Bloomington is already bad and sensitive populations have to be careful everyday. This plan will cause the creation of so much more health risk factors. On top of that the traffic will be worse than it already is. Security of kids crossing those streets to get to their schools will be compromised. For once take the community seriously and look for factors other than profit. I think we need to stand up as a community not divide it. I14.1

Sent from my iPhone

Response to Comment Letter I14: Kimberly Torres (1 Page)

Comment I14.1: This comment states opposition to the Project as it would not build homes for residents. The comment expresses that the livelihood and life span of Bloomington residents would decrease as a result of pollution associated with the Project. The comment also states that the existing air quality in Bloomington is bad and that the Project would create more health risks, increased traffic, and unsafe conditions for kids going to school.

Response to Comment I14.1: Impacts related to Air Quality, pollution, and health risk are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR. As further discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Comment Letter I15: Marcela Vargas, December 10, 2025

Marcela Vargas

10 December 25

Dear Maryn Wells and Gina Gibson,

My name is Marcela Vargas, and I am a 21-year-old resident of Bloomington. I am writing this letter to oppose the Bloomington Business Park project, hoping for no approval of it. For the past years we have been trapped with industrial warehouses, and there has been no slowing down on the construction of them. Our community faces heavy pollution, ongoing traffic of trucks, and conflict with the future health of our respiratory systems. Many children and adults have asthma and already face respiratory issues; being in this environment is harming their bodies even more. Our community is asking for sympathy; we're asking to be heard because we care for and love our homes. Although projects like these may seem good and impactful on the outside, they are quickly harming us and our health. I want to bring this issue to your attention to show you how much the Bloomington community has faced . I hope you guys can understand what this means to us and our families. We only want to be in peace and remain healthy in our homes. If we don't fight this, we could lose many more of our homes as well. We ask to be heard and hope you understand our situation. Thank you for your time. I15.1

Sincerely, Marcela Vargas

Response to Comment Letter I15: Marcela Vargas (1 Page)

Comment I15.1: This comment states opposition to the Project and that the community of Bloomington has been trapped by industrial warehouses. The comment states that the community faces pollution, truck traffic, and respiratory health issues and that the Project would harm the residents' health. The comment requests that the community be heard and understood.

Response to Comment I15.1: Impacts related to Air Quality, pollution, and health risk are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR. As further discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Comment Letter I16: Maria Sarabia, December 10, 2025

1

To whom it may concern,

This letter will reflect the community's concerns about purposefully creating a polluted city to benefit others and leave community members behind. San Bernardino County is made up of 56% Hispanic individuals, which is 10% higher than California's average of 40%. Despite being the second largest ethnic group across the country, second to non-Hispanic Whites, the Hispanic community has consistently faced disparities in health, income, environmental health, and educational opportunities. The Hispanic community consistently faces poor health outcomes due to their increased likelihood of living in areas that are more polluted, less likely to have access to adequate health care, and suppression of their voice. I16.1

Bloomington is made up of a strong, resilient Hispanic community, but this is being dismantled by the very county that celebrates the diversity in its community. The Business Park Plan sells the idea that there will be opportunities and jobs for the community, but this is not currently being replicated by the current community members, where the unemployment rate is higher than the national average. I16.2

The increased traffic that will be brought into this community because of the proposed park plan will not only create harm to the environment's health, but also specifically the health of community members. The Department of Environmental Health in San Bernardino County has a mission of promoting healthy behaviors and ensuring accessibility to its services, which is completely contradicted in this Business Park Plan proposal. The Department of Public Health in San Bernardino County's goal is to ensure that communities and their environments support healthy lifestyles, which is completely contraindicated by the Business Park proposal as well. The current warehouses that are in the community have already displaced several community members and have been 'rectified' through financial incentives. However, the real issue has not been addressed; these community members never wanted to leave their home and see their home torn down. This current warehouse business has created a divide in the community, polluted the air, making it difficult to engage in physical activity, and prevented other community engagement activities from being formed. I16.3

The rapid industrialization of the Inland Empire has destroyed communities and has been built on land that could have served a purpose. The surrounding areas of Bloomington, such as Fontana, Rialto, and Jurupa Valley, have also seen a major influx of empty warehouses. Pushing out communities, individuals who have lived in the area longer than the developers had planned I16.4

to do this takeover, are left as victims of the aftermath of the establishment. Homes where families would gather and friendships would be formed, have now been minimized to walls and pollution. The impact of these warehouses may not be felt by the Board of San Bernardino, but they have been incredibly impactful to the community members. I16.4 cont.

This warehouse plan is based on greed. The current warehouses in the surrounding area have been emptied for several years, yet the fight to build more continues. Building these warehouses is not a small sacrifice to benefit the majority, but rather a gigantic erasure of the Bloomington community. This complete disregard for the health and wellness of the community is a disservice to all. As a resident of Bloomington, I have witnessed firsthand the removal of residents to benefit large corporations. This is not only frustrating but terrifying, considering how easily the Board of San Bernardino has prioritized these large corporations over the lives of the community. During times of inclement weather, these warehouses have continued to operate and pose a threat to the surrounding neighborhoods, while residents have their electricity turned off due to potential fire threats. This concept demonstrates the fear that has been present among the community, while we freeze and are unable to comfortably live in our own homes due to our power being shut off, Amazon and FedEx can still operate their warehouses without any expenses lost. I16.5

Decisions made due to financial gain have never seen real benefits. The role of the Board of San Bernardino is to prioritize the needs of the community, which has yet to be done, as seen through previous actions. The community has been persistent on the refusal of the warehouses, but this has been ignored. These actions that have left a community extremely polluted pose many health concerns, including the air quality and the physical environment. The warehouses prevent the community from engaging in healthy behaviors encouraged by the Department of Public Health and Environmental Health. Please do not succumb to greedy corporations and allow them to force my community out, displacing civilians. The current wave of warehouses has already spiked concerns regarding our homes, many of whom have spent decades cultivating their homes, just for them to be forced out by money-hungry corporations. The approval of these plans places fears on those of us who have yet to be forced out — when will it end? Developers consistently target marginalized communities because they will know how simple it is to buy the representatives, who are technically supposed to advocate for them, as they were voted in to do. Approval of this plan is a selfish act that will force the Bloomington residents to face the dire I.16.6

consequences of. This cruel Business Park Plan is completely dismissive of the residents that live here and the millions of other places the companies can build their warehouse monopoly, but they choose to do it in an area where there are individuals living to prove how easy it is to buy people with money.

This Business Park Plan completely disregards community voices that have actively pleaded for these warehouses not to be built. The impact the warehouse central will have on the environment is undeniable and a danger to all. This plan is an environmental hazard all around, a danger to the children, the elderly, and all those in between. It will have severe impacts on individuals' health, which the county will refuse to acknowledge. Please listen to the community and acknowledge that there are already many warehouses, particularly empty ones, so new ones are not needed, especially near schools and homes. Don't make a decision based on the potential income benefit; Please just let us live in our homes next to our friends without fearing detrimental health impacts.

I16.6 cont.

Thank you,
Maria Sarabia
#Bloomingtonnoserinde

References

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Response to Comment Letter I16: Maria Sarabia, December 10, 2025 (4 Pages)

Comment I16.1: This comment states that the community is concerned about San Bernardino County creating a polluted city for their benefit. The comment states that the County is majority Hispanic, with a larger percentage than the State average and that despite being the second largest ethnic group in the country, the Hispanic community faces disparities in health, income, environmental health, and educational opportunities. The comment also states that the Hispanic community has an increased likelihood of living in polluted areas and are less likely to have access to health care leading to poor health outcomes.

Response to Comment I16.1: Impacts related to air quality, pollution, and health risk are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant. Regarding human health, the Recirculated Draft EIR, as revised in Section 3.0 of this Final EIR, discusses that modeling performed using the USEPA's COBRA model and utilizing SCAQMD's IPT methodology indicates that health risks would not differ significantly from what was reported for the Friant Ranch or CSUDH projects and remains negligible. Therefore, no significant health risks would occur associated with emissions from the Project. As further discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). The Project's potential environmental justice effects, including social or socioeconomic effects on certain communities, are social issues that are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). The Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas (including environmental justice and socioeconomic concerns) are not further addressed in this document although they will be taken into consideration by they will be taken into consideration by the County decision makers in evaluating what action to take on this Project. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I16.2: This comment states that Bloomington, a Hispanic community, is being dismantled by the County. The comment also states that the Project promises job opportunities for the community; however, unemployment in Bloomington is higher than the national average.

Response to Comment I16.2: The provision of an estimated 2,709 jobs in Bloomington by 2040 is one of the benefits of the proposed Project and would contribute toward a more balanced jobs-to-housing ratio. San Bernardino County has had unemployment rates ranging between 3.4 and 17.1 percent over the last 10 years. Most of the new jobs that would be created by the Project would be positions that do not require a specialized workforce, and this type of workforce exists in the Bloomington community and surrounding communities. As further discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this project. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I16.3: This comment states that increased traffic associated with the proposed Project would harm the health of the environment and community members. The comment states that the Project contradicts the San Bernardino County's Department of Environmental Health mission of promoting healthy behaviors and accessibility to services as well as the Department of Public Health's goal of supporting communities' healthy lifestyles and environment. The comment states that existing warehouses in Bloomington have displaced community members and that warehouses have divided the community, polluted the air, hindered residents' physical activity, and prevented community engagement activities.

Response to Comment I16.3: Regarding air quality and human health, the commenter is referred to Response to Comment I16.1, above. As further discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Regarding community lifestyle and healthy behavior, the Project's potential environmental justice effects, including social or socioeconomic effects on certain communities, are social issues that are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). The Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas (including environmental justice and socioeconomic concerns) are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project.

Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR and will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I16.4: This comment states that the industrialization of the Inland Empire has destroyed communities and wasted land potential. The comment states that Bloomington, Fontana, Rialto, and Jurupa Valley are experiencing an influx of empty warehouses that created pollution and caused a loss of communities and homes that may not have been felt by the Board of San Bernardino as the community members have been.

Response to Comment I16.4: Regarding air quality and human health, the commenter is referred to Response to Comment I16.1, above. As further discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I16.5: This comment states that the Project is based on greed as the existing warehouses have been empty for years, however warehouse development continues. The comment states that warehouse development is erasing the Bloomington community and disregards the health and wellness of the community. The comment states that the commenter has witnessed the removal of residents for the benefit of large corporations as prioritized by the Board of San Bernardino. The comment states that warehouses continue to operate during inclement weather while residents lose power due to fire risk shutoffs and that residents are fearful of the inequity between residents' loss of power and uninterrupted warehouse operations.

Response to Comment I16.5: Regarding air quality and human health, the commenter is referred to Response to Comment I16.1, above. Additionally, energy-related impacts are discussed in Section 5.6, *Energy*, on pages 5.6-6 through 5.6-24 of the Recirculated Draft EIR and would be less than significant with mitigation. As discussed in the Recirculated Draft EIR on pages 5.6-20 to 5.6-21, as required by Mitigation Measure E-1, the Project buildings would be designed in order to meet LEED Silver standards, which would provide additional energy efficiency measures and further energy reductions. In addition, the Project would utilize zero emission light-duty, medium-duty, and heavy-duty trucks, once such trucks become commercially available and feasible (as defined in Section 5.3, *Air Quality*), as set forth in Mitigation Measures AQ-19 and AQ-20, which would serve to reduce reliance on fossil fuels in future Project operations. In addition, as required by Mitigation Measure AQ-13, the Project would utilize electric yard hostlers, forklifts, and pallet

jacks. Further, as required by Mitigation Measure AQ-23, the proposed Project would be required to either install solar photovoltaic panels or other renewable energy generation system onsite or purchase renewable energy so that 100 percent of the expected building load is provided by renewable energy. All of these measures would ensure that the Project would not result in inefficient or wasteful energy consumption that would put additional strain on the electricity grid.

Regarding population and utilities, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (include impacts related to population and utilities) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were analyzed in detail as part of the Original Draft EIR and will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis

Comment I16.6: This comment states that the Board of San Bernardino has yet to prioritize the needs of the community over financial gain and ignored the community's refusal of warehouses which has led to pollution and health concerns related to air quality and physical environment. The comment states that warehouses prevent residents from engaging in healthy behaviors and asks that corporations not be allowed to force residents out of the community as warehouse development has caused residents to fear the loss of their homes. The comment also states that developers target marginalized communities to buy representatives and that approval of the Project would force the consequences of the Project onto Bloomington residents. The comment states that the Project is dismissive of residents and alternate locations for the Project. The comment states that the Project would impact the environment and be dangerous to children and the elderly as it would impact individuals' health. The comment asks that the community be listened to, that the existing empty warehouses be acknowledged, and that decisions not be made on income. The comment asks to let the residents live without fear of health impacts.

Response to Comment I16.6: Regarding air quality and human health, the commenter is referred to Response to Comment I16.1, above. Additionally, as discussed in Section 7.4, *Alternatives Considered but Rejected*, on page 7-3 of the Recirculated Draft EIR, the Alternate Site Alternative was eliminated from consideration as there is not a suitable site within the control of the Project applicant; however, if land could be purchased of suitable size, development of a master planned industrial business park at a different location would likely require demolition of existing structures and require similar mitigation. CEQA specifies that the key question regarding alternative site consideration is whether the basic Project objectives would be attained and if any of the significant effects of the Project would be avoided or substantially lessened by having the Project at another location. Given these reasons, it would be infeasible to develop and operate the Project on an alternate site with fewer environmental impacts while meeting Project objectives. Therefore, the Alternative Site Alternative was rejected from further consideration. As further discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this project. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis

Comment Letter I17: Priscilla Vargas-Pena, December 10, 2025

Priscilla Vargas-Pena

18772 9th St. Bloomington, Ca. 92316

priscilla7586@gmail.com

Maryn Wells and Gina Gibson Williams,

My name is Priscilla Vargas, and I have lived in Bloomington all my life. I am writing to express my opposition to the Bloomington Business Park and to tell you directly how deeply disappointed I am in this process. I submitted comments before, and I was never notified about any response, honestly painful but not surprising. Nonetheless, here I am again, repeating myself, trying once more to make you understand just how terrible and harmful this project truly is.

This project is not invisible. It is not harmless. It is a three million square foot warehouse complex that will bring over 1,300 diesel truck trips into our neighborhood every single day, around the clock. Some families will have this sitting just ten feet from their homes. I keep wondering if any of you have stopped long enough to picture that, ten feet from your bedroom window, your child's room, your elderly parent's home. If you lived here, if you breathed this air, if you watched your neighborhood be erased piece by piece, would you ever agree to this? I genuinely don't believe you would. I17.1

Bloomington is already one of the most polluted communities in the entire country. EPA data shows we're above the 90th percentile for smog, diesel pollution, and cancer causing air toxics. You know that. You've seen the reports. And yet decisions continue to be made as if the people who live here, people like me, are somehow built to withstand more harm than everyone else. You fail to see the human lives attached to these statistics. You fail to recognize the families who will bear the consequences while you move on unaffected. I17.2

More than 80 families have already been displaced because of this project. By the end, 117 homes will be gone. Entire lives uprooted. And there is no plan to replace any of the lost housing. No support for the people pushed out. No acknowledgement of the trauma that displacement causes. These families deserved more than to be treated as collateral damage. And those of us still here are left wondering if we matter at all to the people making these decisions. I17.3

Our roads are already unsafe and overwhelmed. Cedar Avenue backs up constantly. Emergency vehicles struggle to get through. The Fire Department has said this outright. I17.4

And the Cedar bridge won't be completed until around 2030. Yet somehow adding over a thousand trucks a day is considered acceptable. Honestly, it's hard not to feel like basic safety just doesn't matter when it comes to pushing this project forward. I17.4 cont.

Students at Bloomington High School and Zimmerman Elementary are already suffering from nearby construction, longer drop off lines, choking dust, and worse air. And still, the Revised Environmental Impact Report downplays it all. I can't help but think, do the people approving this ever think of these kids? Do you ever picture them trying to learn while breathing dirty air? Do you ever think about the school days they've already lost because of construction, or the days they'll lose if this moves forward? I17.5

We're told the project will create 2,700 jobs by 2040. But there's no tenant, no transparency, and no guarantee. These are promises with no foundation. Jobs that may not exist. Jobs that could be automated. Meanwhile, the damage to our community is real, immediate, and irreversible. I17.6

And the worst part is that this project contradicts everything the Bloomington Community Plan says we value: clean and safe neighborhoods, healthy air, community gathering spaces, economic development that doesn't destroy the place we call home. Instead, our neighborhoods shrink while warehouses multiply, and the people who have lived here all their lives are left asking why we never seem to be worth protecting.

Bloomington deserves better. We deserve leaders who do more than glance at reports and check boxes. We deserve leaders who actually see us, listen to us, and recognize the harm being done. We deserve to be treated like human beings whose health, homes, and futures matter, not like obstacles to development. I17.7

We want our comments acknowledged. And we want you to sit with the reality of what this project is doing. Because the truth is, no community should have to fight this hard just to be seen, heard, and valued. And the fact that we do should weigh heavily on anyone responsible.

Response to Comment Letter I17: Priscilla Vargas-Pena, December 10, 2025 (2 Pages)

Comment I17.1: This comment states opposition to the Project and expresses disappointment with the public review process as the commenter was not notified about the responses to their previous comments. This comment states that the project is terrible and harmful as it includes a three million-square foot warehouse and would bring over 1,300 diesel trucks into the neighborhood daily. The commenter states that some families would have the Project ten feet from their homes and expresses that the commenter does not think the County would agree to approval of the Project if the decision makers lived in Bloomington.

Response to Comment I17.1: Thank you for your comment and continued participation in this process. Section 2.0, *Introduction*, of the Recirculated Draft EIR includes Tables 2-1 and 2-2 which summarize the public comment letters received in response to the NOP and the public comments from the scoping meeting respectively, with references to the Recirculated Draft EIR sections where the issues raised are addressed on pages 2-5 through 2-20. Impacts to nearby sensitive receptors are thoroughly evaluated in Recirculated Draft EIR Sections 5.3 (Air Quality) and 5.12 (Noise), which determined that air quality and noise impacts to sensitive receptors would be less than significant with mitigation during construction and less than significant during operations. As discussed in Master Response 2, the Recirculated Draft EIR analysis focused on the areas that were determined to be inadequate by the San Bernardino Superior Court September 2024 Ruling, specifically impacts related to air quality, energy, greenhouse gas, noise, and alternatives. Therefore, concerns outside those areas are not further addressed in this document although they were fully analyzed in the Original Draft EIR and will be taken into consideration by County decision makers in evaluating what action to take on this Project. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I17.2: This comment states that Bloomington is one of the most polluted communities in the Country and that EPA data shows that the community is above the 90th percentile for smog, diesel pollution, and cancer-causing air toxins. The comment states that decisions continue to be made as if Bloomington residents can withstand more harm than others and that decision makers fail to see the impact on human lives and families who would bear the consequences.

Response to Comment I17.2: The existing air quality in the Project area is described in Recirculated Draft EIR Section 5.3, Air Quality. Table 5.3-2 provides data from the closest air quality monitoring stations to the Project site. Data from the air quality monitoring stations indicates that no areas in the South Coast Air Basin exceeded federal or State standards for CO and NO_2 and that the $PM_{2.5}$ federal standard had one exceedance in 2020, two exceedances in 2021, one exceedance in 2022, and no exceedance in 2023. While the Project vicinity has experienced exceedances of State and federal standards, the thresholds set forth by the SCAQMD and utilized in the analysis in the Recirculated Draft EIR are intended to be health protective and are based on Clean Air Act standards and recommendations by the EPA. Although there has been an increase in development in the South Coast Air Basin, emissions concentrations have declined, and air quality has generally improved at the basin-wide level over the last 30 years largely due to cleaner air vehicles and fuel requirements (with the recognition of localized exceedances).

Impacts related to health risks are discussed under Impact AQ-3 of Section 5.3, Air Quality, in the Recirculated Draft EIR on pages 5.3-56 through 5.3-66. Based on existing SCAQMD recommendations for Mobile Source Health Risk Assessments, with implementation of mitigation, the combined construction and operational impacts of the proposed Project at the maximally impacted residential receptor is estimated to be 4.91 in one million, which is less than the SCAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be less than 0.01, which would not exceed the applicable South Coast AQMD significance threshold of 1.0. As such, the proposed Project would result in emissions that are far below existing SCAQMD significance thresholds. Therefore, the proposed Project's potential impacts on human health risks would not be cumulatively considerable and would be less than significant. See also

Response to Comment I16.1 discussing use of the COBRA model to quantify potential impacts on human health. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I17.3: This comment states that over 80 families have been displaced because of the Project and that 117 homes would be removed without plans to replace the lost housing. The comment states that there has been no acknowledgement or support for the families displaced and that they deserve more as the remaining residents question if they matter to decision makers.

Response to Comment I17.3: Regarding population displacement, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including impacts related to population) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I17.4: This comment states that the roads are unsafe and overwhelmed, specifically Cedar Avenue, and that emergency vehicles struggle to drive through the community. The comment also states that the Cedar Bridge will not be completed until 2030 and expresses that with over 1,000 additional truck trips associated with the Project makes residents feel as if safety does not matter.

Response to Comment I17.4: Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I17.5: This comment states that students at Bloomington High School and Zimmerman Elementary suffer from nearby construction, dust, and poor air quality and that the Recirculated Draft EIR minimizes these issues. The comment asks if decision makers consider these children learning while breathing polluted air and missing school due to construction.

Response to Comment I17.5: Impacts related to Air Quality, pollution, and health risk are discussed in Section 5.3, Air Quality, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR.

As stated on Recirculated Draft EIR page 5.3-57, Walter Zimmerman Elementary School was identified as the school-site receptor with the greatest potential exposure to Project-construction-source DPM emissions. The resulting health risk would be well below established thresholds. Any other schools near the Project site would be exposed to fewer construction emissions than what is disclosed for Walter Zimmerman Elementary. The proposed Project's operational impacts to schools are discussed at Recirculated Draft EIR pages 5.3-65 to 5.3-66. Bloomington High School is the school-site receptor with the greatest potential exposure to operational DPM emissions. Resulting health risks would be below established thresholds under all operational scenarios. Any other schools near the Project site would be exposed to fewer operational emissions than what is disclosed for Bloomington High School. Further, as discussed in Response to Comment O2.6, DPM emissions from heavy-duty trucks (HDTs or "trucks") and TRUs have reduced significantly over the last 15 years with the implementation of federal, state, and local regulations. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I17.6: This comment states that residents were told the Project would generate 2,700 jobs by 2040 but that without a tenant there is no transparency or guarantee of these jobs. The comment states that the jobs generated by the Project may not exist and could be automated while the damage to the community would be certain and irreversible.

Response to Comment I17.6: The number of employment opportunities described by the EIR are based on maximum occupancy, in the same way the number of vehicle and truck trips per day are estimated. As discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Moreover, CEQA also requires a project to evaluate its impacts in relation to changes in an area's population, housing needs and coverage under adequate public services, which can be related to the number of new jobs created by a project. The Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas (including quality and kinds of jobs potentially generated by the proposed Project) are not further addressed in this document although they will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project The quality and kinds of jobs potentially generated by the Project are social issues that are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)).

Furthermore, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I17.7: This comment states that the Project contradicts the Bloomington Community Plan values of clean and safe neighborhoods, healthy air, community spaces, and economic development as neighborhoods are shrinking and warehouses multiply. The comment also states that Bloomington deserves leaders that listen to the community, recognize the harm being done, and treats residents like human beings whose health, homes, and future matters. The comment states that residents want their comments acknowledged.

Response to Comment I17.7: Thank you for your comment and continued participation in this process. As mentioned above, Section 2.0, *Introduction*, of the Recirculated Draft EIR includes Tables 2-1 and 2-2 which summarize the public comment letters received in response to the NOP and the public comments from the scoping meeting respectively, with references to the Recirculated Draft EIR sections where the issues raised are addressed on pages 2-5 through 2-20. Additionally, all comments will be taken into consideration by the County decision makers in evaluating what action to take on this Project..

Comment Letter I18: Yarisel Carlos, December 10, 2025

From: Gibson-Williams, Gina
To: Mineo-Wells, Maryn
Subject: FW: Bloomington Business Park Recirculated DEIR Comment
Date: Thursday, December 11, 2025 3:33:15 PM

From: yari <yariselcarlos28@gmail.com>
Sent: Wednesday, December 10, 2025 10:16 PM
To: Gibson-Williams, Gina <Gina.Gibson-Williams@lus.sbcounty.gov>
Subject: Bloomington Business Park Recirculated DEIR Comment

You don't often get email from yariselcarlos28@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

The Bloomington Business Park plan does not take community health and well being into account. The air quality in the entire region is already unsafe and poses risks to residents of all ages. Approving a 213 acre project that will expect an average of 1,000 trucks and cars entering and exiting a day would only increase emissions and worsen air quality to even more hazardous conditions. Issues with noise pollution are also not addressed. The project itself borders multiple neighborhoods and houses, and many of the current streets listed as truck routes are not made to withstand hundreds or thousands of truck trips a day. Increased potholes and road damages caused by this will only increase the constant noise for residents near the project. Increasing density on the Upzone Site does not offset the environmental burdens caused by this project in terms of size, pollution, energy, and noise. The Recirculated Draft EIR's Alternatives section does not demonstrate that any of the project alternatives will significantly reduce the negative impacts identified. Given this, the No Project Alternative remains the only option that would avoid these harmful impacts. I18.1 I18.2

Response to Comment Letter I18: Yarisel Carlos (1 Page)

Comment I18.1: This comment states that the Project does not take community health into account and that the current air quality in Bloomington is already unsafe and poses health risks to residents. The comment states that approving the Project would increase daily truck trips, increasing emissions and worsening air quality. The comment states that noise pollution was not addressed and as the Project borders multiple residences the streets designated as truck routes cannot withstand additional truck trips. The comment states that trucks would cause road damage leading to increased noise for nearby residents. The comment also states that the Upzone Site's increased density does not offset the Project's environmental burden in regard to pollution, energy, and noise.

Response to Comment I18.1: This comment expresses the commenter's opposition to the proposed Project. related to air quality and pollution are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant. Noise related impacts are analyzed in Section 5.12, *Noise*, pages 5.12-27 through 5.12-59 of the Recirculated Draft EIR, which determined that impacts related to construction noise would be less than significant with mitigation and impacts related to operational noise would be less than significant. Additionally, energy related impacts are discussed in Section 5.6, *Energy*, on pages 5.6-6 through 5.6-24 of the Recirculated Draft EIR, which determined that impacts related to energy use would be less than significant with mitigation. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Furthermore, in regard to the Upzone Site, the Upzone Site will facilitate additional development in Bloomington and address the community needs for housing. Regarding truck traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I18.2: This comment states that the Recirculated Draft EIR's Alternatives section does not demonstrate that any of the Project Alternatives would significantly reduce negative impacts and as such, the No Project Alternative would be the only option to avoid these impacts.

Response to Comment I18.2: The Project Alternatives are discussed in Section 7.0, *Alternatives*, of the Recirculated Draft EIR. In regard to alternatives, the Court ruled that the 2022 FEIR failed to analyze a reasonable range of alternatives because Alternative 3 (Reduced Project/ No Specific Plan Alternative) was effectively the same as phase 1 of the Project and would not meaningfully reduce identified impacts; therefore, it was determined to not be a meaningful alternative. In order to address the Court's September 2024 Ruling related to alternatives, the Reduced Project Alternative was modified so that it would avoid significant and unavoidable impacts resulting from the Project. The new Reduced Project Alternative consists of development of only Site 1 of Opening Year Development – Option 1 as an individual project with no Specific Plan being adopted. Therefore, only 17.72 acres of the 213-acre Project site would be developed with a 383,000 square foot high cube warehouse. As only 17.72 acres would be rezoned from RS-1-AA to Specific Plan, this alternative would result in the loss of zoning capacity for 17 dwelling units. However, pursuant to County Development Code Section 82.04.030, a minimum of 10 acres is required for the RM (Multiple Residential Designation); therefore, 10 acres of the Upzone Site would be rezoned to RM. This alternative represents an approximately 88.2 percent decrease from the maximum buildout potential of the Specific Plan, and approximately 91.7 percent decrease in land acreage that would be developed by the Specific Plan.

As shown in Table 7-3, *Impact Comparison of the Proposed Project and Alternatives*, on page 7-25 of the Recirculated Draft EIR, all three alternatives would reduce impacts to environmental topics analyzed in the EIR when compared to the proposed Project. Alternative 1: No Project/No Development would reduce impacts to 16 of the 17 environmental topics; Alternative 2: No Project/Buildout of Existing Zoning would reduce impacts to 13 of the 17 environmental topics; and Alternative 3: Reduced Project Alternative would reduce impacts to 15 of the 17 environmental topics. In addition, Alternative 1 would not require mitigation and Alternatives 2 and 3 would require fewer mitigation measures than the proposed Project. None of the Alternatives would result in significant and unavoidable impacts related to air quality.

As discussed on page 7-24 of the Recirculated Draft EIR, CEQA requires identification of the "environmentally superior alternative" when significant environmental impacts result from a proposed project. As such, the Environmentally Superior Alternative for the proposed Project would be Alternative 1 as it would result in lessened impacts to 16 of the 17 environmental topics, would avoid the significant and unavoidable Project impacts to air quality, and would not require the implementation of mitigation measures. However, per CEQA Guidelines Section 15126.6(3)(1), if the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. Accordingly, the Environmentally Superior Alternative among the other alternatives would be Alternative 3, which would result in lessened impacts to 15 of the 17 environmental topics analyzed in the EIR, would avoid the significant and unavoidable Project impacts to air quality, and would require implementation of fewer mitigation measures than the proposed Project. CEQA does not require the Lead Agency (the County of San Bernardino) to choose the environmentally superior alternative. Instead, CEQA requires the County to consider environmentally superior alternatives, weigh those considerations against the environmental impacts of the proposed Project, and make findings that the benefits of those considerations outweigh the harm. The comment does not provide substantial evidence of the inadequacy of the Alternatives analysis and therefore, no further response is required or provided.

Comment Letter I19: Daniela Vargas, December 11, 2025

Name: Daniela Vargas
Address: 18772 9th St Bloomington, CA 92316
Email: danielathg@gmail.com

Dear Maryn Wells, Gina Gibson, and the San Bernardino County Land Use Services Department

My name is Daniela Vargas and I am a lifelong resident of Bloomington. I grew up in this community and am happy that my family has been able to remain here. The Bloomington Business Park project has already brought so much grief to our community, even before the project has been built. Many families were displaced, and now the empty lot stands as a reminder that any of us could be next. I am writing to express my concerns and opposition to the Bloomington Business Park. The new Bloomington Revised Environmental Impact Report continues to minimize the impacts this project will have on our community. This proposal and the County's approval of this project openly contradicts the Bloomington Community Plan and the needs of the local community. I19.1

The Revised Environmental Impact Report is a badly repackaged version of the original report, offering no real improvements or benefits to the community.

1. **The Bloomington Business Park is being proposed in a community already overwhelmed by warehousing.** According to the Warehouse City Tool, Bloomington and nearby areas experience nearly **13,000 daily truck trips** generated by more than **80 warehouses**. These operations produce an estimated **546.7 metric tons of CO_2**, **2,025 pounds of NOX**, and **18 pounds of diesel particulate matter** every single day. This level of industrial activity has made Bloomington one of the most polluted areas in California, posing serious risks to our community's health and safety. The revised Environmental Impact Report offers no real solution to address this problem. I19.2
2. **This development will also significantly diminish the quality of life for residents who will be forced to live with its impacts.** Poor air quality, increased noise pollution, and worsening traffic congestion will become part of daily life. The project is expected to bring thousands of trucks and passenger vehicles onto Bloomington's already overburdened streets. Our roads are too narrow to handle this volume, especially in an area already congested by school traffic. Beyond the surrounding streets, Cedar, our main throughway, will become even more gridlocked. The Fire Department has already raised concerns about fire trucks struggling to get through. Introducing 1,000 trucks a day is unrealistic, especially with construction at the Cedar bridge still far from being done. I19.3
3. Construction activities, constant loading and unloading, and heavy vehicle operations will introduce persistent noise pollution, further degrading the wellbeing of the surrounding community.
4. **The project site is located next to sensitive areas, including homes, schools, and public spaces.** Zimmerman Elementary School, Bloomington High School, and Kessler Park all sit adjacent to the proposed development, putting students and community I19.4

members at increased risk from air and noise pollution. CARB's Land Use Guidance recommends keeping at least **1,000 feet** between distribution centers and places like schools and parks. A project of this scale should follow that guidance to protect the community. Frustratingly, there are no plans to relocate Zimmerman Elementary. Students are already studying and playing next to a soon-to-be warehouse, exposing them to poor air quality and increased traffic during pick-up and drop-off. Adding a warehouse here will only make these conditions worse. I19.4 cont.

5. **This project also continues a pattern of targeting low-income, predominantly Hispanic communities for polluting land uses.** Bloomington ranks in the **94th percentile** on CalEnviroScreen for combined pollution burden and population vulnerability. It ranks in the **91st percentile** for PM2.5 and the **80th percentile** for diesel particulate matter. The County has designated the area as an **Environmental Justice Focus Area**, acknowledging that this community already carries a disproportionate environmental burden. With over 80% Hispanic residents and one of the highest rates of monolingual Spanish speakers in the county, the continued over-industrialization of Bloomington is a clear example of environmental racism. Instead of adding more harmful warehousing, development should prioritize community needs and long-term wellbeing. I19.5

Bloomington has experienced enough industrial overdevelopment. Warehouses have taken over our community without bringing real benefits to the people who live here. The only investments we see are those that serve the warehousing industry, truck stops, gas stations, and road expansions. What we need are investments that make Bloomington livable and help repair past harms.

The Bloomington Business Park site should support a mix of uses that uplift the community. such as housing, small business spaces, and expanded green space or extensions of Kessler Park for students at Zimmerman Elementary and Bloomington High School. These are the kinds of projects that strengthen communities, not more warehouses. I19.6

Response to Comment Letter I19: Daniela Vargas, December 11, 2025 (2 Pages)

Comment I19.1: This comment states that the Project has displaced families and expresses opposition to the Project. The comment states that the Recirculated Draft EIR minimizes the impacts the Project would have on the community and that County approval of the Project contradicts the Bloomington Community Plan. The comment also states that the Recirculated Draft EIR is a badly repackaged version of the original report that does not offer real improvements or benefits to the community.

Response to Comment I19.1: Section 2.0, *Introduction*, summarizes the Recirculated Draft EIR's revised analysis on pages 2-3 through 2-4. Regarding displacement and the Bloomington Community Plan, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including impacts related to population and land use) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I19.2: This comment states that Bloomington is already overwhelmed with warehousing and currently experiences approximately 13,000 daily truck trips generated by over 80 warehouses based on numbers obtained from the Warehouse City Tool. These trips produce an estimated 546.7 metric tons of CO_2, 2,025 pounds of NO_X, and 18 pounds of diesel particulate matter every day causing pollution in Bloomington and risking community health and safety. The comment states that the Recirculated Draft EIR does not offer a solution to address the pollution.

Response to Comment I19.2: Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Regarding the existing pollution burden and the Warehouse CITY Tool (which provides information on existing truck trips), the existing air quality in the Project area is described in Recirculated Draft EIR Section 5.3, *Air Quality*, and incorporates consideration of existing air quality conditions at the Project site as well as the anticipated changes as caused by the Project. Further, as of June 2026, the Warehouse CITY Tool showed that there are 15 existing warehouses, five approved warehouses, and one vacant warehouse in the Bloomington community resulting in approximately 7,000 daily truck trips, as shown in Figure 2-1, below. Table 5.3-2 provides data from the closest air quality monitoring stations to the Project site. Data from the air quality monitoring stations indicates that no areas in the South Coast Air Basin exceeded federal or State standards for CO and NO_2 and that the $PM_{2.5}$ federal standard had one exceedance in 2020, two exceedances in 2021, one exceedance in 2022, and no exceedance in 2023. While the Project vicinity has experienced exceedances of State and federal standards for $PM_{2.5}$, the SCAQMD thresholds used in the analysis in the Recirculated Draft EIR are intended to be health protective and are based on Clean Air Act standards and recommendations by the EPA. Although there has been an increase in development in the South Coast Air Basin, emissions concentrations have declined, and air quality has generally improved at the basin-wide level over the last 30 years largely due to cleaner air vehicles and fuel requirements (with the recognition of localized exceedances) (Original Draft EIR Appendix C1).

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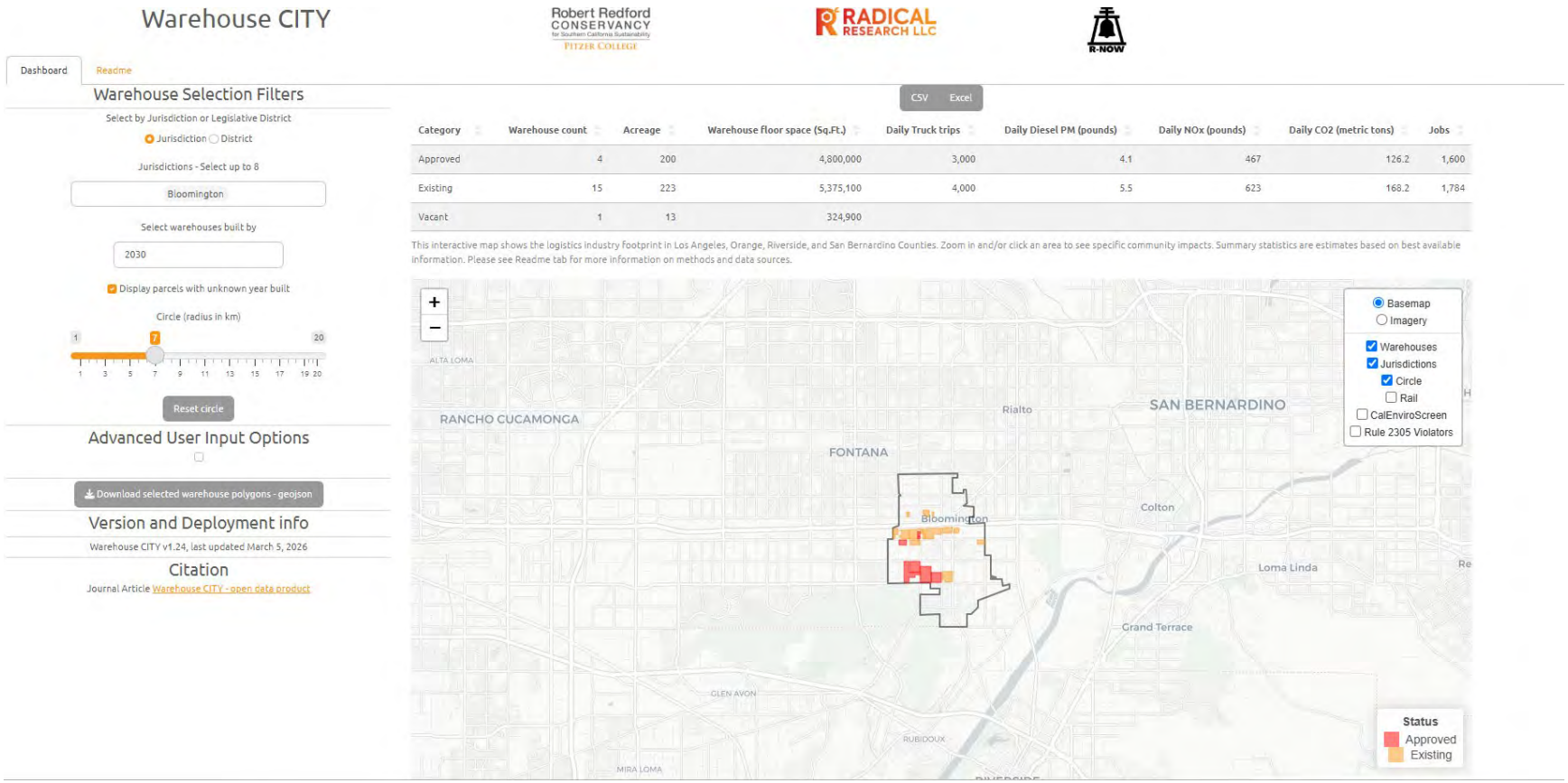
Figure 2-1: Bloomington – Warehouse CITY Tool



Source: Warehouse City, June 2026 (https://radicalresearch.shinyapps.io/WarehouseCITY/)

Impacts related to health risks are discussed under Impact AQ-3 of Section 5.3, *Air Quality*, in the Recirculated Draft EIR on pages 5.3-56 through 5.3-66. Based on existing SCAQMD recommendations for Mobile Source Health Risk Assessments, with implementation of mitigation, the combined construction and operational impacts of the proposed Project at the maximally impacted residential receptor is estimated to be 4.91 in one million, which is less than the SCAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be less than 0.01, which would not exceed the applicable South Coast AQMD significance threshold of 1.0. As such, the proposed Project would result in emissions that are far below existing SCAQMD significance thresholds. Therefore, the proposed Project's potential impacts on human health risks would not be cumulatively considerable and would be less than significant.

Comment I19.3: This comment states that the Project would significantly diminish the quality of life for residents due to poor air quality, noise pollution, and traffic congestion. The comment states that the Project would bring thousands of trucks and passenger vehicles that Bloomington's streets cannot handle with school traffic and would increase gridlock on surrounding streets such as Cedar. The comment states that the Fire Department has raised concerns about fire trucks struggling to get through traffic and that the introduction of 1,000 trucks daily is unrealistic with the incomplete construction of the Cedar Bridge. The comment states that construction and operation activities would introduce noise pollution degrading the wellbeing of the community.

Response to Comment I19.3: Impacts related to air quality and pollution are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant. Noise related impacts are analyzed in Section 5.12, *Noise*, on pages 5.12-27 through 5.12-59, which determined that impacts related to construction noise would be less than significant with mitigation and impacts related to operational noise would be less than significant. Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I19.4: This comment states that the Project location adjacent to sensitive areas such as homes, Zimmerman Elementary School, Bloomington High School, and Kessler Park puts students and community members at risk from air and noise pollution. The comment states that the Project should follow CARB's Land Use Guidance which recommends at least 1,000 feet between distribution centers and schools and parks. The comment states that the Project would make students exposure to poor air quality and traffic worse and expresses frustration that there are no plans to relocate Zimmerman Elementary.

Response to Comment I19.4: Impacts related to air quality and pollution are discussed in Section 5.3, Air Quality, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR. Due to the Project's proximity to Zimmerman Elementary school, student exposure was analyzed under Impact AQ-3, including Construction Diesel Mobile Source Health Risk on page 5.3-57 and Operational Diesel Mobile Source Health Risk on pages 5.3-65 through 5.3-66 for Opening Year - Opening Option 1, Opening Year - Opening Option 2, and the Future Development Area - Specific Plan Buildout scenarios. The analyses concluded that the maximum incremental cancer risk under Project construction and all operating scenarios would be below the significance threshold of 10 in one million and that non-cancer risks attributable to the Project, and all scenarios were calculated to be <0.01, which would not exceed the applicable significance threshold of 1.0

(Urban Crossroads, 2021). As such, Project construction and operation under all scenarios would not cause a significant human health or cancer risk to nearby school children and impacts would be less than significant.

Impacts related to noise are discussed in Section 5.12, *Noise*, on pages 5.12-27 through 5.12-59 of the Recirculated Draft EIR. Due to the Project's proximity to sensitive receptors, including Walter Zimmerman Elementary School, identified as sensitive receptor location OYD2-R6, and Bloomington High School, identified as sensitive receptor location SP-R3, construction and operational noise impacts were analyzed under Impact NOI-1. As shown in Table 5.12-13, *Unmitigated Peak Hour Construction Noise Level Increases*, on Page 5.12-41, unmitigated construction noise could result in potentially significant impacts at OYD2-R6, while impacts at SP-R3 would be less than significant. As such, the Project would implement Mitigation Measures NOI-1 through NOI-7, including installation of temporary sound walls, use of mufflers, placement and staging of stationary equipment away from sensitive receptors, restrictions on equipment and material delivery times pursuant to County Development Code Section 83.01.080(g)(3), use of electrically powered tools where feasible, and prohibition of music or speakers during construction. As shown on Table 5.12-14, *Mitigated Peak Hour Construction Noise Level Increases*, on Page 5.12-42, with implementation of Mitigation Measures NOI-1 through NOI-7, temporary construction-related noise increases at all sensitive receptors would be reduced to less-than-significant levels. Therefore, construction noise impacts would be less than significant with mitigation incorporated. Furthermore, operational noise impacts were evaluated for Opening Year - Option 2 and the Future Development Area Specific Plan buildout scenarios, as Opening Year - Option 1 would not include development adjacent to the OYD2-R6 and SP-R3 sensitive receptors. As shown in Table 5.12-20, *Opening Year – Option 2 Operational Noise Level Compliance*, on page 5.12-51, and Table 5.12-23, *Future Development Area - Specific Plan Buildout Operational Noise Level Compliance*, on page 5.12-52, operational noise levels at all sensitive receptors, including OYD2-R6 and SP-R3, would not exceed the County's exterior noise standards, as adjusted for existing ambient noise levels. Therefore, construction and operation of the Project under the applicable analyzed scenarios would result in less-than-significant noise impacts.

Impacts related to health risks are discussed under Impact AQ-3 of Section 5.3, *Air Quality* in the Recirculated Draft EIR on pages 5.3-56 through 5.3-66. Based on existing SCAQMD recommendations for Mobile Source Health Risk Assessments, with implementation of mitigation, the combined construction and operational impacts of the proposed Project at the maximally impacted residential receptor is estimated to be 4.91 in one million, which is less than the SCAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be less than 0.01, which would not exceed the applicable SCAQMD significance threshold of 1.0. As such, the proposed Project would result in emissions that are far below existing SCAQMD significance thresholds and therefore, the proposed Project's potential impacts on human health risks would not be cumulatively considerable and would be less than significant. Regarding CARB's Land Use Guidance, the 1,000-foot setback recommendation is included as a recommendation and not a universal requirement in the Attorney General's September 2022 *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* Memorandum, which provides recommendations for warehouse development. Since the Project as proposed would not result in any significant impact on human health risk, adherence to CARB's Land Use Guidance recommendation of a 1,000-foot buffer between distribution centers and schools and parks is not warranted or required. Further, Mobile Source Health Risk Analysis analyzed potential health risks to all sensitive receptors within the vicinity, and not just those within the 1,000-foot buffer. Further, the 1,000-foot buffer would not be feasible for the Project given the configuration of the Project site.

Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within

the Original Draft EIR and will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I19.5: This comment states that the Project continues a pattern of targeting low-income, predominantly Hispanic communities for polluting land uses as Bloomington ranks in the 94th percentile for pollution burden and population vulnerability, 91st percentile for $PM_{2.5}$, and 80th percentile for diesel particulate matter according to CalEnviroScreen. The comment states that the County has designated the area as an Environmental Justice Focus Area acknowledging that this community already carries a disproportionate environmental burden. The comment states that with over 80 percent Hispanic residents and one of the highest rates of Spanish speakers in the County, the over-industrialization of Bloomington is environmental racism and that development should prioritize community needs and long-term wellbeing instead of warehousing.

Response to Comment I19.5: CalEnviroScreen is a general policy tool. It is generally inappropriate for CEQA review as it looks at general environmental and socioeconomic conditions, but not physical impacts associated with projects. However, the Recirculated Draft EIR provides a detailed evaluation of the potential cumulative air quality related impacts of the proposed Project upon the surrounding community (localized impacts) pursuant to SCAQMD methodology and thresholds, which is the appropriate scope due to the Project's location within the South Coast Air Basin.

While the Recirculated Draft EIR acknowledges that the Project site is located within an Environmental Justice Focus Area, as further discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Moreover, CEQA also requires a project's impacts to be evaluated in relation to changes in an area's population, housing needs and coverage under adequate public services. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project. The Project's potential environmental justice effects are social issues that are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)).

Regarding the existing pollution burden and health risk, the commenter is referred to Response to Comment I19.2, above.

Comment I19.6: This comment states that Bloomington has experienced industrial overdevelopment and that warehouses have taken over the community without bringing benefits to the residents. The comment states that the only investments made in the community are to serve the warehousing industry, truck stops, and road expansions. The comment states that the community needs investments that make Bloomington livable and that the Project site should support mixed uses such as housing, small business, and expanded green space to serve students at Zimmerman Elementary and Bloomington High School to improve and strengthen the community.

Response to Comment I19.6: As discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by County decision makers in evaluating what action to take on this Project.

Comment Letter I20: Juliann Emmons Allison & Ellen Reese, December 11, 2025

December 11, 2025

Gina Gibson-Williams
County of San Bernardino
Land Use Services Department, Planning Division
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San Bernardino, CA 92415
Gina.Gibson-Williams@lus.sbcounty.gov

Re: Bloomington Business Park Specific Plan Recirculated Draft EIR (SCH No. 2020120545)

Dear Ms. Gibson-Williams:

We are Drs. Juliann Emmons Allison (Professor of Society, Environment & Health Equity and the Faculty Director of Sustainability at UC-Riverside) and Ellen Reese (Professor of Society, Environment & Health Equity and Director of Labor Studies at UC-Riverside). We have done extensive research on the warehouse industry and its impacts on workers and communities in Inland Southern California and have collectively authored or co-authored approximately 27 books and book chapters, peer-reviewed journal articles, and technical reports and research studies on these topics. Our comment is based on our research and does not reflect the views of our university.

I20.1

The purpose of our public comment is to (1) respond to San Bernardino County's rationale and assumptions about the anticipated economic benefits and other benefits of the Bloomington Business Park Specific Plan Project in Bloomington and warehouse projects generally in Bloomington; and (2) ensure that the EIR fully discloses and analyzes social, economic, and environmental consequences (consistent with CEQA's informational mandate and California's obligations under fair housing and environmental justice frameworks). We believe that the County may be overstating the benefits of this project and request additional analyses (described in our conclusion) be included in the EIR for it.

Although new warehouse projects are likely to generate jobs, the quality of those jobs is bad in many respects, including pay. A recent analysis of the 2023 five-year sample from the American Community Survey (ACS) shows that, within Riverside and San Bernardino Counties, non-supervisory blue-collar warehouse workers earn an average of $44,776 per year. Average wages differ across the five most common occupations, from an average of $49,150 per year among forklift drivers (industrial truck and tractor operators) to $42,840 per year among hand packers and packagers. The most common occupation (laborers, freight, stock, and material movers by hand) earns an average of $44,460 per year. Warehouse workers' combined average earnings ($44,776 per year) are lower than the average annual earnings, $61,930 per year, among all workers in Inland Southern California in 2023 (Flores, Mickey-Pabello, and Reese 2025: 69). Their combined average earnings are also significantly less than the 2023 estimated living wage required for a single adult supporting one child ($80,752) or living in a household with two working adults without children ($61,431) in Inland Southern California (Living Wage Institute 2023). Average earnings for those employed as truck drivers and in related sales occupations

I20.2

1

($43,158 per year in 2021) are also below living wage estimates in the region (Bainiwal et al. 2024: 8).

Given their low wages, many warehouse workers suffer from economic insecurity and rely on public assistance. Findings from a national survey of 1,484 Amazon warehouse workers across 42 states reveal that about 56% of them could not pay their bills without a remaining balance, 53% experience one or more forms of food insecurity, and 48% experience one or more forms of housing insecurity. About one third (33%) of respondents relied on public assistance, with 23% receiving Supplemental Nutrition Assistance Program (SNAP) and 20% receiving Medicaid (20%) (Gutelis and Pinto 2024: 4). Compared to median Inland Empire rental costs, warehouse workers earning median wages in the five most common non-supervisory blue-collar occupations are "severely cost-burdened," which means that they pay more than 50% of their income toward housing, leaving insufficient resources for basic needs and contributing to persistent economic instability (see Figure 4 in Bainiwahl et al. 2024: 9).

Many warehouse workers and delivery drivers also lack access to basic employment benefits, such as health insurance. Warehouse workers employed in Inland Southern California have slightly lower percentages of employer-provided health insurance compared to all employed workers. Among warehouse workers, hand packers and packagers have the lowest percentage of workers with employer provided health insurance (52%), compared to 67% of all employed workers. Meanwhile, only 61% of employed truck drivers and related sales workers are covered by employer provided health insurance (Bainiwal et al. 2024: 9). Many truck drivers are also denied access to employment benefits from the companies that use their services because they are classified as self-employed independent contractors (Viscelli 2016). Without employer-provided health insurance, many truck drivers and warehouse workers either lack health insurance or must rely on Medi-Cal. I20.2 cont.

Although there are active union campaigns in the transportation and warehouse industries, most of these workers are not covered by union contracts; this limits workers' ability to advocate for improvements in their employment and working conditions. Analyses of the Current Population Survey data indicate that nationally, only 15.6% of truck drivers and only 8.0% of workers employed in the warehouse and storage industry are covered by union contracts (Hirsch, MacPherson, and Evan 2025).

Warehouse workers often work long work shifts, which along with the physically grueling nature of the work, contribute to very high levels of work exhaustion, as reported in surveys and interviews. Many full-time Amazon warehouse workers commonly work shifts that last at least 10 hours per day for four days per week and sometimes work more than 10 hours per day if offered additional overtime. Warehouse workers are often asked to "flex up" as needed and work overtime, especially during peak seasons, such as those around the Thanksgiving and Christmas holiday season, when the demand for their work is high (Emmons Allison and Reese 2023). National surveys of Amazon warehouse workers find that 69% of respondents report using unpaid time off to recover from work-related pain or exhaustion (Gutelis and Pinto 2024). Many truck drivers also tend to have long work hours. When engaged in long-haul deliveries, workers sometimes work seven days a week to carry out their deliveries. Long work hours and

long absences from home often put a strain on workers' family life and work-life balance (Bainiwal et al. 2024: 15).

Among major industry groups, transportation and warehousing was the most dangerous in terms of rates of non-fatal work-related injuries, with a rate of 4.5 per 100 full-time workers in 2023 in the United States (Bureau of Labor Statistics 2024a). Among workers employed in the warehousing and storage industry specifically, the rate of reported work-related non-fatal injuries and illnesses was about 4.7 out of 100 full-time workers in 2023. Among truck drivers, this rate was about 3.0 per 100 full-time workers, while for couriers and express delivery service workers, the rate was 9.7 per 100 full-time workers. In comparison, this rate is about 2.7 per 100 full-time workers for all industries (Bureau of Labor Statistics 2024b). Because these rates are based on employer logs of work-related injuries and illnesses, they tend to underestimate the extent of workplace injuries; employers and workers are sometimes reluctant to report work-related injuries (Emmons Allison and Reese 2023). A national survey of Amazon warehouse workers finds that 41% of respondents reported being injured on the job (Gutelis and Pinto 2024).

The most common occupation, laborers, is one of the most dangerous warehouse occupations. Laborers are involved in loading and unloading goods from trucks and moving the materials inside and outside of warehouses, often moving heavy items quickly and repeatedly and over long work shifts lasting 10 or more hours per day. Research on Amazon warehouse workers, based on analyses of Occupational Health and Safety Administration records, indicates that their injuries are often muscle-related, including "strains, sprains, and tears," and usually involve their "backs, shoulders, wrists, knees, ankles, and elbows" (Athena Coalition 2019: 3). Workers employed as hand packers and packagers, another common occupation within warehouses, frequently suffer from repetitive motion injuries. Forklift drivers also suffer from injuries, especially when equipment is faulty. Across occupations, warehouse workers are commonly exposed to loud machinery and not always given sufficient protection for their ears, which has caused permanent hearing losses. Meanwhile, many warehouse workers suffer from, or are at high risk of, heat-related illnesses, especially when temperatures reach double digits and they work outside, inside truck trailers, or in poorly ventilated warehouses (Emmons Allison and Reese 2023).

I20.2 cont.

Job insecurity is another common problem among warehouse and delivery drivers. Turnover rates within the industry tend to be very high. Research finds that turnover rates within the warehouse industry was about 83 percent in California and 69.8 percent in the United States. In counties where Amazon warehouses were located, the turnover rate was 100.9 percent, meaning that more workers leave their jobs than are employed each year. Bad working conditions, including low wages, physically exhausting labor, and pressure to meet unreasonably high production quotas or be terminated contribute to these high turnover rates (National Employment Law Project 2020). Similarly, bad working conditions within trucking contributes to high job turnover among drivers. For example, truck driver turnover rates are about 92% among companies with revenues exceeding $30 million (Samuels 2021). The common misclassification of truck drivers as independent contractors also tends to increase job turnover rates and contribute to financial insecurity since these truck drivers usually pay for the costs of owning, operating, and maintaining their vehicles (Viscelli 2018).

The heavy reliance of warehouse employers on subcontractors, temporary help or third party staffing agencies, and seasonal employment contracts further contributes to job and financial insecurity among warehouse workers in Inland Southern California. Temporary, seasonal, and subcontracted workers are often hired for short-term job contracts, paid less than regular employees, and offered fewer benefits. Although reliance on temporary and seasonal workers tends to increase during peak seasons when demand for labor is high, many employers hire workers on short-term employment contracts year-round (Emmons Allison and Reese 2023; see also Bainiwal et al. 2024: 11). Temporary staffing agencies, including those hiring warehouse workers, have also violated labor laws. For example, as lawsuits and investigative reports reveal, temporary staffing agencies have engaged in gender and racial discrimination against Black and women workers (Evans 2016), wage theft (National Employment Law Project 2020), and violations of health and safety laws (Christman, Emsellem, Smith, and Cho 2012). The wage theft experienced by warehouse workers in Mira Loma, employed by several staffing agencies used by Schneider Logistics, a subcontractor of Walmart, is a particularly revealing local case that illustrates how cost cutting pressures and complex employment arrangements contribute to illegal working conditions in the warehouse industry (Morris and Sambamurthy 2012).

The prospects for career advancement within the logistics industry tend to be low among blue-collar warehouse workers. A national survey of Amazon warehouse workers finds that only 13% reported that they received a promotion at work (Gutelis and Pinto 2024: 10). Although some experienced warehouse workers do advance into positions that pay slightly more, very few enter higher paying professional or managerial positions. According to its former Vice President of Human Resources, Amazon preferred hiring college graduates rather than experienced warehouse employees in managerial positions. Internal records from one large Amazon facility reveals that only about 4.4% of its 5,000 warehouse employees had been promoted in the past year (Kantor, Weise, and Ashford 2021).

I20.2 cont.

In Inland Southern California, Black and Latino workers are disproportionately employed in these blue-collar transportation and warehouse jobs. Notably, 61.8% of workers employed in the five most common non-supervisory blue-collar warehouse occupations are Latino, compared to only 42% of all workers in Inland Southern California, according to a recent analysis of the 2023 ACS five-year survey sample. About 8.5% of Black workers are employed in these warehouse occupations, but they make up only 7.4% of all workers in the region. Altogether, Latino and Black workers make up about 70.3% of all workers employed in these five most common non-supervisory warehouse occupations (Flores, Mickey-Pabello, and Reese 2025: 69). Other analyses reveal that immigrant and women workers are disproportionately employed in the lowest-paying occupation of hand packers and packagers (Bainiwahl et al. 2024: 7). Among truck drivers and related sales workers in Inland Southern California, research finds that 75% are Black or Latino, 40% are immigrant, and 7% are women. In contrast, among all employed workers in the region, 61% are Black or Latino, 28% are immigrant, and 45% are women, according to analyses of the 2021 five-year sample of the ACS.

In terms of net employment effects, the Bloomington Business Park Specific Plan's EIR is not specific about how many or what kind of jobs will be created. Generally, the

strongest case for job creation lies in the construction of the business park itself, evidenced by consistent support for warehouse development from building and trade unions. Yet there is no evidence that certain construction jobs will be replaced by permanent work in warehousing and transportation. In May 2025, union support for carpenters, pipe fitters and other construction jobs met strong community opposition to claims by Meridian Park West that a proposed 3 million-square-foot warehouse space in the West Campus Upper Plateau near March Air Reserve Base would yield more than 3,000 permanent positions (see Newton 2025).

While warehouse job losses in Bloomington are not anticipated in the near term, new technologies and the economic pressure to automate will ultimately reduce job growth in this sector, destroying many of the jobs initially promised or created by the Bloomington Business Park Plan. This is true especially where routine tasks such as stocking, sorting and packing may be easily outsourced to "robots," and within more newly built warehouse facilities (Gutelius and Theodore 2019; Jaller et al. 2023). While warehouse automation promises higher skilled employment opportunities, the increased efficiency and productivity associated with automation means that warehouses and distribution and fulfillment centers can accomplish more with far fewer workers. Fifteen years ago, Skechers, a California-based lifestyle and performance footwear company, closed five distribution centers in Ontario to open a 1.8-million-square-foot automated warehouse in Moreno Valley. The new facility promised 1,000 jobs; two years later, only 600 people - mostly transfers from the Ontario locations - worked at the new distribution center (Katzanek 2012). The anticipated effects of automation on job growth are far more grim.

Peerless Research Group found that by 2019, 79% of warehousing and storage operations, and up to 59% of order fulfillment activities had already been automated (McCrea 2019). Further automation has already and will continue to occur, especially within newly built warehouses. Amazon has been at the forefront of efforts to automate warehouse work, setting trends and developing technologies that many other companies are likely to adopt. Amazon has already deployed more than one million robots worldwide, and anticipates that these machines will outnumber and displace employees in future years (Herzlich 2025). Internal documents from the company reveal that it expects to reduce needed warehouse jobs by about 600,000 through greater reliance on robots and other forms of automation by 2033. Its robotics team aims to automate about 75 percent of the company's operations (Weise and Kask 2025). Research indicates that warehouse and transportation jobs, especially those involving repetitive motion, are likely to automate as are many aspects of supervision and management via the adoption of algorithmic management, electronic scanners, and other surveillance technologies. According to Muro et al. (2019), about 78% of light truck and delivery service driver jobs are likely to be affected by automation. Among long-distance drivers, Viscelli (2018) estimates that over the next 25 years, autonomous trucks could replace up to 294,000 of these workers nationwide.

I20.2 cont.

In addition, businesses and employment opportunities are likely to be sacrificed to the disruption of retail markets associated with consumers' reliance on e-commerce and retailers' competition with Amazon, in particular. Amazon offers a mammoth selection, fast and free shipping, generous return policy and subscription services, making it difficult for many businesses to compete. The fallout includes the "retail apocalypse," in reference to the ongoing wave of brick-and-mortar store and mall closures. Jones and Zipperer (2018) found that each

new Amazon fulfillment center, in particular, is associated with a 30% increase in warehousing jobs, which are offset by job losses in other industries at the county level. Moreover, according to Chava et al. (2022), these same fulfillment centers depress new business development, reduce non-Amazon sales, and drive down wages throughout the economy, especially in retail and among part time workers. Such trends may help to explain why employment *declined* among residents surrounding the Amazon warehouse in South Fresno after it was built in 2018, according to research by the Leadership Counsel for Justice and Accountability and Fresno State's Central Valley Health Policy Institute (Livinal 2024). I20.2 cont.

Research suggests that there has been an overbuilding of warehouses relative to demand, contributing to increases in vacancy rates. While challenges to new warehousing projects have been motivated much more by public resistance to traffic congestion and unhealthy air quality associated with logistics, especially transportation, the argument that warehousing represents a best use of space is no longer tenable. In 1980, there were 234 warehouses across Inland Southern California; by summer 2024, there were more than 4,000 covering over 1 billion square feet of land (Newton 2023). CoStar data indicates that the warehouse vacancy rate in Inland Southern California is at a 15-year high of 8.5%, about 1% higher than the national rate under conditions where "industrial tenants vacated more space than they moved into last quarter" (Boswell 2025). It is not yet clear whether this trend signals an enduring economic shift or represents companies' macroeconomic uncertainty as a consequence of the current administration's tariff policies. Although Los Angeles/Long Beach Seaport traffic continued to be higher in 2025 than previous years as importers rushed to beat the imposition of tariffs and stock up for the holidays, in the near term, port traffic is expected to fall, with broad impacts throughout the regional supply chain (see McCann 2025). I20.3

Warehouses and their associated socio-economic and environmental challenges tend to be concentrated within vulnerable communities, especially communities made up of low-income residents and people of color. This racial, ethnic, and economic injustice is part of a larger national trend (Waddell 2021). Within four Southern California counties, Latinos consist of 43% of the total population, yet 59% of the residents whose homes are within 2,000 feet of a warehouse. Compared to neighboring regions, the poverty rate is 22% higher and the median family income is 18% lower among those residing within 2,000 feet of a warehouse (Flaming and Burns 2023). Such patterns reflect developers' and policymakers' tendency to ignore the negative impacts associated with this industry on these vulnerable communities. I20.4

Another factor driving such injustice is e-commerce retailers' and other warehouse dependent enterprises' demand for the same relatively inexpensive land desired by developers of low-income housing (Emmons Allison and Reese 2023). Yuan's (2018a, 2018b) longitudinal analysis of warehouse locations in Southern California suggests that "unregulated logistics expansion" contributes to environmental disparities across communities differentiated by social and economic factors. The analysis suggests that siting decisions were based on the availability of affordable space with proximity to rail freight corridors, interstate highways, and airports; access to Southern California's large customer market; and the promise of a large, blue--collar labor pool associated with the region's concentration of residents, mostly workers of color, who lack a college degree. Yuan also argues that affordable land independently incentivizes the construction of low--income housing near warehouse complexes, which I20.5

naturally attracts low-- and lower-- middle-- income people, often also of color (Yuan 2018a, 2018b).

County policy-makers have been complicit in land use decisions that expose unincorporated communities like Bloomington, that tend to be poorer (15% poverty rate), browner (86% Hispanic) and more underserved than average, to high levels of air pollution, truck and rail traffic, and dangerous jobs (Emmons Allison and Reese 2023). Bloomington is an historically rural area where local businesses and suburban neighborhoods have grown up around small ranches and nurseries. Over the last fifteen years, Bloomington has been surrounded by warehouses built in bordering Fontana, Rialto and Jurupa, and its residents have transitioned from working mostly in construction and agriculture to retail and transportation (nearly one-third in 2024, Data USA 2025). Despite multiple attempts to incorporate -- most recently in 2007, in part, specifically to avoid deeper integration into Inland Southern California's logistics – Bloomington does not have its own local government. Consequently, San Bernardino County makes land use decisions there, which have long favored zoning, or consideration of most unincorporated areas open to rezoning, in favor of warehousing and logistics (Mayorquin 2022). County representatives argue that warehouses are necessary to support physical and public service investments in Bloomington (Stone 2024). Yet the County's "business friendly" policies with respect to logistics reflect insufficient regard for the negative consequences for these communities in terms of equity, public health, and environmental justice (Emmons Allison and Reese 2023; De Lara 2018; Munoz et al. 2023). I20.5 cont.

Despite planning documents that specify Bloomington's desire to maintain a rural way of life (San Bernardino County 2018), by the end of 2025, multiple warehouses were built in Bloomington, many of which were constructed near residential areas on land that had formerly been ranches, farms, and nurseries (Emmons Allison and Reese 2023). Between 2001 and 2020, seven warehouses, including two transit (truck terminal) warehouses and five distribution warehouses were built in Bloomington. Altogether, these warehouse facilities make up 5,200,000 square feet and generate about 3,000 daily truck trips. Two more warehouse facilities, the Slover/Cactus Avenue warehouse and the Bloomington Business Park Specific Plan, were approved for building in 2027 (Radical Research 2025). The Bloomington Business Park Specific Plan, permitting warehouse storage, e-commerce centers, warehousing and distribution, and cross-dock facilities, will require demolition of Zimmerman Elementary School and 117 homes (Noroozi 2025). Together, these warehouse projects are expected to nearly double warehouse space and daily truck trips in Bloomington (Phillips and McCarthy 2024; Radical Research 2025). I20.6

The large concentration of warehouses in Bloomington negatively impacts environmental health and residents' ability to live, work, and enjoy their community. Survey results from 168 Bloomington residents found that one third missed school or work due to a respiratory illness related to bad air quality. "Of those who spent five or more hours outdoors daily, 20% went to the emergency room due to respiratory problems or a heart-related condition" (Concerned Neighbors of Bloomington, 2022: 13). These findings are consistent with ample evidence indicating that diesel emissions from truck, train, and air traffic associated with the goods movement industry contributes to high levels of air pollution and associated negative public health impacts throughout Inland Southern California. Health risks associated with air I20.7

pollution, particularly small particulate matter ($PM_{2.5}$), include "increased respiratory symptoms, such as the irritation of the airways, coughing, decreased lung function, particularly in children, aggravated asthma, chronic bronchitis, irregular heartbeat, increased respiratory and cardiovascular hospitalizations, and premature death in people with heart or lung disease" (Munoz, Phillips, and Ruiz 2023:36-37). Research finds that the direct and indirect effects of exposure to Toxic Air Contaminants (TACs) increase the risk of various health problems, including "cancer, birth defects, reproductive damage, neurological disorders, heart damage, damage to the circulatory system, and damage to the respiratory system" (Munoz et al. 2023: 38). Air pollution also compounds the health risks from the COVID-19 virus and contributes to reproductive health problems, including rates of female infertility, infant mortality, birth defects, and low birth weight. Some research also suggests that air pollution contributes to ADHD, which negatively affects children's academic performance (Munoz et al. 2023). Warehouses also generate other community concerns, such as those related to traffic, noise, and light pollution near schools, homes, and parks (Emmons Allison and Reese 2023; Munoz et al. 2023). I20.7 cont.

In conclusion, based on our research, we request that the EIR for this project include, at least, two additional analyses. First, we request additional analysis of direct and indirect economic displacement, in addition to the displacement of housing and schools, pursuant to CEQA. C.C.R. §15126.2(a) ("Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects."). Second, we request that the EIR address cumulative conditions given the concentration of warehouses within south Bloomington. The California Environmental Quality Act (CEQA) requires cumulative impact analysis, or an assessment of how a project's effects - in combination with those of past, current, and future projects - may result in significant negative impacts on a community. I20.8

Thank you for your attention and consideration.

Sincerely,

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Response to Comment Letter I20: Juliann Emmons Allison & Ellen Reese, December 11, 2025 (13 Pages)

Comment I20.1: This comment introduces the commenters, their credentials, and their research on the warehouse industry and its impact on workers and communities in the Inland Empire. This comment also states that the purpose of this letter is to respond to the County's assumptions regarding the anticipated economic and other benefits of the Project and to ensure that the EIR analyzes social, economic, and environmental consequences as the commenters believe that the County may be overstating the benefits of this project and request additional analyses be included in the EIR.

Response to Comment I20.1: This comment is introductory in nature and does not raise a specific issue with the adequacy of the Recirculated Draft EIR. Because the comment does not express any specific concern or question regarding the adequacy of the Recirculated Draft EIR, no further response is required.

Comment I20.2: This comment states that, although the Project would generate jobs, the quality and pay of those jobs would be poor. This comment states that warehouse jobs in Riverside and San Bernardino Counties pay below the regional average annual earnings for workers in Inland Southern California and that the average earnings of warehouse workers and truck drivers are significantly lower than the estimated 2023 living wage for the region.

This comment states that, according to a national survey of Amazon warehouse workers, approximately half were unable to pay their bills and experienced food and housing insecurity and about one third of those surveyed rely on public assistance programs, such as Supplemental Nutrition Assistance Program (SNAP) and Medicaid. The comment also states that when compared to median rental costs in the Inland Empire, warehouse workers earning median wages would be severely cost burdened, with more than half of their income going towards housing, leaving insufficient resources for basic needs and contributing to economic instability.

This comment states that warehouse workers and delivery drivers have limited access to employment benefit, with lower rates of employer-provided health insurance, approximately 52 to 61 percent, compared to all workers in Inland Southern California, approximately 67 percent. This comment also states that many truck drivers are classified as independent contracts and therefore lack employment, resulting in limited health insurance coverage or reliance on Medi-Cal.

This comment states that, nationally, about 16 percent of truck drivers and 8 percent of warehouse workers are covered by union contracts, which limits workers ability to advocate for improvements in their employment and working conditions in the warehouse industry.

This comment states that warehouse workers and truck drivers commonly work overtime and that national surveys indicate approximately 69 percent of Amazon warehouse workers took unpaid time off to recover from work related pain or exhaustion.

This comment states that transportation and warehousing are among the most dangerous major industries, with non-fatal work-related injury rate of 4.5 per 100 full time workers in 2023, compared to 2.7 per 100 full time workers for all industries in the United States. The comment also states that these rates are likely underestimated because work-related injuries are underreported, noting that a nation survey of Amazone warehouse workers found that 41 percent reported being injured on the job.

This comment states that laborers, including hand packers and forklift drivers, experience the highest injury risks among warehouse occupations. The comment states that based on Occupational Health and Safety Administration records these injuries are often muscle-related, including repetitive motion injuries, injuries caused by faulty equipment, hearing loss from exposure to loud machinery without sufficient ear protection, and heat-related illnesses.

This comment states that research found warehouse industry turnover rates of approximately 83 percent in California and 69.8 percent nationwide, highlighting job insecurity. The comment states that counties with Amazon warehouses have turnover rates which exceed annual hiring, reaching 100.9 percent. The comment also states that truck driver turnover is about 92 percent among companies with revenues over $30 million, and that the misclassification of drivers as independent contractors increases turnover and contributes to financial insecurity.

This comment states that warehouse workers in Inland Southern California face job and financial insecurity due to reliance on subcontractors, temporary staffing agencies, and seasonal contracts. This comment states that these workers are hired for short-term contracts, receive lower pay, and fewer benefits. The comment also cites lawsuits, and investigative reports showing that temporary staffing agencies have engaged in ware theft, health and safety violations, and discrimination with a local example being Mira Loma warehouse workers employed through Schneider Logistics, showing how cost cutting pressures and complex employment arrangements contribute to illegal working conditions within the warehouse industry.

This comment states that, according to a national survey of Amazon warehouse workers, only 13 percent reported receiving a promotion, with few entering higher paying professional or managerial positions. The comment states that Amazon favors hiring college graduates over experienced warehouse employees for managerial positions and that internal records show about 4.4 percent of 5,000 warehouse employees at one facility were promoted in the past year.

This comment states that Black and Latino workers are disproportionately employed in transportation and warehouse jobs in Inland Southern California, with Latino and Black workers comprising 70.3 percent of workers in warehouse occupations. The comment also states that immigrant and women workers are disproportionately employed in the lowest-paying roles, such as hand packers and that among truck drivers, 75 percent are Black or Latino, 40 percent are immigrants, and 7percent are women, compared to 61 percent, 28 percent, and 45 percent, respectively, among all employed workers in the region.

This comment states that the Project's EIR did not specify how many or what kinds of jobs would be created and that there is no evidence that certain construction jobs would be replaced by permanent work in warehousing and transportation. The comment states that in May 2025, union support for construction jobs met community opposition to claims that a proposed 3 million-square foot warehouse would yield more than 3,000 permanent jobs.

This comment states that with new technologies and economic pressure to automate would reduce job growth in the warehouse sector, undermining the jobs created by the Project. The comment states that routine tasks may be outsourced to robots, as increased efficiency and productivity from automation allow for more work to be done with fewer workers. The comment states that 15 years ago, Skechers closed five distribution centers to open a 1.8 million-square foot automated warehouse which promised 1,00 jobs but employed 600 people within two years.

This comment states that by 2019, 79 percent of warehousing operations and 59 percent of fulfillment activities have already been automated, and that further automation is expected in newly built warehouses. The comment states that Amazon has deployed over one million robots worldwide, anticipates machines to outnumber and displace employees, and expects to reduce warehouse jobs by about 600,000 through reliance on robots and automation by 2033, aiming to automate 75 percent of its operations. The comment also states that warehouse and transportation jobs are likely to automate supervision and management tasks via surveillance technologies, truck drivers could be affected, and autonomous trucks could replace up to 294,000 workers nationwide over the next 25 years.

This comment states that consumers' reliance on ecommerce, such as Amazon, makes it difficult for businesses to compete and contributes to loss of business and employment opportunities. This comment states that while

each new Amazon fulfillment center increases warehousing jobs by 30 percent, which are offset by job losses in other industries at the county level. This comment also states that fulfillment centers suppress new business development, reduce non-Amazon sales, and lower wages, especially in retail and among part-time workers as seen with the employment decline among residents surrounding the Amazon warehouse in South Fresno.

Response to Comment I20.2: As further discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Moreover, CEQA also requires a project to evaluate its impacts in relation to changes in an area's population, housing needs and coverage under adequate public services. The Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas (including the quality and kinds of jobs potentially generated by the proposed Project are not further addressed in this document although they will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The quality and kinds of jobs potentially generated by the Project are social issues that are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)).

Additionally, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including impacts related to population and housing) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I20.3: This comment states that overbuilding of warehouses has increased vacancy rates, making the argument that warehousing represents a best use of space is no longer justifiable. The comment states that between 1980 and 2024, the number of warehouses in Inland Southern California increased from 234 to over 4,000, covering over one billion square feet. The comment also states that the regional warehouse vacancy rate reached a 15-year high of 8.5 percent, exceeding the national rate, as industrial tenants vacated more space than they occupied. This comment states that although Los Angeles and Long Beach Seaport traffic remained higher in 2025 than in prior years, port traffic is expected to decline, with broad impacts across the regional supply chain.

Response to Comment I20.3: Please refer to Response to Comment I20.2, above. This comment does not provide any substantial evidence of significant environmental impacts and does not raise a specific issue with the adequacy of the Recirculated Draft EIR's analysis. As discussed in Master Response 1, The Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project **Comment I20.4:** This comment states that warehouses are disproportionately concentrated in vulnerable communities, including low-income communities and communities of color. This comment states that across four Southern California counties, Latinos make up 43 percent of the total population but 59 percent of the residents living within 2,000 feet of a warehouse. This comment also states that compared to nearby areas, residents within 2,000 feet of a warehouse experience 22 percent higher poverty rate and an 18 percent lower median family income, highlighting a tendency by developers and policymakers to ignore negative impacts of warehousing on vulnerable communities.

Response to Comment I20.4: This comment does not raise a specific issue with the adequacy of the Recirculated Draft EIR. As detailed previously in Response I20.2, and further discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Moreover,

CEQA also requires a project to evaluate its impacts in relation to changes in an area's population, housing needs and coverage under adequate public services. The Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas (including environmental justice concerns) are not further addressed in this document. The Project's potential environmental justice effects, including potential effects on vulnerable communities, are social issues that are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). However, environmental justice concerns will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I20.5: This comment states that it is unjust for warehouse enterprises to compete for land that is also sought by low-income housing developers, and that the siting of warehouses in Southern California contributes to environmental disparities among communities differentiated by social and economic factors. The comment states that site selection decisions are based on the availability of affordable land in proximity to rail freight corridors, interstate highways, airports, large customer markets, and large labor pools, and that the presence of affordable land incentivizes the construction of low-income housing near warehouse complexes.

This comment also states that County policymakers are complicit in land use decisions that expose unincorporated communities, such as Bloomington, to high levels of air pollution, truck and rail traffic, and dangerous jobs. This comment states that over the past 15 years Bloomington has transitioned from a rural area surrounded by ranches to being surrounded by warehouse development in Fontana, Rialto, and Jurupa, accompanied by a shift in local employment from working construction and agriculture to retail and transportation. This comment states that because Bloomington is unincorporated, San Bernardino County has favored zoning or rezoning of unincorporated areas for warehousing, and that County policies inadequately address resulting impacts to equity, public health, and environmental justice.

Response to Comment I20.5: This comment does not raise a specific issue with the adequacy of the Recirculated Draft EIR. Impacts related to air quality, pollution, and health risk are discussed in Section 5.3, Air Quality, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant.

As described previously, and further discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Moreover, CEQA also requires a project to evaluate its impacts in relation to changes in an area's population, housing needs and coverage under adequate public services. The Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas (including environmental justice concerns) are not further addressed in this document. The Project's potential environmental justice effects are social issues that are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)) although they will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

As detailed previously in Response I20.2 and further discussed in Master Response 2, the Recirculated Draft EIR analysis focused on the areas that were determined to be inadequate by the San Bernardino Superior Court September 2024 Ruling, specifically impacts related to air quality, energy, greenhouse gas, noise, and alternatives. Therefore, concerns outside those areas (including transportation-related impacts) are not further addressed in this document although they were fully analyzed in the Original Draft EIR and will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I20.6: This comment states that, despite planning documents expressing Bloomington's desire to maintain a rural way of life, seven warehouses were constructed between 2001 and 2020, totaling 5,200,000 square feet and generating an estimated 3,000 daily truck trips. The comment also states that two additional warehouse facilities, including the proposed Project, which would require demolition of Zimmerman Elementary School and 117 homes, were approved for future construction and would collectively double the warehouse square footage and daily truck trips in Bloomington.

Response to Comment I20.6: This comment does not raise a specific issue with the adequacy of the Recirculated Draft EIR and is incorrect in stating that the proposed Project "will require demolition of Zimmerman Elementary School..." As shown on Figure 3-3 in Section 3.0, *Project Description*, on page 3-26, Zimmerman Elementary School is not located within the Specific Plan boundaries or the Upzone site and therefore would not be subject to demolition as part of the proposed Project.

The Original Draft EIR determined, under Section 5.13, *Population and Housing*, that the Project is a private development, and property acquisition would occur through voluntary sales, with owners compensated at or above market value, and eminent domain would not be used. Adequate housing replacement options are available within Bloomington and nearby communities, as evidenced by countywide housing stock and active residential and rental listings. In compliance with SB 330, the Project would offset the loss of residential capacity through the Upzone site, which would allow for future development of up to 480 multi-family units, thereby providing additional housing capacity near the Project area. Accordingly, sufficient replacement housing would be available, and it was determined that displacement impacts would be less than significant.

As detailed previously in Response I20.2 and as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including land use consistency) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Because the comment does not express any specific concern or question regarding the adequacy of the Recirculated Draft EIR, no further response is required or provided.

Comment I20.7: This comment states that the concentration of warehouses in Bloomington has negatively affected environmental health and residents' quality of life. The comment cites survey data from 168 Bloomington residents indicating respiratory- and heart-related illnesses associated with poor air quality. This comment also states that diesel emissions from truck, rail, and air traffic contribute to regional air pollution and associated negative public health impacts. This comment states that health risks from air pollution and particulate matter include respiratory and cardiovascular symptoms, hospitalizations, and premature death, and that exposure to toxic air contaminants increases the risk of various health problems. The comment also states that air pollution compounds health risks associated with COVID-19, contributes to reproductive health problems, and ADHD. The comment states that warehouses generate additional community concerns related to traffic, noise, and light near schools, homes, and parks.

Response to Comment I20.7: Impacts related to air quality and pollution are discussed in Section 5.3, Air Quality, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR and impacts related to health risks are discussed under Impact AQ-3 of Section 5.3, on pages 5.3-56 through 5.3-66, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant. Based on existing SCAQMD recommendations for Mobile Source Health Risk Assessments, the combined construction and operational impacts of the proposed Project at the maximally impacted residential receptor is estimated to be 4.91 in one million, which is less than the SCAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be less than 0.01, which would not exceed the applicable South Coast AQMD significance threshold of

1.0. As such, the proposed Project would result in emissions that are far below existing SCAQMD significance thresholds. Therefore, the proposed Project's potential impacts on human health risks, including those health risks discussed within the articles cited by the commenter, would not be cumulatively considerable and would be less than significant.

Additionally, noise related impacts are analyzed in Section 5.12, Noise, pages 5.12-27 through 5.12-59 of the Recirculated Draft EIR, which determined that impacts related to construction noise would be less than significant with mitigation and impacts related to operational noise would be less than significant. As discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation, lighting, and glare-related impacts) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I20.8: This comment requests that the EIR include additional analysis of direct and indirect economic displacement, displacement of housing and schools, and address cumulative conditions given the concentration of warehouses within Bloomington pursuant to CEQA.

Response to Comment I20.8: As detailed in previous responses and discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Moreover, CEQA also requires a project to evaluate its impacts in relation to changes in an area's population, housing needs and coverage under adequate public services. The Project's potential direct and indirect economic displacement effects are social issues that are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). The Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

The Original Draft EIR determined, under Section 5.13, *Population and Housing*, that adequate housing replacement options are available within Bloomington and nearby communities, as evidenced by countywide housing stock and active residential and rental listings. In compliance with SB 330, the Project would offset the loss of residential capacity through the Upzone site, which would allow for future development of up to 480 multi-family units, thereby providing additional housing capacity near the Project area. Accordingly, sufficient replacement housing would be available, and it was previously determined that displacement impacts would be less than significant. As discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including population and housing impacts) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

It should be stated that, as shown on Figure 3-3 in Section 3.0, *Project Description*, on page 3-26, Zimmerman Elementary School is not located within the Specific Plan boundaries or the Upzone site and, therefore, would not be subject to demolition as part of the proposed Project. As such, additional analysis of school displacement is neither relevant nor required, as no schools with be displaced as a result of the approval, development, or operation of the proposed Project.

Furthermore, Section 4.6, *Assumptions Regarding Cumulative impacts*, includes Table 4-4, *Cumulative Project List*, on page 4-40, which identifies nearby projects that are under consideration, approved but not yet constructed, or recently constructed which were included in the cumulative impact analyses throughout the Recirculated Draft EIR as applicable. Existing warehouses that are not included within this list were already factored into regional planning documents and growth projections. Table 4-4 lists surrounding projects, five of which are located in Bloomington (County of San Bernardino), three in the City of Fontana, and five in the City of Jurupa Valley. Within the Recirculated Draft EIR, the cumulative analysis for air quality, energy, and greenhouse gas emissions relies on projects contained in adopted local, regional, or statewide plans or related planning documents, such as the SCAQMD AQMP and SCAG growth projections. The cumulative noise analysis looked at the Project's proximity to surrounding cumulative projects and the potential for the Project's construction and operational noise impacts to overlap with those from any other project in close proximity to the Specific Plan area. This comment does not provide any substantial evidence of significant environmental impacts and does not raise a specific issue with the adequacy of the Recirculated Draft EIR. Because the comment does otherwise not express any specific concern or question regarding the adequacy of the Recirculated Draft EIR, no further response is required or provided.

Comment Letter I21: Emely Carmona, December 11, 2025

From: Emely Carmona
To: Gibson-Williams, Gina; Mineo-Wells, Maryn
Subject: project impact on Bloomington
Date: Thursday, December 11, 2025 3:47:24 PM

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Good afternoon,

Hello, my name is Emely Carmona and I've lived in Bloomington for over 20 years. I went to Zimmerman elementary school and have been my community drastically change. There are warehouses for lease all over Bloomington, on Santa Ana, Slover, Poplar, and several other areas- why do we need more when the ones in place are not active? Our community needs parks, local businesses and support. Please listen to the community's needs- not corporations. I21.1

Response to Comment Letter I21: Emely Carmona (1 Page)

Comment I21.1: This comment states that the Bloomington community has changed drastically over time and that there are several existing warehouses in Bloomington that are for lease and inactive. The comment states that the community needs parks and local businesses.

Response to Comment I21.1: This comment expresses the commenter's opposition to the proposed Project. The comment does not provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR. Therefore, no further response is required. However, this comment will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment Letter I22: Fernanda Durazo, December 11, 2025

From: Fernanda Durazo
To: Gibson-Williams, Gina; Mineo-Wells, Maryn
Cc: Tania Gonzalez; Joaquin Castilleios
Subject: Bloomington Business Park Project Comment
Date: Thursday, December 11, 2025 2:38:51 PM

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To whom it may concern,

I want to express my disapproval of the Bloomington Business Park project. I have been a Bloomington resident since 1999. Many of my neighbors also do not approve of this project, which has already demolished hundreds of homes. It was heartbreaking to see how many people who were renting for years in those homes had to pack up and leave because they had no choice. Bloomington, which is predominantly Latino has or had a culture of farm life but now, with all the truck traffic and neglect from the county of San Bernardino, there are huge dirt lots where homes used to sit. Affordable housing was possible in Bloomington but now it's a joke. The developer has harassed countless residents into selling their property and many did sell because they thought they had no choice. We are being pushed out by warehouses that will only bring trucks and unstable jobs. Pitney Bows closed down after they did not want to renew their lease, and many people who worked there lost their "stable", "good-paying" jobs. We want jobs that will bring a good economy to Bloomington, and truthfully, warehouses do not offer that. Our infrastructure is broken and the developer is only paying for road improvements where it benefits them. The county of San Bernardino should invest more time and money into improving Bloomington without selling us to predatory developers. I22.1

We have fought against this project for years now, and we are tired. I hope that the county and the board of supervisors listen to us and do not pass this very harmful business park.

Best regards,
Fernanda Durazo
A Bloomington Resident

Response to Comment Letter I22: Fernanda Durazo (1 Page)

Comment I22.1: This comment states opposition to the Project due to the demolition of residential homes. The comment states that Bloomington is a predominantly Latino community with a farming culture that has shifted toward increased truck traffic and dirt lots due to neglect from the County of San Bernardino. The comment states that the Project Developer harassed residents into selling their properties. The comment states that the Project would only bring trucks and unstable jobs as warehouses do not offer jobs that would improve Bloomington's economy. The comment states that the Developer is only paying for road improvements to benefit the Project and that the County should invest time and money into improving Bloomington instead.

Response to Comment I22.1:. Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Comment Letter I23: Isidro Vargas, December 11, 2025

Nombre: Isidro Vargas
Dirección: 18772 9th St., Bloomington, CA 92316
Correo electrónico: isidrothestonemason@gmail.com

Estimados Maryn Wells y Departamento de Servicios de Uso de Suelo del Condado de San Bernardino:

Mi nombre es Isidro Vargas y soy propietario de una vivienda en Bloomington. Me mudé aquí en 2001, y ser dueño de una casa siempre ha sido un sueño para mí. Estoy orgulloso de lo que he construido aquí: un hogar, una familia y una vida en una comunidad que significa mucho para mí. Pero en los últimos años he visto cómo los desarrollos de bodegas han ido tomando control de nuestra área. Cuando vi que se demolían tantas casas para el Bloomington Business Park, quedé en shock. Es difícil de creer, especialmente con la crisis de vivienda que enfrentamos en California. Simplemente no tiene sentido.

Con tanta actividad de bodegas a nuestro alrededor, he visto de primera mano los efectos negativos: más tráfico, tráileres circulando y estacionándose en calles residenciales, y una peor calidad del aire. Me preocupa la salud de mi familia y de la comunidad. Creo que esto está sucediendo porque los desarrolladores se están aprovechando de nuestra comunidad latina. Este es un claro ejemplo de racismo ambiental, respaldado por el condado. I23.1

Pérdida de viviendas

El Bloomington Business Park destruyó más de 100 viviendas en nuestra comunidad. Perdimos vecinos y un valioso inventario de vivienda, todo para dar paso a más bodegas. ¿En serio? Ya se ha causado mucho daño aquí. Los propietarios que aún seguimos aquí tenemos miedo de invertir en nuestras propiedades porque nos preocupa que los desarrolladores vengan por nosotros después. I23.2

Problemas de calidad del aire

La calidad del aire en el Inland Empire ya es una de las peores del país, y construir un parque empresarial solo la empeorará. Con todos los camiones entrando y saliendo de las bodegas, nuestro aire estará aún más contaminado. Para muchos de nosotros, respirar aire contaminado no es un problema del futuro; es algo con lo que vivimos todos los días. Es especialmente preocupante porque muchas personas en la comunidad ya tienen problemas de salud debido a las fábricas y bodegas que ya existen. No deberíamos tener que seguir viviendo con más de estos problemas. Aprobar este proyecto solo demuestra que nuestra salud no se está tomando en serio. I23.3

Más tráfico de camiones y riesgos de seguridad

Otro gran problema del parque empresarial es el enorme aumento del tráfico de camiones. Nuestras calles ya están congestionadas y no fueron construidas para soportar los enormes camiones que vienen con las bodegas. El tráfico solo empeorará y los accidentes serán más frecuentes. Para familias como la mía, vivir cerca de estas vías tan transitadas es una gran preocupación de seguridad. Los camiones que circulen por nuestros vecindarios traerán mucho I23.4

ruido y peligro. No será solo una molestia; hará que Bloomington se sienta menos como un lugar para vivir y más como un lugar donde los camiones dominan las calles. El proyecto no parece considerar lo peligroso que esto será para los niños, las personas mayores y cualquiera que intente desplazarse. I23.4 cont.

Justicia ambiental y económica

Estas no son solo preocupaciones sobre cómo el parque empresarial nos afectaría ahora; también se trata de equidad y justicia a largo plazo. Comunidades como la nuestra, ya muy afectadas por la industrialización, merecen tener voz en lo que suceda después. El parque empresarial podría traer empleos y algo de crecimiento económico, pero también traería más daños a la salud y al bienestar de nuestra comunidad. Las promesas de más empleos no compensan el impacto negativo que este proyecto tendría en las personas que ya vivimos aquí.

Cuando hablamos de justicia ambiental, hay que hacer la pregunta: ¿por qué comunidades como Bloomington, que ya lidian con demasiada industria, tienen que cargar con aún más contaminación y daño ambiental? No estamos aquí para ser tratados como un basurero de bodegas. Merecemos un futuro donde nuestras familias puedan vivir con aire limpio, vecindarios seguros y un entorno saludable. I23.5

Como propietario de una vivienda en Bloomington, me opongo firmemente al Bloomington Business Park. Representaría riesgos importantes para nuestra calidad del aire, la salud, la seguridad vial y la calidad de vida en general. Ya hemos soportado más que suficiente desarrollo industrial y no deberíamos tener que sacrificar nuestro bienestar por más bodegas. Nuestra comunidad merece algo mejor y nuestras voces deben ser escuchadas.

En lugar de solo bodegas, me gustaría que el Bloomington Business Park incluyera espacios para que las familias puedan jugar y caminar. También podría tener vivienda y áreas comerciales para pequeños negocios. Necesitamos algo que realmente beneficie a la comunidad, no solo más bodegas.

Response to Comment Letter I23: Isidro Vargas, December 11, 2025 (2 Pages)

Acknowledgment that the comment was originally submitted in Spanish. Below responds to the English translation.

Comment I23.1: This comment states that the commenter is a homeowner in Bloomington and that warehouses have taken over the area in recent years. The comment expresses the commenter's shock at the demolition of homes for the Project given California's housing crisis. The comment states that warehouse activity has increased traffic and worsened air quality. The comment expresses concern for the health of the commenter's family and the community and states that the Project is an example of environmental racism as developers are taking advantage of the Latino community.

Response to Comment I23.1: Impacts related to Air Quality and health risk are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant. Regarding traffic and demolition of homes, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related and population impacts) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

While the Recirculated Draft EIR acknowledges that the Project site is located within an Environmental Justice Focus Area, as further discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Moreover, CEQA also requires a project evaluate its impacts in relation to changes in an area's population, housing needs and coverage under adequate public services. The Project's potential environmental justice effects are social issues that are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). The Recirculated Draft EIR is focused on analyzing potentially significant impacts under CEQA. Concerns outside those areas (including environmental justice) are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR..

Comment I23.2: This comment states that the Project has destroyed over 100 homes in Bloomington to make way for more warehouses and that homeowners are afraid to invest in their properties due to fear that developers will come after them next.

Response to Comment I23.2: Please refer to Response to Comment I23.1, above.

Comment I23.3: This comment states that air quality in the Inland Empire is already among the worst in the County and that the proposed Project would make it worse as trucks traveling to and from the warehouse would pollute the air. The comment states that members of the community breathe polluted air every day and many already have health problems due to existing warehouses. The comment also states that residents should not have to continue to live with these issues and that approval of the Project shows that the community's health is not taken seriously.

Response to Comment I23.3: Impacts related to Air Quality, pollution, and health risk are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant..

The Recirculated Draft EIR utilizes the thresholds of significance for air quality impacts established by SCAQMD, which take into account existing air quality within the air basin and are intended to be protective of health. As discussed in Appendix C1 to the Original Draft EIR, although there has been an increase in development in the South Coast Air Basin, emissions concentrations have declined and air quality has generally improved at the basin-wide level over the last 30 years, largely due to cleaner air vehicles and fuel requirements (with the recognition of localized exceedances). Recirculated Draft EIR Table 5.3-2 identifies the number of days ambient air quality standards were exceeded in the area, based on data from the nearest monitoring station to the proposed Project, within Source/Receptor Area 34 (SRA 34). Comparison of the proposed Project's criteria pollutant emissions with the SCAQMD's localized thresholds are provided in Recirculated Draft EIR Table 5.3-19 to Table 5.3-25. As discussed under impact AQ-3, impacts related to exposure of sensitive receptors to substantial pollutant concentrations would be less than significant with mitigation. Specifically, based on existing SCAQMD recommendations for Mobile Source Health Risk Assessments, the combined construction and operational impacts of the proposed Project at the maximally impacted residential receptor is estimated to be 4.91 in one million, which is less than the SCAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be less than 0.01, which would not exceed the applicable SCAQMD significance threshold of 1.0.

Comment I23.4: This comment states that a major issue with the Project is increased truck traffic as Bloomington's streets are already congested and were not built to handle the trucks serving warehouses. This comment states that traffic will get worse and lead to more accidents posing safety concerns for families living near heavily traveled routes and make excessive noise in neighborhoods. This comment states that it appears that the Project does not consider the danger to residents associated with truck traffic.

Response to Comment I23.4: As discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR and will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I23.5: This comment states that the Bloomington community is already impacted by industrialization and while the Project may bring jobs and economic growth it would also bring more harm to the health of the community as jobs do not outweigh the Project's negative impacts on the residents. The comment asks why communities like Bloomington have to bear additional pollution and environmental harm and states that residents deserve a future where they can live with clean air, safe neighborhoods, and a healthy environment. This comment states the commenter's opposition to the Project as it would pose significant risk to air quality, health, traffic safety, and quality of life and asks that the community's voices be heard. The comment also states that instead of warehouses, the Project site could include space for recreation, housing, and commercial areas for small businesses to benefit the community.

Response to Comment I23.5: Please refer to Response to Comment I23.3, above. Impacts related to Air Quality, pollution, and health risk are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as safety) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Regarding a mixed-use alternative, introducing commercial uses to the Project site would result in increased impacts due to the increased vehicle trips associated with commercial retail uses. For example, if the Recirculated Draft EIR were to consider an alternative for development of only Building 1 (383,000 SF warehouse) with 400,000 SF of commercial retail uses and 400 dwelling units, approximately 17,855 trips would occur from such an alternative. These trips would be approximately 2.7 times the amount of trips that would occur under the Project (6,626 daily trips), which would substantially increase air quality emissions, greenhouse gas emissions, and noise and potentially trigger new significant impacts.

Comment Letter I24: Maria Daniela Pena, December 11, 2025

Nombre: Maria Daniela Pena
Dirección: 18772 9th St., Bloomington, CA 92316
Correo electrónico: daniela133717@gmail.com

Estimada Maryn Wells, Gina Gibson y el Departamento de Servicios de Uso de Suelo del Condado de San Bernardino:

Mi nombre es Maria Daniela Pena y soy residente de Bloomington. Crecí en esta comunidad y me da gusto que mi familia haya podido permanecer aquí. El proyecto del Bloomington Business Park ya ha causado mucho dolor a nuestra comunidad, incluso antes de que se construya. Muchas familias fueron desplazadas, y ahora el terreno vacío sirve como un recordatorio de que cualquiera de nosotros podría ser el siguiente.

Escribo para expresar mis preocupaciones y mi oposición al Bloomington Business Park. El nuevo Informe de Impacto Ambiental Revisado de Bloomington continúa minimizando los impactos que este proyecto tendrá en nuestra comunidad. Esta propuesta y la aprobación del Condado contradicen abiertamente el Plan Comunitario de Bloomington y las necesidades de la comunidad local. I24.1

El Informe de Impacto Ambiental Revisado es una versión mal reempaquetada del informe original, que no ofrece mejoras reales ni beneficios para la comunidad.

1. El Bloomington Business Park se propone en una comunidad que ya está abrumada por la actividad de bodegas. Según la herramienta *Warehouse City Tool*, Bloomington y las áreas cercanas experimentan casi 13,000 viajes diarios de camiones generados por más de 80 bodegas. Estas operaciones producen un estimado de 546.7 toneladas métricas de CO_2, 2,025 libras de NOX y 18 libras de material particulado diésel todos los días. Este nivel de actividad industrial ha convertido a Bloomington en una de las zonas más contaminadas de California, lo que representa graves riesgos para la salud y la seguridad de nuestra comunidad. El Informe de Impacto Ambiental Revisado no ofrece ninguna solución real para abordar este problema. I24.2

2. Este desarrollo también reducirá significativamente la calidad de vida de los residentes que se verán obligados a vivir con sus impactos. La mala calidad del aire, el aumento de la contaminación por ruido y el empeoramiento de la congestión vehicular se convertirán en parte de la vida diaria. Se espera que el proyecto traiga miles de camiones y vehículos particulares a las calles de Bloomington, que ya están sobrecargadas. Nuestras calles son demasiado angostas para manejar este volumen, especialmente en un área que ya sufre congestión por el tráfico escolar. Más allá de las calles aledañas, Cedar, nuestra principal vía, se volverá aún más congestionada. El Departamento de Bomberos ya ha expresado su preocupación por la dificultad que tienen los camiones de bomberos para circular. Introducir 1,000 camiones al día es poco realista, especialmente cuando la construcción del puente de Cedar aún está lejos de concluirse. I24.3

3. Las actividades de construcción, la carga y descarga constante y la operación de vehículos pesados introducirán una contaminación acústica persistente, deteriorando aún más el bienestar de la comunidad circundante. I24.3 cont.

4. El sitio del proyecto está ubicado junto a áreas sensibles, incluyendo viviendas, escuelas y espacios públicos. La Escuela Primaria Zimmerman, la Preparatoria Bloomington y el Parque Kessler se encuentran colindantes al desarrollo propuesto, lo que pone a estudiantes y miembros de la comunidad en mayor riesgo por la contaminación del aire y el ruido. La Guía de Uso de Suelo de CARB recomienda mantener al menos 1,000 pies de distancia entre centros de distribución y lugares como escuelas y parques. Un proyecto de esta magnitud debería cumplir con esa recomendación para proteger a la comunidad. Lamentablemente, no existen planes para reubicar la Escuela Primaria Zimmerman. Los estudiantes ya están estudiando y jugando junto a una bodega que está por construirse, expuestos a mala calidad del aire y a un aumento del tráfico durante los horarios de entrada y salida. Agregar una bodega en este lugar solo empeorará estas condiciones. I24.4

5. Este proyecto también continúa un patrón de dirigir usos de suelo contaminantes hacia comunidades de bajos ingresos y predominantemente hispanas. Bloomington se encuentra en el percentil 94 de CalEnviroScreen por carga combinada de contaminación y vulnerabilidad poblacional. Se ubica en el percentil 91 para PM2.5 y en el percentil 80 para material particulado diésel. El Condado ha designado esta zona como un Área Prioritaria de Justicia Ambiental, reconociendo que esta comunidad ya soporta una carga ambiental desproporcionada. Con más del 80% de residentes hispanos y una de las tasas más altas de personas monolingües en español en el condado, la continua sobre-industrialización de Bloomington es un claro ejemplo de racismo ambiental. I24.5

En lugar de agregar más bodegas dañinas, el desarrollo debería priorizar las necesidades de la comunidad y el bienestar a largo plazo. Bloomington ya ha experimentado suficiente sobre-desarrollo industrial. Las bodegas han tomado control de nuestra comunidad sin traer beneficios reales para quienes vivimos aquí. Las únicas inversiones que vemos son aquellas que sirven a la industria de las bodegas: paradas de camiones, gasolineras y ampliaciones de carreteras.

Lo que necesitamos son inversiones que hagan a Bloomington un lugar habitable y que ayuden a reparar los daños del pasado. El sitio del Bloomington Business Park debería apoyar una mezcla de usos que eleven a la comunidad, como vivienda, espacios para pequeños negocios y áreas verdes ampliadas o extensiones del Parque Kessler para los estudiantes de la Escuela Primaria Zimmerman y la Preparatoria Bloomington. Este tipo de proyectos son los que fortalecen a las comunidades, no más bodegas. I24.6

Response to Comment Letter I24: Maria Daniela Pena, December 11, 2025 (2 Pages)

Acknowledgment that the comment was originally submitted in Spanish. Below responds to the English translation.

Comment I24.1: This comment states that the Project has displaced families and expresses opposition to the Project. The comment states that the Recirculated Draft EIR minimizes the impacts the Project would have on the community and that County approval of the Project contradicts the Bloomington Community Plan and community's needs. The comment also states that the Recirculated Draft EIR is a poor version of the original report that does not offer real improvements or benefits to the community.

Response to Comment I24.1: As discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including impacts related to consistency with County planning documents) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of significant environmental impacts that have not already been disclosed in the Recirculated Draft EIR.

Comment I24.2: This comment states that Bloomington is already overwhelmed with warehousing and currently experiences approximately 13,000 daily truck trips generated by over 80 warehouses. These trips produce an estimated 546.7 metric tons of CO_2, 2,025 pounds of Nox, and 18 pounds of diesel particulate matter every day causing pollution in Bloomington and risking community health and safety. The comment states that the Recirculated Draft EIR does not offer a solution to address the pollution.

Response to Comment I24.2: Regarding the existing pollution burden, the existing air quality in the Project area is described in Recirculated Draft EIR Section 5.3, *Air Quality*. Table 5.3-2 provides data from the closest air quality monitoring stations to the Project site. Data from the air quality monitoring stations indicates that no areas in the South Coast Area Basin exceeded federal or State standards for CO and NO_2 and that the $PM_{2.5}$ federal standard had one exceedance in 2020, two exceedances in 2021, one exceedance in 2022, and no exceedance in 2023. While the Project vicinity has experienced exceedances of State and federal standards for $PM_{2.5}$, the thresholds set forth by the SCAQMD, and used in the Recirculated Draft EIR's analysis, are intended to be health protective and are based on Clean Air Act standards and recommendations by the EPA. As discussed in Appendix C1 to the Original Draft EIR, although there has been an increase in development in the South Coast Air Basin, emissions concentrations have declined, and air quality has generally improved at the basin-wide level over the last 30 years largely due to cleaner air vehicles and fuel requirements (with the recognition of localized exceedances).

Impacts related to health risks are discussed under Impact AQ-3 of Section 5.3, *Air Quality*, in the Recirculated Draft EIR on pages 5.3-56 through 5.3-66. Based on existing SCAQMD recommendations for Mobile Source Health Risk Assessments, the combined construction and operational impacts of the proposed Project at the maximally impacted residential receptor is estimated to be 4.91 in one million, which is less than the SCAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be less than 0.01, which would not exceed the applicable SCAQMD significance threshold of 1.0. As such, the proposed Project would result in emissions that are far below existing SCAQMD significance thresholds. Therefore, the proposed Project's potential impacts on human health risks would not be cumulatively considerable and would be less than significant. Nevertheless, as disclosed within Section 5.3 of the Recirculated Draft EIR, impacts related to regional air quality would be significant and unavoidable despite incorporation of all feasible mitigation.

Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck

traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I24.3: This comment states that the Project would significantly diminish the quality of life for residents due to poor air quality, noise pollution, and traffic congestion. The comment states that the Project would bring thousands of trucks and passenger vehicles that Bloomington's streets cannot handle with school traffic and would increase gridlock on surrounding streets such as Cedar. The comment states that the Fire Department has raised concerns about fire trucks struggling to get through traffic and that the introduction of 1,000 trucks daily is unrealistic with the incomplete construction of the Cedar Bridge. The comment states that construction and operation activities would introduce noise pollution, degrading the well-being of the community.

Response to Comment I24.3: Impacts related to air quality and pollution are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant. Noise related impacts are analyzed in Section 5.12, *Noise*, on pages 5.12-27 through 5.12-59, which determined that construction noise and vibration impacts would be less than significant with implementation of Mitigation Measures NOI-1 through NOI-8 and operational noise impacts would be less than significant.

Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I24.4: This comment states that the Project location adjacent to sensitive areas such as homes, Zimmerman Elementary School, Bloomington High School, and Kessler Park puts students and community members at risk from air and noise pollution. The comment states that the Project should follow CARB's Land Use Guidance which recommends at least 1,000 feet between distribution centers and schools and parks. The comment states that the Project would make students exposure to poor air quality and traffic worse and expresses frustration that there are no plans to relocate Zimmerman Elementary.

Response to Comment I24.4: Impacts related to air quality and pollution are discussed in Section 5.3, Air Quality, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR.

Due to the Project's proximity to Zimmerman Elementary school, student exposure was analyzed under Impact AQ-3, including Construction Diesel Mobile Source Health Risk on page 5.3-57 and Operational Diesel Mobile Source Health Risk on pages 5.3-65 through 5.3-66 for Opening Year - Opening Option 1, Opening Year - Opening Option 2, and the Future Development Area - Specific Plan Buildout scenarios. The analyses concluded that the maximum incremental cancer risk under Project construction and all operating scenarios would be below the significance threshold of 10 in one million and that non-cancer risks attributable to the Project, and all scenarios were calculated to be <0.01, which would not exceed the applicable significance threshold of 1.0 (Urban Crossroads, 2021). As such, Project construction and operation under all scenarios would not cause a significant human health or cancer risk to nearby school children and impacts would be less than significant.

Impacts related to noise are discussed in Section 5.12, *Noise*, on pages 5.12-27 through 5.12-59 of the Recirculated Draft EIR. Due to the Project's proximity to sensitive receptors, including Walter Zimmerman Elementary School, identified as sensitive receptor location OYD2-R6, and Bloomington High School, identified as sensitive receptor location SP-R3, construction and operational noise impacts were analyzed under Impact NOI-1. As shown in Table 5.12-13, *Unmitigated Peak Hour Construction Noise Level Increases*, on Page 5.12-41, unmitigated construction noise could result in potentially significant impacts at OYD2-R6, while impacts at SP-R3 would be less than significant. As such, the Project would implement Mitigation Measures NOI-1 through NOI-7, including installation of temporary sound walls, use of mufflers, placement and staging of stationary equipment away from sensitive receptors, restrictions on equipment and material delivery times pursuant to County Development Code Section 83.01.080(g)(3), use of electrically powered tools where feasible, and prohibition of music or speakers during construction. As shown on Table 5.12-14, *Mitigated Peak Hour Construction Noise Level Increases*, on Page 5.12-42, with implementation of Mitigation Measures NOI-1 through NOI-7, temporary construction-related noise increases at all sensitive receptors would be reduced to less-than-significant levels. Therefore, construction noise impacts would be less than significant with mitigation incorporated. Furthermore, operational noise impacts were evaluated for Opening Year - Option 2 and the Future Development Area Specific Plan buildout scenarios, as Opening Year - Option 1 would not include development adjacent to the OYD2-R6 and SP-R3 sensitive receptors. As shown in Table 5.12-20, *Opening Year – Option 2 Operational Noise Level Compliance*, on page 5.12-51, and Table 5.12-23, *Future Development Area - Specific Plan Buildout Operational Noise Level Compliance*, on page 5.12-52, operational noise levels at all sensitive receptors, including OYD2-R6 and SP-R3, would not exceed the County's exterior noise standards, as adjusted for existing ambient noise levels. Therefore, construction and operation of the Project under the applicable analyzed scenarios would result in less-than-significant noise impacts.

Impacts related to health risks are discussed under Impact AQ-3 of Section 5.3, *Air Quality* in the Recirculated Draft EIR on pages 5.3-56 through 5.3-66. Based on existing SCAQMD recommendations for Mobile Source Health Risk Assessments, the combined construction and operational impacts of the proposed Project at the maximally impacted residential receptor is estimated to be 4.91 in one million, which is less than the SCAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be less than 0.01, which would not exceed the applicable South Coast AQMD significance threshold of 1.0. As such, the proposed Project would result in emissions that are far below existing SCAQMD significance thresholds and therefore, the proposed Project's potential impacts on human health risks would not be cumulatively considerable and would be less than significant. Regarding CARB's Land Use Guidance, the 1,000-foot setback recommendation is included as a recommendation and not a universal requirement in the Attorney General's September 2022 *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* Memorandum, which provides recommendations for warehouse developments. Since the Project as proposed would not result in any significant impact on human health risk, adherence to CARB's Land Use Guidance recommendation of a 1,000-foot buffer between distribution centers and schools and parks is not warranted or required. Further, Mobile Source Health Risk Analysis analyzed potential health risks to all sensitive receptors within the vicinity, and not just those within the 1,000-foot buffer. Further, the 1,000-foot buffer would not be feasible for the Project given the configuration of the Project site.

Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I24.5: This comment states that the Project continues a pattern of targeting low-income, predominantly Hispanic communities for polluting land uses as Bloomington ranks in the 94th percentile for pollution burden and population vulnerability, 91st percentile for PM2.5, and 80th percentile for diesel particulate matter according to CalEnviroScreen. The comment states that the County has designated the area as an Environmental Justice Focus Area, acknowledging that this community already carries a disproportionate environmental burden. The comment states that with over 80 percent Hispanic residents and one of the highest rates of Spanish speakers in the County, the over-industrialization of Bloomington is environmental racism.

Response to Comment I24.5: CalEnviroScreen is a general policy tool. It is generally inappropriate for CEQA review as it looks at general environmental and socioeconomic conditions, but not physical impacts associated with projects. However, consistent with recommended SCAQMD methodology, the Recirculated Draft EIR provides a detailed evaluation of the potential cumulative air quality related impacts of the proposed Project upon the surrounding community (localized impacts) pursuant to SCAQMD methodology and thresholds, which is the appropriate due to the Project's location within the South Coast Air Basin.

While the Recirculated Draft EIR acknowledges that the Project site is located within an Environmental Justice Focus Area, as discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Moreover, CEQA also requires a project evaluate its impacts in relation to changes in an area's population, housing needs and coverage under adequate public services. The Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they are addressed in other County documents and will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The Project's potential environmental justice effects are social issues that are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Regarding housing and public services, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including housing and public services) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Regarding the existing pollution burden, the existing air quality in the Project area is described in Recirculated Draft EIR Section 5.3, *Air Quality*. Table 5.3-2 provides data from the closest air quality monitoring stations to the Project site. Data from the air quality monitoring stations indicates that the PM2.5 federal standard had one exceedance in 2020, two exceedances in 2021, one exceedance in 2022, and no exceedance in 2023. While the Project vicinity has experienced exceedances of State and federal standards, the thresholds set forth by the SCAQMD are intended to be health protective and are based on Clean Air Act standards and recommendations by the EPA. As discussed in Appendix C1 to the Original Draft EIR, although there has been an increase in development in the South Coast Air Basin, emissions concentrations have declined, and air quality has generally improved at the basin-wide level over the last 30 years largely due to cleaner air vehicles and fuel requirements (with the recognition of localized exceedances).

Impacts related to health risks are discussed under Impact AQ-3 of Section 5.3, *Air Quality*, in the Recirculated Draft EIR on pages 5.3-56 through 5.3-66. Based on existing SCAQMD recommendations for Mobile Source Health Risk Assessments, the combined construction and operational impacts of the proposed Project at the maximally impacted residential receptor is estimated to be 4.91 in one million, which is less than the SCAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were

estimated to be less than 0.01, which would not exceed the applicable South Coast AQMD significance threshold of 1.0. As such, the proposed Project would result in emissions that are far below existing SCAQMD significance thresholds. Therefore, the proposed Project's potential impacts on human health risks would not be cumulatively considerable and would be less than significant.

Comment I24.6: This comment states that development should prioritize community needs and long-term well-being instead of warehousing as Bloomington has experienced industrial overdevelopment. The comment states that warehouses have taken over the community without bringing benefits to the residents and that the only investments made in the community are to serve the warehousing industry. The comment states that the community needs investments that make Bloomington livable and that the Project site should support mixed uses such as housing, small business, and expanded green space to serve students at Zimmerman Elementary and Bloomington High School to strengthen the community.

Response to Comment I24.6: . Regarding a mixed use alternative to the Project, introducing commercial uses to the Project site would result in increased impacts due to the increased vehicle trips associated with commercial retail uses. For example, if the Recirculated Draft EIR were to consider an alternative for development of only Building 1 (383,000 SF warehouse) with 400,000 SF of commercial retail uses and 400 dwelling units, approximately 17,855 trips would occur from such an alternative. These trips would be approximately 2.7 times the amount of trips that would occur under the Project (6,626 daily trips), which would substantially increase air quality emissions, greenhouse gas emissions, and noise.

As discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. Additionally, the Project is investing in the community through implementation of a Community Benefits Agreement, which includes funding for infrastructure improvements, open space areas, and other public services. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis

Comment Letter I25: Maria Morales, December 11, 2025

From: gabriela suarez
To: Mineo-Wells, Maryn
Date: Thursday, December 11, 2025 9:03:37 PM

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you can confirm the sender and know the content is safe.

Estimada Sra. Gina Gibson Williams,

Mi nombre es maria morales. y vivo en Bloomington. Le escribo porque me preocupa mucho el proyecto del Parque Empresarial de Bloomington (Bloomington Business Park) y lo que significará para nuestra comunidad.

Bloomington ya está rodeado de almacenes y tráfico de camiones. Nuestro aire está empeorando, y nuestras familias —especialmente los niños y las personas mayores— son quienes están respirando esa contaminación. Este proyecto traería aún más camiones, contaminación y ruido justo al lado de nuestras casas, escuelas y de Kessler Park, el único parque que tenemos. No es justo poner otro almacén tan cerca de donde vivimos y donde juegan nuestros hijos, por favor piense un poco en nosotros que somos de bajo recurso y que por esa razon los empresarios nos tratan como que no tuvieras el derecho de respirar un aire limpio de no tener una vida saludable,mientras ellos si viven en lugares donde no es Ruta de camiones son protegidos porque tienen $$ y nosotros no ,por favor piensa en eso ,gracias gracias gracias, I25.1
Y tambien
El Condado debe cumplir con las nuevas leyes estatales como AB 98 y SB 415, que protegen a las comunidades de que se construyan almacenes demasiado cerca de las viviendas. Estas leyes se crearon precisamente por situaciones como esta. I25.2

También pienso que el Condado debería considerar otras opciones para este terreno —como vivienda, parques, o pequeños negocios— algo que realmente beneficie a las personas que vivimos aquí. Necesitamos proyectos que hagan a Bloomington más saludable y fuerte, no proyectos que empeoren las cosas.

Por favor escuchen a la comunidad. Les pedimos que protejan a nuestras familias y se aseguren de que el Condado ponga la salud de la comunidad antes que las ganancias de la industria. I25.3
Gracias por tomar en cuenta mi comentario.

Atentamente,
Maria morales y familia.
Residente de Bloomington

Sent from my T-Mobile 4G LTE Device

Response to Comment Letter I25: Maria Morales, December 11, 2025 (1 Page)

Acknowledgment that the comment was originally submitted in Spanish. Below responds to the English translation.

Comment I25.1: This comment expresses concern about the Project and its impacts on the community. The comment states that Bloomington is already surrounded by warehousing and truck traffic causing poor air quality that would be worsened by the proposed Project as it would bring more trucks, pollution, and noise near to homes, schools, and Kessler Park. The comment asks that the residents of Bloomington, a low-income community, be thought about as they do not have the money to live in areas without truck routes.

Response to Comment I25.1: Impacts related to air quality and pollution are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant. Noise related impacts are analyzed in Section 5.12, *Noise*, on pages 5.12-27 through 5.12-59, which determined that impacts related to construction noise would be less than significant with mitigation and impacts related to operational noise would be less than significant. Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I25.2: This comment states that the County must comply with AB 98 and SB 415 which protect communities from warehouses being built close to homes.

Response to Comment I25.2: Assembly Bill 98 (AB 98) introduced Government Code section 65098 which includes Section 65098.1.5(a)(3) and states, "notwithstanding any other provision of law, if, by September 30, 2024, a property is currently in a local entitlement process to become a logistics use, then the proposed logistics use development shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if a sensitive receptor is constructed, established, or permitted after the effective date of this chapter." Furthermore, Senate Bill 415 (SB 415) amended Government Code section 65098.1.5(a)(3), to read as: "notwithstanding any other law, except as provided in Section 65098.1.6, if by September 30, 2024, a property is currently in a local entitlement process to become a logistics use development, then the proposed logistics use development shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if a sensitive receptor is constructed, established, or permitted after the effective date of this chapter," and added Section 65098.1.6(a) which specifies, "notwithstanding any other law, this chapter shall not apply to any logistics use development that was subject to a local entitlement process that began before September 30, 2024."

The proposed Project entered the local entitlement process with the County of San Bernardino prior to September 30, 2024. Therefore, pursuant to Government Code Sections 65098.1.5(a)(3) and 65098.1.6(a), the requirements established by AB 98 and SB 415 do not apply to the proposed Project.

Comment I25.3: This comment states that the County should consider other uses for the Project site such as housing, parks, or small businesses to benefit the residents. The comment states that Bloomington needs projects that make the community healthier and stronger and asks that the community is listened to.

Response to Comment I25.3: Regarding a mixed use alternative to the Project, introducing commercial uses to the Project site would result in increased impacts due to the increased vehicle trips associated with commercial retail uses. For example, if the Recirculated Draft EIR were to consider an alternative for development of only Building 1 (383,000 SF warehouse) with 400,000 SF of commercial retail uses and 400 dwelling units, approximately 17,855 trips would occur from such an alternative. These trips would be approximately 2.7 times the amount of trips that would occur under the Project (6,626 daily trips), which would substantially increase air quality emissions, greenhouse gas emissions, and noise. As discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by County decision makers in evaluating what action to take on this Project.

Comment Letter I26: Michael McCarthy, December 11, 2025

SENT VIA EMAIL
December 11, 2025

Gina Gibson-Williams, Planning Manager
Land Use Services Department, Planning Division
Clerk of the Board
San Bernardino County
Email: gina.gibson-williams@lus.sbcounty.gov; cob@sbcounty.gov

RE: Public comment for Bloomington Business Park Specific Plan Project SCH#2020120545

Dear County Clerk and Planning Manager Staff,

Thank you for the opportunity to provide comments on the recirculated Environmental Impact Report (REIR) on the Bloomington Business Park Specific Plan Project (the Project) – SCH#2020120545.

The Project aims to adopt a specific plan for two separate planning areas totaling 213 acres in the census designated community of Bloomington. This project is infamous for demolishing homes in a very low density residential neighborhood over a mile from the I-10 freeway to construct industrially zoned mega-warehouses. The project was approved by the County Board of Supervisors in November 2022. Multiple environmental and community groups filed litigation against the County. A judge sided with the plaintiffs to set aside the approvals for the air quality, greenhouse gases, energy, noise, and alternatives sections of the 2022 Final EIR. I26.1

This REIR attempts to address those issues. Comments are terse but hopefully indicate the specific areas.

1. Air Quality
    a. Hauling trips for soil on p.3-17 – what route would the 18,596 haul truck trips (10 ton payload dump trucks) be taking to access site and import the soil? Please detail the haul truck route to access the site. Calculations assume 19.7 miles per trip for these haul trucks, so please identify the site for acquiring the soil for import/dumping and whether these 266 daily truck trips will proceed along truck routes. I26.2
    b. Opening year of 2022 is no longer conservative due to rollbacks in Advanced Clean Fleets, TRU ATCM, federal fuel economy standards, etc. Please justify the assumption that future fleet year will be cleaner than 2022 standards based on the ongoing removal of regulations imposed in the last decade. I26.3
    c. Truck routes – Figure 5.3-5 – the proposed truck route for the project using Jurupa Avenue to access Cedar is not considered as part of San Bernardino County current proposed truck route map (SB 415/AB 98) and thus trucks will not be able to access the project for deliveries. Neither Jurupa Avenue nor Santa Ana Avenue are proposed I26.4

as routes and thus the project has no legal truck route for access. Please describe how this project is consistent with AB98/SB 415 truck routes and the associated impacts on community members for air quality exposure.

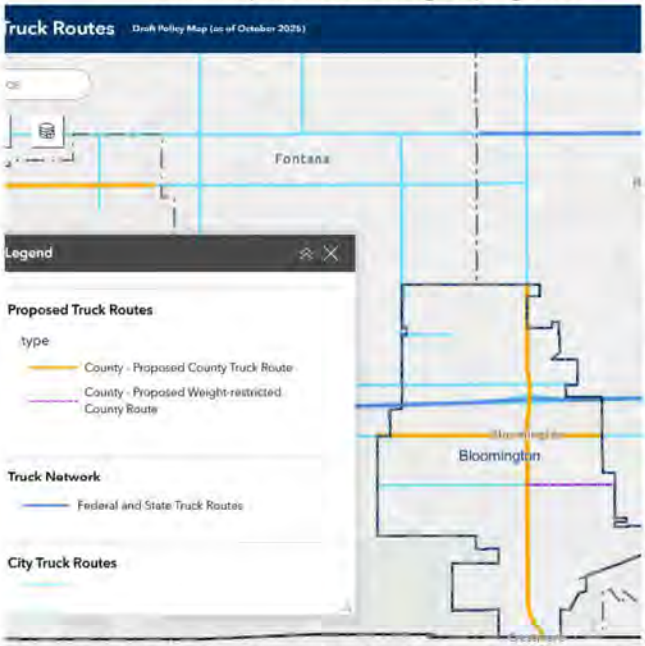

Figure 1. Draft truck route map for the County of San Bernardino provides no truck route access for the project[1].

126.4 cont.

d. $PM_{2.5}$ standard displayed in Table 5.3.1 is wrong as of December 2025[2] – Table 5.3.1 should be 9.0 ug/m^3, not 12.0. However, the current administration is trying to revoke this, so it might change again soon.

126.5

e. 'Diesel Regulations – CARB, p.5.3-4'. Most of the regulations listed here have been withdrawn or revoked. CARB withdrew the Advanced Clean Fleets waiver request, in-use locomotive rule, and other diesel regulations in early 2025. The Port of LA and Long Beach entered a cooperative agreement with no regulations for emissions until at least 2030. Please revise all emissions based on reduced diesel PM emissions or any EMFAC calculations assuming future-year diesel truck emissions reductions related to these measures as described by CARB modifications to remove emissions benefits of Advanced Clean Trucks rule posted October 2025[3].

126.6

[1] https://lus.sbcounty.gov/ab-98-truck-routes-in-unincorporated-san-bernardino-county/
[2] https://www.epa.gov/system/files/documents/2024-02/pm-naaqs-overview.pdf
[3] https://ww2.arb.ca.gov/sites/default/files/2025-12/Attachment%20A%20-%20Description%20of%20EMFAC2021%20Adjustment%20Factors.pdf

f. The current AQMP is the 2022 AQMP[4], adopted December 2, 2022. The governing AQMP was no later than the 2016 AQMP[5]. The section on the 2012 and 2016 AQMPs are irrelevant as they have no regulatory authority now. I26.7

g. The COBRA analysis (p.5.3-35) only examined the singular project and omitted the millions of square feet of additional warehouses approved and under review within the cumulative impacts analysis. Individual impacts of warehouses and trucks are small, but cumulatively considerable. Individual projects all need to be mitigated to deal with the cumulative impacts of dozens of projects. Please include the emissions from all cumulative projects listed in the cumulative impacts list in Table 4-4 at a minimum. I26.8

h. Commercial feasibility of Zero-Emission Trucks, p. 5.3-41 and Appendix B
   i. Sysco in Riverside installed 40 dual port DC fast-charging stations for 40 electric eCascadia trucks and refrigerated trailers[6] in 2023. These are operational onsite improvements and truck fleets are routed within Southern California delivery routes within range requirements. The Riverside Sysco warehouse is the same distance from the ports as Bloomington.
   ii. NFI received 50 electric class 8 trucks in 2024 for drayage from the Ports to Ontario, which is about 15 miles from Bloomington.[7] Fast-charging infrastructure onsite in Ontario includes 38 chargers.
   iii. EV Truck charging infrastructure is growing rapidly
      1. WattEV depot at 1388 S. E Street San Bernardino
      2. Greenlane depot at 1650 Fairway Dr., Colton, CA
      3. EV Realty is breaking ground at Rialto Ave, San Bernardino
   iv. The most economical solution is to have onsite EV charging, and building out charging is certainly feasible within project mitigation to include sufficient heavy-duty chargers to electrify onsite and offsite vehicles by the time the project is built. I26.9

i. The project buildings include multiple fulfillment centers. Fulfillment centers store inventory, process customer orders, and ships products directly to customers. Fulfilment centers often include small packages that are delivered locally and regionally. One additional feasible mitigation is to shift last-mile delivery transportation modes away from class 2b-3 trucks (GVWR 8,500-14,000 lbs) to electric cargo bikes/trikes and other local delivery options. These options are feasible and are implemented in multiple individual cities including Portland, Santa Monica, Los Angeles, Pittsburgh, New York City, Washington D.C., Oakland, and Louisville in zero-emission delivery zones[8,9,10]. Electric cargo tricycles are affordable, zero- I26.10

[4] https://www.aqmd.gov/home/air-quality/air-quality-management-plans/air-quality-mgt-plan
[5] https://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/final-2016-aqmp/final2016aqmp.pdf
[6] https://investors.sysco.com/annual-reports-and-sec-filings/news-releases/2023/04-24-2023-130408786
[7] https://www.electrive.com/2024/02/28/50-class-8-electric-trucks-delivered-for-nfi-in-california/
[8] https://laincubator.org/zedz/
[9] https://www.portland.gov/transportation/planning/zero-emission-delivery/zero-emission-delivery-zones
[10] https://cities-today.com/us-cities-join-zero-emissions-delivery-challenge/

3

emissions, low-impact, and can carry loads of 700 kg (1,500 lbs) and commercially available at costs below $6,000. Amazon, Ford Motor Company, Chrysler, Bayer, DuPont, FedEx, Boeing and more all use electric industrial cargo cycles.

I26.10 cont.

Thank you for addressing these issues.

Michael McCarthy, PhD
Email: mikem@radicalresearch.llc

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Response to Comment Letter I26: Michael McCarthy, December 11, 2025 (4 Pages)

Comment I26.1: This comment provides an introduction to the comment letter and states that the commenter is appreciative of the opportunity to comment. This comment summarizes the proposed Project description and litigation that has led to the Recirculated Draft EIR.

Response to Comment I26.1: This comment is introductory in nature and does not raise a specific issue with the adequacy of the Recirculated Draft EIR. Because the comment does not raise a specific concern or question regarding the adequacy of the Recirculated Draft EIR, no further response is required or provided.

Comment I26.2: This comment asks what route soil hauling trips would be taking to access the site for soil import, for the soil source site to be identified, and whether the daily truck trips would use truck routes.

Response to Comment I26.2: Precise commercial source of imported soil and individual carrier routing decisions may vary over time. Therefore, as detailed under Section 5.3.5, *Methodology*, on pages 5.3-34 and 5.3-35 and discussed under Impact AQ-2, on pages 5.3-38 through 5.3-41 of the Recirculated Draft EIR, the analysis conservatively assumes representative trip lengths and applies applicable regulations and mitigation to all haul activity regardless of the ultimate source. Applicable regulations would include SCAQMD Rules 403 and 1186, as well as Title 13 of California Code of Regulations Section 2499. Mitigation measures that would apply to haul trips include Mitigation Measures AQ-5 and AQ-7.

Consistent with County policy, all Project-related heavy-duty trucks, including soil haul trucks, will be required through Project conditions, mitigation, and lease provisions to comply with CARB idling regulations, to use cleaner model-year engines, and to follow posted truck-route signage directing trucks between the site and the regional roadway system, thereby ensuring that haul trips utilize designated truck routes to the extent such routes are available and applicable. These obligations apply regardless of the ultimate soil source and are sufficient to ensure that haul truck operations associated with soil import would not cause significant air quality impacts beyond those already disclosed and mitigated in the Recirculated Draft EIR. Therefore, no further revision to the air quality analysis or additional mitigation is required.

Comment I26.3: This comments states that the opening year of 2022 is not conservative and asks for justification of the assumption that future fleet year would be cleaner than 2022 standards based on the ongoing removal of regulations.

Response to Comment I26.3: The Recirculated Draft EIR does not assume that future heavy duty truck fleets serving the Project will necessarily be cleaner than 2022 conditions. Instead, it relies on CARB's EMFAC model and SCAQMD-recommended methodologies as detailed under Section 5.3.5, *Methodology*, on pages 5.3-34 and 5.3-35 of the Recirculated Draft EIR, which incorporate only those federal and state regulations that are currently adopted and in effect when the model is released. EMFAC emission factors already reflect the existing Truck and Bus rule, diesel ATCMs, and on road engine standards. The Recirculated Draft EIR cannot analyze currently unspecified future rollbacks or unadopted regulations. Under CEQA, reliance on this agency-approved model constitutes substantial evidence even if the commenter believes future policy changes may occur.

For purposes of Project impact assessment, the Recirculated Draft EIR evaluates opening year and 2040 buildout scenarios using EMFAC's projected fleet mix and emission factors for those years, meaning that any modeled reductions in per mile emissions are driven by regulations that are already in place, not by assumptions about new "Advanced Clean Fleets" type standards. If any such future emissions rules are even more restrictive than the Recirculated Draft EIR analysis scenario, the existing analysis would remain conservative because it would overstate long term emission reductions relative to actual conditions. The feasibility of zero emission (ZE) trucks is discussed in Section 5.3, *Air Quality*, on pages 5.3-41 through 5.3-43 of the Recirculated Draft EIR.

In addition, the Project does not rely on fleet turnover assumptions alone to reduce emissions but imposes binding mitigation, including requirements for Tier 4 construction equipment, limits on diesel idling, model year standards for facility owned trucks, and commitments to transition to ZE trucks once they become widely commercially available, which would continue to apply regardless of any subsequent federal or State policy changes. The applicable mitigation measures, including Mitigation Measures AQ-2, AQ-5, AQ-10, AQ-11, AQ-15, and AQ-19, are detailed in Section 5.3, *Air Quality*, on pages 5.3-69 through 5.3-73 of the Recirculated Draft EIR.

Accordingly, the Recirculated Draft EIR's use of EMFAC and 2022 based modeling reflects current, enforceable regulatory requirements and provides a reasonable, CEQA compliant basis for estimating future fleet emissions; CEQA does not require the County to speculate regarding potential future legislative or regulatory rollbacks, and no further revision to the air quality analysis is warranted.

However, it should be noted that the use of EMFAC 2021, combined with the adjustment factors published by CARB to account for the rollback of these regulations, would result in a net reduction in DPM emissions under most scenarios. As discussed in Appendix A to this Final EIR, specifically assuming a realistic 2027 opening year and utilizing EMFAC 2021 with adjustment factors under the OYD1 and OYD2 scenarios, idling DPM emission rates would be reduced by approximately 27%, and on-site and off-site travel emissions would be reduced by approximately 63% compared to the emission rates that were utilized in the analysis. Under the Specific Plan Buildout Scenario, idling emissions would be reduced by approximately 10%, while on-site and off-site travel emissions would increase by approximately 12%. However, it should be noted that the Specific Plan Buildout scenario analysis identified a maximum cancer risk of 3.11 in one million. Even if the increase in emission rates resulted in an increase in overall risk of 12%, the resulting risk would remain well below the applicable SCAQMD threshold of 10 in one million and would remain below the maximum risk identified under the OYD1 and OYD2 scenarios. Findings and conclusions of the Recirculated Draft EIR are not affected.

Comment I26.4: This comment states that the proposed truck route for the Project, which would use Jurupa Avenue to access Cedar Avenue, is not a part of San Bernardino County's proposed truck route map and as such trucks would not be able to access the Project site. The comment also states that since Jurupa Avenue and Santa Ana Avenue are not proposed truck routes there are no legal truck routes to access the Project site and asks how the Project is consistent with AB 98 and SB 415 truck routes and for air quality impacts on community members be described.

Response to Comment I26.4: Assembly Bill 98 (AB 98) introduced Government Code section 65098 including Section 65098.1.5(c), which states, "this chapter shall not apply to any logistics projects that were subject to a commenced local entitlement process prior to September 30, 2024." Furthermore, Senate Bill 415 (SB 415) amended Government Code section 65098.1.5(a)(3), to read as "notwithstanding any other law, except as provided in Section 65098.1.6, if by September 30, 2024, a property is currently in a local entitlement process to become a logistics use development, then the proposed logistics use development shall not be subject to the requirements described in paragraph (3) of subdivision (a) of, paragraph (3) of subdivision (b) of, or paragraph (3) of subdivision (c) of Section 65098.1, as applicable, if a sensitive receptor is constructed, established, or permitted after the effective date of this chapter," and added Section 65098.1.6(a) which specifies, "notwithstanding any other law, this chapter shall not apply to any logistics use development that was subject to a local entitlement process that began before September 30, 2024." The proposed Project entered the local entitlement process with the County of San Bernardino prior to September 30, 2024. Therefore, pursuant to Government Code Section 65098.1.6(a), the requirements established by AB 98 and SB 415 do not apply to the proposed Project.

Additionally, impacts related to air quality are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR and Mitigation Measure AQ-17 has been included to require that onsite signage at trucks exits providing directional information on the truck route be installed. Regarding the

County's truck routes, the Project would properly utilize identified truck routes and would be prohibited from utilizing certain roadways for truck travel. As shown on Figure 3-4 of the Recirculated Draft EIR, given the Project's proximity to I-10, trucks would be funneled to Cedar Avenue, directly to I-10 or SR-60, in line with Countywide Plan Policy TM-5.6. Additionally, pursuant to Vehicle Code Section 35703, no ordinance adopted shall prohibit any commercial vehicles coming from an unrestricted street having ingress and egress by direct route to and from a restricted street when necessary for the purpose of making pickups or deliveries of goods, wares, and merchandise. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I26.5: This comment states that the $PM_{2.5}$ standard used in Table 5.3.1 is incorrect as of December 2025 and should be updated from 12.0 to 9.0 ug/m3.

Response to Comment I26.5: The Recirculated Draft EIR's Table 5.3-1 correctly reports the $PM_{2.5}$ annual National Ambient Air Quality Standard that was in effect at the time the air quality analysis was prepared and circulated. As explained in Section 5.3.1, *Introduction*, Section 5.3.2, *Regulatory Setting*, and Section 5.3.3, *Environmental Setting*, on pages 5.3-1 through 5.3-17, the Recirculated Draft EIR relies on the then current federal and state standards and associated attainment designations when describing applicable regulations and environmental setting. CEQA requires use of substantial evidence available at the time of analysis and does not require the County to anticipate or incorporate speculative future changes to federal standards, whether more or less stringent.

The commenter is correct that USEPA subsequently revised the annual $PM_{2.5}$ NAAQS from 12.0 µg/m³ to 9.0 µg/m³, with the final rule published in February 2024. Accordingly, Table 5.3-1 has been updated in Final EIR Section 3.0, *Revisions to the Draft EIR*, to reflect the revised federal standard of 9.0 µg/m³ as part of the descriptive regulatory summary.

However, this update does not alter the Recirculated Draft EIR's significance determinations or require any revision to the air quality analysis. As detailed on pages 5.3-31 through 5.3-33 and 5.3-51 through 5.3-56 of the Recirculated Draft EIR, significance determinations for criteria pollutants are based on SCAQMD mass emission thresholds and localized significance thresholds (LSTs) established by SCAQMD, not on direct comparison of modeled Project concentrations to the federal annual $PM_{2.5}$ NAAQS. Because the Project's significance conclusions are not derived from the federal standard, the revision to the NAAQS has no effect on the Recirculated Draft EIR's impact findings or mitigation requirements. The air quality analysis and conclusions of the Recirculated Draft EIR therefore remain valid.

Comment I26.6: This comment states that the regulations listed in CARB Diesel Regulations on page 5.3-4, such as Advanced Clean Fleets waiver request, in-use locomotive rule, and other diesel regulations, were withdrawn in early 2025 and that the Port of LA and Long Beach have entered a cooperative agreement with regulations for emissions until 2030. This comment asks for all emission based on reduced PM emission or any EMFAC calculations assuming future-year diesel truck emissions reductions related to these measures as described by CARB modifications to remove emissions benefits of Advanced Clean Trucks rule posted October 2025 be revised.

Response to Comment I26.6: The air quality analysis in Section 5.3 describes CARB diesel programs in order to summarize the applicable regulatory context, but the emissions modeling for the Project relies on CARB's EMFAC2017 model and SCAQMD recommended methods, as explained in Section 5.3.2, *Regulatory Setting*, on pages 5.3-1 through 5.3-11, as well as Section 5.3.5, *Methodology*, on pages 5.3-34 and 5.3-35 of the Recirculated Draft EIR. Those models incorporate only those regulations that were formally adopted and in effect when EMFAC was released. As explained in the regulatory setting, statewide diesel programs such as the Truck and Bus Regulation and drayage truck rules accelerate fleet turnover to cleaner engines, and the Recirculated Draft EIR expressly notes that, because certain forthcoming regulatory requirements

are not fully captured in EMFAC, the Recirculated Draft EIR analysis tends to overstate, not understate, future diesel PM emissions.

As required by CEQA, the County based its analysis on substantial evidence, modeling platforms, and regulations that existed at the time Notice of Preparation of the Recirculated Draft EIR was circulated for public review (i.e., as of November 12, 2024) and the Recirculated Draft EIR was circulated for public review (i.e., as of October 2025); it does not require the County to speculate about potential future administrative actions, litigation outcomes, or waiver decisions that may modify state or federal programs after the modeling has been completed. If, after October 2025, CARB or other agencies adjust the scope of certain diesel rules or related waivers, those subsequent actions do not retroactively invalidate the EMFAC emission factors used in the Recirculated Draft EIR, and in any event would tend to make the Project analysis conservative by over estimating future diesel PM reductions.

It should also be noted that California's core fleet emission reduction framework remains independently enforceable apart from the Advanced Clean Fleets program. CARB's Truck and Bus Regulation, In-Use Off-Road Diesel Vehicle Regulation, and drayage truck requirements at regulated ports and facilities continue in full effect and are reflected in the EMFAC fleet turnover assumptions underlying the Recirculated Draft EIR's emissions modeling. California's greenhouse gas and air quality reduction goals under AB 32, SB 32, and the 2022 Climate Change Scoping Plan are implemented through a broader suite of adopted, enforceable regulations that operate independently of any individual program that may be subject to federal waiver or administrative reconsideration. Accordingly, the rescission of the Advanced Clean Fleets rule or related federal waiver decisions does not undermine the fundamental regulatory framework that supports continued improvement in heavy-duty fleet emissions in California.

Moreover, the Project's significance conclusions do not depend solely on assumed statewide diesel regulations. The Recirculated Draft EIR imposes project-specific mitigation, including Mitigation Measures AQ-2, AQ-5, AQ-10, AQ-11, requiring Tier 4 off road equipment, model year limits for facility owned trucks, mandatory idling restrictions, electric yard equipment, ZE truck infrastructure, and lease provisions requiring transition to ZE trucks as they become widely commercially available, all of which will remain binding regardless of any future regulatory rollbacks. For these reasons, no revision to the Project's EMFAC based emissions estimates or diesel PM reduction assumptions is required.

As discussed previously in Response to Comment I26.3, even with the incorporation of the adjustment factors published by CARB to account for the rescinding of these regulations, emission rates would not increase significantly and would actually be reduced under most scenarios as a result of the use of EMFAC 2021. As detailed in Appendix A to this Final EIR, the County evaluated the effect of the 2025 regulatory rollbacks — including the rescission of the Advanced Clean Trucks rule and related CARB diesel programs — through a sensitivity analysis using EMFAC 2021 combined with adjustment factors published by CARB specifically to account for the removal of emissions benefits associated with those rescinded regulations. These adjustment factors were developed precisely to translate the post-rollback regulatory environment into revised fleet emission rates, and therefore directly address the 2025 regulatory changes identified by the commenter. The sensitivity analysis reflects a fleet mix that no longer assumes ACT-driven zero-emission truck penetration or the emissions reductions associated with other rescinded programs. Under this adjusted modeling scenario, assuming a realistic 2027 opening year, idling DPM emission rates would be reduced by approximately 27 percent and on-site and off-site travel emissions would be reduced by approximately 63 percent compared to the emission rates used in the original analysis. Under the Specific Plan Buildout scenario, idling emissions would increase by approximately 10 percent and on-site and off-site travel emissions would increase by approximately 12 percent — however, even under this scenario, the findings and the conclusions would not change. Accordingly, the 2025 regulatory rollbacks do not alter the Project's significance conclusions, and no revision to the air quality analysis is required.

Comment I26.7: This comment states that the current AQMP is the 2022 AQMP, adopted December 2, 2022, and that the section on the 2012 and 2016 AQMPs are irrelevant as they have no regulatory authority and the governing AQMP was no later than the 2016 AQMP.

Response to Comment I26.7: The inclusion of information about previous air quality management plans in the Recirculated Draf EIR provides background information that is applicable to existing regulations and the Recirculated Draft EIR does not rely on previous air quality management plans for impact assessments. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I26.8: This comment states that the COBRA analysis only examined the Project and left out the warehouses approved and under review within the cumulative impact analysis. The comment also states that individual impacts related to warehouses and trucks are small but cumulatively considerable and that all projects should be mitigated to combat the cumulative impacts of multiple projects. The comment requests that emissions from all cumulative projects listed in Table 4-4 be included.

Response to Comment I26.8: CEQA generally defines the environmental baseline as the physical environmental conditions that exist at the time the Notice of Preparation (NOP) is published (CEQA Guidelines § 15125(a)). ("Generally, the lead agency should describe physical environmental conditions as they exist at the time the notice of preparation is published…") The County published the NOP for the original EIR in 2020, and the Recirculated Draft EIR is a revision of certain portions of that environmental document prepared in response to a court remand. Consistent with CEQA Guidelines and controlling case law, the County appropriately retains the 2020 baseline conditions for purposes of environmental analysis. Further, pursuant to SCAQMD methodology, if an individual project would result in air emissions that exceeds SCAQMD's thresholds for project-specific impacts, then it would also result in a cumulatively considerable net increase of those criteria pollutants. As discussed on page 5.3-67 of the Recirculated Draft EIR, emissions from operation of the proposed Project would exceed SCAQMD's threshold for VOC and NOx after implementation of regulatory requirements and mitigation measures. The large majority of operational-source NOx emissions (by weight) would be generated by Project vehicles, and the VOC emissions would be generated by consumer products that neither the Project applicant nor the County have the ability to reduce emissions of. Therefore, operational-source VOC and NOx emissions from implementation of the proposed Project would be cumulatively considerable, and cumulative air quality impacts would be significant and unavoidable.

The Recirculated Draft EIR explains that COBRA is an EPA tool expressly designed to estimate regional ozone and $PM_{2.5}$ health outcomes from precursor emissions for counties and multi-county regions, consistent with EPA's stated purpose for the model. The Appendix B memorandum further describes COBRA's built-in air quality module, its reliance on precursor mass emissions, and its use of county-level population and baseline health data to calculate changes in mortality, asthma, emergency visits, and hospitalizations. Thus, the Recirculated Draft EIR does disclose how COBRA conducts its analysis and how project emissions are introduced into the model. Additionally, supplemental COBRA modeling was done and is included as Appendix B to the Final EIR, and Section 3 of the Final EIR includes supplemental analysis for clarification.

COBRA operates at a regional, county-scale grid and is not intended to resolve parcel-scale gradients in topography or distance from Bloomington to the county center. As Recirculated Draft EIR Appendix B explains, COBRA and similar regional photochemical tools (CAMx, CMAQ, BenMAP) are used to estimate small changes in regional pollutant concentrations and health outcomes, not to site-specifically locate emissions at the project fence line, and those small incremental effects fall within model uncertainty for individual projects. Accordingly, portraying Project emissions at a representative county grid cell is consistent with the model's design and does not render the analysis inaccurate or unrepresentative for CEQA purposes. Appendix B uses COBRA to quantify the Project's regional health indicators for ozone- and $PM_{2.5}$-related outcomes across Riverside, San Bernardino, Los Angeles, and Orange Counties. The model predicts an

incremental all-cause mortality increase of approximately 0.00035 percent relative to regional baseline mortality, essentially the same order of magnitude as Friant Ranch and well below the CSUDH project, along with extremely small increases in asthma incidence and respiratory hospital use. This quantified, project-specific discussion of the "nature and magnitude" of potential health effects is consistent with Friant Ranch and with emerging agency guidance.

The commenter's request to include emissions from all cumulative projects in the COBRA analysis reflects a misunderstanding of how COBRA functions. COBRA is a regional, county-scale model that estimates incremental health effects by introducing a project's marginal emissions into a pre-existing regional air quality environment that already reflects baseline regional emissions — including contributions from existing and reasonably foreseeable cumulative development in the area. The model's underlying concentration-response functions, baseline health incidence data, and population exposure estimates are calibrated to existing regional conditions, meaning that COBRA inherently operates in a cumulative context. Adding the emissions of every listed cumulative project into a single COBRA run would not produce a more legally defensible result; rather, it would conflate the analysis of separate projects' individual contributions with a regional emissions inventory exercise that goes beyond CEQA's project-level significance standard. The relevant CEQA inquiry — whether this Project's incremental contribution is cumulatively considerable — is appropriately answered by the Project-level COBRA analysis as conducted, in conjunction with the mass emissions significance determination already made using SCAQMD thresholds.

Comment I26.9: This comment states that Sysco in Riverside, which is the same distance from the ports as Bloomington and accessible via Southern California delivery routes within range requirements, installed 40 dual port DC fast-charging stations for 40 electric eCascadia trucks and refrigerated trailers as part of its onsite operational improvements. This comment states that NFI received 50 electric Class 8 trucks for drayage from the Ports to Ontario, approximately 15 miles from Bloomington, and includes 38 chargers onsite. This comment states that regional EV charging infrastructure is expanding, citing the WattEV depot located at 1388 S. E Street in San Bernardino, the Greenland depot located at 1650 Fairway Drive in Colton, and EV Realty facility current under development on Rialto Avenue in San Bernardino. This comment also states that the most economical approach to ensuring the commercial feasibility of zero-emission ("ZE") trucks is to provide onsite electric vehicle charging as Project mitigation, including sufficient heavy-duty chargers to electrify onsite and offsite vehicles by the time the Project is built.

Response to Comment I26.9: As discussed in the Recirculated Draft EIR on pages 5.3-41 to 5.3-43, a fixed requirement that tenants now use ZE Class 7–8 trucks is not feasible because such vehicles and their supporting infrastructure are not yet widely commercially available. As of 2025, ZE Class 7–8 trucks made up only a small, pilot-scale share of the overall truck market on the order of a few dozen units in individual fleets, so the technology has not reached the level of commercial maturity needed to support a mandatory conversion for all or a fixed share of trucks serving this Project. The examples cited by the commenter (orders by specific companies, port-drayage programs, and other individual warehouse projects) reflect early-adopter or demonstration fleets and do not show that ZE tractors are currently available in sufficient numbers within the general common-carrier market from which Project tenants will obtain most truck service.

The Recirculated Draft EIR at page 5.3-42 further explains that ZE truck deployment is constrained by the lack of truck-scale charging and hydrogen infrastructure and by grid limitations. In 2023, California had only one publicly accessible DC fast-charging station for medium- and heavy-duty trucks, and the United States and Canada together had only a limited number of heavy-duty-capable DC-fast-charging and hydrogen stations, meaning that, at any given time, only a small number of Class 6–8 ZE trucks could practically charge or refuel. As a result, most ZE trucks are effectively confined to short local routes between a home base and nearby customers and cannot yet support the full range of regional and long-haul movements that would realistically serve tenants at this multi-tenant logistics Project, even if their nominal battery ranges might cover the Project's average 40-mile trip length.

The Recirculated Draft EIR at page 5.3-42 also cites SCAQMD's recognition that widespread medium- and heavy-duty electrification will require major grid upgrades costing billions of dollars and implemented over decades, which are outside the control of the County or the Project applicant and will not be in place at or near the Project at initial operation. In this context, a mandate that tenants immediately operate all or a fixed percentage of Class 7–8 trucks as ZE vehicles would require both a vehicle supply and an infrastructure network that simply do not yet exist at the necessary scale in the South Coast Air Basin. Feasibility under CEQA is inherently project- and context-specific and must account for technological, infrastructural, economic, and practical factors, as well as the lead agency's legal authority. Here, the Project is a multi-tenant industrial park expected to attract a variety of shippers and carriers, many of whom rely on third-party common carriers whose fuel choices and fleet-purchase decisions the County and tenants cannot control.

Even assuming some ZE tractors are technically available someplace in the market and are being used by particular fleets, the Recirculated Draft EIR (pages 5.3-41 to 5.3-43).shows that they are not available in sufficient numbers to serve this Project's anticipated truck trips; that truck-scale charging and hydrogen infrastructure is sparse and largely limited to pilot installations and targeted programs; and that the grid upgrades needed to support large on-site truck charging cannot be delivered in the near term. The commenter's examples therefore do not establish that a blanket ZE truck requirement at this Project is presently "capable of being accomplished in a successful manner within a reasonable period of time," as CEQA requires for mitigation feasibility (CEQA Guidelines Section 15364). On this record, a blanket ZE requirement for all or a fixed percentage of Class 7–8 trucks serving the Project is not a feasible mitigation measure under CEQA, even if such a mandate might appear feasible in the abstract or at some future date when ZE technology and infrastructure are more mature. Instead, the County adopted mitigation measures, including Mitigation Measures AQ-19 and AQ-20, that require tenants to transition to ZE heavy-, medium-, and light-duty trucks once those vehicles are "widely commercially available," using an objective cost- and performance-based definition, and that require installation of on-site conduit and infrastructure to support future truck charging. These measures ensure that the Project will shift to ZE trucks as soon as it is practical to do so.

Further, imposing a project-specific ZE truck mandate before the broader market and infrastructure are ready could unintentionally worsen regional air quality by shifting, rather than eliminating, truck activity. Because this Project will compete with other warehouses in the Inland Empire and the Basin, a stringent ZE requirement that most carriers cannot presently meet would likely divert shippers to other facilities without such constraints, which may be located farther from the ports or key customers and thereby increase average truck VMT and aggregate diesel emissions within the Basin. The Recirculated Draft EIR and Final EIR identify the Project's significant regional air-quality impacts, adopt all feasible mitigation, including enforceable, phased commitments to ZE trucks as they become widely available, and explain, based on detailed technical analysis, why an immediate fixed ZE truck mandate is not currently feasible.

Comment I26.10: This comment states that since the Project would include multiple fulfillment centers, which store inventory, process customer orders, and ships products directly to customers in small packages either locally or regionally, a feasible mitigation would be to replace last-mile delivery transportation from class 2b-3 trucks to elective cargo bikes/trikes or other local delivery option. This comment states that electric cargo bikes are a feasible option implemented in many cities with ZE delivery zones including Portland, Santa Monica, Los Angeles, Pittsburg, New York, Washington D.C., Oakland, and Louisville and are used by companies such as Amazon, Ford, Chrysler, Bayer, DuPont, FedEx, and Boeing. The comment also states that electric cargo tricycles are ZE with a carrying capacity of 1,500 pounds and affordable at commercially available costs below $6,000.

Response to Comment I26.10: The proposed Project is a business park specific plan and tenants for the proposed buildings have not yet been identified. It is not known if the proposed tenants would have last-mile delivery transportation operations or if other transportation options are applicable to future tenants. However, as detailed in the Recirculated Draft EIR, Section 5.3, *Air Quality*, mitigation measures require

energy efficient vendor trucks, vehicle charging stations, electric interior vehicles, and lease agreements requiring ZE vehicles/trucks as they become commercially available. The measures recommended by the comment are ZE options that do not provide any additional impact reduction beyond the ZE mitigation measures required by the Project.

Additionally, as discussed on page 3-16 of Section 3.0, *Project Description*, fulfilment center warehouses are characterized by a significant storage function and the direct distribution of ecommerce products to end users. While operation of a fulfillment center may involve direct distribution, it does not operate or serve the same function as a last-mile facility. Further, direct distribution is not equivalent to last-mile delivery and may involve distribution over distances that would not be suitable for electric cargo bikes/tricycles. The cities cited in the comment as having implemented electric cargo bikes/tricycles differ in size, population, and density from the Bloomington community. Furthermore, as stated on page 3-16, it is possible that the warehouses uses for Development Sites 1-3 may vary from what is assumed in the Recirculated Draft EIR. Such changes in use may proceed as long as the impacts associated with such changes in use do not exceed what is analyzed in the Recirculated Draft EIR. As such, requiring electric cargo tricycles for last-mile delivery transportation would not be applicable to the nature of the proposed Project.

Comment Letter I27: Miguel Munoz Valtierra, December 11, 2025

From: Miguel Muñoz Valtierra
To: Gibson-Williams, Gina; Mineo-Wells, Maryn
Cc: tania.g@pc4ej.org; joaquin.c@ccaej.org
Subject: Concerned Bloomington Resident opposed to new Brookfield proposed warehouse development
Date: Thursday, December 11, 2025 8:40:58 PM

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Dear reader,

I write today to make present and visible the concerns shared by multiple neighbors in the Bloomington area. What follows is my own rephrasing of thoughts, worries and justifiable doubts on the continued development of warehouses in the Bloomington area.

The Bloomington area is a defined not as a town or a city but rather an unincorporated area. This label means that Bloomington does not have an official body of representatives, rather it is governed by the San Bernardino County. Under the oversight of Supervisor Joe Baca Jr. our community is being represented by the Municipal Advisory Council or the MAC. Research in the unincorporated label has shown that areas with this designation are frequently fraught with environmental inequalities (Purifoy, 2021). A shared concern among folks in the community is the fact that land zoning changes are made at the County level. With only one out of five of the county supervisors having interest in the Bloomington community, and none of them having to actually deal with the consequences of the warehouse being developed so harshly into the middle of south Bloomington. I27.1

The location is of key importance in the major concerns of Bloomington residents. Located at the center of Jurupa Avenue and Santa Ana Ave, from Maple Ave and Linden Ave to Alder Ave, the proposed project would turn Jurupa Ave into a multi-lane street. It would consequentially designate Jurupa Ave into a truck route, according to the traffic model proposed by Brookfield developers. The model assumes that large diesel trucks would obey this new truck route. The neighborly concern held by residents of Jurupa Ave is the already constricted space of the street. Due to the designated truck route currently being a residentially zoned area, there are various multifamily homes on that street. Children playing, folks walking their dogs and the traffic from the church in the corner of Jurupa Ave and Cedar would pose a great deal of physical altering in order to fulfill the requirements for a truck route. This proposal is particularly dangerous and inconsiderate to the families already living in this street. Additionally, the need for large diesel trucks to take a wide right turn when they are heading southbound from having exited the I-10 would require the church to be demolished or something in those corners to give. I27.2

A secondary worry of the proposed location is its detrimental proximity to the Zimmerman Elementary school. It would be located within the center of south Bloomington right next to Zimmerman and its proximity to Bloomington High School as well as the nearby I27.3

Crestmore elementary school. According to the open house information session held by Brookfield at Ayala park on December 3rd, the solution to this distance problem is a wall. A proposed wall to separate an industrial area that spans the equivalent of 56 football fields from the students playing outside. Imagination is not required to exaggerate the clear effects of having a diesel truck using warehouse next door to growing children. According to air quality research conducted in diesel heavy locations within the Inland Empire, there is an attached risk of lung diseases that increase with proximity to diesel polluting areas (Kim et al., 2025). Lastly, the representatives of the environmental impact report conducted for this proposed area mentioned that the models used to determine environmental impacts did not take into consideration the already existing warehouses in the Inland Empire. The Inland Empire already faces a disproportionate amount of environmental impacts (Kirk, 1997). A project that adds to an already existing air quality project and does not consider its impact in conjunction with the other warehouses in the area based on models that only prove its "minimal" impact could be argued to be withholding the true environmental impact it will produce. For example, taking into account the proposed amount of diesel truck trips in and out of the warehouse area, the Brookfield developer argues that it will have approximately 1,200 - 1,400 truck trips a day. However, the developer also mentions that there will be around 800-1000 parking spots available for the trucks to be remaining overnight. This not only confirms that there will be a minimum of 800-1,400 truck trips a day, it also brings forth the concern of infrastructure impacts. I27.3 cont.

Bloomington infrastructure is already strained enough, as seen in the lack of updates to an aging electrical grid infrastructure. Not only that, but the increased truck traffic of this project paired with the already existing Agua Mansa warehouse development would increase the amount of diesel truck trips in the area of Bloomington. Developers argue that because El Rivino Rd is technically Colton's because the road ownership is split, that the already existing warehouse does not count in the impacts towards Bloomington. However, it is well known that cumulative impacts to an area will occur simultaneously. Considering the existence of the warehouses that already surround Bloomington, having another one added to the middle of south Bloomington would clearly add to the environmental impact caused by diesel truck trips. Diesel truck trips taken into account, one must argue for the impact thousands of daily truck trips will have on the primary road in Bloomington, Cedar. An already heavily transited road as it connects the i-10 and the 60 freeway, the additional traffic would hasten the degradation of the road. Potholes are already a common site in Bloomington, one can understand why neighbors would be concerned about the promised increase in traffic. I27.4

As mentioned in the initial paragraph, Bloomington's status as an unincorporated area means that the county must invest county dollars into infrastructure improvements and maintenance. Bloomington is not the only unincorporated area in San Bernardino County. When the developers promote the idea that they will provide funds to the Bloomington area, they often write this as dollars they promise to the county and rarely add the limitation that the money must be spent on Bloomington. As such, the argument that this new development brings funds and jobs to Bloomington is promoted incorrectly. It will add jobs and money to I27.5

the county. Which is not wrong but does discredit the fact that those directly impacted by the development will not receive the few benefits it does have. In this same string of logic, there is a decrease in property value, as residential properties do not increase in value when a trucking heavy warehouse is your neighbor. I27.5 cont.

With these considerations and concerns in mind, I hope you will consider either mitigating the projects impacts with direct benefits to the Bloomington residents like roofing improvement grants or window replacement grants. The best course of action would be to create a warehouse moratorium in Bloomington and have the Brookfield developers propose a project that does not add a warehouse to Bloomington but rather a project that increases the value of Bloomington like high density homes with an adjacent park. Similar to the apartments available at Ayala park. Dear reader, I hope you consider the future of Bloomington's economic development as well as the contemporary environmental impacts this project will bring if approved. I urge you to reconsider the type of development that can be made in the proposed area, for it will impact not just residents living there today but residents living there in the future. I27.6

With much concern, your neighbor,

Miguel Muñoz Valtierra

Citation sources

Kim, C., Gharib, C., & Atamna, H. (2025). Pediatric Asthma in the Inland Empire: Environmental Burden, Gaps in Preventive Care, and Unmet Needs. *Children*, *12*(9), 1183.

Kirk, G. (1997). Ecofeminism and environmental justice: Bridges across gender, race, and class. *Frontiers: A Journal of Women Studies*, *18*(2), 2-20.

Purifoy, D. M. (2021). *North Carolina [Un] incorporated: Place, race, and local environmental inequity*. American Behavioral Scientist, *65*(8), 1072-1103.

Response to Comment Letter I27: Miguel Munoz Valtierra, December 11, 2025 (3 Pages)

Comment I27.1: This comment expresses concern with the justification of continued warehouse development in Bloomington. The comment states that since Bloomington is unincorporated it is governed by San Bernardino County and represented by the Municipal Advisory Council. The comment states that unincorporated communities experience environmental inequalities. The comment expresses concern that zoning changes in Bloomington are made at the County level and that only one of the five County Supervisors has interest in the Bloomington community as they do not have to deal with the consequences of the warehouse development.

Response to Comment I27.1: As discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas (including environmental justice and broader political and land use policies of the County) are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project.

Comment I27.2: This comment states that the location of the Project is a major concern for residents as it would turn Jurupa Avenue into a multi-lane street and truck route. The comment states that Jurupa Avenue is already constricted and residents are concerned with the safety of trucks driving down their residential street as well as the safety of the construction needed so that the street and handle the truck traffic. The comment also states that large trucks turning right after exiting the I-10 would require the church on the corner to be demolished.

Response to Comment I27.2: Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I27.3: This comment states that the location of the Project is detrimentally close to Zimmerman Elementary School, Bloomington High School, and Crestmore Elementary school. The comment states that the wall proposed to separate the Project from students would not reduce impacts and states that diesel-heavy locations within the Inland Empire have increased risk of lung disease. The comment states that the modeling used in the Recirculated Draft EIR analysis did not take the existing warehouses into account and that the Inland Empire faces a disproportionate amount of environmental impacts. The comment states that without taking the existing warehouses into account, the Project's air quality modeling cannot be accurate. The comment also states concern for infrastructure impacts as the Project would bring 800-1,400 truck trips per day.

Response to Comment I27.3: The existing air quality in the Project area is described in Recirculated Draft EIR Section 5.3, *Air Quality*, and project specific impacts are discussed on pages 5.3-35 through 5.3-73, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant. As stated on Recirculated Draft EIR page 5.3-57, Walter Zimmerman Elementary School was identified as the school-site receptor with the greatest potential exposure to Project-construction-source DPM emissions. The resulting health risk would be well below established thresholds. Any other schools near the Project site would be exposed to fewer construction emissions than what is disclosed for Walter Zimmerman Elementary. The proposed Project's operational impacts to schools are discussed at Recirculated Draft EIR pages 5.3-65 to 5.3-66. Bloomington High School is the school-site receptor with the greatest potential exposure to operational DPM emissions. Resulting health risks would be below established thresholds under all operational scenarios. Any other schools near the

Project site would be exposed to fewer operational emissions than what is disclosed for Bloomington High School.

The Recirculated Draft EIR uses the thresholds of significance for air quality impacts established by SCAQMD, which take into account existing air quality within the air basin and are intended to be protective of health. As discussed in Appendix C1 to the Original Draft EIR, although there has been an increase in development in the South Coast Air Basin, emissions concentrations have declined and air quality has generally improved at the basin-wide level over the last 30 years, largely due to cleaner air vehicles and fuel requirements (with the recognition of localized exceedances). Further, as discussed in Response to Comment O2.6, DPM emissions from heavy-duty trucks (HDTs or "trucks") and TRUs have reduced significantly over the last 15 years with the implementation of federal, state, and local regulations. Recirculated Draft EIR Table 5.3-2 identifies the number of days ambient air quality standards were exceeded in the area, based on data from the nearest monitoring station to the proposed Project, within Source/Receptor Area 34 (SRA 34). Comparison of the proposed Project's criteria pollutant emissions with the SCAQMD's localized thresholds are provided in Recirculated Draft EIR Table 5.3-19 to Table 5.3-25. As discussed under impact AQ-3, impacts related to exposure of sensitive receptors to substantial pollutant concentrations would be less than significant with mitigation.

Regarding cumulative air quality and health risk impacts, as discussed in the SCAQMD's *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*, the SCAQMD uses the same significance thresholds for project-specific and cumulative impacts for all environmental topics analyzed in a CEQA document. As such, project emissions that exceed the project-specific significance thresholds are also considered by the SCAQMD to be cumulatively considerable. As discussed on page 5.3-67 of the Recirculated Draft EIR, emissions from operation of the proposed Project would exceed SCAQMD's threshold for VOC and NOx after implementation of regulatory requirements and mitigation measures. The large majority of operational-source NOx emissions (by weight) would be generated by Project vehicles, and the VOC emissions would be generated by consumer products that neither the Project applicant nor the County have the ability to reduce emissions of. Therefore, operational-source VOC and NOx emissions from implementation of the proposed Project would be cumulatively considerable, and cumulative air quality impacts would be significant and unavoidable. For project-specific and cumulative health risk impacts, the SCAQMD utilizes a cancer risk significance threshold of 10 in 1 million. As the Project would not exceed the threshold of 10 in 1 million for construction, operations, or combined impacts, it would also not result in a cumulative impact related to health risk.

In regard to the cited articles referenced by the commenter, these articles provide general discussion surrounding diesel pollution, related health risk, and environmental burdens within the Inland Empire. The articles do not provide substantial evidence of any significant effects not already addressed within the Recirculated Draft EIR.

Walls are not proposed to mitigate potential air quality impacts to sensitive receptors, as suggested by the commenter. Rather, noise screening walls are included as part of the proposed Project design under Project Design Feature NOI-1 at specified locations. Mitigation measures included to address air quality impacts are discussed in the Recirculated Draft EIR page 5.3-69 through 5.3-72.

Additionally, as discussed in Master Response 2, the Recirculated Draft EIR analysis focused on the areas that were determined to be inadequate by the San Bernardino Superior Court September 2024 Ruling, specifically impacts related to air quality, energy, greenhouse gas, noise, and alternatives. Therefore, concerns outside those areas (including transportation-related and infrastructure-related impacts) are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project.

Comment I27.4: This comment states that Bloomington infrastructure, including the electrical grid, is strained and truck traffic from the Project in addition to the existing Agua Mansa warehouse would increase the amount of diesel truck trips in the community. The comment also states that the developer claims that the existing warehouse on El Rivino Road is not included in the analysis of the proposed Project's impacts as it is located within the City of Colton's jurisdiction. The comment states that cumulative impacts would occur and that an additional warehouse in Bloomington would add to the environmental impact caused by truck trips. The comment states that thousands of daily truck trips would impact Cedar Avenue which is already heavily used and that the increased traffic would accelerate the degradation of the road which already has potholes.

Response to Comment I27.4: The list of nearby cumulative projects considered in the cumulative impact analyses throughout the Recirculated Draft EIR is provided in Table 4-4, *Cumulative Project List*, on page 4-40 of Section 4.6, *Assumptions Regarding Cumulative impacts*. Table 4-4 lists cumulative projects located within the County of San Bernardino, City of Fontana, and City of Jurupa Valley that were considered as part of the cumulative impact analysis within both the Original Draft EIR and Recirculated Draft EIR. No projects from the City of Colton were included. However, the Project's cumulative impact analyses did include two projects within the City of Jurupa Valley: Project M, the Agua Mansa Commerce Park Specific Plan, which is located directly south of El Rivino Road between Rubidoux Boulevard and Agua Mansa Road and Project I: Agua Mansa Development Project, which is located northeast of Agua Mansa Road.

Regarding traffic and infrastructure, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts, infrastructure-related impacts, and regional electrical grid infrastructure concerns) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I27.5: This comment states that since Bloomington is an unincorporated area the County is responsible for paying for infrastructure improvements however, it's not the only unincorporated area in the County and therefore the developer's funds to the County for improvements are not guaranteed to be spent on Bloomington. The comment states that the Project's benefits of job creation and funding would benefit the County, not the residents of Bloomington and would also decrease property values in Bloomington due to the Project's proximity to residential properties.

Response to Comment I27.5: As discussed in Master Response 1, CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). The Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project The Project's social and economic merits are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Further, the Project would include a Community Benefits Agreement that would including funding to be specifically spent within the community of Bloomington toward infrastructure improvements and other public services. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I27.6: This comment asks that grants for Bloomington residents to make roofing or window improvements be considered as mitigation for the Project. The comment states that a warehouse moratorium in Bloomington would be the best course of action and that the developers should propose a high-density residential project instead. The comment asks that Bloomington's future economic development and

environmental impacts from the Project be considered and urges that the type of development proposed for the site be reconsidered as it would impact current and future residents.

Response to Comment I27.6: The commenter does not explain what environmental impacts would be mitigated by roofing improvement or window replacement grants. Mitigation must be proportional to and reasonably related to the impacts of the development. (*See Sheetz v. County of El Dorado, California* (2024) 601 U.S. 267. The proposed Project's noise impacts would be less than significant with mitigation, and therefore window replacements would not be warranted or necessary to reduce any environmental impact of the proposed Project.

Regarding a warehouse moratorium and a high-density residential development, as discussed on page 7-1 of the Recirculated Draft EIR, pursuant to State CEQA Guidelines Section 15126.6(a), an EIR must describe a reasonable range of alternatives to a proposed project or to a project's location that would feasibly avoid or lessen its significant environmental impacts while attaining most of the proposed project's objectives. The Recirculated Draft EIR is not required every potential alternative. Further, a high-density residential project would not meet any of the Project's objectives. As such, the Recirculated Draft EIR is not required to analyze a high-density residential project. Alternatives Analysis can be found in the Recirculated Draft EIR at Chapter 7: *Alternatives*. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis but will be taken into consideration by the County decision makers in evaluating what action to take on this Project

Comment Letter I28: Mina Torres, December 11, 2025

From: Mina Torres
To: Mineo-Wells, Maryn; Gibson-Williams, Gina
Cc: Tania Gonzalez; joaquin.c@ccaej.org
Subject: Comments on Bloomington Business Park Specific Plan Draft Recirculation
Date: Thursday, December 11, 2025 6:35:51 PM

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Good afternoon Ms. Wells,

The reason for my email is to voice my concerns about the building of the Bloomington Business Park in the city of Bloomington, California. I have been a resident of Bloomington since September of 1990. I raised all my three children in this beloved city. I am really concerned about the environmental impact the construction of the business park will have on my city. As it is, we are already surrounded by warehouses in Bloomington. I28.1

One of my biggest concerns is the air quality and noise this construction will bring on. I feel my city has been grossly neglected by our County leaders. We have no one to look at the best interest of the residential community. These are citizens and voters you are dealing with and I hope my voice is heard. I28.2

I have attended the MAC meetings at Ayala Community Center and have heard the presentations from various County agencies. One that caught my attention was when the Fire Department presented their report to the community. They said they have a hard time reaching a victim in distress due to the traffic congestion on Cedar Ave. and surrounding small streets in Bloomington. It was very distressing to me to hear their report. How would you feel if that victim in distress was one of your family members? I28.3

I ask you cancel this project in Bloomington.

Thank you.

Mina Torres
9807 Vine St
Bloomington, CA 92316
909 991-6772

Response to Comment Letter I28: Mina Torres (1 Page)

Comment I28.1: This comment expresses concern about the development of the proposed Project and the environmental impacts the construction would have on Bloomington as the residents are already surrounded by warehouses.

Response to Comment I28.1: This comment expresses the commenter's opposition to the proposed Project. The comment does not provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR. Impacts related to construction are detailed throughout the original Draft EIR, and as applicable in the Recirculated Draft EIR. Specific concerns related construction impacts in this comment were not identified. Therefore, no further response is required or provided.

Comment I28.2: This comment expresses concern about the air quality and noise impacts associated with construction of the Project. The comment states that Bloomington has been neglected by the County and that the citizens and voters voices are heard.

Response to Comment I28.2: Impacts related to air quality are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant. Noise related impacts are analyzed in Section 5.12, *Noise*, on pages 5.12-27 through 5.12-59, which determined that impacts related to construction noise would be less than significant with mitigation and impacts related to operational noise would be less than significant. The comment does not provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR. Therefore, no further response is required.

Comment I28.3: This comment states that the commenter has attended the MAC meetings and heard the County Agencies' presentations, specifically the Fire Department's community report in which the Fire Department stated that they struggle to reach victims due to traffic congestion on Cedar Avenue and surrounding streets in Bloomington. This comment asks for the cancelation of the proposed Project.

Response to Comment I28.3: Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project. The comment does not otherwise provide any substantial evidence of significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR.

Comment Letter I29: Tania Gonzalez, December 11, 2025

From: Tania Gonzalez
To: Gibson-Williams, Gina; Mineo-Wells, Maryn
Subject: Comments on Bloomington Business Park Specific Plan Draft Recirculated EIR
Date: Thursday, December 11, 2025 10:57:09 PM
Attachments: Bloomington comments.pdf

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Dear Ms. Gibson Williams,

I'm writing today to express my deep concern for the Bloomington Business Park Specific Plan.

Since 2022, residents of Bloomington and their supporters have been fighting this project. From the beginning, we knew that this project was not bringing true benefits to the community. The location of this project is horrible. How can someone place such a polluting project like 3 warehouses and a truck parking near homes, schools, and parks? Not to mention the people that have been displaced from this project already. I29.1

The original EIR missed the mark on 5 components; air quality, energy, greenhouse gas emissions, noise, and alternatives. However, this recirculated EIR is still missing many impacts this project will have. How can the developer say that there are no significant health impacts from this project because of it's size? The size of the warehouses are not the issue, it's the trucks that will be driving in and out of the community daily. Community is tired of being treated as if we don't know what we are talking about. Trust that the people living near warehouses and suffering from health issues because of the horrible air quality are the true experts. Outsiders will never understand how damaging these warehouses are for our livelihood. I29.2

I attended the open house the developer hosted on December 3rd at Ayala Park, and the developer's representatives, Amir Latifian and Rohan A'Beckett, were asked by a Bloomington resident if they would place this project in their neighborhood, Mr. Latifian's response was no. So, if even the developer of this project would not want it near his home or community, why would you place it in our community?

During this meeting, I also asked the representative in charge of "explaining" the EIR if they took into consideration the already existing pollution when conducting research on how air quality will be impacted, she said no. They cannot say that this project will not have a significant impact on air quality or people's health when they are not taking into consideration that Bloomington already suffers from bad air quality. I29.3

This is why I, and many others, are urging the county to NOT approve this project!

Attached you will also find comments on the BBP Specific Plan Draft Recirculated Environmental Impact Report from community members.

With much concern

Tania Gonzalez

Tania Gonzalez
(she/her)
Community Organizer
People's Collective for Environmental Justice (PC4EJ)

tania.g@pc4ej.org
https://pc4ej.org/

Response to Comment Letter I29: Tania Gonzalez, December 11, 2025 (2 Pages)

Comment I29.1: This comment expresses the commenter's concern about the Project and states that the Project would not benefit the community and that the location of Project is horrible as it has displaced people and would cause pollution near homes, schools, and parks.

Response to Comment I29.1: Impacts related to air quality and pollution are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR, which determined that impacts related to regional air quality emissions would be significant and unavoidable and impacts related to health risk would be less than significant. As discussed in Master Response 1, the Recirculated Draft EIR is focused on analyzing potentially significant impacts under the CEQA. Concerns outside those areas are not further addressed in this document although they will be taken into consideration by the County decision makers in evaluating what action to take on this Project. The comment does not otherwise provide any substantial evidence of new significant environmental impacts and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

Comment I29.2: This comment states that the Recirculated Draft EIR is missing many impacts the Project would have and asks how there are no significant health impacts from the Project. The comment states that the issue with the Project is not its size but the daily truck trips associated with the Project. The comment asks that the community be trusted as experts as they live near warehouses and suffer from health issues due to poor air quality.

Response to Comment I29.2: Impacts related to air quality and health risk are discussed in Section 5.3, *Air Quality*, pages 5.3-35 through 5.3-73 of the Recirculated Draft EIR. Impacts related to health risks are discussed under Impact AQ-3 in the Recirculated Draft EIR on pages 5.3-56 through 5.3-66. Based on existing SCAQMD recommendations for Mobile Source Health Risk Assessments, the combined construction and operational impacts of the proposed Project at the maximally impacted residential receptor is estimated to be 4.91 in one million, which is less than the SCAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be less than 0.01, which would not exceed the applicable South Coast AQMD significance threshold of 1.0. As such, the proposed Project would result in emissions that are far below existing SCAQMD significance thresholds. Therefore, the proposed Project's potential impacts on human health risks would not be cumulatively considerable and would be less than significant. Further, Impact AQ-2 discusses that impacts related to regional air quality would be significant and unavoidable despite implementation of all feasible mitigation.

Regarding traffic, as discussed in Master Response 2, topics outside of air quality, energy, greenhouse gas emissions, noise, and alternatives (including transportation-related impacts such as impacts related to truck traffic) were not required to be reanalyzed as part of the Recirculated Draft EIR. While concerns outside those areas set aside by the Court are not addressed further in this Final EIR, they were fully analyzed within the Original Draft EIR will be taken into consideration by the County's decision makers in determining what action to take on the proposed Project.

Comment I29.3: This comment states that the commenter attended developer's open house on December 3rd, 2025, and asked the developer representatives if they would place the Project in their neighborhood to which the representative answered no. The comment also states that the commenter asked the Project's CEQA representative if the existing pollution was considered as part of the air quality impacts to which the representative answered no. The comment states that the Recirculated Draft EIR cannot conclude that the Project would not have a significant impact on air quality or human health without considering Bloomington's existing poor air quality. The comment urges the County to not approve the Project.

Response to Comment I29.3: The existing air quality in the Project area is described in Draft EIR Section 5.3, *Air Quality*. Table 5.3-2 provides data from the closest air quality monitoring stations to the Project site.

Data from the air quality monitoring stations indicates that the $PM_{2.5}$ federal standard had one exceedance in 2020, two exceedances in 2021, one exceedance in 2022, and no exceedance in 2023. While the Project vicinity has experienced exceedances of federal standards, the thresholds set forth by the SCAQMD (and used in the Recirculated Draft EIR) are intended to be health protective and are based on Clean Air Act standards and recommendations by the EPA. As discussed in Appendix C1 of the Recirculated Draft EIR, although there has been an increase in development in the South Coast Air Basin, emissions concentrations have declined, and air quality has generally improved at the basin-wide level over the last 30 years, largely due to cleaner air vehicles and fuel requirements (with the recognition of localized exceedances).

As discussed in the SCAQMD's White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, SCAQMD uses the same significance thresholds for project-specific and cumulative impacts for all environmental topics analyzed in a CEQA document. As such, project emissions that exceed the project-specific significance thresholds are also considered by the SCAQMD to be cumulatively considerable. This is the document and methodology that is currently published for use and reference on the SCAQMD's website (https://www.aqmd.gov/docs/default-source/agendas/environmental-justice/cumulative-impacts-working-group/cumulative-impacts-white-paper.pdf?sfvrsn=69761d61_2). Impacts related to health risks are discussed under Impact AQ-3 of Section 5.3, *Air Quality*, in the Recirculated Draft EIR on pages 5.3-56 through 5.3-66. Based on existing SCAQMD recommendations for Mobile Source Health Risk Assessments, the combined construction and operational impacts of the proposed Project at the maximally impacted residential receptor is estimated to be 4.91 in one million, which is less than the SCAQMD significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be less than 0.01, which would not exceed the applicable SCAQMD significance threshold of 1.0. As such, the proposed Project would result in emissions that are far below existing SCAQMD significance thresholds. Therefore, the proposed Project's potential impacts related to human health risks would not be cumulatively considerable and would be less than significant.

Further, SCAQMD's localized significance thresholds and methodology found in SCAQMD's 2008, *Final Localized Significance Threshold Methodology*, which are utilized in the Recirculated Draft EIR's analysis (as discussed on pages 5.3-31 to 5.3-32), take local air quality and pollution into consideration when setting thresholds to analyze impacts to sensitive receptors. As discussed within Impact AQ-3 of the Draft Recirculated EIR on pages 5.3-50 to 5.3-56, impacts related to localized emissions from construction would be less than significant with mitigation and less than significant from operations. The comment does not otherwise provide any substantial evidence of new significant environmental impacts related to air quality and does not raise any specific concerns about the adequacy of the Recirculated Draft EIR's analysis.

3. Revisions to the Recirculated Draft EIR

3.1 INTRODUCTION

As provided in Section 15088(c) of the CEQA Guidelines, responses to comments may take the form of a revision to a Draft EIR or may be a separate section in the Final EIR. This section complies with the latter option and provides changes to the Recirculated Draft EIR shown as strikethrough text (i.e., ~~strikethrough~~) signifying deletions and bold double-underlined text (i.e., **bold double-underlined**) signifying additions. These changes are meant to provide clarification, corrections, or minor revisions made to the Recirculated Draft EIR initiated by the Lead Agency, County of San Bernardino, reviewing agencies, the public, and/or consultants based on their review. Text changes are presented in the section and page order in which they appear in the Recirculated Draft EIR. None of the corrections or additions constitute significant new information or substantial project changes that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the Recirculated Draft EIR.

3.2 CHANGES TO THE RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT

1.0 Executive Summary

Location: Subsection 1.5, Summary of Impacts, Table 1-5 Summary of Impacts, Mitigation Measures and Level of Significance

In response to comments received from California Air Resources Board (CARB), Mitigation Measure AQ-10 has been revised as follows:

Table 1-5 summarizes the conclusions of the environmental analysis contained in this Recirculated Draft EIR. The level of significance of impacts after the proposed mitigation measures are applied are identified as significant and unavoidable, less than significant, and no impact. Relevant standard conditions of approval and regulatory requirements are identified, and mitigation measures are provided for all potentially significant impacts.

Table 1-5: Summary of Impacts, Mitigation Measures, and Level of Significance

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
5.3 Air Quality				
Impact AQ-1: The Project would conflict with or obstruct implementation of the applicable air quality plan	**RR AIR-1** New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). **RR AIR-2** Construction activities are required to adhere to Title 13 California Code of Regulations (CCR) Section 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less. **RR AIR-3** Construction activities in the South Coast Air Basin (SoCAB) will be conducted in compliance with any applicable South Coast Air Quality Management District (SCAQMD) rules and regulations, including but not limited to: • Rules 201, 203, and 219, which regulate permits for installation and use of equipment that may generate air contaminants. • Rule 402, Nuisance, which states that a project shall not	Potentially significant	*Construction Mitigation Measures* **MM AQ-1: Super-Compliant Low VOC.** The construction plans and specifications shall state that the Project shall utilize "Super-Compliant" low volatile organic compound (VOC) paints for nonresidential interior and exterior surfaces and low VOC paint for parking lot surfaces. Super-Compliant low VOC and low VOC paints have been reformulated to exceed the regulatory VOC limits put forth by South Coast Air Quality Management District's (SCAQMD) Rule 1113. Super-Compliant low VOC paints shall be no more than 10g/L of VOC and low VOC paints shall be no more than 50 g/L of VOC. **MM AQ-2: Tier 4 Final.** The construction plans and specifications shall state that off-road diesel construction equipment rated at 50 horsepower (hp) or greater, complies with Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 4 Final off-road emissions standards or equivalent and shall ensure that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications. **MM AQ-3:** Project construction plans and specifications shall require that	Significant and unavoidable ~~(operations)~~
Impact AQ-2: The Project would result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.		Potentially significant		Significant and unavoidable (operations)
Impact AQ-3: The Project would not expose sensitive receptors to substantial pollutant concentrations.		Potentially significant		Less than significant

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
	"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." Additionally, Rule 415, Odors from Rendering Facilities, requires nuisance odor at rending facilities be controlled. • Rule 403, Fugitive Dust, for controlling fugitive dust and avoiding nuisance. • Rule 445, for limiting the installment of wood-burning fireplaces. • Rule 1113, which limits the volatile organic compound content of architectural coatings. • Rule 1186, for controlling fugitive dust from vehicular travel on paved and unpaved roads. • Rule 1403, for minimizing asbestos emissions during building demolition. • Regulation IX, Standards of Performance for New		during Project grading operations, Project contractors shall limit the amount of daily grading disturbance area to not exceed the assumptions specified in the Draft EIR Air Quality Impact Analysis. Additionally, the Project Applicant/Developer/Contractor shall include a note on grading plans that prohibits grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone in the Project area. Daily Air Quality Index forecasts for the next day of grading shall be checked via the airnow.gov system the day prior by the Project Contractor. **MM AQ-4:** The Project Applicant/Developer/Owner shall identify a person to act as a community liaison concerning onsite construction activities and operations and provide contact information for the community liaison to the surrounding community. The contact of the community liaison shall be provided to the County of San Bernardino Planning Division and posted on the construction site prior to issuance of a demolition permit. **MM AQ-5:** Project construction plans and specifications shall require on-road heavy-duty haul trucks to be model year 2014 or newer if diesel-fueled, pursuant to California Air Resources Board's (CARB) particulate matter filter requirements.	

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
	Stationary Sources (NSPS), and XXIII, New Source Review. • Regulation XI, Source Specific Standards. • Regulation XX, Regional Clean Air Incentives Market (RECLAIM). • Regulation XVI, Mobile Source Offset Programs, and Regulation XXII, Mobile Source Emissions Reduction Programs (Rule 2202).		**MM AQ-6:** The construction plans and specifications shall prohibit off-road diesel-powered construction equipment from being in the "on" position for more than 10 hours per day during Project construction. **MM AQ-7:** During Project construction, Project contractors shall keep all equipment maintenance records and data sheets, including design specifications and emission control tier classifications, onsite or at the contractor's office and shall furnish documents to the County of San Bernardino or other regulators, upon request. **MM AQ-8:** The Project Applicant/Developer shall provide information on transit and ridesharing programs and services to construction employees. **MM AQ-9:** The Project Applicant/Developer shall provide meal options onsite or shuttles between the construction site and nearby meal destinations for construction employees. *Operational Mitigation Measures* **MM AQ-10: Idling Regulations.** The Project plans and specifications shall include signs at loading dock facilities that include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for truck drivers to	

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			restrict idling to no more than **3** ~~5~~ minutes once the vehicle is stopped, the transmission is set to "neutral" or "park", and the parking brake is engaged pursuant to Title 13 of the California Code of Regulations, Section 2485; and 3) telephone numbers of the building facilities manager and California Air Resources Board (CARB) to report violations. Signs shall be installed prior to receipt of an occupancy permit. The Project facility operators shall train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. **MM AQ-11: Energy Efficient Vendor Trucks.** Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino Planning Manager, or designee, shall ensure leasing agreements for each industrial building require that Project Applicant/Developer/Owner provide tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets, prior to issuance of each certificate of occupancy. **MM AQ-12: Electric Vehicle Charging Stations and Carpool Parking.** The Project plans and specifications for the industrial buildings shall include electric vehicle charging stations and a minimum of 5 carpool parking spaces at each	

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			building for employees and the public to use. **MM AQ-13: Electric Interior Vehicles.** The Project plans and specifications for all of the industrial buildings shall include infrastructure to support use of electric-powered forklifts and/or other interior vehicles. The requirement that all onsite yard hostlers, yard equipment, forklifts, and pallet jacks shall be zero-emissions equipment, or equivalent language, shall be incorporated in all Project facility lease documents. Prior to tenant occupancy or tenant business license issuance, facility owners or tenants shall provide documentation to the County of San Bernardino Planning Division and Business License Department verifying that signed lease documents incorporate the requirement that all onsite yard trucks/hostlers shall be zero-emissions equipment. **MM AQ-14: Transportation Management.** The Project plans and specifications for the industrial buildings shall require that a Transportation Management Association (TMA) or similar mechanism shall be established by the Project to encourage and coordinate carpooling. The TMA shall advertise its services to the building occupants. The TMA shall offer transit incentives to employees and shall provide shuttle service to and from public transit, should a minimum of 5 employees request and use such service	

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			from a transit stop at the same drop-off and/or pickup time. The TMA shall distribute public transportation information to its employees. The TMA shall provide electronic message board space for coordination rides. Prior to tenant occupancy or tenant business license issuance, facility owners or tenants shall provide documentation to the County of San Bernardino Planning Division and Business License Department verifying that a TMA shall be established. **MM AQ-15:** Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements require that all facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site meet or exceed 2014 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators which own vehicles subject to Section 2025 shall maintain records onsite demonstrating compliance with this requirement and shall make records available for inspection by the local jurisdiction, air district, and state upon request. **MM AQ-16:** Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements require that	

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with California Air Resources Board (CARB) regulations, by attending CARB-approved courses. Also, if the tenant/facility operator owns its own fleet of vehicles, subject to 13 California Code of Regulations section 2025, require such tenants/facility operators to maintain records onsite demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request. **MM AQ-17:** Prior to tenant occupancy or tenant business license issuance, the Project Applicant/Developer/Owner shall post signs at every truck exit driveway providing directional information to the truck route. **MM AQ-18:** Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements require that Project Tenants provide meal options onsite or shuttles between the facility and nearby meal destinations. **MM AQ-19:** Prior to the issuance of the final Certificate of Occupancy for the first building tenant for each building within the Project, documentation shall be provided to the County of San Bernardino that lease agreements for such building require that all of the tenant's heavy-duty trucks entering or	

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			operated on the Project site to be zero-emission, once such trucks are widely commercially available as reasonably determined by the County Planning Division. A zero-emission heavy-duty truck (EV) shall ordinarily be considered widely commercially available if the vehicle is capable of serving the intended purpose and is widely available for purchase for less than 125% the cost of a Class 7 or 8 heavy-duty combustion-engine truck meeting the emissions standards in place at the time the comparison is made (model year 2014 or later emissions standards). In order to be capable of serving the intended purpose, the EV must be able to perform the same function as a comparable combustion engine vehicle (miles travelled on a full tank/charge, access to fueling/charging infrastructure, load capacity, climbing ability, performance in different climates.) For the purpose of this cost comparison, "cost" shall mean the total vehicle cost for the first five (5) years of ownership, including any purchase incentives, rebates, and fuel and electricity costs. Any comparison must be like-for-like, i.e., must compare an EV with a new production combustion engine truck of the same class and substantially similar trim level that is widely available for purchase and immediate delivery in the area of the Project at the time the comparison is made.	

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			MM AQ-20: Prior to the issuance of the final Certificate of Occupancy for the first building tenant for each building within the Project, documentation shall be provided to the County of San Bernardino that lease agreements for such building require tenants to use zero-emission light- and medium-duty trucks as part of business operations, once such trucks are widely commercially available, as reasonably determined by the County Planning Division. A zero-emission light- or medium-duty truck (EV) shall ordinarily be considered widely commercially available if the vehicle is capable of serving the intended purpose and is widely available for purchase for less than 125% the cost of a light- or medium-duty combustion-engine truck meeting the emissions standards in place at the time the comparison is made (model year 2014 or later emissions standards). In order to be capable of serving the intended purpose, the EV must be able to perform the same function as a comparable combustion engine vehicle (miles travelled on a full tank/charge, access to fueling/charging infrastructure, load capacity, climbing ability, performance in different climates). For the purpose of this cost comparison, "cost" shall mean the total vehicle cost for the first five (5) years of ownership, including any purchase incentives, rebates, and fuel and electricity costs. Any comparison must be like-for-like, i.e., must compare	

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			an EV with a new production combustion engine truck of the same class and substantially similar trim level that is widely available for purchase and immediate delivery in the area of the Project at the time the comparison is made. **MM AQ-21:** Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements shall require all stand-by emergency generators to be powered by a non-diesel fuel, if technologically feasible, if emergency generators are required for Project buildings. **MM AQ-22:** Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements encourage tenants to enroll in the United States Environmental Protection Agency's SmartWay program and encourage tenants to use carriers that are SmartWay carriers. **MM AQ-23: Solar.** Prior to the issuance of final Certificate of Occupancy for the first building tenant of a building within the Project, documentation shall be provided to the County of San Bernardino demonstrating that the Project has either: 1) installed solar photovoltaic (PV) panels or other source of renewable energy generation on the site, or 2) otherwise acquired energy	

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			that has been generated by renewable sources, such that either option will provide 100 percent of the expected building load for such building. Alternatively, the Project shall achieve 100 percent of the building's expected energy load through a combination of onsite renewable energy generation and renewable energy purchase. The final PV generation facility size requires approval by SCE. Should SCE limit the facility size, the amounts above shall be limited to the amount of SCE's approval. **MM AQ-24:** The Project plans and specifications shall require that the Project Applicant/Developer shall construct electric truck charging infrastructure within truck parking areas consisting of infrastructure (i.e., conduit) to support future installation of charging stations when such trucks are widely commercially available, as reasonably determined by the County Planning Division. Conduit shall be provided proportional to parking spaces at a ratio of conduit for one charging station for every 10 truck parking spaces. Additionally, the Project Applicant/Developer shall construct electric light- duty truck charging infrastructure consisting of infrastructure (i.e., conduit) for one charging station for every five light-duty truck parking spaces. A zero-emission light- or medium-duty truck (EV) shall ordinarily be considered	

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
			widely commercially available if the vehicle is capable of serving the intended purpose and is widely available for purchase for less than 125% the cost of a light- or medium-duty combustion-engine truck meeting the emissions standards in place at the time the comparison is made (model year 2014 or later emissions standards). In order to be capable of serving the intended purpose, the EV must be able to perform the same function as a comparable combustion engine vehicle (miles travelled on a full tank/charge, access to fueling/charging infrastructure, load capacity, climbing ability, performance in different climates). For the purpose of this cost comparison, "cost" shall mean the total vehicle cost for the first five (5) years of ownership, including any purchase incentives, rebates, and fuel and electricity costs. Any comparison must be like-for-like, i.e., must compare an EV with a new production combustion engine truck of the same class and substantially similar trim level that is widely available for purchase and immediate delivery in the area of the Project at the time the comparison is made.	
Impact AQ-4: The Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.		Less than significant	None required	Less than significant

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Cumulative		Potentially significant	None required	Significant and unavoidable

Location: Subsection 1.5, Summary of Impacts, Table 1-5 Summary of Impacts, Mitigation Measures and Level of Significance

In order to correct a formatting error and to delineate that RR NOI-1 through RR NOI-4 and PDF NOI-1 apply to Impact NOI-1 and RR NOI-5 applies to Impact NOI-2, Table 1-5 has been revised as follows:

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
5.12 Noise				
Impact NOI-1: The Project would not generate a substantial temporary or permanent increase in ambient noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	**RR-NOI-1** The California Building Code (CBC), Title 24, Part 2, Volume 1, Chapter 12, Interior Environment, Section 1207.11.2, Allowable Interior Noise Levels, requires that interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric is evaluated as either the day-night average sound level (Ldn) or the community noise equivalent level (CNEL), consistent with the noise element of the local general plan. The California Green Building Standards Code (CALGreen), Chapter 5, Division 5.5, has additional requirements for insulation that affect exterior-interior noise transmission for nonresidential structures: Pursuant to Section 5.507.4.1, Exterior Noise Transmission, Prescriptive Method, wall and roof-ceiling assemblies making up the building or addition envelope or altered envelope and exposed to the noise source shall meet a composite sound transmission class (STC) rating of at least 50 or a composite outdoor-indoor transmission class (OITC) rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC	Potentially significant	**MM NOI-1: Construction Sound Walls.** The Project Contractor shall install minimum 8-foot-high temporary construction noise barriers at the limits of construction adjacent to any noise sensitive receiver located within 80 feet of the limits of construction (Project site boundary) and a 12-foot-high temporary construction noise barrier for any noise sensitive receiver located within 20 feet. The noise control barriers must have a solid face from top to bottom. The noise control barriers must meet the minimum height and be constructed as follows: • The temporary noise barriers shall provide a minimum transmission loss of 20 dBA (Federal Highway Administration, Noise Barrier Design Handbook). The noise barrier shall be constructed using an acoustical blanket (e.g. vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts. • The noise barrier must be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired. • The noise control barrier and associated elements shall be	Less than significant

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
	of 30 within a 65 dBA CNEL noise contour of an airport, or within a 65 dBA CNEL or Ldn noise contour of a freeway, expressway, railroad, industrial source, or fixed-guideway source, as determined by the noise element. Where noise contours are not readily available, buildings exposed to a noise level of 65 dBA Leq for one hour during any hour of operation shall have building, addition, or alteration exterior wall and roof-ceiling assemblies that are exposed to the noise source meet a composite STC rating of at least 45 (or OITC 35), with exterior windows of a minimum of STC 40 (or OITC 30). Prior to issuance of building permits for projects that include sensitive receptors and are located in ambient noise environments exceeding the "Normally Acceptable" noise and land use compatibility standards shown in Table 5.12-2, the project applicant shall submit an acoustical study to the County of San Bernardino that demonstrates that the proposed residential building design would provide an interior noise level of 45 dBA CNEL or less for residential uses, as required by the California Building Code, or acceptable levels for nonresidential uses per		completely removed, and the site appropriately restored upon the conclusion of the construction activity. **MM NOI-2:** Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits state that construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. **MM NOI-3**: Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits state that all stationary construction equipment shall be placed in such a manner so that emitted noise is directed away from any sensitive receivers. **MM NOI-4**: Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits for construction state that construction equipment staging areas shall be located at the greatest feasible distance from the nearest sensitive receivers. **MM NOI-5**: Prior to issuance of demolition and/or grading permits,	

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
	CALGreen standards. Acceptable methods for reducing noise exposure may include, but are not limited to: • Noise barriers, berms, or other noise reduction techniques could be constructed to reduce noise transmission where reasonable and feasible. Final design of such barriers should be completed during project level review. • Alternative noise reduction techniques could be implemented, such as repaving streets with "quiet" pavement types, including open-grade rubberized asphaltic concrete. The use of quiet pavement can reduce noise levels by up to 7 dBA, depending on the existing pavement type, traffic speed, traffic volumes, and other factors. • Traffic-calming measures to slow traffic, such as speed bumps. • Adequate building sound insulation, such as sound-rated windows and doors, on a case-by-case basis as a method of reducing noise levels in interior spaces. **RR-NOI-2** San Bernardino County Development Code, Construction Noise Sources. Section 83.01.080 establishes		County staff shall ensure that grading plans, construction specifications, and permits state that the construction contractor shall limit equipment and material deliveries to between the hours of 7:00 am and 7:00 pm on weekdays and Saturdays. **MM NOI-6:** Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits state that electrically powered air compressors and similar power tools shall be used, whenever technologically feasible, in place of diesel equipment. **MM NOI-7:** Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits state that no music or electronically reinforced speech from construction workers shall be allowed.	

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
	standards concerning acceptable noise levels for both noise-sensitive land uses and noise-generating land uses. It prohibits construction activities between 7:00 PM and 7:00 AM on weekdays, or at any time on Sunday or a federal holiday. **RR-NOI-3** San Bernardino County Development Code, Stationary Noise Sources. Section 83.01.080 establishes standards for stationary noise sources in Table 83-2. **RR-NOI-4** San Bernardino County Development Code Mobile Noise Sources. Section 83.01.080 establishes standards for mobile noise sources in Table 83-3 including: • Limiting construction to the daytime hours between 7 AM to 7 PM on Monday through Friday and 9 AM to 6PM on Saturday,. Construction is prohibited on Sundays. **Project Design Feature NOI-1: Screening Walls.** Construction Plans, specifications, and permits for development of Development Sites 1, 2, and 4 shall include development of the following walls that shall be completed prior to receipt of certificates of occupancy or operational permits for			

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
	industrial/warehousing uses on Development Sites 1, 2, and 4: • Development Site 1: a 12-foot-tall masonry wall shall be constructed along the entire northern perimeter of Development Site 1. • Development Site 2: a 12-foot-tall masonry wall shall be constructed along the entire northern perimeter of Development Site 2, and 14-foot-high masonry walls shall be constructed along Locust Avenue and Maple Avenue to screen the truck trailer parking and loading dock areas. • Development Site 4: a 9-foot-high masonry wall shall be constructed along the perimeter of the truck trailer lot to screen the truck trailer parking lot.			
Impact NOI-2: The Project would not generate excessive groundborne vibration or groundborne noise levels.	**RR-NOI-5** San Bernardino County Development Code Vibration. Section 83.01.090 prohibits vibration that can be felt without the aid of instruments or produces a particle velocity greater than or equal to two-tenths inch per second peak particle velocity (i.e., 0.20 in/sec PPV) at or beyond the lot line of the source. Exceptions are made for temporary construction, maintenance, repair, or demolition activities between	Potentially Significant	**MM NOI-8: Construction Vibration:** Construction Plans, specifications, and permits for construction activities within the Specific Plan Area and Upzone Site shall specify that large, loaded trucks, heavy mobile equipment greater than 80,000 pounds, and the use of jack hammers and soil compaction equipment are not to be used within 20 feet of occupied sensitive receiver locations. Construction activities within 20 feet of noise sensitive uses shall utilize small rubber-tired or alternative equipment to	Less than significant

Impact	Regulatory Requirements/ Project Design Features	Level of Significance before Mitigation	Mitigation Measures	Significance after Mitigation
	7:00 AM and 7:00 PM, except Sundays and federal holidays; and motor vehicles not under control of the industrial or commercial use.		reduce construction-related vibration below the County's threshold of 0.2 in/sec PPV at sensitive receiver locations.	
Impact NOI-3: The Project would not expose people residing or working in the Project area to excessive noise levels.		No Impact	None required	No Impact
Cumulative		Less than significant	None required	Less than significant

5.3 Air Quality

Location: Subsection 5.3.2.1, Federal Regulations

In response to comments received from Michael McCarthy, in order to clarify the recent changes to the National Ambient Air Quality Standards by the United States Environmental Protection Agency, Table 5.3-1 has been revised as follows:

Table 5.3-1: Ambient Air Quality Standards for Criteria Pollutants

Pollutant	Averaging Time	State Standard	National Standard	Pollutant Health and Atmospheric Effects	Major Pollutant Sources
Ozone	1 hour	0.09 ppm	---	High concentrations can directly affect lungs, causing irritation. Long-term exposure may cause damage to lung tissue.	Formed when ROG and NO_X react in the presence of sunlight. Major sources include on-road motor vehicles, solvent evaporation, and commercial/industrial mobile equipment.
	8 hours	0.07 ppm	0.075 ppm		
Carbon Monoxide (CO)	1 hour	20 ppm	35 ppm	Classified as a chemical asphyxiant, carbon monoxide interferes with the transfer of fresh oxygen to the blood and deprives sensitive tissues of oxygen.	Internal combustion engines, primarily gasoline-powered motor vehicles.
	8 hours	9.0 ppm	9 ppm		
Nitrogen Dioxide (NO_x)	1 hour	0.18 ppm	0.100 ppm	Irritating to eyes and respiratory tract. Colors atmosphere reddish-brown.	Motor vehicles, petroleum refining operations, industrial sources, aircraft, ships, and railroads.
	Annual Arithmetic Mean	0.030 ppm	0.053 ppm		
Sulfur Dioxide (SO_2)	1 hour	0.25 ppm	75 ppb	Irritates upper respiratory tract; injurious to lung tissue. Can yellow the leaves of plants, destructive to marble, iron, and steel. Limits visibility and reduces sunlight.	Fuel combustion, chemical plants, sulfur recovery plants, and metal processing.
	3 hours	---	0.50 ppm		
	24 hours	0.04 ppm	0.14 ppm		
	Annual Arithmetic Mean	---	0.03 ppm		
Respirable Particulate Matter (PM_{10})	24 hours	50 µg/m³	150 µg/m³	May irritate eyes and respiratory tract, decreases in lung capacity, cancer and increased mortality. Produces haze and limits visibility.	Dust and fume-producing industrial and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g., wind-raised dust and ocean sprays).
	Annual Arithmetic Mean	20 µg/m³	---		
Fine Particulate Matter ($PM_{2.5}$)	24 hours	---	35 µg/m³	Increases respiratory disease, lung damage, cancer, and premature death. Reduces visibility and results in surface soiling.	Fuel combustion in motor vehicles, equipment, and industrial sources; residential and agricultural burning; Also, formed from photochemical reactions of other pollutants, including NO_X, sulfur oxides, and organics.
	Annual Arithmetic Mean	~~9~~12 µg/m³	12 µg/m³		
Lead (Pb)	30 Day Average	1.5 µg/m³	---	Disturbs gastrointestinal system, and causes anemia, kidney disease, and neuromuscular and neurological dysfunction (in severe cases).	*Present source:* lead smelters, battery manufacturing and recycling facilities. Past source: combustion of leaded gasoline.
	Calendar Quarter	---	1.5 µg/m³		
	Rolling 3-Month Average	---	0.15 µg/m³		
Hydrogen Sulfide	1 hour	0.03 ppm	…	Nuisance odor (rotten egg smell), headache and breathing difficulties (higher concentrations)	Geothermal power plants, petroleum production and refining
Sulfates (SO_4)	24 hour	25 µg/m³	…	Decrease in ventilatory functions; aggravation of asthmatic symptoms; aggravation of cardio-pulmonary disease; vegetation	Industrial processes.

Pollutant	Averaging Time	State Standard	National Standard	Pollutant Health and Atmospheric Effects	Major Pollutant Sources
				damage; degradation of visibility; property damage.	
Visibility Reducing Particles	8 hour	Extinction of 0.23/km; visibility of 10 miles or more	…	Reduces visibility, reduced airport safety, lower real estate value, and discourages tourism.	See $PM_{2.5}$.

ppm = parts per million; ppb = parts per billion; $\mu g/m^3$ = micrograms per cubic meter.

Location: Subsection 5.3.6, Environmental Impacts, Threshold AQ-2

In response to comments received from South Coast Air Quality Management District (SCAQMD), Threshold AQ-2 has been revised on pages 47 to 48 as follows:

Proposed Project Health Effects

In order to estimate regional health impacts that may result from criteria and precursor pollutants emitted by the proposed Project, the peak daily emissions of ROG/VOC, NOx, SO_2, and $PM_{2.5}$ were utilized in the COBRA model. Table 5.3-15a presents the estimated health effects and the incremental increase in mortality from all causes that is estimated to occur as a result of emissions generated by the proposed Project at the regional level (Riverside, San Bernardino, Los Angeles, and Orange Counties).

Table 5.3-15a: Proposed Project Health Indicators COBRA

Health Indicator	Proposed Project – Specific Plan Buildout	Baseline	% Increase
Total Mortality (low – high estimate)[1]	0.271 – 0.436	126,041	0.00022% – 0.00035%
Total Asthma Symptoms	264.194	N/A	N/A
Total Incidence, Asthma[2]	1.605	1,417,065	0.00011%
Total Incidence, Hay Fever/Rhinitis	10.343	N/A	N/A
Total ER Visits, Respiratory[3]	0.466	56,627	0.00082%
Total Hospital Admits, All Respiratory[4]	0.036	120,584	0.00003%

Source: Urban Crossroads, 2025 (Recirculated Draft EIR Appendix B)

[1] California Department of Public Health 2020-2022 All Causes Mortality, with deaths due to drug overdoses, firearms, homicide, suicide, traffic crashes, and accidents removed (https://www.cdph.ca.gov/Programs/CHSI/Pages/County-Health-Status-Profiles.aspx)

[2] California Department of Public Health 2021-2022 Asthma Prevalence (https://data.chhs.ca.gov/dataset/asthma-prevalence)

[3] California Department of Public Health Asthma Emergency Department Visit Rates (https://data.chhs.ca.gov/dataset/asthma-emergency-department-visit-rates)

[4] California Department of Health Care Access and Information 2023 Hospital Inpatient Characteristics (https://data.chhs.ca.gov/dataset/hospital-inpatient-characteristics-by-patient-county-of-residence)

As shown in Table 5.3-15a, based on the COBRA model, the proposed Project is estimated to result in an incremental increase in mortality of 0.436 percent (high estimate) as a result of increased concentrations of ozone and $PM_{2.5}$ in the region due to Project emissions (0.124 attributable to ozone and 0.311 attributable to $PM_{2.5}$). Compared to baseline mortality estimates for the region, this represents an increase of approximately 0.00035 percent.

Further, Table 5.3-15b presents the estimated health effects and the incremental increase in mortality from all causes that is estimated to occur as a result of emissions generated by the proposed Project

utilizing SCAQMD's incidence-per-ton (IPT) methodology from the 2022 AQMP, as presented in SCAQMD Comment Letter A5 included in Section 2.0, *Response to Comments*, of this Final EIR. The IPT methodology is an equation developed by SCAQMD using BenMAP-CE modeling, photochemical modeling, and health analyses conducted for the 2022 AQMP that incorporate population, health incidence, and NOx emissions data to estimate health incidences per ton of NOx emissions. The IPT methodology is not an air quality model; rather, it is a screening tool, based on basin-wide data, that does not incorporate site-specific photochemical modeling, changes in pollutant concentrations, or site-specific conditions. In addition, the IPT screen is not a project-specific photochemical model and does not provide confidence intervals or statistical significance testing; accordingly, it should be understood as a conservative worst-case screening reference only.

Table 5.3-15b: Proposed Project Health Indicators Incidents Per Ton

Health Indicator	Proposed Project – Specific Plan Buildout	Baseline	% Increase
Total Mortality	2	126,041	0.0014%
Total Asthma Symptoms	1,704	N/A	N/A
Total Incidence, Asthma	10	1,417,065	0.0007%
Total Incidence, Hay Fever/Rhinitis	13	N/A	N/A
Total ER Visits, Respiratory	2	56,627	0.0035%
Total Hospital Admits, All Respiratory	13	120,584	0.01%

Source: Adapted from South Coast Air Quality Management District (SCAQMD). 2026. *Supplemental Technical Comment on Recirculated Draft Environmental Impact Report (Recirculated DEIR) for Bloomington Business Park Specific Plan Project (Proposed Project) (SCH No. 2020120545).* Comment Letter A5, Table 1. March 4, 2026.

It should be noted that this incremental increase in mortality is consistent with other large projects. The incremental incidence increase in mortality from all causes for the Friant Ranch project was estimated at 0.000014 percent for ozone and 0.00039 percent for $PM_{2.5}$, for a total incremental increase of 0.00041 percent, which is similar to what would be expected from the proposed Project. For the CSUDH project, the project's emissions were estimated to result in an increase in mortality from all causes of 0.0032 percent attributable to ozone and $PM_{2.5}$ combined, which is ~~significantly~~ higher than would be expected for the proposed Project. As such, emissions associated with the proposed Project would not result in significant health impacts due to increases in ozone and $PM_{2.5}$ concentrations in the region.

The preceding comparative analysis of emissions and health impacts for the proposed Project relative to the Friant Ranch and CSUDH projects supports the conclusion that the proposed Project's emissions are similar to those reported in these two sample projects. Thus, emissions from buildout of the Specific Plan would be expected to result in similarly negligible health impacts. Additionally, modeling performed using the USEPA's COBRA model **and utilizing SCAQMD's IPT methodology** indicates that health risks would not differ significantly from what was reported for the Friant Ranch or CSUDH projects and remains negligible. Therefore, no significant health risks would occur associated with emissions from the Project.

Location: Subsection 5.3.11, Mitigation Measures

In response to comments received from California Air Resources Board (CARB), Mitigation Measure AQ-10 has been revised as follows:

MM AQ-10: Idling Regulations. The Project plans and specifications shall include signs at loading dock facilities that include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for truck drivers to restrict idling to no more than **3** ~~5~~ minutes once the vehicle is stopped, the transmission is set

to "neutral" or "park", and the parking brake is engaged pursuant to Title 13 of the California Code of Regulations, Section 2485; and 3) telephone numbers of the building facilities manager and California Air Resources Board (CARB) to report violations. Signs shall be installed prior to receipt of an occupancy permit. The Project facility operators shall train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.

5.12 Noise

Location: Subsection 5.12.6, Environmental Impacts

In order to fix a typographical error, page 5.12-42 under IMPACT NOI-1 has been revised as follows:

Operation

Less than Significant Impact.~~with Mitigation Incorporated.~~

Specific Plan Area & Upzone Site

To present the potential worst-case noise conditions, this analysis assumes the proposed industrial uses would be operational 24 hours per day, seven days per week. Consistent with similar warehouse uses, the business operations of the proposed Specific Plan would primarily be conducted within the enclosed buildings, except for traffic movement, parking, as well as loading and unloading of trucks at designated loading bays. The on-site industrial use-related noise sources are expected to include: loading dock activity, trailer activity, truck movements, roof-top air conditioning units, parking lot vehicle movements, and trash enclosure activity. As described previously, the Specific Plan Area is near existing residences, which are sensitive receivers. The locations of operational noise sources are shown on Figures 5.12-10 through 5.12-12.

7.8 Alternative 3: Reduced Project

Location: Subsection 7.8.1, Environmental Impacts

In response to an identified typo, the Population and Housing impact summary has been revised as follows:

Under this alternative, only Site 1 would be developed with a 383,000 SF high-cube warehouse. No other development in the Specific Plan Area would occur as part of this alternative. The Upzone Site would remain in its existing condition but would still be zoned to a higher density to offset the loss of the residential capacity potential that would be removed from rezoning Site 1 to an industrial land use with the same potential impacts as analyzed in the 2021 Draft EIR. Like the Project, this alternative would not include physical development or improvements at the Upzone Site. Construction of the high cube warehouse on Site 1 would result in reduced overall impacts as 195.28 fewer acres would be developed by this alternative. Construction of the warehouse on Site 1 would displace 11 existing residential structures (estimated population of 37 persons at the 3.37 persons per household multiplier) instead of up to 117 existing residential structures (estimated population of 395 persons at the 3.37 persons per household multiplier) as under the Project, which represents a 90 percent decrease in dwelling units and persons displaced compared to the Project. Moreover, this alternative would result in approximately 321 jobs whereas the Project would potentially generate up to **2,709** ~~2,708~~ jobs at buildout, which would be a 91.6 percent reduction in jobs under this alternative.[4] As this alternative does not include the adoption of the Specific Plan land use document, no additional development would occur outside of Site 1 as part of the Project. Therefore, while the Project's impacts would be less than significant upon implementation of standard conditions of approval, this alternative would result in reduced impacts in comparison to the Project.

7.9 Environmentally Superior Alternative

Location: Table 7-4: Comparison of the Proposed Project and Alternatives' Ability to Meet Objectives

In response to an identified typo, footnote 5 in Table 7-4 has been revised as follows:

[5] CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Any economic and social effects of the proposed project are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Therefore, consistent with CEQA, the Draft EIR includes an analysis of the Project's potentially significant physical impacts on the environment and does not include a discussion of the Project's or any alternative's economic feasibility. Nevertheless, Alternative 3 would provide significantly fewer jobs in comparison to the Project (321 jobs whereas the Project would potentially generate up to **2,709** ~~2,708~~ jobs at buildout, which would be a 91.6 percent reduction in jobs under this alternative). Further, Alternative 3 would result in a significant reduction in leasable building space, which would in turn significantly reduce the return on investment for the Project Applicant.

4. Mitigation Monitoring and Reporting Summary

4.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Environmental Impact Report (EIR) has been certified, which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "…reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented. The County of San Bernardino is the Lead Agency for the Project and is responsible for implementation of the MMRP. This report describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP.

4.2 MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the County for the Project. The table identifies mitigation measures required by the County to mitigate or avoid significant impacts associated with the implementation of the Project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As individual Plans, Programs, and Policies and mitigation measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

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Table 4-1: Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
AESTHETICS				
RR AE-2: The following measure shall be incorporated into construction plans and specifications: The County shall enforce adherence with the California Building Code, including provisions of the Building Energy Efficiency Standards related to lighting.	Prior to Building Permits.	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____
AIR QUALITY				
RR AIR-1: New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11).	Prior to issuance of Building Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____
RR AIR-2: Construction activities are required to adhere to Title 13 California Code of Regulations (CCR) Section 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less.	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____
RR AIR-3: Construction activities in the South Coast Air Basin (SoCAB) will be conducted in compliance with any applicable South Coast Air Quality Management District (SCAQMD) rules and regulations, including but not limited to: • Rules 201, 203, and 219, regulate permits for installation and use of equipment that may generate air contaminants. • Rule 402, Nuisance, which states that a project shall not "discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
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." Additionally, Rule 415, Odors from Rendering Facilities, requires nuisance odor at rending facilities be controlled. • Rule 403, Fugitive Dust, for controlling fugitive dust and avoiding nuisance. • Rule 1113, which limits the volatile organic compound content of architectural coatings. • Rule 1186, for controlling fugitive dust from vehicular travel on paved and unpaved • roads. • Rule 1403, for minimizing asbestos emissions during building demolition. • Regulation IX, Standards of Performance for New Stationary Sources (NSPS), and XXIII, New Source Review. • Regulation XI, Source Specific Standards. • Regulation XX, Regional Clean Air Incentives Market (RECLAIM). • Regulation XVI, Mobile Source Offset Programs, and Regulation XXII, Mobile Source Emissions Reduction Programs (Rule 2202).				
MM AQ-1: Super-Compliant Low VOC. The construction plans and specifications shall state that the Project shall utilize "Super-Compliant" low volatile organic compound (VOC) paints for nonresidential interior and exterior surfaces and low VOC paint for parking lot surfaces. Super-Compliant low VOC and low VOC paints have been reformulated to exceed the regulatory VOC limits	Prior to issuance of Building Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
put forth by South Coast Air Quality Management District's (SCAQMD) Rule 1113. Super-Compliant low VOC paints shall be no more than 10g/L of VOC and low VOC paints shall be no more than 50 g/L of VOC.				
MM AQ-2: Tier 4 Final. The construction plans and specifications shall state that off-road diesel construction equipment rated at 50 horsepower (hp) or greater, complies with Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 4 Final off-road emissions standards or equivalent and shall ensure that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications.	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____
MM AQ-3: Project construction plans and specifications shall require that during Project grading operations, Project contractors shall limit the amount of daily grading disturbance area to not exceed the assumptions specified in the Draft EIR Air Quality Impact Analysis. Additionally, the Project Applicant/Developer/Contractor shall include a note on grading plans that prohibits grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone in the Project area. Daily Air Quality Index forecasts for the next day of grading shall be checked via the airnow.gov system the day prior by the Project Contractor.	Prior to issuance of Grading Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division – staff review of grading plans, construction plans, and specifications	Initials: _____ Date: _____
MM AQ-4: The Project Applicant/Developer/Owner shall identify a person to act as a community liaison concerning onsite construction activities and operations and provide contact information for the community liaison to the surrounding community. The contact of the community liaison shall be provided to the County of San Bernardino Planning Division and posted on the construction site prior to issuance of a demolition permit.	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Planning Division - staff review of community liaison contact information	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
MM AQ-5: Project construction plans and specifications shall require on-road heavy-duty haul trucks to be model year 2014 or newer if diesel-fueled, pursuant to California Air Resources Board's (CARB) particulate matter filter requirements.	Prior to issuance of Demolition/Grading Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____
MM AQ-6: The construction plans and specifications shall prohibit off-road diesel-powered construction equipment from being in the "on" position for more than 10 hours per day during Project construction.	Prior to issuance of Demolition/Grading Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____
MM AQ-7: During Project construction, Project contractors shall keep all equipment maintenance records and data sheets, including design specifications and emission control tier classifications, onsite or at the contractor's office and shall furnish documents to the County of San Bernardino or other regulators, upon request.	Prior to issuance of Demolition/Grading Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division and any other requesting regulators	Initials: _____ Date: _____
MM AQ-8: The Project Applicant/Developer shall provide information on transit and ridesharing programs and services to construction employees.	Prior to issuance of Demolition/Grading Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Planning Manager, or designee	Initials: _____ Date: _____
MM AQ-9: The Project Applicant/Developer shall provide meal options onsite or shuttles between the construction site and nearby meal destinations for construction employees.	Prior to issuance of Demolition/Grading Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Planning Manager, or designee	Initials: _____ Date: _____
MM AQ-10: Idling Regulations. The Project plans and specifications shall include signs at loading dock facilities that include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for truck drivers to restrict idling to no more than 3 minutes once the vehicle is stopped, the transmission is set to "neutral" or "park", and the parking brake is engaged pursuant to Title 13 of the California Code of Regulations, Section 2485; and 3) telephone numbers of the building facilities manager and California Air Resources Board	Prior to issuance of Certificates of Occupancy	Project Applicant/Developer/ Owner	County of San Bernardino Building and Safety Division – staff review of building plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
(CARB) to report violations. Signs shall be installed prior to receipt of an occupancy permit. The Project facility operators shall train managers and employees in efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.				
MM AQ-11: Energy Efficient Vendor Trucks. Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino Planning Manager, or designee, shall ensure leasing agreements for each industrial building require that Project Applicant/Developer/Owner provide tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets, prior to issuance of each certificate of occupancy.	Prior to tenant occupancy or tenant business license issuance AND Prior to issuance of each certificate of occupancy	Project Applicant/Developer/ Owner	County of San Bernardino Building and Safety Division – staff review of leasing documents	Initials: _____ Date: _____
MM AQ-12: Electric Vehicle Charging Stations and Carpool Parking. The Project plans and specifications for the industrial buildings shall include electric vehicle charging stations and a minimum of 5 carpool parking spaces at each building for employees and the public to use.	Prior to issuance of Building Permits	Project Applicant/Developer	County of San Bernardino Planning Division – staff review of Project plans and specifications	Initials: _____ Date: _____
MM AQ-13: Electric Interior Vehicles. The Project plans and specifications for all of the industrial buildings shall include infrastructure to support use of electric-powered forklifts and/or other interior vehicles. The requirement that all onsite yard hostlers, yard equipment, forklifts, and pallet jacks shall be zero-emissions equipment, or equivalent language, shall be incorporated in all Project facility lease documents. Prior to tenant occupancy or tenant business license issuance, facility owners or tenants shall provide documentation to the County of San Bernardino Planning Division and Business License Department verifying that signed lease documents incorporate the requirement that all onsite yard trucks/hostlers shall be zero-emissions equipment.	Prior to tenant occupancy or tenant business license issuance	Facility Owners or Tenants	County of San Bernardino Building and Safety Division – staff review of leasing documents	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
MM AQ-14: Transportation Management. The Project plans and specifications for the industrial buildings shall require that a Transportation Management Association (TMA) or similar mechanism shall be established by the Project to encourage and coordinate carpooling. The TMA shall advertise its services to the building occupants. The TMA shall offer transit incentives to employees and shall provide shuttle service to and from public transit, should a minimum of 5 employees request and use such service from a transit stop at the same drop-off and/or pickup time. The TMA shall distribute public transportation information to its employees. The TMA shall provide electronic message board space for coordination rides. Prior to tenant occupancy or tenant business license issuance, facility owners or tenants shall provide documentation to the County of San Bernardino Planning Division and Business License Department verifying that a TMA shall be established.	Prior to tenant occupancy or tenant business license issuance	Facility Owners or Tenants	County of San Bernardino Building and Safety Division – staff review of leasing documents	Initials: _____ Date: _____
MM AQ-15: Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements require that all facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site meet or exceed 2014 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators which own vehicles subject to Section 2025 shall maintain records onsite demonstrating compliance with this requirement and shall make records available for inspection by the local jurisdiction, air district, and state upon request.	Prior to tenant occupancy or tenant business license issuance	Facility Owners or Tenants	County of San Bernardino Building and Safety Division – staff review of leasing documents	Initials: _____ Date: _____
MM AQ-16: Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements require that every tenant train its staff in charge of	Prior to tenant occupancy or tenant business license issuance	Facility Owners or Tenants	County of San Bernardino Building and Safety Division – staff	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
keeping vehicle records in diesel technologies and compliance with California Air Resources Board (CARB) regulations, by attending CARB-approved courses. Also, if the tenant/facility operator owns its own fleet of vehicles, subject to 13 California Code of Regulations section 2025, require such tenants/facility operators to maintain records onsite demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.			review of leasing documents	
MM AQ-17: Prior to tenant occupancy or tenant business license issuance, the Project Applicant/Developer/Owner shall post signs at every truck exit driveway providing directional information to the truck route.	Prior to tenant occupancy or tenant business license issuance	Project Applicant/Developer/ Owner	County of San Bernardino Building and Safety Division – staff review of leasing documents	Initials: _____ Date: _____
MM AQ-18: Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements require that Project Tenants provide meal options onsite or shuttles between the facility and nearby meal destinations.	Prior to tenant occupancy or tenant business license issuance	Facility Owners or Tenants	County of San Bernardino Building and Safety Division – staff review of leasing documents	Initials: _____ Date: _____
MM AQ-19: Prior to the issuance of the final Certificate of Occupancy for the first building tenant for each building within the Project, documentation shall be provided to the County of San Bernardino that lease agreements for such building require that all of the tenant's heavy-duty trucks entering or operated on the Project site to be zero-emission, once such trucks are widely commercially available as reasonably determined by the County Planning Division. A zero-emission heavy-duty truck (EV) shall ordinarily be considered widely commercially available if the vehicle is capable of serving the intended purpose and is widely available for purchase for less than 125% the cost of a Class 7 or 8 heavy-duty combustion-engine truck meeting the emissions standards in place at the time the comparison is made (model year 2014 or later emissions standards). In order to be capable of	Prior to the issuance of the final Certificate of Occupancy for the first building tenant for each building within the Project	Facility Owners or Tenants	County of San Bernardino Building and Safety Division – staff review of leasing documents	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
serving the intended purpose, the EV must be able to perform the same function as a comparable combustion engine vehicle (miles travelled on a full tank/charge, access to fueling/charging infrastructure, load capacity, climbing ability, performance in different climates.) For the purpose of this cost comparison, "cost" shall mean the total vehicle cost for the first five (5) years of ownership, including any purchase incentives, rebates, and fuel and electricity costs. Any comparison must be like-for-like, i.e., must compare an EV with a new production combustion engine truck of the same class and substantially similar trim level that is widely available for purchase and immediate delivery in the area of the Project at the time the comparison is made.				
MM AQ-20: Prior to the issuance of the final Certificate of Occupancy for the first building tenant for each building within the Project, documentation shall be provided to the County of San Bernardino that lease agreements for such building require tenants to use zero-emission light- and medium-duty trucks as part of business operations, once such trucks are widely commercially available, as reasonably determined by the County Planning Division. A zero-emission light- or medium-duty truck (EV) shall ordinarily be considered widely commercially available if the vehicle is capable of serving the intended purpose and is widely available for purchase for less than 125% the cost of a light- or medium-duty combustion-engine truck meeting the emissions standards in place at the time the comparison is made (model year 2014 or later emissions standards). In order to be capable of serving the intended purpose, the EV must be able to perform the same function as a comparable combustion engine vehicle (miles travelled on a full tank/charge, access to fueling/charging infrastructure, load capacity, climbing ability,	Prior to the issuance of the final Certificate of Occupancy for the first building tenant for each building within the Project	Facility Owners or Tenants	County of San Bernardino Building and Safety Division – staff review of leasing documents	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
performance in different climates). For the purpose of this cost comparison, "cost" shall mean the total vehicle cost for the first five (5) years of ownership, including any purchase incentives, rebates, and fuel and electricity costs. Any comparison must be like-for-like, i.e., must compare an EV with a new production combustion engine truck of the same class and substantially similar trim level that is widely available for purchase and immediate delivery in the area of the Project at the time the comparison is made.				
MM AQ-21: Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements shall require all stand-by emergency generators to be powered by a nondiesel fuel, if technologically feasible, if emergency generators are required for Project buildings.	Prior to tenant occupancy or tenant business license issuance	Facility Owners or Tenants	County of San Bernardino Building and Safety Division – staff review of leasing documents	Initials: _____ Date: _____
MM AQ-22: Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements encourage tenants to enroll in the United States Environmental Protection Agency's SmartWay program and encourage tenants to use carriers that are SmartWay carriers.	Prior to tenant occupancy or tenant business license issuance	Facility Owners or Tenants	County of San Bernardino Building and Safety Division – staff review of leasing documents	Initials: _____ Date: _____
MM AQ-23: Solar. Prior to the issuance of final Certificate of Occupancy for the first building tenant of a building within the Project, documentation shall be provided to the County of San Bernardino demonstrating that the Project has either: 1) installed solar photovoltaic (PV) panels or other source of renewable energy generation on the site, or 2) otherwise acquired energy that has been generated by renewable sources, such that either option will provide 100 percent of the expected building load for such building. Alternatively, the Project shall achieve 100 percent of the building's expected energy load through a combination of onsite renewable energy generation and	Prior to the issuance of final Certificate of Occupancy	Project Applicant/Developer/ Owner	County of San Bernardino Building and Safety Division - staff review of Project plans	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
renewable energy purchase. The final PV generation facility size requires approval by SCE. Should SCE limit the facility size, the amounts above shall be limited to the amount of SCE's approval.				
MM AQ-24: The Project plans and specifications shall require that the Project Applicant/Developer shall construct electric truck charging infrastructure within truck parking areas consisting of infrastructure (i.e., conduit) to support future installation of charging stations when such trucks are widely commercially available, as reasonably determined by the County Planning Division. Conduit shall be provided proportional to parking spaces at a ratio of conduit for one charging station for every 10 truck parking spaces. Additionally, the Project Applicant/Developer shall construct electric light-duty truck charging infrastructure consisting of infrastructure (i.e., conduit) for one charging station for every five light-duty truck parking spaces. A zero-emission light- or medium-duty truck (EV) shall ordinarily be considered widely commercially available if the vehicle is capable of serving the intended purpose and is widely available for purchase for less than 125% the cost of a light- or medium-duty combustion-engine truck meeting the emissions standards in place at the time the comparison is made (model year 2014 or later emissions standards). In order to be capable of serving the intended purpose, the EV must be able to perform the same function as a comparable combustion engine vehicle (miles travelled on a full tank/charge, access to fueling/charging infrastructure, load capacity, climbing ability, performance in different climates). For the purpose of this cost comparison, "cost" shall mean the total vehicle cost for the first five (5) years of ownership, including any purchase incentives, rebates, and fuel and electricity costs. Any comparison must be like-for-like, i.e., must compare an EV with a new	Prior to issuance of Building Permits	Project Applicant/ Developer	County of San Bernardino Building and Safety Division - staff review of Project plans	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
production combustion engine truck of the same class and substantially similar trim level that is widely available for purchase and immediate delivery in the area of the Project at the time the comparison is made.				
BIOLOGICAL RESOURCES				
MM BIO-1: Rare Plants. Future projects proposed within the Specific Plan Area & Upzone Site (excluding Opening Year Development—Options 1 and 2 and offsite infrastructure areas) shall be surveyed to determine if any rare plant species have the potential to occur. If suitable habitat is present, a qualified biologist shall survey for sensitive plants during the appropriate time of year (i.e., when the species is readily identifiable, such as during its blooming period) prior to initiating construction activities in a given area. The focused surveys shall be conducted in accordance with published agency guidelines (CDFW 2009, CDFW 2000, USFWS 2000). If rare plants are identified and cannot be avoided, the project-level biological survey report would justify why species-specific mitigation is necessary and propose mitigation to reduce project impacts to a less than significant level.	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Retained Biologist	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____
MM BIO-2: Burrowing Owl. Prior to commencement of construction activities (i.e., demolition, earthwork, clearing, and grubbing), habitat assessments to determine whether suitable burrows are present as defined by the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012) shall be conducted within future projects proposed within the Specific Plan Area & Upzone Site (excluding Opening Year Development—Options 1 and 2 and offsite infrastructure areas). The assessment shall also include a 500-foot (150-meter) buffer around proposed development footprints. If suitable burrows are identified, focused surveys shall be	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Retained Biologist	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
conducted by a qualified biologist during the breeding season in accordance with the most recent CDFW guidelines. Take avoidance surveys shall be conducted within all areas of the Specific Plan Area & Upzone Site (including Opening Year Development—Options 1 and 2 and offsite infrastructure areas). The take avoidance surveys shall be conducted within 14 days and repeated 24 hours prior to construction activities (i.e., demolition, earthwork, clearing, and grubbing) to determine presence of burrowing owl (BUOW). If take avoidance surveys are negative and BUOW is confirmed absent, then ground-disturbing activities shall be allowed to commence, and no further mitigation would be required. If BUOW is observed during focused surveys and/or take avoidance surveys within any portion of the Study Area (including Opening Year Development—Options 1 and 2 and offsite infrastructure areas), active burrows shall be avoided by the project in accordance with the CDFW's Staff Report (CDFG 2012). The County shall be immediately informed of any BUOW observations. The Project applicant/developer shall consult with the County to determine how to mitigate the impacts to any active burrows. If the County determines that active relocation is required, a BUOW Protection and Relocation Plan (plan) shall be prepared by a qualified biologist, which must be sent for approval by CDFW prior to initiating ground disturbance. The plan shall detail avoidance measures that shall be implemented during construction and passive or active relocation methodology. Relocation shall only occur between September 1 through January 31, outside of the breeding season.				

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
MM BIO-3: Sensitive Bat Species. Prior to commencement of construction activities, habitat assessments for sensitive bat species shall be conducted for all future projects proposed within the Specific Plan Area & Upzone Site (excluding Opening Year Development—Options 1 and 2 and offsite infrastructure areas). The following avoidance and minimization measures shall be implemented within all areas of the Specific Plan Area & Upzone Site that support suitable habitat for sensitive bat species. These measures shall also be implemented for Opening Year Development—Options 1 and 2 and offsite infrastructure areas since suitable habitat was identified. 1. Construction activities (i.e., earthwork, clearing, grubbing, etc.) shall occur from September 1 through March 31 and outside the bat maternity roosting season to the extent possible. 2. If construction activities are proposed within the bat maternity roosting season (April 1 through August 31), a qualified biologist experienced with bats shall conduct a pre-construction survey within all suitable habitat. The pre-construction survey shall be conducted 30 days prior to commencing construction/demolition activities and shall consist of two separate surveys conducted no more than a week apart. The second and final survey should be conducted no more than seven days prior to commencing construction/demolition activities. The pre-construction surveys should be conducted using a detector for echolocation calls, such as an Anabat bat	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Retained Biologist	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
detector system. The results of the pre-construction survey shall be documented by the qualified biologist. If the qualified biologist determines that no sensitive bat maternity roosts are present, the construction activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that sensitive bat maternity roosts are present, the following avoidance and minimization measures shall be implemented: A. No construction activities may occur within 300 feet of any sensitive bat maternity roosts. A qualified biologist shall clearly delineate any bat maternity roosts and any required avoidance buffers, which shall be clearly marked with flags and/or fencing prior to the initiation of construction activities. If construction activities are proposed within 300 feet of a sensitive bat maternity roost, a biological monitor shall be required to observe the behavior of any roosting bats. The construction supervisor shall be notified if the construction activities appear to be altering the bats' normal roosting behavior. No construction activities will be allowed within 300 feet of bat maternity roosts until the additional minimization measures are taken, as determined by the biological monitor in coordination with the County. The biological monitor shall prepare written documentation of all monitoring activities and any additional minimization measures that were taken, which shall be submitted to the County at the completion of construction activities.				

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
MM BIO-4: Sensitive Animals. Future projects proposed within the Specific Plan Area & Upzone Site (excluding Opening Year Development—Options 1 and 2 and offsite infrastructure areas) shall be surveyed for any other sensitive animal species that may be present. The project-level biological survey report shall analyze these projects' impacts on sensitive animal species and shall propose mitigation to reduce project impacts to a less than significant level.	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Retained Biologist	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____
MM BIO-5: Sensitive Vegetation Communities. Future projects proposed within the Specific Plan Area & Upzone Site (excluding Opening Year Development—Options 1 and 2 and offsite infrastructure areas) shall be surveyed for sensitive vegetation communities as defined by CDFW. Impacts to sensitive vegetation communities shall first be avoided. Where avoidance is not feasible, sensitive vegetation communities shall be mitigated through habitat acquisition/preservation, restoration, and/or creation.	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Retained Biologist	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____
MM BIO-6: Jurisdictional Resources. A jurisdictional assessment shall be conducted for future projects proposed within the Specific Plan Area & Upzone Site (excluding Opening Year Development—Options 1 and 2 and offsite infrastructure areas). Jurisdictional resources shall be avoided when feasible. Where avoidance is not feasible, project-specific impacts to jurisdictional resources shall be addressed and mitigated by federal and state regulators via applicable consulting and permitting process. The types of mitigation required may include onsite or offsite preservation, enhancement, creation, and/or restoration. Mitigation is typically required at a 1:1 ratio or higher and to be accomplished in close proximity to the impacts or at least in the same watershed. Final requirements and locations are,	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Retained Biologist	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
however, subject to change during applicable consultation/permit processes required by the USACE, RWQCB, and CDFW. Best Management Practices (BMPs) to minimize and avoid impacts to jurisdictional resources during and after construction shall include, but are not limited to, the following: • Construction-related equipment will be stored in developed areas, outside of the drainage. No equipment maintenance will be done within or adjacent to the drainage. • Source control and treatment control BMPs will be implemented to minimize the potential contaminants that are generated during and after construction. Water quality BMPs will be implemented throughout the project to capture and treat potential contaminants. • Substances harmful to aquatic life will not be discharged into the drainage. All hazardous substances will be properly handled and stored. • A Storm Water Pollution Prevention Plan will be prepared to prevent sediment from entering the drainage during construction. • To avoid attracting predators during construction, the project will be kept clean of debris to the extent possible. All food-related trash items will be enclosed in sealed containers and regularly removed from site. • Construction personnel will strictly limit their activities, vehicles, equipment and construction material to the proposed project footprint, staging areas, and designated routes of travel.				

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
Exclusion fencing will be installed to demarcate the limits of disturbance. The exclusion fencing should be maintained until the completion of construction activities.				
MM BIO-7: Nesting Birds. To the extent possible, construction activities (i.e., demolition, earthwork, clearing, and grubbing) within the Specific Plan Area & Upzone Site, including Opening Year Development—Options 1 and 2 and offsite infrastructure areas, shall occur outside of the general bird nesting season for migratory birds, which is March 15 through August 31 for songbirds and January 1 through August 31 for raptors. If construction activities (i.e., earthwork, clearing, and grubbing) must occur during the general bird nesting season for migratory songbirds (March 15 through August 31) and raptors (January 1 to August 31), a qualified biologist shall perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the MBTA and CFG Code. The pre-construction survey shall be performed no more than three days prior to the commencement of construction activities. The results of the pre-construction survey shall be documented by the qualified biologist. If construction is inactive for more than seven days, an additional survey shall be conducted. If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, no impacts within 300 feet (500 feet for raptors) of the active nest shall occur until the young	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Retained Biologist	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
have fledged the nest and the nest is confirmed to no longer be active, or as determined by the qualified biologist. The biological monitor may modify the buffer or propose other recommendations in order to minimize disturbance to nesting birds.				
MM BIO-8: County Regulated Trees. A tree survey shall be conducted for future projects proposed within the Specific Plan Area (excluding Opening Year Development—Options 1 and 2 and offsite infrastructure areas). The survey shall be conducted by an ISA-certified arborist to identify trees regulated under the Section 88.01.070 of the County's Code of Ordinances. If regulated trees will be impacted by a project, a tree removal permit must be obtained prior to impacts.	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Retained Arborist	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____
MM WVLC BIO-1:Pre-Construction Focused Surveys of Proposed Conservation Area and Development Area to Confirm Absence of Special-Status Species. *Pre-construction Survey within the Proposed Development Area for Western Burrowing Owl.* The Project applicant shall retain a qualified biologist to conduct preconstruction surveys for burrowing owls no fewer than 14 days prior to any ground-disturbing activities, to be repeated 24 hours prior to grading. The preconstruction surveys shall be approved by the City of Fontana Director of Community Development and conducted in accordance with current survey protocols provided in the CDFW Staff Report on Burrowing Owl Mitigation (March 7, 2012). In the event a burrowing owl is found to be present on site during the preconstruction survey, the project applicant shall ensure that the applicable avoidance measures outlined in the CDFW Staff Report on Burrowing Owl Mitigation (March 7, 2012) are applied to the proposed project (e.g., avoid direct impacts on occupied burrows during	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Retained Biologist	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
nesting season). Any active avoidance measures during the breeding season must to be coordinated with CDFW. *Pre-construction Nesting Bird Survey of the Proposed Development Area*. Nesting birds are protected pursuant to the MBTA and California Fish and Game Code. If ground-disturbing activities or removal of any trees, shrubs, or any other potential nesting habitat are scheduled within the avian nesting season (January 1 to August 31), a preconstruction clearance survey for nesting birds shall be completed no more than 3 days prior to ground disturbance. This will ensure that no nesting birds adjacent to the construction area will be disturbed during construction. If nesting birds are found, an avoidance buffer no less than 300 feet shall be established around the nest until all young have fledged and the nest is confirmed by a qualified biologist to be no longer active				
CULTURAL RESOURCES				
RR CUL-2: Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods.	Prior to issuance of Grading Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____
RR CUL-5: If human remains are discovered within a project site, disturbance of the site must stop until the coroner has investigated and made recommendations for the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative. If the coroner has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission	Prior to issuance of Grading Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
(California Health and Safety Code Section 7050.5).				
MM CUL-1: Historical Resources Assessment for Future Development of Planning Area B of the Specific Plan and Upzone Site. Prior to issuance of a grading permit, future development projects in Planning Area B of the Specific Plan or the Upzone Site shall include the preparation of a historical resources assessment prepared by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualifications Standards (PQS) in architectural history or history to verify that any buildings, structures, or objects over 45 years of age are not eligible for listing as a historical resource. The qualified architectural historian or historian shall conduct an evaluation of the potential historic resources in accordance with the guidelines and best practices promulgated by the State Office of Historic Preservation (OHP) and shall document the evaluation in a report meeting the State OHP guidelines or on Department of Parks and Recreation Series 523 forms. The report shall be submitted to the County Planning Department for review and concurrence.	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Retained Architectural Historian	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____
MM CUL-2: Archaeological Monitoring of All Developments in the Specific Plan Area and Upzone Site. a) Prior to the issuance of each grading permit for the Specific Plan Area and Upzone Site, the Applicant or construction contractor shall provide evidence to the County of San Bernardino that a qualified professional archeologist meeting the Secretary of Interior's	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Retained Archaeologist	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
PQS for Archaeology (as defined in the Code of Federal Regulations, 36 CFR Part 61) has been retained to conduct monitoring of rough grading activities. The archaeologist shall have the authority to redirect earthmoving activities in the event that suspected cultural resources are unearthed during construction activities. b) The archaeologist shall prepare a Cultural Resources Monitoring and Treatment Plan, which would be approved by the County and describe processes for archaeological and tribal monitoring and for handling incidental discovery of cultural resources for all ground-disturbing construction and pre-construction activities. The monitoring plan shall be provided to the San Manuel Band of Mission Indians and Gabrieleño Band of Mission Indians – Kizh Nation for review and comment, as detailed in MM TCR-2. Prior to the issuance of a grading permit, the Applicant or construction contractor shall provide evidence to the County of San Bernardino that all construction workers involved with grading and trenching operations have received training by the archaeologist to recognize archaeological resources, including tribal cultural resources, should such resources be unearthed during ground-disturbing construction activities. Pursuant to MM TCR-1, all Native American Tribal Representatives, including the San Manuel Band of Mission Indians and the Gabrieleño Band of Mission Indians – Kizh Nation, shall be allowed to attend the training session.				

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
c) The training of all construction workers involved with grading and trenching operations shall explain the importance and legal basis for the protection of significant archaeological resources. It will include a brief review of the cultural sensitivity of the construction area and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel involved with grading and trenching operations that begin work following the initial training session must take the training prior to beginning work; the archaeologist shall be available to provide the training on an as-needed basis. d) In the event archaeological resources (artifacts or features) are encountered during ground-disturbing activities, the construction supervisor shall be required by his contract to immediately halt and redirect grading operations within a 100-foot radius of the discovery and see identification and evaluation and evaluation of the suspected resource by the archaeologist. This requirement shall be noted on all grading plans and the construction contractor shall be obligated to comply with the note. e) After the archaeologist makes his/her initial assessment of the nature of the find, the				

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
archaeologist shall notify the Native American Tribal Representatives—including the San Manuel Band of Mission Indians Cultural Resources Department and the Gabrieleño Band of Mission Indians – Kizh Nation —as to provide Tribal input with regards to the significance and treatment. If it is not of Native American heritage, the archaeologist shall pursue either protection in place or recovery, salvage, and treatment of the deposits. Recovery, salvage, and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4 in consultation with the County or a with a recognized scientific or educational repository, including the SCCIC. Per CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources, consistent with CEQA Guidelines Section 15126.4(b)(3)(C). If unique archaeological resources cannot be preserved in place or left in an undisturbed state, recovery, salvage and treatment shall be required at the Applicant's expense. f) If a significant tribal cultural resource is discovered on the property, ground disturbing activities shall be suspended 50 feet around the resource until a tribal resource treatment plan is implemented. A tribal resource treatment plan shall be prepared and implemented, subject to approval by the County of San Bernardino, to				

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
protect the identified resource(s) from damage and destruction. The treatment plan shall contain a research design and data recovery program necessary to document the size and content of the discovery such that the resource(s) can be evaluated for significance under CEQA criteria. The research design shall list the sampling procedures appropriate to exhaust the research potential of the archaeological or tribal cultural resource(s) in accordance with current professional archaeology standards. The treatment plan shall require monitoring by the appropriate Native American Tribe(s) during data recovery and shall require that all recovered artifacts undergo basic field analysis and documentation or laboratory analysis, whichever is appropriate. At the completion of the basic field analysis and documentation or laboratory analysis, any recovered resource(s) shall be processed and curated according to current professional repository standards. The collections and associated records shall be donated to an appropriate curation facility, or the artifacts may be delivered to the appropriate Native American Tribe(s) if that is recommended by the County of San Bernardino. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the County of San Bernardino, the South Central Coastal Information Center (SCCIC) at California State University (CSU), Fullerton, and the appropriate Native American Tribe(s).				

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
Mitigation Measure CUL-3: Archaeological Resources Assessment for Future Developments in Planning Area B of the Specific Plan and Upzone Site. Prior to the issuance of a grading permit, future developments within Planning Area B of the Specific Plan and Upzone Site will be required to prepare archaeological resource assessments in accordance with the California Office of Historic Preservation: Archaeological Resources Management Report Guidelines, with the purpose to assess, avoid, and mitigate potential impacts to archeological and tribal cultural resources as set forth in CEQA Regulations: Appendix G. Archaeological resources assessments shall be performed under the supervision of an archaeologist that meets the Secretary of the Interior's PQS in either prehistoric or historic archaeology. The archaeological resources assessment for undeveloped, large open areas—including along Laurel Avenue within the Specific Plan and the northwest parcel of the Upzone Site—shall include a Phase I pedestrian survey, undertaken to locate any surface cultural materials that may be present. To the extent applicable, the archaeological resources assessment conducted for projects in the Specific Plan Area shall consider analysis and recommendations included in the Phase 1 CRA prepared for the Bloomington Business Park Specific Plan Project (Appendix E of the Draft EIR). In the event archaeological resources are identified by the archaeological resource assessment, Mitigation Measure CUL-2 shall apply.	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Retained Archaeologist	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
ENERGY				
MM E-1: LEED Certification. The Project plans and specifications shall require that all buildings shall achieve certification of compliance or demonstrate equivalency with LEED Silver building standards. Prior to the issuance of building permits, the Project Applicant or successor in interest shall provide documentation to the County of San Bernardino Planning Division demonstrating that each development is designed to achieve energy efficient buildings equivalent to LEED Silver building standards with the following design criteria options: • Five percent of all parking spaces shall have Level 2 or Level 3 charging capacity. • Ten percent of all parking spaces shall have EV-ready conduit. • Building envelops insulation of conditioned space within all commercial and industrial buildings shall be R15 or greater for walls and R30 or greater for attics/roofs. • Windows of commercial and industrial buildings shall have an insulation factor of 0.28 or less U-factor and 0.22 or less solar heat gain coefficient (SHGC). • All roofing material for commercial buildings shall be Cool Roof Rating Council (CRRC) Rated 0.15 aged solar reflectance or greater and 0.75 thermal emittance. • All heating/cooling ducting within the commercial and industrial buildings shall be insulated with R6 or greater insulation. • All heating and cooling equipment shall be Seasonal Energy Efficiency Ratio (SEER) 14/78 percent Annual Fuel Utilization Efficiency (AFUE), or 7.7 Heating Seasonal Performance Factor (HSPF) levels of efficiency or greater.	Prior to issuance of Building Permits	Project Applicant/Developer or successor in interest	County of San Bernardino Planning Division – staff review of Project building plans	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
• All water heaters in the commercial and industrial buildings shall be high efficiency electric water heaters with a minimum 0 .72 Energy Factor or greater. • Lighting within the commercial and industrial buildings shall be high efficiency LED lighting with a minimum of 40 lumens/watt for 15 watt or less fixtures, 50 lumens/watt for 15–40-watt fixtures, and 60 lumens/watt for fixtures greater than 40 watts. • All appliances within the commercial and industrial land uses shall be energy star rated appliances. All water fixtures shall be water efficient (toilets/urinals [1.5 gallons per minute (GPM) or less], showerheads [2.0 GPM or less], and faucets [1.28 GPM or less]).				
GEOLOGY AND SOILS				
RR GEO-1: San Bernardino County Development Code: Building Code. The Project will be designed and constructed in accordance with the San Bernardino County Development Code, which adopts the California Building Code (CBC) and California Residential Code (CRC), which are based on the International Building Code (IBC). New construction, alteration, or rehabilitation shall comply with applicable ordinances set forth by the County and/or by the most recent County building and seismic codes in effect at the time of Project design. In accordance with County Development Code Title 8, Chapter 87.08, a geotechnical investigation is required that must evaluate soil classification, site geology, slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on soil-bearing	Prior to issuance of Building Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
capacity, compressibility, liquefaction, and expansiveness, as necessary, determined by the County Building Official. The geotechnical investigation must be prepared by registered professionals (i.e., California Professional Civil Engineer and as necessary a Professional Engineering Geologist). Recommendations of the report, as they pertain to structural design and construction recommendations for earthwork, grading, slopes, foundations, pavements, and other necessary geologic and seismic considerations, must be incorporated into the design and construction of the Project.				
Mitigation Measure GEO-1: Landslide Susceptibility Report. Future development of structures within the area mapped as having moderate to high landslide susceptibility in Planning Area B of the Specific Plan shall prepare a landslide susceptibility investigation by registered professionals (i.e., California Professional Civil Engineer and as necessary a Professional Engineering Geologist). The investigation shall be prepared in accordance with requirements of the latest version of the California Building Code, and as warranted include design and construction recommendations to mitigate potential risks and impacts related to potential landslide hazards.	Prior to issuance of Building Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____
Mitigation Measure GEO-2: Geotechnical Recommendations. The Geotechnical Investigations completed for development of the Specific Plan Area outside of Opening Year—Option 1 and for development of the Upzone Site shall be submitted to the County of San Bernardino for review and approval. The approved recommendations shall be incorporated into the final design of the improvements proposed at the Specific Plan and	Prior to issuance of Building Permits	Project Applicant/Developer/ Contractor	County of San Bernardino Building and Safety Division – staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
implemented during construction. Any subsequent recommendations required by the Project's certified geotechnical engineer or engineering geologist shall be implemented to ensure the Project meets structural requirements of the California Building Code.				
Mitigation Measure GEO-3: Paleontological Resources. Prior to grading activities, the Applicant and/or its contractor shall retain a paleontologist selected from the County's list of qualified paleontologists or one who meets the qualifications of the Society of Vertebrate Paleontology standards as Project Paleontologist. The Project Paleontologist shall prepare a paleontological resource mitigation program (PRMP), monitor, salvage, and curate any recovered fossils associated with the Project area, should these be unearthed during ground disturbance within the Project area. Specifically, the Project Paleontologist shall: • Be present at the pre-grading conference to establish procedures for paleontological resource surveillance. • Monitor all ground disturbing activities in subareas where unit Qof_3 and Qof_1 are exposed and for ground disturbing activities that are four feet or greater below ground surface where unit Qyf_5 is exposed. The Project Paleontologist may reduce monitoring to spot checks or discontinue at his/her discretion if no intact and significant paleontological resources are encountered after the initial period of full-time monitoring.	Prior to issuance of Building Permits	Project Applicant/Developer/ Retained Paleontololgist	County of San Bernardino Planning Division – staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
• Monitor excavations closely to quickly and professionally recover any fossil remains discovered while not impeding development. The purpose of the PRMP is to establish mitigation monitoring procedures and discovery protocols, based on industrywide best practices (Murphey et al., 2019) and shall include the following procedures: • Include a Worker's Environmental Awareness Program (WEAP) training. The WEAP shall be prepared prior to the start of ground disturbance and be presented in person by the Project Paleontologist to all field personnel to describe the types of fossils that may occur in sediments present within the construction areas and the procedures to follow if any are encountered. • Indicate where construction monitoring will be required for the Project and the frequency of required monitoring (i.e., full time, spot checks, etc.). • Address the collection and processing (e.g., wet- or dry-screening) of sediment samples to analyze for presence/absence of small-fraction and microscopic fossils. • Specify the process to be followed in the event paleontological resources are encountered, including ceasing all ground-disturbing activity within 50 feet of the area of the discovery. The Project Paleontologist shall examine the materials				

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered. • Describe the different reporting standards to be used for monitoring with negative findings versus monitoring resulting in fossil discoveries. • Provide details on what sediment samples should be collected, analyzed, and processed to determine the presence/absence of fossils in small-fraction and microscopic grain sizes within the Project area. Fossils uncovered during mitigation activities shall be deposited in an accredited and permanent scientific institution, such as the Western Science Center, for the benefit of current and future generations. • Specify the criteria for discarding specific fossil specimens. If the Project Paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by Project planning, then recovery may be applied. o Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if an important fossil needs to be recovered, and/or cleaning, identifying, and				

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
cataloging specimens for curation and research purposes. o Recovery, salvage and treatment shall be done at the applicant's expense. o All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. o Resources shall be identified and curated into an established accredited professional repository. The Project Paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.				
GREENHOUSE GAS EMISSIONS				
RR GHG-1: New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). The 2016 Building Energy Efficiency Standards and CALGreen are effective starting on January 1, 2017, while the 2019 standards are effective starting January 1, 2020. The Building Energy Efficiency Standards and CALGreen are updated tri-annually and may ultimately require zero net energy (ZNE) construction.	Prior to issuance of Building Permits	Project Applicant/Developer	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____
RR GHG-2: Construction activities are required to adhere to Title 13 California Code of Regulations (CCR) Section 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less.	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
RR GHG-3: New development in the unincorporated County of San Bernardino is required to comply with the San Bernardino County GHG Reduction Plan. The 2011 GHG Reduction Plan also directs the County to implement GHG reduction measures to align the County with the GHG reduction goals of AB 32.	Prior to issuance of Building Permits	Project Applicant/Developer	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____
RR GHG-4: The County of San Bernardino requires land uses in the unincorporated area to adhere to the state's Model Water Efficient Landscape Ordinance.	Prior to issuance of Building Permits	Project Applicant/Developer	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____
RR GHG-5: The County of San Bernardino adheres to the requirements of AB 341, AB 1826, and SB 1383. The County of San Bernardino Solid Waste Management Division manages landfill capacity and implements programs to divert waste from landfills, which includes recycling and organics/food waste collection. AB 341 requires business that generate 4 cubic yards of waste or more per week (including multifamily with five or more units) to arrange for recycling services. AB 1826 requires business to recycle their organic waste depending on how much waste they generate per week and also requires the County to implement an organic waste recycling program for business (including multifamily of five or more uses). SB 1383 requires that operates of landfills achieve reductions in short-lived climate pollutants and establishes a target to achieve a 50 percent reduction in statewide disposal of organic waste from 2014 levels by 2020 and 75 percent reduction from 2014 levels by 2025. AB 1383 also establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.	Prior to issuance of certificates of occupancy	Project Applicant/Developer/ Owner/Tenants	County of San Bernadino Building and Safety Division	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
MM GHG-1: GHG Reduction Measures. Prior to issuance of certificate of occupancy for each building, the Project Applicant shall provide documentation to the County of San Bernardino Building Department demonstrating that the improvements and/or buildings covered by the certificate of occupancy incorporated measures from the 2021 County of San Bernardino Greenhouse Gas Reduction Plan Screening Tables (Adopted September 2021), as needed to achieve the required 100 points. Design criteria options in order to meet 100 points include: • Enhanced Insulation (rigid wall insulation R-13, roof/attic R-38) (11 points) • Greatly Enhanced Window Insulation (0.28 or less U-factor, 0.22 or less solar heat gain coefficient [SHGC]) (7 points) • Greatly Enhanced Cool Roof (Cool Roof Rating Council [CRRC] Rated 0.35 aged solar reflectance, 0.75 thermal emittance) (10 points) • Air barrier applied to exterior walls, caulking, and visual inspection such as the Home Energy Rating System [HERS] Verified Quality Insulation Installation (QII or equivalent) (7 points) • Enhanced Thermal Mass (20% of floor or 20% of walls 12" or more thick exposed concrete or masonry with no permanently installed floor covering such as carpet, linoleum, wood, or other insulating materials) (4 points) • Enhanced Duct Insulation (R-8) (6 points) • High Efficiency Heating, Ventilation, Air Conditioning system (HVAC) (Seasonal Energy Efficiency Ratio [SEER] 15/80% Annual Fuel Utilization Efficiency [AFUE] or	Prior to issuance of certificate of occupancy for each building	Project Applicant/Developer	County of San Bernardino Building Department – staff review of building plans	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
8.5 Heating Seasonal Performance Factor [HSPF]) (5 points)1 • High Efficiency Water Heater (0.72 Energy Factor) (10 points) • All rooms within building have daylight (through use of windows, solar tubes, skylights, etc.) (1 point) • Very High Efficiency Lights (100% of in-unit fixtures are high efficiency) (8 points) • North/South alignment of building or other building placement such that the orientation of the buildings optimizes conditions for natural heating, cooling, and lighting (4 points) • At least 90% of south-facing glazing will be shaded by vegetation or overhangs at noon on June 21st (6 points) • Only California Native landscape that requires no or only supplemental irrigation (5 points) • Weather based irrigation control systems combined with drip irrigation (demonstrate 20 reduced water use) (3 points) • Water Efficient Toilets/Urinals (1.5 gallons per minute [gpm]) (3 points) • Water efficient faucets (1.28 gpm) (2 points) • Provide reserved preferential parking spaces for car-share, carpool, and ultra-low or zero emission vehicles (1 point) • Provide larger parking spaces that can accommodate vans used for ride-sharing programs and reserve them for vanpools and include adequate passenger waiting/loading areas (1 point) • Installation of Level 2, 240-volt AC Fast Chargers for passenger electric vehicles (5 points/charger)				

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
• Installation of Level 3, 480-volt DC Rapid Chargers for passenger electric vehicles (8 points/charger) • Provide bicycle paths within project boundaries (1 point) • Provide separated recycling bins within each commercial building/floor and provide large external recycling collection bins at central location for collection truck pick-up (2 points) • Recycle construction waste (4 points)				
HAZARDS AND HAZARDOUS MATERIALS				
RR HAZ 1: Transportation of Hazardous Waste. Hazardous materials and hazardous wastes will be transported to and/or from the projects developed under the Countywide Plan in compliance with any applicable state and federal requirements, including the U.S. Department of Transportation regulations listed in the Code of Federal Regulations (CFR) (Title 49, Hazardous Materials Transportation Act); California Department of Transportation standards; and the California Occupational Safety and Health Administration standards.	Prior to issuance of Building Permits	Project Applicant/Developer/ Owner/Tenants	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____
RR HAZ-2: Resource Conservation and Recovery Act. Hazardous waste generation, transportation, treatment, storage, and disposal will be conducted in compliance with the Subtitle C of the Resource Conservation and Recovery Act (RCRA) (Code of Federal Regulations, Title 40, Part 263), including the management of nonhazardous solid wastes and underground tanks storing petroleum and other hazardous substances. The San Bernardino County Fire Protection District serves as the designated Certified Unified Program Agency (CUPA) and which implements state and federal regulations for the following programs: (1) Hazardous Materials Release Response Plans and Inventory Program, (2) California Accidental Release Prevention (CalARP)	Prior to issuance of Building Permits	Project Applicant/Developer/ Owner/Tenants	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
Program, (3) Aboveground Petroleum Storage Act Program, and (4) UST Program (5) Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs (6) Hazardous Materials Management Plan and Hazardous Material Inventory Statement Program.				
RR HAZ-3: California UST Regulations. Underground storage tank (UST) repairs and/or removals will be conducted in accordance with the California UST Regulations (Title 23, Chapter 16 of the California Code of Regulations). Any unauthorized release of hazardous materials will require release reporting, initial abatement, and corrective actions that will be completed with oversight from the Regional Water Quality Control Board, Department of Toxic Substances Control, San Bernardino County Fire Protection District, South Coast Air Quality Management District, and/or other regulatory agencies, as necessary. Use of existing USTs will also have to be conducted (i.e., used, maintained and monitored) in accordance with the California UST Regulations (Title 23, Chapter 16 of the California Code of Regulations).	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____
RR HAZ-4: ACMs and LBPs: Demolition activities that have the potential to expose construction workers and/or the public to asbestos-containing materials (ACMs) or lead-based paint (LBP) will be conducted in accordance with applicable regulations, including, but not limited to: • South Coast Air Quality Management District's Rule 1403 • California Health and Safety Code (Section 39650 et seq.) • California Code of Regulations (Title 8, Section 1529) • California Occupational Safety and Health Administration regulations (California Code of Regulations, Title 8,	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
Section 1529 [Asbestos] and Section 1532.1 [Lead]) Code of Federal Regulations (Title 40, Part 61 [asbestos], Title 40, Part 763 [asbestos], and Title 29, Part 1926 [asbestos and lead])				
RR HAZ-5: Removal of Hazardous Materials. The removal of hazardous materials, such as polychlorinated biphenyls (PCBs), mercury-containing light ballast, and mold, will be completed in accordance with applicable regulations pursuant to 40 CFR 761 (PCBs), 40 CFR 273 (mercury-containing light ballast), and 29 CFR 1926 (molds) by workers with the hazardous waste operations and emergency response (HAZWOPER) training, as outlined in 29 CFR 1910.120 and 8 CCR 5192.	Prior to issuance of Demolition Permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____
RR HAZ-6: California Code of Regulations (Title 8, Section 1541): New construction, excavations, and/or new utility lines within 10 feet or crossing existing high-pressure pipelines, natural gas/petroleum pipelines, or electrical lines greater than 60,000 volts will be designed and constructed in accordance with the California Code of Regulations (Title 8, Section 1541).	Prior to issuance of Grading Permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____
RR HAZ-10: San Bernardino County Fire Hazard Abatement (FHA) Program. The FHA program shall enforce the fire hazard requirements outlined in San Bernardino County Code Sections 23.0301 to 23.0319.	Prior to issuance of Building Permits	Project Applicant/Developer	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____
MM HAZ-1 Soil Management Plan (SMP): The Project Applicant shall retain a qualified environmental consultant to prepare a SMP for all contaminated soils identified as environmental conditions in the Phase 1 and Phase 2 Environmental Site Assessments (Phases 1 and 2 ESAs) prepared for proposed development within the Specific Plan. The SMP shall be submitted to the San Bernardino County Fire Department, Hazardous Materials	Prior to issuance of Grading Permits	Project Applicant/Developer/ Retained Environmental Consultant	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
Division (SBCFD / HMD) for review and approval prior to the commencement of excavation and grading activities. The SMP shall be implemented during excavation and grading activities of the impacted area to ensure that contaminated soils are properly identified, excavated, and disposed of off-site, as follows: • The SMP shall address field screening, air monitoring, impacted soil excavation and segregation, confirmation sampling, stockpile management and sampling, impacted soil disposal, backfill, import soil sampling and tracking, and documentation. • The SMP shall be prepared and executed in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil. During excavation, Rule 1166 requires that soils identified as contaminated shall be sprayed with water or another approved vapor suppressant, or covered with sheeting during periods of inactivity of greater than an hour, to prevent contaminated soils from becoming airborne. Under Rule 1166, contaminated soils shall be transported from the Project Site by a licensed transporter and disposed of at a licensed storage/treatment facility to prevent contaminated soils from becoming airborne or otherwise released into the environment. • Prior to the commencement of grading and excavation, the Phases 1 and 2 ESAs shall				

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
be submitted to reported to the SBCFD / HMD for review and comment. The recommendations of the SBCFD / HMD shall be incorporated in the SMP. After approval by SBCFD/HMD, the recommendations contained in all Phase 1 and 2 ESAs shall be incorporated into the SMP. • A qualified environmental consultant shall be present on the Project Site during grading and excavation activities in the known or suspected locations of contaminated soils and shall be on call at other times as necessary, to monitor compliance with the SMP and to actively monitor the soils and excavations for evidence of contamination. During the Project's excavation phase, the Project Applicant shall remove and properly dispose of impacted materials in accordance with the provisions of the SMP. If soil is stockpiled prior to disposal, it will be managed in accordance with the Project's Storm Water Pollution Prevention Plan, prior to its transfer for treatment and/or disposal. All impacted soils would be properly treated and disposed of in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil, as well as applicable requirements of the Santa Ana Regional Water Quality Control Board.				
MM HAZ-2: Health and Safety Plan. Given the presence of known soil contamination on at least a portion of the proposed development area within the Specific Plan, a Health and Safety Plan shall be prepared in compliance with OSHA Safety and	Prior to issuance of Grading Permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
Health Standards (29 Code of Federal Regulations 1910.120) and Cal/OSHA requirements (CCR Title 8, General Industry Safety Orders and California Labor Code, Division 5, Part 1, Sections 6300-6719) and submitted for review by the SBCFD / HMD. The Health and Safety Plan shall be submitted to the SBCFD / HMD for review and approval prior to the commencement of excavation and grading. The Health and Safety Plan shall address, as appropriate, safety requirements that would serve to avoid significant impacts or risks to workers or the public in the event that elevated levels of subsurface gases are encountered during grading and excavation and shall include any applicable recommendations contained in all Phase 1 and Phase II ESAs, after the ESAs are approved by SBCFD/HMD. The Health and Safety Plan shall address potential vapor encroachment from the soil contamination, and workers shall be trained to identify exposure symptoms and implement alarm response. The Health and Safety Plan shall have emergency contact numbers, maps to the nearest hospital, gas monitoring action levels, gas response actions, allowable worker exposure times, and mandatory personal protective equipment requirements. The Health and Safety Plan shall be signed by all workers involved in the removal of the contaminated soils to demonstrate their understanding of the risks of excavation.				
HYDROLOGY AND WATER QUALITY				
RR WQ-1: NPDES/SWPPP. Prior to issuance of any grading or demolition permits, the applicant shall provide the County Building and Safety Division evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project	Prior to issuance of Grading Permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.				
RR WQ-2: WQMP. Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the Public Works Department. The WQMP shall be submitted using the San Bernardino County Stormwater Program's model form and shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.	Prior to issuance of Grading Permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____
LAND USE AND PLANNING				
RR LU-1 The County of San Bernardino Development Code: The County's Development Code (Title 8 of the County Code of Ordinances) provides the basis for zoning designations and development regulations in unincorporated areas.	Prior to issuance of Building Permits	Project Applicant/Developer	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____
NOISE				
RR NOI-1: The California Building Code (CBC), Title 24, Part 2, Volume 1, Chapter 12, Interior Environment, Section 1207.11.2, Allowable Interior Noise Levels, requires that interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric is evaluated as either the day-night average sound level (Ldn) or the community noise equivalent level (CNEL), consistent with the noise element of the local general plan. The California Green Building Standards Code (CALGreen), Chapter 5, Division 5.5, has additional requirements for insulation that affect exterior-interior noise transmission for nonresidential	Prior to issuance of Building Permits	Project Applicant/Developer	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
structures: Pursuant to Section 5.507.4.1, Exterior Noise Transmission, Prescriptive Method, wall and roof-ceiling assemblies making up the building or addition envelope or altered envelope and exposed to the noise source shall meet a composite sound transmission class (STC) rating of at least 50 or a composite outdoor-indoor transmission class (OITC) rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 within a 65 dBA CNEL noise contour of an airport, or within a 65 dBA CNEL or Ldn noise contour of a freeway, expressway, railroad, industrial source, or fixed-guideway source, as determined by the noise element. Where noise contours are not readily available, buildings exposed to a noise level of 65 dBA Leq for one hour during any hour of operation shall have building, addition, or alteration exterior wall and roof-ceiling assemblies that are exposed to the noise source meet a composite STC rating of at least 45 (or OITC 35), with exterior windows of a minimum of STC 40 (or OITC 30). Prior to issuance of building permits for projects that include sensitive receptors and are located in ambient noise environments exceeding the "Normally Acceptable" noise and land use compatibility standards shown in Table 5.12-2, the project applicant shall submit an acoustical study to the County of San Bernardino that demonstrates that the proposed residential building design would provide an interior noise level of 45 dBA CNEL or less for residential uses, as required by the California Building Code, or acceptable levels for nonresidential uses per CALGreen standards. Acceptable methods for reducing noise exposure may include, but are not limited to: • Noise barriers, berms, or other noise reduction techniques could be constructed to reduce noise transmission where reasonable and feasible. Final design of				

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
such barriers should be completed during project level review. • Alternative noise reduction techniques could be implemented, such as repaving streets with "quiet" pavement types, including open-grade rubberized asphaltic concrete. The use of quiet pavement can reduce noise levels by up to 7 dBA, depending on the existing pavement type, traffic speed, traffic volumes, and other factors. • Traffic-calming measures to slow traffic, such as speed bumps. • Adequate building sound insulation, such as sound-rated windows and doors, on a case-by-case basis as a method of reducing noise levels in interior spaces.				
RR-NOI-2: San Bernardino County Development Code, Construction Noise Sources. Section 83.01.080 establishes standards concerning acceptable noise levels for both noise-sensitive land uses and noise-generating land uses. It prohibits construction activities between 7:00 PM and 7:00 AM on weekdays, or at any time on Sunday or a federal holiday.	Prior to issuance of Demolition, Grading, and Building Permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of grading plans, construction specifications, and permits	Initials: _____ Date: _____
RR-NOI-3: San Bernardino County Development Code, Stationary Noise Sources. Section 83.01.080 establishes standards for stationary noise sources in Table 83-2.	Prior to issuance of Demolition, Grading, and Building Permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of grading plans, construction specifications, and permits	Initials: _____ Date: _____
RR-NOI-4: San Bernardino County Development Code Mobile Noise Sources. Section 83.01.080 establishes standards for mobile noise sources in Table 83-3 including: • Limiting construction to the daytime hours between 7 AM to 7 PM on Monday through	Prior to issuance of Demolition, Grading, and Building Permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of grading plans, construction	Initials: _____ Date: _____

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Friday and 9 AM to 6PM on Saturday. Construction is prohibited on Sundays.			specifications, and permits	
RR-NOI-5: San Bernardino County Development Code Vibration. Section 83.01.090 prohibits vibration that can be felt without the aid of instruments or produces a particle velocity greater than or equal to two-tenths inch per second peak particle velocity (i.e., 0.20 in/sec PPV) at or beyond the lot line of the source. Exceptions are made for temporary construction, maintenance, repair, or demolition activities between 7:00 AM and 7:00 PM, except Sundays and federal holidays, and motor vehicles not under control of the industrial or commercial use.	Prior to issuance of Demolition, Grading, and Building Permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of grading plans, construction specifications, and permits	Initials: _____ Date: _____
Project Design Feature NOI-1: Screening Walls. Construction Plans, specifications, and permits for development of Development Sites 1, 2, and 4 shall include development of the following walls that shall be completed prior to receipt of certificates of occupancy or operational permits for industrial/warehousing uses on Development Sites 1, 2, and 4: • Development Site 1: a 12-foot-tall masonry wall shall be constructed along the entire northern perimeter of Development Site 1. • Development Site 2: a 12-foot-tall masonry wall shall be constructed along the entire northern perimeter of Development Site 2, and 14-foot-high masonry walls shall be constructed along Locust Avenue and Maple Avenue to screen the truck trailer parking and loading dock areas. • Development Site 4: a 9-foot-high masonry wall shall be constructed along the perimeter of the truck trailer lot to screen the truck trailer parking lot.	Prior to receipt of certificates of occupancy or operational permits for industrial/warehousing uses on Development Sites 1, 2, and 4	Project Contractor shall complete construction of walls	County of San Bernadino Building and Safety Division - staff review of construction plans, specifications, and permits	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
MM NOI-1: Construction Sound Walls. The Project Contractor shall install minimum 8-foot-high temporary construction noise barriers at the limits of construction adjacent to any noise sensitive receiver located within 80 feet of the limits of construction (Project site boundary) and a 12-foot-high temporary construction noise barrier for any noise sensitive receiver located within 20 feet. The noise control barriers must have a solid face from top to bottom. The noise control barriers must meet the minimum height and be constructed as follows: • The temporary noise barriers shall provide a minimum transmission loss of 20 dBA (Federal Highway Administration, Noise Barrier Design Handbook). The noise barrier shall be constructed using an • acoustic blanket (e.g. vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts. • The noise barrier must be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired. • The noise control barrier and associated elements shall be completely removed, and the site appropriately restored upon the conclusion of the construction activity.	Prior to issuance of demolition, grading, and building permits	Project Contractor	County of San Bernadino Building and Safety Division	Initials: _____ Date: _____
MM NOI-2: Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits state that construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.	Prior to issuance of demolition and/or grading permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of grading plans, construction specifications, and permits	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
MM NOI-3: Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits state that all stationary construction equipment shall be placed in such a manner so that emitted noise is directed away from any sensitive receivers.	Prior to issuance of demolition and/or grading permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of grading plans, construction specifications, and permits	Initials: _____ Date: _____
MM NOI-4: Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits for construction state that construction equipment staging areas shall be located at the greatest feasible distance from the nearest sensitive receivers.	Prior to issuance of demolition and/or grading permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of grading plans, construction specifications, and permits	Initials: _____ Date: _____
MM NOI-5: Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits state that the construction contractor shall limit equipment and material deliveries to between the hours of 7:00 am and 7:00 pm on weekdays and Saturdays.	Prior to issuance of demolition and/or grading permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of grading plans, construction specifications, and permits	Initials: _____ Date: _____
MM NOI-6: Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits state that electrically powered air compressors and similar power tools shall be used, whenever technologically feasible, in place of diesel equipment.	Prior to issuance of demolition and/or grading permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of grading plans, construction specifications, and permits	Initials: _____ Date: _____
MM NOI-7: Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits state that no music or electronically reinforced speech from construction workers shall be allowed.	Prior to issuance of demolition and/or grading permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of grading plans, construction specifications, and permits	Initials: _____ Date: _____
MM NOI-8: Construction Vibration: Construction Plans, specifications, and permits for construction activities within the Specific Plan Area and Upzone	Prior to issuance of demolition, grading, and building permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of	Initials: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
Site shall specify that large, loaded trucks, heavy mobile equipment greater than 80,000 pounds, and the use of jack hammers and soil compaction equipment are not to be used within 20 feet of occupied sensitive receiver locations. Construction activities within 20 feet of noise sensitive uses shall utilize small rubber-tired or alternative equipment to reduce construction-related vibration below the County's threshold of 0.2 in/sec PPV at sensitive receiver locations.			grading plans, construction specifications, and permits	Date: _____
TRIBAL CULTURAL RESOURCES				
RR TCR-1: Per AB 52, within 14 days of deciding to undertake a project or determining that a project application is complete, the lead agency must provide formal written notification to all tribes who have requested it.	Prior to issuance of demolition, grading, and building permits	Project Applicant/Developer/ Contractor	County of San Bernadino Planning Division - staff review of construction plans and specifications	Initials: _____ Date: _____
RR TCR-2: Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods.	Prior to issuance of grading permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____
MM TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities A. The Project Applicant/Developer shall retain a Native American monitor from (or approved by) the San Manuel Band of Mission Indians and the Gabrieleno Band of Mission Indians-Kizh Nation ("Tribes"). 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"	Prior to issuance of grading permits	Project Applicant/Developer/ Tribal Monitors	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____

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includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. Monitors from the San Manuel Band of Mission Indians and the Gabrieleno Band of Mission Indians-Kizh Nation shall provide Native America monitoring services on a rotating basis. B. The Project Applicant/Developer shall provide documentation of its retention of a Native American monitor, as provided in Mitigation Measure TCR-1, to the County Planning Department 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 Project Applicant/Developer shall provide the Tribe with a minimum of 15 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 Project Applicant/Developer 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(s) will inform and educate the Project's construction and managerial crew and staff members (including any Project subcontractors and consultants) about the 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. The Native American Tribe(s) shall be notified of and allowed to attend the pre-grading meeting with the County and Project construction				

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
contractors and/or monitor all Project mass grading and trenching activities. In the event that suspected tribal cultural resources are unearthed, the Native American Tribe(s) shall have the authority to redirect earth moving activities in the affected area. 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 Project applicant/Lead Agency 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 representatives 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 Project Applicant/Developer and the County Planning Department 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. G. Any and all archaeological or cultural documents created as a part of the Project (isolate records, site records, survey reports, testing reports, etc.) shall be				

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
supplied to the Project Applicant/Developer and the County Planning Department for dissemination to the San Manuel Band of Mission Indians and the Gabrieleno Band of Mission Indians-Kizh Nation. The County Planning Department and/or Project Applicant/Developer shall, in good faith, consult with both Tribes until all ground disturbing activities of the Project are completed.				
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 Mission Indians and Gabrieleno Band of Mission Indians-Kizh Nation and the San Manuel Band of Mission Indians Cultural Resources Department shall be contacted regarding any cultural resources discovered during construction activities and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. 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. Should the find be deemed significant, as defined by CEQA, a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with the Mission Indians and Gabrieleno Band of Mission Indians-Kizh Nation and San Manuel Band of Mission Indians, and all subsequent finds shall be subject to this Plan. The Project Applicant/Developer shall comply with all provisions of the Plan. The Plan shall allow for a Native American monitor to be present that represents Tribes until all ground disturbance activities occurring at the Project site, including	Prior to issuance of grading permits	Project Applicant/Developer/ Contractor	County of San Bernadino Building and Safety Division - staff review of construction plans and specifications	Initials: _____ Date: _____

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offsite areas, are completed, should they elect to place a monitor on-site. B. The appropriate Tribe will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate in its discretion, per the Cultural Resources Monitoring and Treatment Plan, 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 within a 200' radius. Native American "human remains" are defined to include "an inhumation or cremation, and in any state of decomposition or skeletal completeness." (Pub. Res. Code § 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. (Pub. Res. Code § 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.				

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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, per the Cultural Resources Monitoring and Treatment Plan and the Tribes' discretion, 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.				
MM TCR-3: Procedures for Burials, Funerary Remains, and Grave Goods. A. Inadvertent Discovery of Native American Human Remains: Public Resources Code §5097.98 This code invests the NAHC with the authority to designate a Most Likely Descendant (MLD) when Native American human remains and any associated grave items are inadvertently discovered. Any discovery of human remains and/or grave goods discovered and/or recovered shall be kept confidential to prevent further disturbance.	Prior to issuance of grading permits	Project Applicant/Developer/ Contractor	County of San Bernadino Planning Division and Building and Safety Division- staff review of construction plans and specifications	Initials: _____ Date: _____

Mitigation Measure	Implementation Timing	Responsible Party	Verification Method	Date Completed and Initials
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 Project applicant/developer 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				

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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 Tribes 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.				

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