CITY OF IRWINDALE

5050 N. IRWINDALE AVE., IRWINDALE CA 91706 • PHONE: (626) 430-2200

SUZANNE E. GOMEZ
CHAIR

ENOCH Y. BURROLA
VICE-CHAIR

RICHARD CHICO
COMMISSIONER

DAVID FUENTES
COMMISSIONER

ROBERT E. HARTMAN
COMMISSIONER

AGENDA FOR THE REGULAR MEETING OF THE

PLANNING COMMISSION

April 20, 2022

6:30 P.M.

IRWINDALE COUNCIL CHAMBER

(Limited Public Access)
Pursuant to Irwindale Resolution No. 2022-30-3280

The Irwindale City Council has authorized the conduct of hybrid meetings of the City Council, including all City Commissions and committee meetings, and all regularly scheduled meetings that would normally take place in the City Council Chambers, under the provisions of Government Code Section 54956 § E, as authorized by AB 361.

The public's health and well-being are the top priority for the City, and you are urged to take all appropriate health safety precautions. To facilitate this process, the meeting and opportunities to participate are available through the following:

In-Person at the City Council Chambers (In-Chamber Attendance Limited to nine members of the public with overflow seating available in the Outer Council Chamber)

Join Webinar at
https://us02web.zoom.us/j/86349691359

Webinar ID
863 4969 1359

Submit public comments by email to jjhernandez@irwindaleca.gov prior to the start of the meeting. Comments will be read by the Administrative Secretary during public comment. Lengthy public comment may be summarized in the interest of time.

Spontaneous Communications: The public is encouraged to address the Planning Commission on any matter listed on the agenda or on any other matter within its jurisdiction. The Planning Commission will hear public comments on items listed on the agenda during discussion of the matter and prior to a vote. The Planning Commission will hear public comments on matters not listed on the agenda during the Spontaneous Communications period.

Pursuant to provisions of the **Brown Act**, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The Planning Commission may request staff to investigate and/or schedule certain matters for consideration at a future Commission or City Council meeting.

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in a Commission meeting or other services offered by this City, please contact City Hall at (626) 430-2200. Assisted listening devices are available at this meeting. Ask the Chief Deputy City Clerk if you desire to use this device. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with disabilities. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Note: Staff reports are available for inspection at the Planning Division Counter, 16102 Arrow Highway or at City Hall, 5050 N. Irwindale Avenue, during regular business hours (8:00 a.m. to 6:00 p.m., Monday through Thursday) by appointment only, and by contacting the Planning Division at 626-430-2208.

Code of Ethics

As City of Irwindale Planning Commissioners, our fundamental duty is to serve the public good. We are committed to the principle of an efficient and professional local government. We will be exemplary in obeying the letter and spirit of Local, State and Federal laws and City policies affecting the operation of the government and in our private life. We will be independent and impartial in our judgment and actions.

We will work for the common good of the City of Irwindale community and not for any private or personal interest. We will endeavor to treat all people with respect and civility. We will commit to observe the highest standards of morality and integrity, and to faithfully discharge the duties of our office regardless of personal consideration. We shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of others.

We will inform ourselves on public issues, listen attentively to public discussions before the body, and focus on the business at hand. We will base our decisions on the merit and substance of that business. We will be fair and equitable in all actions, claims or transactions. We shall not use our official position to influence government decisions in which we have a financial interest or where we have a personal relationship that could present a conflict of interest, or create a perception of a conflict of interest.

We shall not take advantage of services or opportunities for personal gain by virtue of our public office that are not available to the public in general. We shall refrain from accepting gifts, favors or promises of future benefit that might compromise our independence of judgment or action or give the appearance of being compromised.

We will behave in a manner that does not bring discredit or embarrassment to the City of Irwindale. We will be honest in thought and deed in both our personal and official lives.

Ultimate responsibility for complying with this Code of Ethics rests with the individual elected official. In addition to any other penalty as provided by law, violation of this Code of Ethics may be used as a basis for disciplinary action or censure of a Commissioner.

These things we hereby pledge to do in the interest and purposes for which our government has been established.

IRWINDALE PLANNING COMMISSION

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. INVOCATION

D. ROLL CALL: Commissioners: Richard Chico, David Fuentes, Robert E. Hartman; Vice-Chair Enoch Y. Burrola; Chair Suzanne E. Gomez

E. ANNOUNCEMENTS

SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits any Commission discussion or action on such communications unless 1) the Commission by majority vote finds that a catastrophe or emergency exists; or 2) the Commission by at least four votes finds that the matter (and need for action thereon) arose within the last five days. Since the Commission cannot (except as stated) participate it is requested that all such communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 3 minutes, unless such time limits are extended.

In the hybrid format, both in-person and hybrid audience members will participate in the following order:

Tier 1: In-person attendees

Tier 2: Teleconference attendees

Tier 3: In-person attendees who have not previously provide comments on the matter(s) being discussed by the legislative body

Tier 4: Teleconference attendees who have not previously provide comments on the matter(s) being discussed by the legislative body

1. CONSENT CALENDAR

The Consent Calendar contains matters of routine business and is to be approved with one motion unless a member of the Commission requests separate action on a specific item. At this time, members of the audience may ask to be heard regarding an item on the Consent Calendar.

A. Minutes

Recommendation: Approve the following minutes:

1. Adjourned meeting held August 09, 2021
2. Regular meeting held September 15, 2021
3. Regular meeting held January 19, 2022
4. Regular meeting held February 16, 2022

2. NEW BUSINESS

3. PUBLIC HEARINGS

A. <u>CONDITIONAL USE PERMIT NO. 02-2021 FOR 1399 LAS LOMAS ROAD (MICHAEL MCKAIN, CAL BLEND SOILS INC.)</u>

Request for a Conditional Use Permit for the onsite sale and outdoor storage of bulk landscape and gardening materials and the outdoor storage of grandstand equipment, for the property located at 1399 Las Lomas Road, Irwindale, CA 91706 in the M-2 (Heavy Manufacturing) zone. <u>ENVIRONMENTAL REVIEW:</u> The proposed project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301 (Class 1; Existing Facilities) of the CEQA Guidelines. The project is to allow for the storage of bulk landscape and gardening materials and grandstand equipment. The project is not located in an environmentally sensitive area. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the Los Angeles County Clerk Recorder. The NOE is on file at the Community Development Department and available for review by the public.

<u>Recommendation: Adopt Resolution No. 815(22)</u>
A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 02-2021 FOR THE OUTDOOR STORAGE AND ONSITE SALE OF BULK LANDSCAPE AND GARDENING MATERIALS AND THE OUTDOOR STORAGE OF GRANDSTAND EQUIPMENT, FOR THE PROPERTY LOCATED AT 1399 LAS LOMAS ROAD, IRWINDALE, CA 91706 (APN: 8604-018-014) IN THE M-2 (HEAVY MANUFACTURING) ZONE SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF AND FINDING THE PROJECT EXEMPT FROM CEQA PURSUANT TO SECTION 15301 (CLASS 1; EXISTING FACILITIES).

4. DISCUSSION ITEMS/PRESENTATIONS

5. COMMUNITY DEVELOPMENT DIRECTOR REPORT

6. LEGAL COUNSEL COMMENTS

7. COMMISSIONER COMMENTS

8. ADJOURN

AFFIDAVIT OF POSTING

I, Jesus Hernandez, Administrative Secretary, certify that I caused the agenda for the regular meeting of the Irwindale Planning Commission to be held on April 20, 2022 to be posted at the City Hall, Library, and Post Office on April 14, 2022.

Jesus Hernandez
Jesus Hernandez,
Administrative Secretary

IRWINDALE COUNCIL CHAMBER **August 09, 2021**
5050 N. IRWINDALE AVENUE **Wednesday**
IRWINDALE, CALIFORNIA 91706 **6:32 P.M.**

The Irwindale **PLANNING COMMISSION** met in adjourned meeting at the above time and place.

PLEDGE OF ALLEGIANCE — I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

INVOCATION COMMISSIONER GOMEZ — Father God, we thank you for this day. For this time. For your protection. We ask you to guide us, give us wisdom, justice eternal. Amen.

CHAIR TAPIA — Roll call.

ROLL CALL: Present: Commissioners; Robert E. Hartman; Richard Chico; Suzanne Gomez; Vice Chair Enoch Burrola; Chair Arthur R. Tapia

Also present: William Tam, City Manager; Adrian Guerra, City Attorney; Jamie Traxler, Assistant City Attorney, Marilyn Simpson, Community Development Director; Arsanious Hanna, City Engineer/Building Official; Daniel Co, Assistant City Engineer; Lisa Chou, Associate Planner, Iris Espino, Economic Development Coordinator; Elizabeth Rodriguez, Public Works Services Manager; Berlyn Aguila, Administrative Secretary

ANNOUNCEMENTS

CHAIR TAPIA — Any comments to make?

ADMINISTRATIVE SECRETARY AGUILA — No comments, thank you.

SPONTANEOUS COMMUNICATIONS

CHAIR TAPIA — We move to Spontaneous Communication. This is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits any Commission discussion or action as such communications unless the Commission by majority finds that a catastrophe or emergency exists. Number 2, the Commission by at least four votes, finds the matter in need for action thereon arose within the last five days. Since Commission cannot accept as stated, it is requested that such communication can be made in writing, as to be included in the next agenda for full discussion and action. If a member of the audience feels as if he or she, must proceed tonight then each speaker will be limited to three minutes, unless such time limits are extended. If anyone in the audience wishes to say anything on

Spontaneous, which is not related to tonight's Public Hearing could you please raise your hand.

ADMINISTRATIVE SECRETARY AGUILA: Chair Tapia, we do have quite a few individuals who have raised their hands. I will now be unmuting Errol Daly.

CHAIR TAPIA: Go ahead sir.

ADMINISTRATIVE SECRETARY AGUILA: Mr. Daly you are self-muted.

ERROL DALY: I would like to support the project going forward.

CHAIR TAPIA: This is not the time, this is Spontaneous Communication. When we open up the Public Hearing, for this particular item then you can raise your hand again.

ERROL DALY: Okay will do, thank you very much.

ADMINISTRATIVE SECRETARY AGUILA: The next individual who I will be unmuting will be Carmen Roman.

CARMEN ROMAN: Hello.

ADMINISTRATIVE SECRETARY AGUILA: Hey, we can hear you.

CARMEN ROMAN: I am not talking about this subject because it is listed in the Agenda tonight. But when we get to the subject, I would like to know if you could summarize or go over the key points, because it was a very long meeting last time. I don't think we want to go back to square one. Maybe you can consider going over key points. Thank you.

CHAIR TAPIA: Thank you, next.

ADMINISTRATIVE SECRETARY AGUILA: The next member of the public that I will be unmuting is Frank Rojo.

FRANK ROJO: I will wait for the public to speak.

ADMINISTRATIVE SECRETARY AGUILA: There are no more hands raised.

CHAIR TAPIA: Okay at this time we will close Spontaneous Communications.

PUBLIC HEARINGS

ITEM NO. 3C — GENERAL PLAN AMENDMENT NO. 02-2017; SITE PLAN AND DESIGN REVIEW (DA) NO. 04-2017 (MARK GABAY, FIVE POINTS, LLC).

CHAIR TAPIA — At this time we will open up the Public Hearing for General Plan Amendment No. 02-2017; Site Plan and Design Review (DA) No. 04-2017. But before we do that, we have to have a process of drawing straws, between three of the Commissioners here. Since we live within 1,000 feet of the project. Staff.

ASSISTANT CITY ATTORNEY TRAXLER — Thank you Mr. Chair, good evening Commissioners. Yes, it is my understanding that for this item, which involves property located at 5175 Vincent Avenue, three Commissioners have a financial interest in real property, located more than 500 feet but less than 1,000 feet from the property line. So I will give you the general rule regarding Conflicts of Interests, no public official at any level of local government shall make, participate in making, or in any way attempt to use his or her official position, to influence a governmental decision in which he or she has reason to know they have a financial interest. A public official has a financial interest in a decision, if it is reasonable foreseeable that the decision will have a material financial effect on the official, or a member of his or her immediate family that is distinguishable from its effect from the public generally. If the interest is not especially involved in the decision a financial impact or effect is reasonably foreseeable, if the effect can be recognized as a realistic possibility in more of a hypothetical or theoretical, a financial effect need not be likely to occur, to be considered reasonably foreseeable. It is my understanding that three commissioners have a financial interest in real property, located more than 500 feet but less than 1,000 feet from the property. Those are Chair Tapia, Commissioner Chico, and Commissioner Gomez.

CHAIR TAPIA — Could you repeat those feet again, please?

ASSISTANT CITY ATTORNEY TRAXLER — Yes. A financial interest in real property located more than 500 feet but less than 1,000 feet from the property line. So under the regulations there are several factors we must go through to determine, whether this decision will have a material financial effect. I will go through those with each of you and will give you my recommendation. Then you will be able to make a determination whether or not to recuse yourselves. I will start with Mr. Chair. There is a material financial effect on the property, if the decision would change whether positive or negative the property's development potential and income producing potential, highest and best use, character, by substantially altering traffic levels, intensity of use, parking, view, privacy, noise levels, air quality, or the market value.

CHAIR TAPIA — Do you have the number of feet, the distance I am from the site?

ASSISTANT CITY ATTORNEY TRAXLER: Yes, Mr. Chair. I have here that the property is 963 feet away from the property line of the project. Which is within the 500 to 1,000 feet.

CHAIR TAPIA: Thank you.

ASSISTANT CITY ATTORNEY TRAXLER: You are going to recuse yourself?

CHAIR TAPIA: Pardon?

ASSISTANT CITY ATTORNEY TRAXLER: You are going to recuse yourself?

CHAIR TAPIA: Yes.

ASSISTANT CITY ATTORNEY TRAXLER: Okay. It is my recommendation that you recuse yourself. Yes. Commission Chico, I will go through the same materiality factors. There is a material financial effect if the decision would change whether positive or negative the property's development potential, income producing potential, highest and best use, character, by substantially altering traffic levels, intensity of use, parking, view, privacy, noise levels, air quality, or the market value. I have here for the record the amount of feet for your property. Your property is located 717 feet from the property line.

COMMISSIONER CHICO: I understand that. What are my options?

ASSISTANT CITY ATTORNEY TRAXLER: Your options are to recuse yourself, or you could participate in the decision.

COMMISSIONER CHICO: Well if he recuses himself, I recuse, and she recuses herself, what are we left with?

ASSISTANT CITY ATTORNEY TRAXLER: We are left without a quorum, and we would have to draw straws. Same as the last meeting.

COMMISSIONER CHICO: I like to go with the straws.

ASSISTANT: Commissioner Gomez I have the amount of feet if you would like that on record.

COMMISSIONER GOMEZ — No. I heard the recommendation and the outline, and I would like to recuse myself as well.

CITY ATTORNEY TRAXLER — Same as the last time.

ASSISTANT CITY ATTORNEY TRAXLER — Okay. Separate and apart from the financial conflicts the City Attorney's Office has been informed that Commissioner Gomez, signed a petition against the project as a member of the public in 2019. In an abundance of caution it would be my recommendation, that you recuse yourself also from the drawing of straws. However, the final decision is up to you.

COMMISSIONER GOMEZ — I have a question.

ASSISTANT CITY ATTORNEY TRAXLER — Yes.

COMMISSIONER GOMEZ — The 2019 petition was particular to the information prior to this most updated Environmental Review Report, is that correct?

ASSISTANT CITY ATTORNEY TRAXLER — Yes, that is correct.

COMMISSIONER GOMEZ — I need a moment.

ASSISTANT CITY ATTORNEY TRAXLER — We can take a recess, Commissioner, if you like.

CHAIR TAPIA — We are going to take a short break.

RECESS — Chair Tapia recessed the meeting at 6:45 p.m.

RECONVENED — Chair Tapia reconvened the meeting at 6:57 p.m.

CHAIR TAPIA — We reconvene at this time. The meeting is called to order again.

CITY ATTORNEY GUERRA — Thank you Mr. Chair, so prior to the break we did go through the conflicts of interest analysis for Commissioner Chico, Gomez, and Chair Tapia. One additional factor is a petition that was signed by Commissioner Gomez. We are advising that she further recuse herself on that basis, and I will go into further detail. From my understanding, there was a petition regarding an earlier version of this project back in

2019. There is an argument, and even though I believe Commissioner Gomez will be true, independent, and unbiased in making a decision, if she were to make a decision. There is a case that came out a few years back involving the City of Sacramento, where a Council Member had provided his or her opinion about the project, before it actually went to the City Council. The project was challenged on that basis that he was biased. The court said, you know what, he is biased because he had already provided his view on the project. In an abundance of caution, and Commissioner Gomez wants to do what's in the best interest of the City, to avoid any exposure of litigation on that basis, she has agreed to recuse herself from the drawing, if she is selected. With that I think that we will move forward with the drawing of straws.

COMMISSIONER CHICO — We have just two victims?

ADMINISTRATIVE SECRETARY AGUILA — Just for the record, Chair Tapia selected the shortest straw.

CHAIR TAPIA — How are you Mr. Burrola?

VICE-CHAIR BURROLA — Hanging in there. Can you hear me?

CHAIR TAPIA — Yes.

VICE-CHAIR BURROLA — I just want to apologize. I am feeling sick. I have a cough and slight fever. I did not want to be there with you guys and spread it all, so I decided to stay home. I didn't want to drag this meeting out any longer than it needs to be.

CHAIR TAPIA — Thank you sir. Okay at this time Staff. Staff will have the presentation at this time, followed by the developer.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — Thank you Chair and Commission, the request before you tonight from the applicant, Mark Gabay, Five Points LLC, is a request for a General Plan Amendment to change a designation from a portion of a property located at 5175 Vincent Avenue from residential to Industrial/Business Park and a Site Plan and Design Review (DA) for the construction of a 545,735 square-foot concrete tilt-up building. The site is zoned M-2 (Heavy Manufacturing), and the General Plan designation is Industrial/Business Park. A little bit of the background and the history of this site is that mining of the 26-acre site began in the 1930's and was completed in the 1970's. The City acquired the northern portion of the pit in the late 1980's, from LA County. Then the City began backfilling the site with a variety of construction materials and inert materials. In 2007, Windrow Earth Transport was awarded the contract to perform remediation of the site. On November 6, 2008, the Planning Commission approved a CUP and adopted a Mitigated Negative

Declaration (MND), for the remediation and filling of the former Manning Pit. In 2009, the Planning Commission approved modification, to modify the hours of operation of the filling. Operations began approximately in May 2010, and were completed in April of 2019. In December 2013 the City, Windrow Earth Transport, and the Developer entered into an Exclusive Negotiating Agreement (ENA) that stated that the subject property was to be developed to include light industrial and/or commercial development. On October 28, 2015, the City and the developer, Five Points, entered into an agreement for the purchase, sale and development of the property. This PowerPoint just shows the existing site that has been filled. As I mentioned this application includes a General Plan Amendment, there is a portion of the site that is towards the east side, approximately just under 7-acres, but still on a General Plan map had it identified as residential. We believe that was a map error due to the type of technology that we had at the time, when they were designating the site and separating the 10-acres that is off of Allen from the subject property at 5175 Vincent. So the project description is proposed for the construction of a single building 545,735 square-foot concrete tilt-up, with associated passenger vehicle and truck parking. The building consists of approximately 10,000 square feet of office. 5,000 square feet on the ground floor, and 5,000 square feet on the mezzanine. There was a Community Meeting that was held on August of 2018.The Planning Division hosted the meeting over at the Irwindale Community Center. The purpose of the meeting was to provide an opportunity to review and comment on the proposal, ask questions and review the process. The meeting was well attended and several areas of concern were identified. There was also a Tribal Consultation that was held in December of 2018, with the representatives for the Kizh Nation. Originally, the project was looked at via CEQA, with a Mitigated Negative Declaration, and it was determined after some of the comments had come in, after the Community Meeting and after public notification of the meeting that an Environmental Impact Report would be prepared. So a Scoping Meeting was held in February of 2020, to gather information for the scope of the environmental document to be prepared. An additional public outreach was provided. This was a non-City sponsored community event that was held on July 15, 2021 at Family Christian Church. This was a Community Meeting that was hosted by the applicant. Also, the applicant's team distributed approximately 1,500 flyers to nearby Irwindale and County of Los Angeles neighborhoods, and followed up with door-to-door direct contact. The project also includes a Site Plan and Design Review this is a single building concept that you see. The development standards for this in the M-2 zone: the front yard setback minimum requirement is 20 feet, what is being proposed is a set back from Vincent between 167 feet to 205 feet. side yard setback in the M-2 is zero, the applicant is proposing between 75 feet and 93 feet. A rear yard setback has no minimum requirement in the M-2 zone, the applicant is proposing 155 feet to 196 feet setback. The building height in the M-2 zone: there is

not a maximum building height, the applicant is proposing a 51 foot maximum height of the building. The proposed project has been looked at with the desired design elements with the Commercial and Industrial Design Guidelines that include incorporating towers at the end of the building as focal points, breaking up the expansive exterior walls with architectural projections, and details around the windows including arches. There are arched parapets and a multi-color palette that are in compliance with the Commercial and Industrial Design Guidelines. On the top of the screen, this is showing the east elevation and what you will see from Vincent that is showing the trailer screening. The east elevation without the screen wall is showing on the lower portion. For landscaping a minimum of 10 percent is required per the Municipal Code, and 10 percent is being provided. The landscaping includes a combination of parking lot shade trees, shrubs, and groundcover. There is a proposed overhead trellis to act as an architectural feature, which also supports vertical landscaping and provides additional visual screening of the trailer court. So access and circulation to the site are provided via two driveways, on the north side of the site and along the south side. Parking for the property: the project requires 183 stalls and what is being proposed is 199 standard sized stalls. There is also parking that is being provided for bicycles. There are 18 bicycle parking stalls and space for 181 trailer stalls. The current Irwindale Municipal Code does not have a minimum stall size for trailers; however, the proposed stalls measure 10’-0 x 53’-0 which is adequate for trailer parking. One of the alternatives that was looked at, instead of a single building, was a three building concept that you see here. The three building concept, it does not have as great building buffers between the property line, but it does exceed the minimum requirements for the Irwindale Municipal Code. The applicant would like the single building concept, but they have provided information on the three building concept. The elevation would remain the same with tower features that would be on each end of the building. It would include the arches, some of the other detailing, and the color palette. As part of this I mentioned that per CEQA, the environmental analysis was done, so as part of staff’s presentation we have the environmental consultant, Steve McMurtry from De Novo, who is here as part of Staff presentation. He will go into the detail of the CEQA analysis.

STEVE MCMURTRY My name is Steve McMurtry. I live in 3590 Falkirk Way, El Dorado Hills. I am Steve McMurtry, I am a Principal Analyst with De Novo Planning Group. I was one on primary authors/managers of the Environmental Impact Report. I have just a few slides I wanted to take you through. Starting with a little bit about CEQA, just to start with a background with that CEQA is, and what an EIR is. Then we will jump into a little bit of the process. Then I wanted to wrap it up with the discussion of the Findings of Facts and the Statement Overriding Considerations. What those are, what they mean, and why they are presented to you? So starting here. What is CEQA? At its core, it is a public process. When the legislators wrote the law, the intent was to try

to foster an inner agency coordination process. At the time, it was more the cities and counties, who were making a decision on their own, and this law brought in other agencies and it also enhanced public participation. It created a process to bring the public into the overall process, for decision makers to consider. It is a requirement to disclose twenty-one environmental topics. We analyzed the topics and disclosed what the impacts are relative to that topic, if a project were to be developed. Also at its core, through the analysis to try to prevent environmental damage. This is done in a couple of different ways. First and foremost we develop mitigation measures. The intent of the Mitigation Measure is to try and avoid an impact, if possible or to try and minimize an impact, if it is feasible. Also to try to minimize environmental damage, you develop alternatives to a project. It is a requirement to reduce an environmental impact of at least one environmental topic, through any alternatives that are considered. Lastly, the intent is to disclose reasons for approving a project with significant environmental impacts. If you take a project, you've disclosed that there is environmental impacts and ultimately you approved that project, you need to do two things. You have to adopt the Findings of Facts and you also need to make Statement of Overriding Considerations. I will go into detail a little bit more of each of those two topics, on some later slides here. Jumping into an EIR. An EIR is an informational document, its lot of information much more substantial than a Mitigated Negative Declaration. The intent is to take a lot of technical studies, to bring it into one document, synthesize it in sorts of layman's terms, and disclose that to the public and also to decision makers. What an EIR is not, it is not intended to be persuasive to deny a project, or to get a project approved. It is truly a neutral document. So again it is not for or against a project, it is just there to disclose the facts for decision makers to consider. The context of an EIR, it starts with a project description. Each chapter, each environmental topic is going to have a setting, which is sort of your baseline conditions that exist, at this point in time. There is also a regulatory setting, this is a summary of all of the rules and laws at the state, federal, and local levels that apply to a certain environmental topic. Then you jump into the actual analysis, the impact analysis. Within that analysis, also you need to consider cumulative topics. What would the impacts be if a project were approved, when you consider all other projects that are either already developed or approved and not yet developed? Lastly, it includes an alternatives analysis. Which I mentioned is a way, to try to mitigate environmental impacts, if feasible. Jumping into the Environmental Review Process, the original decision was to prepare a Mitigated Negative Declaration and this type of decision is pretty common based on some statutes that are refer to as deferring statutes. There are a variety of statutes within the CEQA guidelines. 15183 is one that allows projects that are consistent with the General Plan for which an EIR is certified, to be exempt from further environmental review that has already been disclosed in that certified General Plan EIR. The caveat is, in certain circumstances

there are nuances to that project that were not known at the time of the original EIR certification. The CEQA guidelines requires you to analyze those special circumstances or those circumstances that were not known at that time, and disclose those facts to the public. That is disclosed through a variety of environmental documents. Mitigated Negative Declaration is the most common, it can be through supplemental or subsequent Environmental Impact Reports. The deferring statutes apply to all the cities, and it is pretty common to move forward with projects, if you make that determination that the project is consistent, with the General Plan as long as the General Plan EIR is certified. That decision was made early on. The Mitigated Negative Declaration went out for a thirty day public review period, and during that period we received feedback from both the public and also from public agencies. The interest was that, this project really required more detailed level of analysis in the EIR. Regardless of whether there is significant unavoidable impacts, or there is triggers and warrants for an EIR. The idea was to do a more detail level of analysis in the EIR. The City staff made the decision to move forward with the EIR. In February of 2020, a Notice of Preparation was prepared and circulated to the public. A Notice of Preparation is a document that you send out to really initiate the EIR process. What it is doing is it lets the whole world know that you are going to prepare an EIR. It also lets the world know what the scope of that EIR is, so what environmental topics are you going to analyze. It is also a step in the process to try to get feedback from the public, to try to help you if you miss something within your scope. If there is something else that should be studied. Part of that is through written comment, and part of that is also through a Scoping Meeting. An in person Scoping Meeting that is held during that 30-day public review period. We held a Scoping Meeting on February 20, 2020, to solicit any feedback relative to the scope and any environmental topics, that we should be analyzing and ultimately we move forward to the preparation of the Draft EIR. After the NOP process, as we were preparing the Draft EIR, we did some inter agencies consultation. We met and had a variety of discussions with the local Air Quality Management District, and also with the Attorney General's Office. We had multiple meetings. They were most interested in air quality topics. The Air District wanted to review the models, the modeling data, the inputs, and assumptions that we made in both the Health Risk Assessment, which is a dispersion model and also the CalEEMod, which is what you use to analyze criteria pollutant. They reviewed that and ultimately bedded and approved that use of the model that we included within the Environmental Impact Report. The Attorney General's Office was also very concerned with having diesel particulates, which come out of semi-trucks, so close to some of the neighboring residences. They looked at ways you can revise the designs, which ultimately led to the three building alternative. The three building alternative, the purpose of it, was to take the diesel trucks that would be idling and using the bays on the outside, which is closest to Vincent Ave and the residents and move them to the inside, so that

they were sort of buffered from the actual building. It created a large separation, and also there is a level of abatement in the dispersion of air emissions, if you concentrated them in the middle of the site. That alternative was developed through recommendations from the Attorney General's Office. Ultimately, we use what received from the NOP process, the Scoping Meeting, and the inter agencies consultation process. We develop the Environmental Impact Report. As I mentioned before, there is a variety of technical studies that are included in those. The most notable; air quality, noise, and traffic studies that were prepared. Those were included as an appendix, but they also have their own chapter, within the EIR that really synthesizes all of the modeling data and sort of the technical information into the EIR chapter. That document was finalized and ultimately published with a Notice of Availability. That document is letting the whole world know what we prepared in this EIR. You have the opportunity to review it and provide comments. There is a 45 day public review period for people to comment on. During that period we received 11 comment letters. After the public review period is over, we break down each individual comment within the letter and we prepare a detailed response. We acknowledge what the comment is, in certain cases you point them to certain pages in the EIR where a topic was analyzed. In some cases a question or a comment that they made calls for an edit to the text of the Draft EIR. That edit is made in the form of an errata. An errata is sort of a consolidated document that takes the text that is being revised. It shows it in a track-changed form, so underlined text for anything that is added, a strikethrough text for anything that is being deleted. All of that is in the final EIR. The last component of the final EIR is Mitigation Monitoring and Recording Program. What this is, it takes all of the Mitigation Measures from the Draft EIR, and also any edits that were made and reflected in the errata, and consolidates it into a single document. That document, the purpose of it is ultimately if the project were to be approved, to use that document as the project use to develop. So it identifies the timing, when that Mitigation Measure needs to be implemented, and who is responsible for doing the Mitigation Measure. Also monitoring that the Mitigation Measure was actually performed. That is the Final EIR. The last part is the Findings of Fact and the Statement of Overriding Considerations, which I'll discuss here on the following slide. Findings of Fact, they're defined in 15090, and there is a series of CEQA guidelines in sort of in chronology. You'll see changing one digit at the end there that takes you through the Findings of Fact and the Statement of Overriding Considerations. 15090 requires an EIR to be certified before project approval. The subsequent statute 15091, requires findings to be made for each identified significant impact, so each topic that is analyzed. There are three findings that can be made. First and foremost, changes or alterations have been required in or incorporated into such project, which avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. Such changes or alterations are within the responsibilities and jurisdiction of another

public agency, and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted, by such other agency. Lastly, and this really ties in to the Statement of Overriding Considerations, is a specific economic, legal, social, technological, or other considerations including provision of employment opportunities for highly trained workers, make infeasible the Mitigation Measures or project alternatives identified in the Environmental Impact Report. Those are the Findings of Fact. Statement of Overriding Considerations under 15092, allows the lead agency to make a decision of whether or how to approve or carry out a project, after considering the Findings of Fact. It says that the agency may approve a project, with significant and unavoidable environmental effects, if there are specific economic, legal, social, technological, or other considerations that outweigh those significant environmental effects. CEQA guidelines 15093, requires the lead agency to document and substantiate any such determination, in the Statement of Overriding Considerations as part of the record. Where we are going with this is, there was one topic that we identified, concluded that there was a significant and unavoidable environmental impact. I am going to go with a little bit of more detail on that, why we made that determination. A little bit of background on that conclusion. It was under air quality impacts. It is important to know that all the other environmental topics that were analyzed in the EIR, were determined to be less than significant or they were reduced to an insignificant level with the implementation of the Mitigation Measures. Jumping into air quality. We concluded under four environmental questions that there were significant unavoidable impacts. The first impact 3.2-1 the proposed project has the potential to conflict with or abstract implementations of an air quality plan. 3.2-2 the proposed project operation has the potential to expose sensitive receptors to substantial pollutant concentrations, or result in a cumulatively considerable net increase of any criteria of pollutant for which the project region is in nonattainment, under applicable federal or state ambient air quality standards. Impact 3.2-5 the proposed project has the potential to cause substantial adverse effects on human beings either, directly or indirectly. The last one, impact 4.2, which is cumulative impact on the region's air quality. It is important to dive into that a little bit more, and why we came up with that conclusion. When we ran the air quality model, based on the project as proposed, also including some Mitigation Measures that were recommended by the Attorney General's Office, the local Air Quality Management District, and the California Air Resources Board, we found that the nitrogen dioxide thresholds were exceeded. There were a variety of Mitigation Measures that are incorporated in, but the model told us that the nitrogen dioxide emissions exceeded the thresholds that were established by the local Air Quality Management District. A couple of things that are really important to note, the local Air Quality Management District has approved a regulation called the Omnibus regulation. What this does is it requires engines, the NO_x the nitrogen

dioxide emissions coming out of engines, to be cut by 75 percent below the current standards by 2024. That is not happening in engines yet, but it is anticipated in two and a half years that, that Omnibus regulation will go in effect. That reduction alone is going to bring the total emissions to below the threshold. On top of that the Omnibus regulation extends to 2027. By 2027 there is a 90 percent below current stands reduction. So the rule, in also in addition to those NO_x reductions it also places nine additional regulatory requirements on new heavy duty trucks and engines, so semi-trucks. The reason I bring that up is that the existing of this regulation, and that it is going to happen in the existing foreseeable future, might lead you to a conclusion that it is really not a significant and unavoidable impact. It is less than significant when you adopt both the Mitigation Measures and regulations that are sort of going to reduce the emissions to below the threshold. What we did is we took a very conservative approach in this conclusion. What we said is that the City is not in charge of this regulation, it is not operational yet. There is no indications that it won't become operational or go into effect, and actually reduce the emission but the City does not control that. Because it is not guaranteed by the City, we concluded that the facts did not fully support the insignificant conclusion, that there would be an argument that somebody could make, that it is not guaranteed and that the conclusions should be significant and unavoidable. Our final conclusion, a very conservative conclusion was that it would be a significant and unavoidable impact. I know that it is debatable on which way the ultimate conclusion could go, but we felt that it was important to disclose to the public that it was not a guarantee by the City and the City did not control that. So the air quality Statement of Overriding Considerations, as a mentioned in 15093, there is a requirement for the City to adopt Statement of Overriding Considerations any time that they approve a project that has significant and unavoidable impacts. What it does is it asks the City's decision makers a question. It is, does the City find that detrimental environmental air quality effects are outweighed and counter balanced by the economic, legal, social, technological, or other considerations generated by the project. For each one of those topics, we have identified a bullet point for consideration. Under the land use and zoning consideration, the City established a General Plan land use and zoning, to accommodate the City's needs for growth. This site was designated and zoned for industrial type uses, which are what is proposed. Legal considerations, there is a Purchase of Sales Agreement and a transfer of the property from the City to the applicant with disclosure, the purpose of the use would be industrial or commercial type of uses. Economic considerations, project land uses are intended to generate jobs and tax revenue. Project increase, the project would increase local jobs that could be served by citizens of Irwindale reducing the number of citizens commuting. The project would generate tax revenue that the City would not otherwise benefit from, if the project was not developed. Social considerations, these are job creating uses, industrial opportunities, and tax benefits that would

be anticipated to improve the overall quality of life in the City of Irwindale. Environmental considerations, environmental detriments have been minimized to the extent feasible through Mitigation Measures. An important consideration is that the air quality environmental detriments that are anticipated, are anticipated to be further reduced by the federal and local regulations, specifically the Omnibus regulation which is a 75 percent reduction of NO_x by 2024. Which would actually reduce the impact to an insignificant level, really deeming Statement of Overriding Considerations even a moot point. But as I mentioned we made that conservative finding. With that said, I will turn it back to Marilyn.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON

Thank you, Steve. So again the project requires a General Plan Amendment and a Site Plan and Design Review. As far as the Plan Amendment it's to change a designation for a portion of the property. Their prospective use is currently unknown and any of the uses would be looked at with the Irwindale Municipal Code for permitted or conditionally permitted uses. However, there were three uses that have been expressly excluded for this site. That includes fulfillment centers, parcel hubs, and any cold storage. Staff's recommendation would be to adopt Resolution No. 803(21) recommending that the City Council certify the FEIR, adopt the Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program. The other recommendation is to adopt Resolution No. 804(21) recommending that the City Council approve General Plan Amendment No. 02-2017. And finally adopt Resolution No. 805(21) recommending that the City Council approve Site Plan and Design Review No. 04- 2017 subject to the proposed Conditions of Approval for the single or three building alternative. With that if the Planning Commission's direction should be the three building alternative then there are a few additional modifications that would need to be made to the Conditions of Approval to be included. Staff would be prepared to review those with you. With that, that concludes Staff's presentation. We are available for comments and questions. We do have the applicant's representatives here when the Public Hearing opens.

CHAIR TAPIA

I don't have any questions. Thank you for the presentation, thank you for both of the presentations. Is there anyone else that would like to say anything on behalf of the project? You have to come up to the podium.

CITY ATTORNEY GUERRA

Before we move forward I would just like to make sure that Commissioner Burrola did not have any questions, for Staff at this time. Or the consultant.

CHAIR TAPIA

Okay. Commissioner Burrola?

VICE-CHAIR BURROLA: Chair, I do have questions pertaining more to the General Plan. Is this a time to discuss it.

CHAIR TAPIA: It may not be the time to discuss it, but a time to ask for clarification.

VICE-CHAIR BURROLA: Correct. If you bear with me, I have several questions on the General Plan.

CHAIR TAPIA: Okay.

VICE-CHAIR BURROLA: This is more towards, I guess, to the Staff. I just want to start by saying, it seems that we always amend the City's official documents, i.e. the General Plan to accommodate property owner or developments. We should have the developers or the property owner follow our guidelines, more closely. Why does it seem like we are always rushing to develop sites? We should take our time and follow the General Plan accordingly. I am not saying that they didn't, but I am just saying these are the things I found. On page 37 of the General Plan, in the Community Development Plan it states, "The City is committed to the development of a Comprehensive Land Use Plan that will enhance the City's livability and economic base for future generations." Going on to Policy 3, "The City of Irwindale will continue to ensure that the type, location, and intensity of all new development and intensified developments adhere to the requirements that are specified, for their particular land use category and the General Plan. Which brings me to the Zoning Conforming Program on page 39, which states, "The City will continue to review the City's Ordinance and the Subdivision Ordinance of the Municipal Code, to ensure that the development standards are consistent with those identified in this Community Development Element. The City will initiate appropriate changes to the Zoning Map to ensure that it is consistent with the Community Development Element." Going further with Element 17 page 38, "The City of Irwindale will continue to encourage a balance of commercial uses to avoid an over concentration of uses to best serve the residents, employee population, and business community." In fact policy 8 states, "The City of Irwindale will promote and support development of a regional commercial center." What concerns me is that on table 2-1 on page 24, shows that only .25 percent of total land is devoted to commercial major land use. That is a very low number considering other cities. If you look at that table that is concerning. Anyways so, we can change this with all the new mine sites that are being developed and are being filled for future developments including the Manning Pit. Furthermore, the General Plan talks about a Civic Center Specific Plan. I guess this is for Staff. Have we developed this plan? Is this site in question part of this plan because it should be given the future development falls very close to our Civic Center, our Recreation Center, our Parks, and our future housing. I suggest we slow down and we refer back to the General Plan a little closer, and look more closely at the Zoning Conformity Program, the Community

Development Projects 17 and 8, Civic Center, and Specific Plan. That's all I have right now.

CHAIR TAPIA — Any explanation or anything from Staff?

VICE-CHAIR BURROLA — There is no explanation at this time that is needed.

CHAIR TAPIA — That is just your comment?

VICE-CHAIR BURROLA — Correct.

CHAIR TAPIA — Okay, if there is no further comments we are going to open up the Public Hearing at this time. We will take a five minute recess at this time.

RECESS — Chair Tapia recessed the meeting at 7:44 p.m.

RECONVENED — Chair Tapia reconvened the meeting at 7:51 p.m.

CHAIR TAPIA — Okay, we will reconvene at this time. The meeting is now back in order. At this point in time we will open up the Public Hearing. State your name and address for the record please.

OPEN PUBLIC HEARING — At 7:52 p.m., Chair Tapia opened the Public Hearing.

SARAH WITHERS — Thank you Chair and Commissioners, my name is Sarah Magana Withers and address is 9034 Sunset, West Hollywood. Thank you for giving us the opportunity to come before you today. It has been a long road. We have been very, very committed to the City of Irwindale. We are a family owned company. We have been in business over 40 years and this is a long term holding for us. As you know we have been here for a long time. Many of you may have been familiar with Brett MacDonald, our former Project Manager, unfortunately he unexpectedly passed away earlier this year, so I have taken over this project and I will see it through the end. Let me go ahead and proceed, I have a few comments. For over fifteen years, the City of Irwindale has work on backfilling and transforming the 35-acre former Manning Pit into a clean compatible use. Many legal and financial challenges have been overcome through the City's partnership with our company, who helped the City backfill the former Manning Pit, paid millions of dollars to settle lawsuits against the City, and provided 10-acres of the property to the City for its future use and development. Recently the City Council requested their Staff to prepare a report, for their Council consideration, to review and discuss the designated uses of the City owned 10-acres. It is important to understand the City's long-term partnership and agreement with Five Points for the development of this

25-acre light industrial uses. This has been going on since 2005. We stepped in, in approximately 2013, right after the Redevelopment Agencies were dissolved by the State of California. In 2013, the City went out and appraised the site. The experts estimated a potential lead contamination on the property, which would amount anywhere from 11 to 19 million dollars.

CHAIR TAPIA I need to interrupt you for just a second?

SARAH WITHERS Yes sir.

CHAIR TAPIA I want to tell this to the public, who can raise their hands. She is not limited to three minutes because she is disclosing. She is letting you know the history of the company, and what they have done in order to prepare for this presentation. This is a presentation but it is based on the open Public Hearing. Just in case you are wondering why is she taking so long. This is the reason why.

SARAH WITHERS Thank you sir. As I mentioned right after the 19 million dollar appraisal for the cleanup of the property, we stepped in. In 2013, Waste Management also sued the City accusing the City of violating its own schedule for the filling of the former Manning Pit in the City. That same year the City approved an Exclusive Negotiation Agreement with our company Five Points and Windrow Earth Transport. Five Points assumed financial and environmental risk for the Manning Pit, for mitigation and reclamation. That is something that is very important. Basically, the City was off the hook at that point. In October 2015, the City approved the Purchase Sale and Development Agreement, to sell the Manning Pit to Five Points, establishing the community benefits of the blight removal, requiring the reservation of 10-acres to the City, and stating that the future project shall be light industrial and/or commercial in nature, with aesthetic enhancements. In 2017 our company, Five Points, paid 2.1 million dollars to help the City settle with Waste Management and applied to the City for development of light industrial. In 2019, the California Attorney General requested an EIR which delayed the project. We went ahead and we agreed to the EIR, to make sure that we crossed all the t's and dotted all the i's. In 2021, the site is ready to remove the blight for light industrial development. If we move forward, or actually when we move forward with this project with your approval, the 25 acres will be developed into either three buildings or the one building. We obviously prefer the one building. We feel that with the significant set backs on the property, which is four times larger than what will be provided for the setbacks on the other three. We feel that it would be more conducive. When we did our community outreach, the community was very much in support of having those setbacks. With the three and the way the code is written, it is only required to have twenty feet. With the one building proposal it's over a 125 feet set back, so it is very significant. During construction we project that there will be over 500 temporary

construction jobs, and between 250 and 500 permanent local jobs. That is not meaning that it will be directly here but there are impacts throughout the community. The most important thing is that we have been a partner for many years. We have listened to the community. We want to continue to be very transparent. We want to make ourselves available. This is something that is a long term holding for us. We are community stakeholders, we are not going anywhere. The other very important matter to remember is that we designed the project that is by right, that is per the code. The mapping error that was presented earlier, that is something that is within the City to be able to clean up at this time. If you have any questions we are here. We will remain available at any time for you. Thank you very much.

CHAIR TAPIA For the people in the audience who will be raising their hands and you heard the presentation. You will also be given a chance to ask questions, when we start with the audience. I want to thank you for that. That will make it less complicated.

SARAH WITHERS Thank you sir. We also have Matt Hinks our Project Attorney here to answer any questions. Thank you.

MATTHEW HINKS Hey, good evening I am Matthew Hanks, 1900 Avenue of the Stars, Los Angeles, CA. I just wanted to highlight a couple of things. To make the Commission aware of the posture of which this project comes before the Commission. This is somewhat of an unusual posture for a project to come before you. This is not a typical applicant driven development project. You've heard reference to the Purchase and Sale Agreement and the contracts between the City and Five Points. I just wanted to highlight the Purchase and Sale Agreement, some aspects of the Agreement. I wrote you a letter a couple of weeks ago discussing the Purchase and Sale Agreement. I hope you had an opportunity to read it. I hope you had an opportunity to flip through the Purchase and Sale Agreement. There is a few highlights that I wanted to bring to your attention in the Agreement. There is a property that my client, Five Points, has paid over three million dollars to the City in order to purchase. It was purchased and sold for the specific purpose of developing a commercial or light industrial development on the site. Which is exactly the project that you have before you. The Agreement quite clearly provides that the site shall be developed with light and/or commercial uses. The City represented and warranted in the Agreement that a light industrial project is consistent with the General Plan and consistent with the Zoning Ordinance. The Agreement further provides that the City has already approved the conceptual plans and scope of development upon which this project is based. This is a commitment that the City has already made to this project. A commitment that my client has made to the City as well, in the form of millions of dollars in terms of purchase of the property, in terms of cleanup of the site and in terms of assisting the City in certain legal obligations. What's before you here tonight? There is a Site Plan

Review that is before you. There is a Design Review. What I would submit to you that the use of the project for an industrial development like this, is not really before you tonight. That is something that the City Council has already passed on, in the Purchase of Sale Agreement. In terms of the General Plan Amendment as Staff has already pointed out, that was just a mapping error. I know that there were questions about whether or not this project was consistent with the General Plan. As I pointed out the City has already represented, warranted that it is. The only reason why we are here asking for a General Plan amendment is because of a simple mapping error. It was always the intent, as I understand it, maybe Staff can help explain that a little better, but the intent was that the project site was always intended industrial. This is a project that is consistent with the General Plan. It is consistent with the Zoning Ordinance. It is something that my client has already invested in. In reliance upon the obligations that the City made to the project. I am also here to answer any questions.

CHAIR TAPIA — Thank you. I have a question for our Staff. I want to make sure I understand this. I read and I heard two different things tonight about the 10-acres. One was that it was granted to us. The other one before we purchased it. I like to know what the standing is on the 10-acres.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — The 10-acres was part of the Manning Pit, the entire site, and at the time, I believe, when the filling and remediation came about that at the same time in 2008 when we were doing the General Plan and the Housing Element, we identified the 10-acres that is off of Allen Street to be identified as residential. At the same time they were filling the entire Manning pit and they were also filling the 10-acre side as well. That was the City's portion. My understanding is that the 10-acres was not part of the Sales Agreement for that. It was excluded from the Purchase and Sale Agreement. It was the 26-acres that was sold.

CHAIR TAPIA — The first speaker said that it was granted to us by them.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — They did the filling of that. They did not purchase the entire site. Basically 35-acres was the entire Manning pit.

CHAIR TAPIA — Did they purchase the entire acres?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — I have to look at the details of the PSA, but I believe it was only the 26-acres that was purchased. The agreement included filling the 10-acres for use for residential purposes for the City.

CHAIR TAPIA — In the past it was stated that we sold the 25-acres so that we could make sure we have enough money for the housing, the 10-acres. All I

want to know is who was it purchased by? Was it granted to us by the same people that have the 25-acres now? What is the real story here?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — In October 28, 2015 as the part of the Purchase and Sale Agreement for the sale of the City owned property, of what was called the Manning Pit, one of the criteria was retention by the City of approximately 10-acres of the site. In there it says, “The City will retain approximately 10-acres on the west side of the site for residential and other compatible uses.” With that, I guess we are looking at the site as a whole, the entire Manning Pit.

CHAIR TAPIA — It wasn’t granted to us?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — No.

CHAIR TAPIA — That is what I wanted to clarify. Yes sir.

CITY MANAGER TAM — Chair, members of the Commissions if I may. The City, as Director Simpson explained, we owned the entire site, during the execution of the Purchase and Sales Agreement, we retained the 10-acres of the entire site. We only sold to the developer the remaining, so it is roughly about 26-acres. So we retained the 10-acres.

CHAIR TAPIA — Thank you very much that answers my question. Anyone else? I wish that the speakers that came up we could have had them before I opened up the Public Hearing. That would have probably gone a little smoother, but that is okay. If anyone is there that needs to say anything else, please come up to the podium so that you can be heard. Other than that I am going to open it up to the audience. At this particular time it is open to the audience. For starters, could you please state your concerns and then later you can ask questions. We will open it up again for three minutes so that you can ask the participants that came up, to describe their program and everything. That is the way we are going to proceed tonight. One thing I want to say before we get started, is that all of this processes have a chain of command and so nothing can be approved by our Attorney, our City Manager, or our Planning Department. The Planning Commission can approve to recommend. The final analysis, the final decision, the final approval on anything is at the Councils description. I just want you to keep that in mind during your input. Now it will be open.

ADMINISTRATIVE SECRETARY AGUILA — Thank you Chair, before we open to the public, I would like to address some comments and emails that we have received. We have received the letters and emails for Item 3C and I will address them by name and affiliation only. Copies of the following emails and letters were placed on the dais at the Planning Commission Meeting, held on July 21,

2021, which are as follows. Email received on July 21, 2021 by Jimmy Elrod and affiliation with Southwest Regional Council of Carpenters. Letter received on July 19, 2021 by Matthew D. Hinks in affiliation with Jeffer, Mangels, Butler & Mitchell LLP. Letter received on July 19, 2021 by the pastor in affiliation with Family Christian Church – Covina. Email received in July 21, 2021 by Peter Hidalgo in affiliation with Irwindale Charter Communications. The following copies of the emails and letters received during or after July 21, 2021 have been placed in the dais tonight, which are the following. Voicemail by Los Angeles County resident Ed Curran on July 21, 2021. Email received on July 21, 2021 by Josh Bourgeois in affiliation with Golden State Environmental Justice Alliance. Letter received on August 3, 2021 by Josh Bourgeois in affiliation with Golden State Environmental Justice Alliance and SWAPE. Two emails received on July 21, 2021 by Ruth and Manny Salcedo, residents of the City of Covina. Petition received on July 21, 2021 by City of Irwindale resident Robert Diaz. Letter received on August 9, 2021 by City of Irwindale resident Robert Diaz. During tonight's meeting we have also received two other comments. The first comment was send via chat on Zoom from Richard Burns that states, "I would like to see the building to start and help people get back on their feet, as this pandemic is making it hard for families to find work at a living wage. The second comment that we have received is via email by James Trencamp that reads, "One, we are facing a future of climate change in greenhouse gases. Second, this monster that you are building will be sitting here for the next 50 years or more. Third, place a couple of gates on the Irwindale side so that 2,000 to 2,500 Irwindale workers can walk to work instead of having to drive around, and cause more traffic problems. Fourth, the airflow in each building and office is going to need the exchange three times an hour or more to prevent this current virus and others that are going to come. This will protect all the workers. Lastly, the attached pages are from two years ago with other questions that need to be answered. We are still waiting on those answers." The pictures that Mr. James Trencamp provided were letters received by the Planning Department two years ago, that are included in the Final EIR. Those are all the comments and email that we have received since the last meeting until now. Now we will open the Public Hearing to the public. The first individual that I will be unmuting will be Carmen Roman. And once again just for the record Megan Zepeda has donated her time, so Ms. Roman has a total of six minutes to speak. I am so sorry, it just switched on me one second.

CARMEN ROMAN Hello?

ADMINISTRATIVE SECRETARY AGUILA Yes, we can hear you.

CARMEN ROMAN Okay so I have some thought of my own and thoughts that people have gave me, with concerns for this project. In no order, I am just going to read everything I have. I have been in contact with some

environmentalists that are interested in the EIR, land use, and with the safety of the residents around. I am aware that there is a contract. However, I am not aware that the public surrounding this land are being made clearly aware of this project and the negative impact that it has on ourselves, our children, our future family, animals, and environment. We are aware now. That is why we are here. We are here because there is concerns about pollution, air, ground, dust, water, traffic, and diesel. We are erasing our natural view of the environment and mountain. We may very well have. It may have an impact on people's home values in the future, when people try to sell their homes and see this. I like how the gentleman called it, a monster of a building. When they see that and they hear complains about our health and safety, our home values will go down. You say that it was published, well we no longer get like the Times newspaper we would run to the corner to get. I like to know when it is public. I need to know where it is published. You said you had eleven comments, I've gone to most of the meetings held over the years throughout this, and I have left comments; on card, letters and papers. Not once have I received a response from anyone. I figured all of those have been filed in the trash. You talk about millions of dollars paid to the City that sound like backdoor deal as well. Let me rephrase that. It sound like deals were made through staff and these companies over money, and we will take over the debt. But you left us out, the people. We are not willing to live with this pollution. The trucks. The other week I went down Vincent and I was behind 7 trucks, and that was the late afternoon. How many trucks are going to go through here, through our City? You say with the diesel that you can, what back it up to one fence or one part, and we are not going to get it. It goes into the air and what goes up, must come down. Your statistics and numbers don't add up in my book. We have had these 10-acres. I spoke to Mr. Tam about three weeks ago and he assured me that it was still marked for residential. All this granting, giving, taking back, buying that is our land it always has been. Who ever made a mistake that is the most recent mistake for this meeting? Because I have not heard about any mistakes and I've been here for eight to ten years, for just about every meeting. I have never heard about a mistake from Planning, Staff, or anyone else. So I do not believe that. We don't want any more 5G towers. Another thing you said 1,500 flyers went out there is only 1,400 people here. You would have had to give every child, elderly, and baby one. If you are including Covina residents, then you are still just went to the surrounding streets, right around this area. You didn't go up to Nora. We have approximately 400 homes it sounds like you hit 40 Irwindale residents. I don't buy these statistics. You talk about setbacks. I don't recall in any of the meetings, myself, other Irwindale residents, or Covina talking about setbacks. It wasn't a done deal, why would we talk about that. 500 jobs again we only have 1,400 people here. Those are jobs you are going to bring in people, cars, and pollution. There is not 500 people in need of a job surrounding this pit. I can guarantee you that. That 10-acres, the one and only change made by

Government, was that three of those ten acres be condensed homes and seven acres remain the same. That is a bunch of malarkey about an error. I don't believe it and I haven't seen it until tonight. That is the only mistake was bringing that tonight. When you say that meeting was well attended, I attended that meeting over in the community center and I beg to pardon it was not well attended by Irwindale. There were maybe ten people, because it happen to be schedule on our biggest music in the park. Our Pepe Foundation last

ADMINISTRATIVE SECRETARY AGUILA — Your time has ended Ms. Roman.

CARMEN ROMAN — Music in the Park kids give away. So everyone in the City was over there. There were only ten people there. I know you had sandwiches or something. I didn't even take one, I was eating at the park. We were not heavily attended. You were there a lot of business people, there was also some Covina people but not that much.

ADMINISTRATIVE SECRETARY AGUILA — The next individual that I will be unmuting will be Nicole Shahenian.

CARMEN ROMAN — I had more minutes.

ADMINISTRATIVE SECRETARY AGUILA — I am sorry Ms. Roman you only had a total of six minutes.

CARMEN ROMAN — Okay. I requested that you give us a minute warning. You cut us off and we have no idea. That is very rude of whoever that person is.

ADMINISTRATIVE SECRETARY AGUILA — Ms. Shahenian you have now been unmuted.

NICOLE SHAHENIAN — Hey can you hear me?

ADMINISTRATIVE SECRETARY AGUILA — Yes.

NICOLE SHAHENIAN — Good evening Nicole Shahenian, President and CEO of the Irwindale Chamber of Commerce. On behalf of the Irwindale Chamber of Commerce, I am here to support the proposed Five Point development project at 5175 Vincent Avenue. The Chamber respectfully encourages your approval of this project. I congratulate the City and the developer for creating a partnership, and an agreement that has transform this property from a blighted, dusty, contaminated site to a clean ready to build 25.4-acre industrial development, with 10-acres back filled and retain for future use for the City. The Chamber believes this project exemplifies the public/private approach to accomplished shared goals of economic development, job creation, increased property values, beautification, and revenue generation for the City, community, and the

San Gabriel Valley. We need projects like this to boost our post COVID-19 recovery. The partnership between the City and the developer, Five Points, is a model for what cities can do to meet the needs of their residents, businesses, and the community. By collaborating with business and investors, the City is making the right kind of choices to meet the need for housing, jobs, infrastructure, and services. Thank you in advance for the consideration of this important project. We look forward to working with you to aim to promote a robust and driving Irwindale economy. Thank you.

ADMINISTRATIVE SECRETARY AGUILA — The next individual that I will be unmuting does not have a phone number. It looks like he called in. The only thing I am able to see on my end is their direct number so please state your name once you have been unmuted.

ROBERT DIAZ — Hello?

ADMINISTRATIVE SECRETARY AGUILA — Yes, we can hear you.

ROBERT DIAZ — My name is Robert Diaz, 2408 S. Mountain Ave. Irwindale. Honorable Planning Commissioners and Chairperson, thank you for the opportunity. You should have received a petition signed by over 200 Irwindale residents urging you to deny the project, on the grounds that it would have a negative health and safety, noise, and traffic impact upon residents nearby. Also there could still be negative impacts, since no specific use has yet been identified. The petition was circulated by Linda Strobehn, Esther Tapia, and myself. It was presented to you at the last Planning Commission Meeting. I urge you to deny, both the original plan and the alternative multi building plan, for the same reasons stated in the petition. First of all, how could the City of Irwindale consider the project when it does not meet the terms of the contract, between the developer owner and the City of Irwindale? When the City sold the land to the developer owner part of the deal was that the proposal is to be developed for light industrial or commercial use. Exhibit A that you have there. However, the projects both the original single building and the alterative multiple building design are identified as M-2 (Heavy Manufacturing) use, and do not meet the terms of the Agreement. Why then would you allow it? Why aren't we considering light industrial or commercial uses as indicated in the contract? Additional, why doesn't the Environmental Impact Report, the EIR, include any commercial or light industrial options for the site. If the City is to continue to consider the proposal use, the use as indicated in the agenda, then deny the request because it is unhealthy to have a distribution center with 100 or more diesel trucks, within 1,000 feet of residents. The California Air Resources Board, CARB, has made this recommendation that you have in Exhibit B. I have estimated the 40 trucks, using Exhibit C figure from the South Coast Management District, actually there is more than 290 truck trips per

day if you look at the EIR. Clearly you have too many trucks it is a health impact. It should be noted that the nearest residents in sight are at risk individuals, children, and elderly are most impacted by the proposed development. The City has plans to develop the property directly west of the site for residents and possible extend Irwindale Park, where you can expect children to play. Also there are senior citizens that live in the senior housing at Arrow and Ayon. Why impact their health? Deny the project. It should be noted that the contract between Irwindale and the Development owner states that there should be a residential buffer area, separating the residents from the proposed project.

ADMINISTRATIVE SECRETARY AGUILA: Excuse me, Suzanne Gomez has donated three minutes to Robert. I am going to go ahead and restart the timer now.

ROBERT DIAZ: Thank you. The Developer owner proposal proposed the wall and landscaping appeared too small, to be consider a residential buffer area. It is important to note that the noise impact analysis and air quality analysis have omitted some important information, which could have affected their conclusions. As part of the City's housing program, housing is expected to be built directly west of the site in question, perhaps zero feet away from the project. Yet the air quality impact that has been calculated with the idea of the nearest resident, 75 feet away on Vincent Avenue. The noise impact identifies residents on the opposite side of Allen Drive there, therefore noise and air impact pollutions could be greater than calculated. Some measures are unquantifiable, we have that in Exhibit C and F. For example, as to be expected there will be electric power trucks to replace diesel trucks in the future. No one can say in certainty when that can happen. It could take years before diesel trucks are off the road from this site. Let's not be guinea pigs to see if the Mitigation Measures work. In Exhibit D, form the California State Attorney General's Office, has indicated census tract area is negatively impacted by population already, and it is also an area of low income residents. Which we are impacted more severely than other areas. Other concerns is enforcing some of the Mitigation Measures. If diesel trucks go more than fifty minutes, who will monitor them, and who will pay for the monitoring? There should be an economic impact study, to evaluate all the cost of the project. Including the damage to public road ways from heavy truck traffic and the cost to repair them or replace. The EIR concluded that the risk of getting cancer is not so significant. They base their assessment on proposed exposure on toxic pollutants, for a thirty year period instead of the 70 year period used by CARB. Which recommends 1,000 feet separation on the proposed project and residents, Exhibit A. No explanation is given why they used the 30 year exposure period over the 70 year that CARB uses. Also the EIR thinks to compare apples to oranges. They compare the pollution from the site as small, compared to the Los Angeles Region. While the statement may be true it is also misleading, because it doesn't address the health impacts that the

project may cause to nearby resident. That is exhibit I. There are two studies, one that shows that in New England, people over 65 show negative health effects on days where regional air quality was consider healthy. Therefore, regional air quality standards do not necessarily reflect the local negative health impacts.

ADMINISTRATIVE SECRETARY AGUILA — Excuse me, you have been donated an additional three minutes by Theresa Ortiz. They are starting now.

ROBERT DIAZ — Regarding the pollution and noise, certain Mitigation Measures are proposed, such as adding vegetation and walls for it to block out and filter, noise and pollutions. Yet in the entry ways and exits, there will still be unfiltered noise and pollution. In my experience, noise from truck bells and whistles, they are loud. Even hundreds of feet away. A single passing diesel truck is loud from 150 feet from my house. Why bring hundreds and make it worse. As for safety with trailers, using two lanes to complete their right turns from number three, East Ball Lane and Arrow Highway onto the southbound Vincent Avenue right turn lane. They use two lanes to complete the turns, which is not necessarily safe. It doesn't seem safe now, if you add hundreds more a day that is not going to help. And of course you have pedestrians and the bus stop that will be impacted, especially in rush hours. Deny the proposal that are unhealthy, unsafe, noisy, unsafe and negative impacts. I do want to state the experts disagree. It is up to the Council to decide which experts they are going to believe. I believe you should consider the CARB recommendations, and take to heart what they say. Don't put that place within 1,000 feet of residents. Deny it. Thank you very much. I am done.

ADMINISTRATIVE SECRETARY AGUILA — The next individual that I will be unmuting is Jeanette Flores. You have now been unmuted.

JEANETTE FLORES — Good evening, can you hear me?

ADMINISTRATIVE SECRETARY AGUILA — Yes we can hear you.

JEANETTE FLORES — Thank you so much. Good Evening Chair and members of the Planning Commission, thank you for the opportunity to speak this evening. My name is Jeanette Flores I live at 1446 E. Level Street in Covina. I am also a local elected School Board Member in the region, and I strongly support the Five Points project. This project will only spur economic development in the region, which is something that is greatly needed as we address COVID-19 and the economic challenges. Please address this eyesore in the community that not only impacts the region of Irwindale, but also surrounding communities. We need jobs, we need growth, and we need economic vitality again as we face the challenges of economic downturn. Please support this project. Let's fill the hole. Let's ensure that we have addressed this issue and

the life that it brings to the region. I urge your support this evening and I recommend that you please pass the resolutions thank you.

ADMINISTRATIVE SECRETARY AGUILA — Next member of the public that I will now be unmuting is Jessie Loretta. You have now been unmuted. Mr. Loretta you are self-muted.

JESSIE LORETTA — Thank you Commissioner, my name is Jessie. I live in the City of Covina next to the dirt pit at 5175 Vincent. It is time to do something positive and stop the dirt that blows into our neighborhood, and in my home. Develop something that creates work for those that need work, because of the COVID they lost a lot of jobs. About eight years ago this area burned down and it can burn down again. We cannot risk this again. The tax revenue will provide services for us in the local community. I strongly urge you to pass this development. Thank you for your time.

ADMINISTRATIVE SECRETARY AGUILA — The next member of the public that I will be unmuting will be Dena. Just for the record Angelia Villalba has donated three minutes of their time. So Ms. Dena you have a total of six minutes.

DENA ZEPEDA — Thank you Chair for this opportunity. First of all, I am a resident of Irwindale. I have lived here for many years and I have sadly watched many of our residents pass away from cancer. Our small community is very close. We all know each other. We all get along with each other. I mean we don't all get along but we all love each other when it comes down to it. We have too many, too many residents with cancer. With lung cancer, with emphysema, with all this and they don't even smoke, just being here in Irwindale. We have a lot of patients that we can't even identify where the cancer came from. My thing to you guys is, we don't need this. Our lives aren't for sale. We don't want this. I went to every meeting and it was always no, no, no. They never heard us at all. They never gave us the opportunity to sit down and talk, or anything. I agree lets fill it up but let's do a market. That stays open all the time even through COVID. But no, they never sat down with us. They never checked the environment. We have two buildings coming in. We don't even know what the air quality is going to be, until they come in and then they come in. No. I urge you guys to say no, take it back. In 2014, the City agreement and them, light industrial, they purchased the sale of the property. They lied about giving us 10-acres. They lied about sending us letters. They lied about trying to be neighborly. These people that are speaking on behalf of it they don't live here in Irwindale. The wind blows here. We get all the dust. It has been blowing here for a while, and yes we are going to be doing something with it. We don't want to kill our residents just because somebody needs money, or somebody is in a hurry to go do something. I agree with Commissioner Burrola. There is no rush. We need to look at this. We need to look this over before. You are telling us that in three years you'll fix the air and in 14 years it will be okay. No. No. That is not good for me, and I don't like to be threatened with a

lawsuit. I mean come on now. The Attorney General even said the air quality was no good and he had a lot of concerns. There was a lot of concerns there. It is not done. You guys didn't go do what you were supposed to do. You haven't shown me. You haven't shown me anything and I've been there. I have a big mouth and you know I've been there. But you have not answered any of my questions, none at all, or concerns. All you want is the building that you want. You never came, sit down and let's talk. You might have talk to one Councilman, the greedy one, but no. They don't run that. The people run the City now and we are taking our City back, and we are saying no. We are saying, no and you guys are not listing. Not our Commissioners, I am talking about the company, they are not listening, and our Staff. I am very, very upset with my Staff. I am wondering, who do they work for? You go home at night, we stay here. We hired you to work for us. Not for them. Not for them and not for them. For us. Yes, there is a stage of commands. The people run the City, the Council is next, the Commission is next, then comes the Staff. The Staff hasn't been listening to our Commissioners and I am very, very upset about that. Our Commissioners are saying a lot tonight. They have spoken last meeting. They haven't been listen too. We lost a Commissioner for some reason, but no it is not going to happen like that no more. The residents are backing up, no to this project. No. Two million dollars, you are threaten us with two million dollars. What happen to that friendly neighbor you were. All of a sudden because you don't get your way. No let's set down and bring a market in here. We do not want cancer. We do not want to get killed anymore. We don't want to choke. And we do not like your darn building either. It's ugly. No trees no nothing there for us. So I am saying no, and I am sorry I have to be the rude one but you guys came up here trying to turn things around. Twist things around so people can say it sounds good. No it doesn't sound good, to us. We have been saying no from day one. Since 2014, no and you still keep going. Still keep going. Where is the respect? I am going to stop here so any minutes I have left I am going to pass them on to Carmen Roman. Thank you for listening Commissioners, we got your back. We say no. No. No. No. Thank you.

ADMINISTRATIVE SECRETARY AGUILA — The next individual that I will be unmuting is Ted Jimenez. You have now been unmuted.

TED JIMENEZ — How is that? Can you hear me?

ADMINISTRATIVE SECRETARY AGUILA — Yes we can hear you.

TED JIMENEZ — Okay great. Thank you Commissioners for this evening, and this opportunity. My name is Ted Jimenez and I am a representative with the Southwest Carpenters out of Los Angeles. I represent over 34,000 members in Southern California. This is an opportunity for Irwindale to stimulate their local economy, and their surrounding communities. To

help their communities uplift and thrive, after this pandemic. This is not something that is new, it has been going on for fifteen years. The residents, I can hear them making their comments but it sounds like they are not back up or any support. You know this is about jobs, economic recovery. This is about providing for high school students, who are going to be coming out in the near future form local schools in the nearby area, and needing somewhere to go get a job. Somewhere to work. You have to consider the future, the tax revenue, and the City growth. The tax revenue is going to help local economic recoveries and communities, and provide. In front of this 500 temporary construction jobs. People need to work. People need to work and provide for their families and their loved ones. You know they are going to talk about medical issues and possibilities that is like reaching out in the air, saying that something specific like this is creating the problem, but it could actually be the dirt itself that is blowing around. We need to get rid of that hole. Two hundred and fifty to five hundred permanent local jobs, yeah you need them. You are going to need them. There is a lot of people that are going to need work coming up. We are in strong support for your approval. You either keep a dirt hole, or you provide local wealth that helps your local community thrive. We urge you. We urge you with strong support to think about the future of Irwindale, and what it needs. The tax dollars to help build and provide, especially for the ones that are concerned and are having issues tonight. Thank you for your time.

ADMINISTRATIVE SECRETARY AGUILA — I will now be unmuting Ms. Roman. Once again three minutes were donated by Mario Chico to Dena Zepeda. Who Dena Zepeda, donated that time to Ms. Roman and we are adding the additional minute that was left for Dena Zepeda's. So you have a total of four minutes Ms. Roman.

CARMEN ROMAN — Okay, thank you. First of all, I want to know if there is a conflict.

ADMINISTRATIVE SECRETARY AGUILA — Ms. Roman, can you hear me?

CARMEN ROMAN — Hello, can you hear me?

ADMINISTRATIVE SECRETARY AGUILA — Yes, now we can hear.

CARMEN ROMAN — Okay, let's start over. I think there is some confusion here about Staff. Marilyn did a fantastic job in that report for the industry but I did not hear anything about Irwindale's residents or safety. It was all that. Also there was someone from the Chamber that spoke. Is that a conflict of interest? Do any of these industries, supporters, carpenters, anything, do they donate money to the Chamber? If they do I believe that is a conflict. If you can answer that. I go along with Commissioner Burrola, who spoke on behalf of the people, and his concerns. And Chair Tapia,

who spoke about the chain of command. There is too much going on behind the scenes with developers and Staff. They need to bring it to the appropriate places, to Planning, to the Council, and to the people. They are doing whatever they want and then they are saying, “This is what we did.” Now here we are fighting against what has happen behind those doors that we know nothing about. I would really like to know if that is a conflict. Whatever was approved with light industrial, I can’t say it enough, light industrial. Light industrial and light commercial. It was never stated that you were going to have, such heavy industry and diesel trucks in and out, and all this pollution. This gentlemen said consider the future, we are considering our future. The Irwindale future of our descendants to come. Waiting until 2027 so that the pollution will die down to a good level, no. We are polluted with your 5Gs and everything else. We want you to stop. If our Staff needs to go back and do something. Maybe they need to talk to the Council and we need to go through that chain of command, because the residents do not want it. We do not want it here in our backyard. If you want to go put it up in Covina, in LA, or Hollywood wherever you want. You need all those jobs and stuff, go right ahead. I am thinking about our 1,400 residents. We are not a big city and what we have we want to keep. Stop lying about that 10-acres, it is residential and it is ours. Stop trying to change that. We don’t appreciate that. I hope we get time to ask questions later, when you get back because we are not satisfied with all these deals that were made. You can hear it tonight. This is coming from a lot of residents. I appreciate you thinking about us, our lives, and our future. We do not want that pollution, diesel, and dirt killing us. And all that nitro, you know what nitro does? There goes all our oxygen. Thank you, give us a clean life. Change your industry. Okay, I am done.

ADMINISTRATIVE SECRETARY AGUILA — So we have two more additional speakers. The next individual that I will be unmuting will be Johnny. You have now been unmuted.

JOHNNY SANCHEZ — Can you hear me?

ADMINISTRATIVE SECRETARY AGUILA — Yes.

JOHNNY SANCHEZ — Sweet. My name is Johnny Sanchez, I am a stakeholder in the community, and I am for the proposed project of Five Points. I am sick and tired of that site being there, and it is pretty much useless right now. With the times that we have been having, bringing jobs to our local community is going to benefit each and every one of us. Not just individually, let’s say I go and I am either part of the project or I benefit as a worker from the project. It is going to bring revenue to our communities, we’ve been in helping people right now because of the Coronavirus. Rent money for this, everyone is on unemployment, EBT, CRB, and all the other whatever programs that there is. It is all been negative money right now. We need to build our community. We need

to build new revenue. We need to enrich our community and if it's going to take this project that is going to have you know 500 workers just to build that project. That is already an immense amount of money that is going to help our community. If it is also going to bring between 200 to 500 permanent jobs after the project then by all means. I mean, that is all beneficiary to all of us here. I am for the project. Yes, it is unfortunate of people being sick and all of that stuff, but we live in LA. It is a very populated city that is what it is. There is other places we can live. There is other places we can go, where there is less smog. It is cheaper but at the same time you can't have your cake, you have to share it. You can't just have your cake and eat it too. I mean there is going to be pros and cons. We live in LA like I said. Not everyone is going to like what everyone else is doing. This is definitely going to be a positive. It is going to be a positive impact to our community and I am all for it thank you.

ADMINISTRATIVE SECRETARY AGUILA — Mr. Jose Amador, you have now been unmuted.

JOSE AMADOR — Can you hear me?

ADMINISTRATIVE SECRETARY AGUILA — Yes, we can hear you.

JOSE AMADOR — Good evening, my name is Jose Amador, I am a special representative of the Southwest Carpenters Union. We strongly support this project. If the City does not then where will you get the revenue? The community won't get new jobs that is local hire. They may be stuck with nothing but dust and weeds for a very long time, like it already has. It is like that old saying, "You gotta spend money to make money." It takes money to build homes, jobs, and people who live there especially during this pandemic. We need good paying jobs, careers with benefits, especially know more than ever. We have members that live in the City of Irwindale. We build this City. We live in this City. Let's build our City back up like it used to be. Thank you.

ADMINISTRATIVE SECRETARY AGUILA — One additional speaker has raised their hand. There is no name available it is under Zoom user. I will be unmuting them now.
RICHARD — Hello can you hear me?

ADMINISTRATIVE SECRETARY AGUILA — Yes, we can hear you.

RICHARD — Hello my name is Richard thank you very much for everybody's valuable time. A lot of very good topics tonight. I would like to thank everybody for their input. I am for the project to go forward. Taken in effect with everything that has been discussed tonight, if we could find a happy medium with all of the topics. The work that will help everybody, the 500 jobs and then approximately 250 local jobs. Even if

the residents closest to it don't have those jobs, you still have people coming from the surrounding cities getting gas, getting things from the stores, and that money and revenue will focus into the City and help the neighborhoods. That is pretty much all I have to say. I do support the building. Thank you very much.

ADMINISTRATIVE SECRETARY AGUILA — The next speaker is Mr. Frank Rojo. You have now been unmuted.

FRANK ROJO — Good evening my name is Frank Rojo and hearing about everything that has been talk about, there are pros and cons. I graduated from Sierra Vista High School in Baldwin Park so I lived right next door to Irwindale. Now I live in Covina, 530 E. Nubia Street. As a kid I drove by there many years riding, my bike and seeing that hole there for who knows, more than 40 years. Rat infestation, you talk about health issues. Talk about Coyotes back in the day. That hole needs to get filled. For people to say that the residents values of their homes will go down, Baldwin Park just put up a commercial tilt up right on Los Angeles Street, and it looks really nice. It actually probably brought the value up of those homes on Los Angeles Street. You have another tilt-up coming up, north on Arrow Highway right across the street from there that pertains to probably Azusa. These are getting done and they are getting done with strict regulations that are not going to harm anybody, than your car that you drive every day. I mean if we all went electric that would be the ticket but it is not. These trucks that everybody is talking about so negatively, they need to go through strict regulations and Highway Patrol are always checking those trucks, especially on the onramps on Irwindale, Live Oak, and Los Angeles Street. I am for this development. Let's cover this hole up. Let's give the residents of Covina and Irwindale some jobs for these kids that are coming out of school. That are going to be going to school and coming out they have no direction of what to do, and at least they would have something to look forward to. I am for this. Let's move on forward. Let's stop kicking the can and let's get it over with. Thank you.

ADMINISTRATIVE SECRETARY AGUILA — So there are no additional speakers. However, I did receive an email from Trina Olivares stating, "Housing maybe a market but no more pollution and cancer causing elements in our air." That was the end of her email.

CHAIR TAPIA — We will take a five minute recess and then see if anybody else calls in. I will take those and then we will go from there. Okay we are going to be taking a five minute recess here.

RECESS — Chair Tapia recessed the meeting at 8:56 p.m.

RECONVENED — Chair Tapia reconvened the meeting at 9:02 p.m.

ADMINISTRATIVE SECRETARY AGUILA: There are no more additional speakers.

CHAIR TAPIA: Okay.

CITY ATTORNEY GUERRA: Mr. Chair before we close the public comment period we usually have the applicant provide any final comment before we close, for three minutes only.

MATTHEW HINKS: Hey, I am Matthew Hinks again. I will be brief. There were a few concerns raised that I want to address. One of those was a comment that there hasn't been a public process for this project. That is not true, there has been a lengthy public process. There was a public process to approve exclusive negotiations in 2013. There was a public process when the Purchase of Sale Agreement was approved in 2015. There has been a public process for these project entitlements. There was a Draft EIR that was circulated for public comment. The Final EIR that was circulated as well. There has been a lengthy public process. And again in terms of the Public Hearings before City Council, multiple Public Hearing before City Council. So there's been a lengthy public process that has lead us here to today, and that public process continues. There is a comment that this project is inconsistent with the Purchase of Sales Agreement because the contention was that this project is proposing heavy industrial M-2 uses. Well that is not true. That is not true either, that is inaccurate. The zoning for this property is M-2 (Heavy Industrial) but the anticipated uses of this project are light industrial type uses, cleaner type uses, more like the M-1 zone. The current zoning by right permits heavy industrial, M-2 type uses, but this project proposes clearer, light industrial uses consistent to the Purchase and Sale Agreement. There is a lot of comments about environmental concern and I understand that, but when you study these things in an EIR, Mr. McMurtry talked about that EIR and all the studies that were done. The conclusions that were reached based upon the science, show that almost all of the impacts of this project are mitigated to less significant levels. There was only one impact that they found to be significant and unavoidable, and that was the NO_x impact. And even then Mr. McMurtry point out that there are regulations that are in the works that will go in affect by 2024. That will even reduce that impact to less than significant levels. This is not a heavy industrial dirty type project. This is a cleaner project than what current zoning allows by right. Some of the more heavy industrial uses are actually taken out of this project by the project description and conditions of approval would actually limit this project.

ADMINISTRATIVE SECRETARY AGUILA: 10 seconds.

CHAIR TAPIA At this time I will close the Public hearing and open it up to Commissioners Comments to approve or deny. Mr. Burrola are you still with us?

CLOSE PUBLIC HEARING There being no speakers, Chair Tapia closed the Public Hearing at 9:06 p.m.

VICE-CHAIR BURROLA Yes, I am here.

CHAIR TAPIA Right now is our time.

VICE-CHAIR BURROLA I move to disapprove this development.

CHAIR TAPIA You move to deny? I didn't get that.

VICE-CHAIR BURROLA Deny, correct.

CHAIR TAPIA There was one finding, the air quality that was a Statement of Overriding Considerations so you have to come up with a finding that will support your motion.

VICE-CHAIR BURROLA Okay. I deny for that particular reason for the air quality stated in the EIR. They talked about. I am not sure there is two resolutions here. One changing the zoning from residential to, I believe M-2.

CHAIR TAPIA Well if you deny the EIR that kind of puts an end to any other decisions.

VICE-CHAIR BURROLA Okay.

COMMISSIONER HARTMAN I have no comments.

CHAIR TAPIA Okay, I really honestly enjoyed the presentations and all of the professionalism. I know that a lot of the comments were based on that there was going to be a lot of jobs. But one gentleman stated that the jobs are going to be for people that are highly trained. When I hear that jobs are going to be for people that are highly trained, it means that you have to come in with qualifications to the job. I guess that is the way all jobs work, unless its jobs that start at ground level. That has not been mention, no training jobs. I don't know of the residents who are here, who qualifies and who doesn't. The age limits, what ages are predominantly hired. Are they going to need truck drivers or are they already going to be established? Are there going to be Unions or not? If you have a Union, you don't have a prayer unless you are in the

Union. All of those are things that are out there and unaccountable for. This walk through the park, you walk home and you will be right next door. I don't know how many people are going to measure up to that, or be qualified, or have that convenience. That could be across the street also in the Vincent area but I just wrote a little something here. Minus accountability, today's Mitigation Measures less than significant and otherwise could be tomorrow's issues. Whether they were mitigated today. Whether they were insignificant. Whether they are less than significant. At this point there is no accountability nor a monitoring program, to ensure that the EIR reported findings of the mitigation will, continue to be as mitigated as reported. I could not support the Overriding Consideration thus forfeiting air quality. The air we breathe is God given. Genesis 27 states, "The lord formed men out of the ground and breathed into his nostrils. The breath of life and man become a living being," there is too much pollution in general in the Valley as it is. There are thousands of people that suffer from a number of pulmonary health issues. COVID attacks lungs and brings on pulmonary problems that were never there to begin with. Residents in the surrounding areas do not want to wake up or go to sleep hearing backup alarms of forklifts and trucks 24/7, including Saturdays, Sundays, and possible holidays. All the traffic noise and back up alarms are a nuisance. That is what they are. I live on Central Street and I can hear the backup alarm of the dog food place across the street from Arrow Highway, at night. I can hear the backup alarm. I can hear the mill grinding the dog food. I cannot personally approve this EIR as accepted there are no perks or promises than can be regarded more important than the health and wellbeing of mankind. I refer back to my previous comments and move also to deny the EIR, based on the compromises of the Statement of Overriding Considerations. I second the motion to deny the EIR under the same air quality that says that it cannot be. It is there. We know that it is there but that the overriding considerations are more important. I am sorry to say, that they may be more important to some people but they are not more important to the residents of Irwindale. Mr. Burrola did you make a motion. Mr. Burrola? Commissioner Burrola?

VICE-CHAIR BURROLA — Excuse me, I had it on mute. I believe I did make a motion to deny, based on the EIR and the air quality in the EIR.

CHAIR TAPIA — Okay, and I second it. Roll Call.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — No, Chair Tapia if I may. Just for clarification before a vote is taken on this. The finding for denial is based on the air quality and that the CEQA analysis is insufficient or is it based on the Statement of Overriding Conditions that the benefits do not outweigh?

CHAIR TAPIA — Both.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: So what was insufficient in the analysis of CEQA for air quality?

CHAIR TAPIA: Well it stated right there.

VICE-CHAIR BURROLA: It cannot be mitigated.

COMMISSIONER HARTMAN: One thing is the substantial and unavoidable not being over limit which won't be correct for another three years.

CHAIR TAPIA: That is an unknown. We do not know that for sure.

COMMISSIONER HARTMAN: Three years of 75 percent more than what it should be in three years.

CHAIR TAPIA: I personally studied the mountains for the last two weeks. You could not see the mountains in the morning until about one or two in the afternoon for two weeks. Then the air came through and I guess pushed whatever was there out. I don't know. There is too many variables and I want more than anything I want the life, the value of life, to really be consider. To know that people matter. I know that is not the business end, but like they said, things can be taken back to the drawing board. I don't know but this decision is obviously going to be appeal to the Council. And what is it 30 days? 20 days? What is the time frame that you can appeal to the Council?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Thank you Chair, so what we will be doing is this: You are making a recommendation to the City Council to deny this project. We will be bringing back a recommendation of denial to the Planning Commission as quickly as possible. The next regularly scheduled meeting is on the 18th. So I don't think that we will be able to make it, so it is going to be in September. After that it will go to the next available City Council meeting.

CHAIR TAPIA: But the time frame to appeal.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: It is not an appeal.

CITY ATTORNEY GUERRA: Because the Commission is only making a recommendation. There is no appeal, it automatically goes to the City Council meeting.

CHAIR TAPIA: No but once we get the negative declaration back.

CITY ATTORNEY GUERRA — The whole thing is a recommendation.

CHAIR TAPIA — Right but what is the time period? There is no time period?

CITY ATTORNEY GUERRA — There is no set time period when you are making a recommendation to approve or deny. It goes to the City Council.

CHAIR TAPIA — No, I know that. That is not what I am saying. After it is all said and done next month. What is the time frame to take it to the Council? For the applicant to take it to the Council. We denied it but they can appeal it.

CITY ATTORNEY GUERRA — You're not denying anything you are not approving anything. You are recommending approval or you are recommending denial. That recommendation does to City Council regardless of what you recommend.

CHAIR TAPIA — Okay.

CITY ATTORNEY GUERRA — There is no appeal.

CHAIR TAPIA — Back in the day I know there was a period of time that's why.

CITY ATTORNEY GUERRA — If there were an appeal then yes there is a certain period of time that they have.

CHAIR TAPIA — Okay. I am clear with it now. Thank you sir. Can we go ahead and vote now?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — I think that you made it clear what the finding is. The recommendation of denial is based on the Statement of Overriding Considerations that the benefits do not outweigh the significant and unavoidable impact of the NO_x being over the limit.

CHAIR TAPIA — That is clear we don't need any more clarification.

VICE-CHAIR BURROLA — Yeah that is correct. It is CEQA findings page 11 and 12 if you want to be specific.

CHAIR TAPIA — Go ahead and read it.

VICE-CHAIR BURROLA — It states, "Although the mitigation of the proposed project would not generate significant consideration pollutants nearby since the resented proposed project is expected to exceed the SCAQMD max threshold for operation max as modeled."

CHAIR TAPIA Okay thank you. Would you mind making that motion again please? Mr. Burrola.

VICE-CHAIR BURROLA Motion to deny based on proposed project is expected to exceed the SCAQMD max threshold for operation max as modeled.

CHAIR TAPIA And we already clarified it to staff and I second. Roll Call.

CITY ATTORNEY GUERRA Before we vote. I would just have the maker of the motion to state, "Direct Staff to bring back a resolution of denial based on the direction provided to Director Simpson regarding the CEQA findings and also the Statement of Overriding Consideration.

VICE-CHAIR BURROLA I agree.

CHAIR TAPIA Second to the statement made. Roll Call.

ADMINISTRATIVE SECRETARY AGUILA Commissioner Hartman.

COMMISSIONER HARTMAN Yes.

ADMINISTRATIVE SECRETARY AGUILA Vice-Chair Burrola.

VICE-CHAIR BURROLA Yes.

ADMINISTRATIVE SECRETARY AGUILA Tapia.

CHAIR TAPIA Yes.

ADMINISTRATIVE SECRETARY AGUILA Thank you.

CHAIR TAPIA At this time the Commission meeting is going to be adjourned.

ADJOURNMENT There being no further business to conduct, the meeting was adjourned at 9:22 p.m.

_____
Suzanne E. Gomez, Planning Commission Chair

Attest:

_____
Jesus Hernandez, Administrative Secretary

The Irwindale **PLANNING COMMISSION** met in regular session at the above time and place.

CHAIR TAPIA — This meeting of September 15th is now called to order. Stacy Gonzalez and that was David Barbosa's step daughter, Margaret Tapia my first cousin's wife, and Oliva Grijalva, I need to say a little bit about her.

ADMINISTRATIVE SECRETARY AGUILA — Excuse me I believe your mic is muted.

CHAIR TAPIA — Oliva Grijalva and my first cousin Sammy Grijalva, they were instrumental in giving us, my generation as teenagers, we were the first generation when this City started as far as summer youth programs and going to various places, entertainment places, and stuff. At the time there was no seatbelt rules. We used to pile up on the back of a big truck and there we go, wherever we want Pacific Ocean Park, Long Beach, you name it. We were all in the back. We also had a girl's baseball team and a boy's baseball team, and they were instrumental in taking us, supervising us, taking the responsibility for all that, and they helped us be teenagers. You Know? And so that was Oliva and her husband Sammy. Margaret Tapia is also my first cousin's wife, Mario Tapia, who worked here in the City for many years, he retired already but he worked here all his life. Obviously we were close. My Dad, Arthur F. Tapia, was his uncle so obviously his dad was my uncle. So we have a close relationship and his wife was in dialysis, and you know, she lost the battel to dialysis. Stacy Gonzalez unfortunately was a victim of the COVID and did not make it. May their souls rest in peace and we will adjourn this meeting in their name. As we proceed with this meeting could you please raise for the pledge of allegiance and stay on your feet for innovation please.

PLEDGE OF ALLEGIANCE — I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

INVOCATION COMMISSIONER CORPIS — God we pray for our land, for our nation, for our state, for our city. We ask for protection and healing for our residents, and all those in service. We pray this. Amen.

CHAIR TAPIA — Roll call.

ROLL CALL: Present: Commissioners Robert E. Hartman; Susan Gomez; Richard Chico; Vice-Chair Enoch Burrola; Chair Arthur R. Tapia

Also present: Adrian Guerra, City Attorney; Marilyn Simpson, Community Development Director; Brandi Jones, Senior Planner; Lisa Chou, Associate Planner; Berlyn Aguila, Administrative Secretary; Jesus Hernandez, Office Specialist.

ANNOUNCEMENTS

CHAIR TAPIA Do we have any announcements?

ADMINISTRATIVE SECRETARY AGUILA There are no announcements for tonight, thank you.

SPONTANEOUS COMMUNICATIONS

CHAIR TAPIA Now we go to Spontaneous Communication. This is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits any Commission discussion or action as such communications unless 1, the Commission by majority finds that a catastrophe or emergency exists. Number 2, the Commission by at least four votes, finds the matter in need for action thereon arose within the last five days. Since Commission cannot accept as stated, it is requested that such communication can be made in writing, as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she, must proceed tonight then each speaker will be limited to three minutes, unless such time limits are extended. So at this time Spontaneous Communications is open to the public, or any one in here so could you please raise your hand if you wish to participate in Spontaneous Communication. Thank you.

ADMINISTRATIVE SECRETARY AGUILA Chair, we do have one member of the public who has raised their hand. Their name is Bill Quisenberry. I will go ahead and unmute them.

CHAIR TAPIA Go ahead sir.

BILL QUISENBERRY Good evening Commissioners and staff. My name is Bill Quisenberry. I am a member of LIUNA, Laborers' International Union of North America, and I am in support of the 5175 Vincent Avenue Project. This Project will create many jobs for residents in the local community. The construction jobs will be good paying jobs and include

CHAIR TAPIA Excuse me sir, when we get to the Consent Calendar what is when this when this will be present, and that will be the time for you to give some input. Okay, because it is in the Consent Calendar and unless it is not on the Consent Calendar then that proteins to Spontaneous Communication. Since it is on the Consent Calendar it will be before you in a couple of minutes.

BILL QUISENBERRY Very well I thought maybe it would be on the

CHAIR TAPIA Thank you. Anyone else?

ADMINISTRATIVE SECRETARY AGUILA We have no other hands raised.

CHAIR TAPIA Okay. At this point in time we will close Spontaneous Communication and we will continue with Item Number, 1 Consent Calendar

CONSENT CALENDAR

CHAIR TAPIA The Consent Calendar contains matters of routine business and it is to be approved with one motion unless a member of the Commission request separate action on a specific item. At this time, members of the audience may asked to be heard regarding items on the Consent Calendar. Today the Consent Calendar includes approval of the Minutes of February 2nd and the Regular Meeting held May 19th, 2021. I thought this isn't on the Consent Calendar then.

CITY ATTORNEY GUERRA Mr. Chair, there are two items on the Consent Calendar. One is the Minutes and the second one regards the 5175 Vincent Avenue. So both are on the Consent Calendar.

CHAIR TAPIA Okay so that is May the 19th? I thought it was.

CITY ATTORNEY GUERRA Well there is two sets of Minutes.

CHAIR TAPIA I thought it was August the 9th.

ADMINISTRATIVE SECRETARY AGUILA No August the 9th Minutes have not been prepared just yet. The only Minutes for tonight are for February 3rd and May 19th.

CHAIR TAPIA So what does May 19th portray to?

CITY ATTORNEY GUERRA The Minutes of that meeting.

CHAIR TAPIA Cause we did not talk about the Vincent Project until the 9th.

CITY ATTORNEY GUERRA That is separate from the Vincent Project.

CHAIR TAPIA What does May the 19th portray to?

ADMINISTRATIVE SECRETARY AGUILA The Minutes were included in your packet.

CHAIR TAPIA Pardon?

ADMINISTRATIVE SECRETARY AGUILA The Minutes for May 19th were included in your packet.

CHAIR TAPIA Okay, could you enlighten me on what it is?

ADMINISTRATIVE SECRETARY AGUILA: Give me one minute please.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: The May 19th, 2021 Minutes, the item that was before you was the Conditional Use Permit Number 03-2021 and a Zone Variance Number 01-2021 for Hidden Strength Gym. That was the item that was on that

CHAIR TAPIA: What is that?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: That was the item that was on the May 19th Agenda. So these are the Minutes from

CHAIR TAPIA: But what was that again? Please, I did not hear you.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: It was Conditional Use Permit Number 03-2021 and Zone Variance Number 01-2021 Hidden Strength Gym.

CHAIR TAPIA: Oh the Gym.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yes.

CHAIR TAPIA: Oh okay. So I am going to have to back up here. I am sorry sir, I thought that the Vincent Project was on this Agenda.

CITY ATTORNEY GUERRA: Mr. Chair?

CHAIR TAPIA: Yes?

ADMINISTRATIVE SECRETARY AGUILA: It actually is under Item A under the Consent Calendar those are the Minutes of the Meeting of February and May, I believe. But Item B relates to the Vincent Project.

CHAIR TAPIA: Oh, I see what you are saying. Okay.

CITY ATTORNEY GUERRA: So what I would recommend to the Commission, because we had some conflicts of interest on the Vincent Project, is we address both Consent Calendar Items separately. First we all vote on the Minutes and then after that we have the two Commissioners that had a public conflict step out, then we can vote on the Vincent project.

CHAIR TAPIA Oh, okay. I kind of got mix up here because I thought it would have been 3, instead of Item B. Minutes A and if it is in the Minutes on recommendation of approval, it is not identifying something that we have done before. That is what through me off. Now I will be careful to make sure that I understand it next time. Anyway, if there is any one in the audience that wishes to have any input on the approval of the Minutes or anything that was on the Minutes on February 3rd, 2021 or May 19th, 2021, please raise your hand to be recognized. If no hands are showing we will move on to approval or disapproval. If anyone in the Commission has anything they like to add or delete from the Minutes, otherwise.

COMMISSIONER CHICO Motion to approve the Minutes of February 3rd, 2021 as presented.

COMMISSIONER HARTMAN Second.

CHAIR TAPIA Roll Call.

ADMINISTRATIVE SECRETARY AGUILA Thank you, Commissioner Hartman.

COMMISSIONER HARTMAN Yes.

ADMINISTRATIVE SECRETARY AGUILA Commissioner Gomez.

COMMISSIONER GOMEZ I will be abstaining I wasn't on the Commission at that time.

ADMINISTRATIVE SECRETARY AGUILA Commissioner Chico.

COMMISIONER CHICO Yes.

ADMINISTRATIVE SECRETARY AGUILA Vice-Chair Burrola.

VICE-CHAIR BURROLA Yes.

ADMINISTRATIVE SECRETARY AGUILA Chair Tapia.

CHAIR TAPIA Yes.

ADMINISTRATIVE SECRETARY AGUILA: Thank you.

CHAIR TAPIA: Okay, I need an explanation here because usually on the Consent Calendar it is one motion, and today it is not one motion. Could you please explain that to me, on Item B?

CITY ATTORNEY GUERRA: We have conflicts of interest where the Commissioners are required to recuse themselves from the decision. In the abundance of caution I am recommending that they leave the room for the discussion, because we are going to have a speaker and I understand that there is an email included. In the abundance of caution I am recommending that they leave the room for the item.

CHAIR TAPIA: So whoever got the short end of the stick needs to leave for now. That would be Commissioner Gomez and Commissioner Chico.

COMMISIONER CHICO: We haven't approved the Minutes of May 19th.

CHAIR TAPIA: Well we approved both of them.

VICE-CHAIR BURROLA: No, we approved one.

CHAIR TAPIA: Wait a minute, isn't it one motion whether it is approved or disapproved? That's the way it was always done.

VICE-CHAIR BURROLA: It could have been.

ADMINISTRATIVE SECRETARY AGUILA: Yes, the way the way that it was motion by Commissioner Chico and second by Commissioner Hartman were to approve both Minutes.

COMMISIONER CHICO: No they weren't. I clearly said February the third.

VICE-CHAIR BURROLA: We need a second motion for the other Minutes.

ADMINISTRATIVE SECRETARY AGUILA: Okay.

VICE-CHAIR BURROLA: So I motion to approve the Regular Meeting held on May 19th, 2021.

COMMISIONER CHICO: Second.

CHAIR TAPIA: Role call.

ADMINISTRATIVE SECRETARY AGUILA: Commissioner Hartman.

COMMISSIONER HARTMAN: Yes.

ADMINISTRATIVE SECRETARY AGUILA: Commissioner Gomez.

COMMISSIONER GOMEZ: Abstain.

ADMINISTRATIVE SECRETARY AGUILA: Commissioner Chico.

COMMISIONER CHICO: Yes.

ADMINISTRATIVE SECRETARY AGUILA: Vice-Chair Burrola.

VICE-CHAIR BURROLA: Yes.

ADMINISTRATIVE SECRETARY AGUILA: Chair Tapia.

CHAIR TAPIA: Yes. Okay counselor, can you?

CITY ATTORNEY GUERRA: I think the two Commissioners have heard and they are going to be leaving the room. Then we will have a few speakers and then a vote.

Commissioner Gomez and Commissioner Chico recused themselves and left the room at 6:48 p.m.

CHAIR TAPIA: Okay moving on to Item B on the Consent Calendar and now the audience can participate. The General Plan Amendment Number 02-2017; Site Plan and Design Review (DA) Number 04-2017 Mark Gabay, Five Points. Well does that include the EIR? General Plan Amendment, I don't see anything here about the EIR that we negated. That was the whole issue.

CITY ATTORNEY GUERRA: Mr. Chair on page five on the Agenda, on the very top paragraph, there is the resolution for recommendation of denial of the CEQA doctrine.

CHAIR TAPIA Right but this statement on Item B does not state that. It says General Plan Amendment. What does that mean? General Plan Amendment Site Plan and Design Review that does not have anything to do with the EIR? That is what we did not approve, the EIR. The General Plan Amendment was just like the domino effect of us not approving the EIR. I do not know why the EIR is not on here.

CITY ATTORNEY GUERRA It is, that is just the heading of the entitlements that are being presented to the Council, but if you look on page five each of the resolutions that are to be active upon include a recommendation of denial of the CEQA document, which required before any action on the entitlements then you have the General Plan and Site Plan and Design Review.

CHAIR TAPIA Okay, so this statement is attached to A, B, and C then.

CITY ATTORNEY GUERRA That is correct.

CHAIR TAPIA I understand now. Okay, so Item B General Plan Amendment Number 02-2017; Site Plan and Design Review (DA) Number 04-2017. Okay, so staff.

CITY ATTORNEY GUERRA There is no Staff Report, it is on Consent Calendar so the only thing we are going to have is communications from the public before we take a vote.

CHAIR TAPIA Oh okay, first of all we are going to open it up to the public. If you have any input now is the time to raise your hand and give us your input.

ADMINISTRATIVE SECRETARY AGUILA Thank you Chair. I will begin with reading the two emails received tonight, and then I will open to those who have raised their hands. The first email received tonight is from Richard Leserio, he states, “Good evening Chair, Commissioners, and Staff thank you for the work you do to support the community. I would like to express my support for the concrete tilt-up building and associated parking for the property located on 5175 Vincent Avenue, Irwindale California 91706. This project will bring will paid jobs with benefits that will assist our community during the COVID-19 Pandemic. I am thanking you in advance for your support for this project. Thank you Richard Leserio.” The second email received tonight was from Alex Zamora, “Good Evening Honorable Chair, Vice Chair, Commissioners, and Staff my name is Alex Zamora and I am a very proud member of LIUNA, the Labor’s Internarial Union of North America. I am in full support of this project moving forward. Projects just like the one proposed have been the lifeblood of the construction trade unions throughout this pandemic. Giving many of our existing members more opportunities to catch up in jobs that have been sheltered or shut down. Giving new and potential members the opportunity for a new lifeline to provide for their families. Also I truly

believe that good responsible developers like five points, partnered with responsible and highly trade workers is a win, win for the great City of Irwindale. Again, I am in full support of this project and I hope we can go to work in building something beautiful for the City of Irwindale very soon. Thank you so much for your time. God Bless, Alex Zamora."

ADMINISTRATIVE SECRETARY AGUILA — Now I will be opening it to the members of the public who have raised their hands. I will now be unmuting Bill Quisenberry.

BILL QUISENBERRY — Good evening Commissioners and staff, as I stated a little earlier my name is Bill Quisenberry member of LIUNA, Labor's International Union of North America. I too am in support of the 5175 North Vincent Avenue Project. The project will create many jobs for residents in the local community. The construction jobs will be good paying jobs that include fringe benefits like full cover family medical, a deifying benefit pension, and even a vacation check. The project if approved also means that the paychecks earn constructing the project will be spent here locally, rather than be spent elsewhere for a not having a contractor with their outside labor brought in. Also the contractors that employee local union members and who have partnered with responsible developers like Mark Gabay, Five Points, they understand that a skill trained workforce means productivity and safety are optimize. That will likely happen if this project gets approved. This project will also met another opportunity for some of our twenty-seven hundred active apprentices, to accumulate on the job training hours that is required of them to complete the program and become full flesh journey workers. In construction much like many other industry sectors, training a workforce for tomorrow is a constant undertaking. Any worthwhile project proposal that is approved means more experience gain for our construction professionals, who will be tasked to build our future surrounding infrastructure as well. Lastly, it has been reported the air quality in the region will be compromised if this project is built. I believe that after reading between the lines that the social and economic benefits outweigh these cumulative regional environmental effects, so that both our membership and the residents of Irwindale would overall benefit from the approval of this project. So these reasons and many others why this is a good project and I ask that you approve the project tonight. Thank you for letting me speak.

CHAIR TAPIA — Thank you sir.

ADMINISTRATIVE SECRETARY AGUILA — The next individual that I will be unmuting is Ernesto Pantoja. You have now been unmuted.

ERNESTO PANTOJA — Good evening honorable chair and commissioners, my name is Ernesto Pantoja I am here on behalf of Sergio Rascon, Business Manager for Laborers Local 300. We are the local for LIUNA that covers this area. I have spoken before this body many times before,

and I am interested to know why this estimable body had chosen not to make this an actionable item before the Planning Commission. I grew up in the City of San Fernando, which is not to different from the City of Irwindale. The Planning Commission plays such a vital role in a community, especially such a small community as Irwindale. As ours did in the City of San Fernando, with trying to educate residents as to pretty much life altering projects that are going to be going on in their cities. It just confuses us why this project was automatically put on contest straight to Council and not brought forward, not brought before the public for questions and answers, and you know obviously the ability to kind of change the project based on normal protocols. The projects normally go through the Planning Commission, as they play such a vital role in developing in cities, especially the City of Irwindale. We are in support of this project it is going to create a lot of jobs, a lot of jobs for veterans, a lot of jobs for formally incarcerated, a lot of jobs for your local residents that would be coming into our craft that would be building a lifelong career. I was just a little confuse as to why the Planning Commission shows to forgo the typical process but we do support this project. Thank you.

ADMINISTRATIVE SECRETARY AGUILA — The next member of the project that I will be unmuting is Jose Garcia.

JOSE GARCIA — Good evening chair and Planning Commission, can you hear me?

ADMINISTRATIVE SECRETARY AGUILA — Yes, we can hear you.

JOSE GARCIA — My name is Jose Garcia and a proud member of LIUNA for the past thirty three years. For those years my family and thousands of other families have depended on boards such as the planning commission, to pass projects that are brought before them and get them approve so that jobs in our community are available for our citizens. I am in full support of the project at 5175 Vincent Avenue and believe you should be as well. Due to this economic blow COVID brought to our community and has brought so much devastation to many families in our community, we are in no position in turning down any project at this time of recovery in our community. We have a great developer that is willing to pay good wages with benefits, and provide hundreds of jobs for our community that are very needed. Please reconsider and support and pass the project at 5175 Vincent Avenue and keep our community thriving. Thank you for allowing me the time to speak, good night.

ADMINISTRATIVE SECRETARY AGUILA — We have no more speakers.

CHAIR TAPIA Commissioners wish to speak? I have a few questions here. Number one I would like to kind of direct maybe staff to begin with the reason the R1 zone and that type of thing was not identify, could not be identify. I did not know why, it just slip my mind for a while there. The Manning brothers, which I was maybe twelve or eleven years old. I used to go to the Manning brothers with my little wagon and pick up sand, sweep the scales, and whatever a ten, eleven, twelve year old would do. I would not get no money for it and I really did not care, because it was fun and I enjoyed it. I brought the rock and sand home. The older brother, his name was Dutch Manning. I cannot remember the brother in between because it was three brothers, because he was more less the liaison. He was out there hustling. Then other brother was Dewy Manning. Dutch Manning, he had a house off of Vincent Street right where the pit is. Right where the road way is. He had a house there. It was a fun house. I had the privilege of going over there and having breakfast with him, with Dutch Manning and his wife. It was a house that had you know the farm and the whole bit horse, cow, chickens, whatever. At that time it was not a city. It was county. I do not know if we looked into the county to see what there was. To see if it reflected anything but for sure Dutch Manning lived there, in the house. Big two story house, Victorian type house with a farm on it. Me personally, I believed that is why it was zoned R1 and A1 because that is basically that Irwindale was zoned A1. That is just a little tid bit there. "To change the General Plan designation a portion of the subject property to residential to industrial business and park for the construction of the new," okay so that is part of what I am saying. We as a City could not find why that was deemed R1 or A1 and I believe that is the reason why. The Manning brothers employed many employees plus maybe close to ten people here from Irwindale. Anyway I just thought that I would throw that in so maybe staff can look into it. This is on exhibit A item, I guess two it says, "The Subject Property is currently zoned M-2." The subject property, which to me includes twenty-six it does not refer to the part that has not been amended yet. I would like to know if that is what this means because that is not what I read. "The Subject Property is currently zoned M-2 (Heavy Manufacturing). Hereinafter in this Resolution, the subject Site Plan and Design Review shall be referred to as the Application," I want to know does this include the extra acres. I think it was

CITY ATTORNEY GUERRA This only applies to 5175 Vincent Avenue in that statement.

CHAIR TAPIA So this does not apply to residence okay.

CITY ATTORNEY GUERRA It applies to that property.

CHAIR TAPIA Okay thank you. On page six, the first paragraph it says, “These documents, along with any documents submitted to the decision-makers, including all documents specified under applicable State law shall comprise the entire record of proceedings for any claims under CEQA.” I like to know specifically what that means, the decision-makers.

CITY ATTORNEY GUERRA That means any Commission and eventually the City Council, when it goes to the City Council.

CHAIR TAPIA Okay, thank you. That is Item A, okay. August the 9th when we have this meeting there was also a report from the IPCC, Intergovernmental Panel on Climate Change. The IPCC experts say, “Strong and sustained reduction in emissions of carbon dioxide (CO2) and other greenhouse gases could quickly make the air, and in twenty to thirty years global temperature could stabilize. The report prepared by two hundred and thirty-four scientist from different countries say that the human influence, has warmed the climate at a rate that is unprecedented in at least the last two thousand years. Methane emissions, greenhouse gas emissions, aerosol pollutions. In 2019, atmospheric CO2 concentrations were higher than at any time in the last two million years. Concentration of methane and nitrous oxide were higher than any time in the last eight-hundred thousand years. Greenhouse gases, carbon dioxide, methane, nitrous oxide, fluorinated gasses, fossil fuel, combustion and industrial processes are out of control,” and you can find this information on the internet.

CITY ATTORNEY GUERRA Mr. Chair I apologize for interrupting but I just want to remind the Commission procedurally where we are. The Commission heard staff’s report, the presentation by the applicant, had a Public Hearing, closed the Public Hearing, deliberated on the matter, and voted on the matter to deny the project. The only thing that is before the Commission tonight is the Commission approving the resolutions that reflect that recommendation of denial. That is really all that is before us. If the Commission wants to get into further discussion then there would have to be a motion for reconsideration to bring it back. As far as staff is and I am understanding the Commission already directed us to present resolutions for a recommendation of denial.

CHAIR TAPIA I understand but this is for understanding as to why we made that decision. The public has stated why they would like us to continue. They have stated that there is going to be many jobs that because of our decision we are basically taking jobs away. If they are able to express why they wish, even though we have denied it and we know that we have, why can’t I as a Commissioner confirm why we made the decision that we made? I will stop there, I had more to say but I will stop my comments at this time. But you know, the public was allowed to express their opinions again. They were allowed the first time and

they are allowed again the second time, so that is the point that I would like to make. Anyway I already made the point that I wanted to make.

CITY ATTORNEY GUERRA — Just so procedurally you understand, the reason people were allowed to speak tonight was because of the Brown Act. They are allowed to speak on any item that is on the agenda. But as a reminder the Public Hearing for the item has been closed. That will not be considered as part of the Public Hearing.

CHAIR TAPIA — So we might have to define what the public can say the second time also.

CITY ATTORNEY GUERRA — We can never define that.

CHAIR TAPIA — Okay. Alight so seeing that there is, does anyone else in the Commission want to say anything? No? Okay, then we will move on to the next phase. I guess to vote to deny or approve, if we changed our mind. Can you lead us in that discussion?

CITY ATTORNEY GUERRA — As this is a Consent Calendar item we usually don't read the titles but I will simply note, the motion would be to adopt the three resolutions identified on the agenda Resolution Number 808(21), Resolution Number 809(21), and Resolution Number 810(21).

VICE-CHAIR BURROLA — Motion to approve adopt Resolution Number 808, adopt Resolution Number 809, and adopt Resolution Number 810.

COMMISIONER HARTMAN — Second.

CHAIR TAPIA — Role call.

ADMINISTRATIVE SECRETARY AGUILA — Commissioner Hartman.

COMMISSIONER HARTMAN — Yes.

ADMINISTRATIVE SECRETARY AGUILA — Vice-Chair Burrola.

VICE-CHAIR BURROLA — Yes.

ADMINISTRATIVE SECRETARY AGUILA — Chair Tapia.

CHAIR TAPIA Yes. Okay moving on. New Business there is none.

NEW BUSINESS There were no items.

PUBLIC HEARINGS

ITEM NO. 3A SITE PLAN AND DESIGN REVIEW (DA) NO. 04-2021 AND CONDITIONAL USE PERMIT NO. 05-2021 (PAUL GARRY, PSOMAS, ON BEHALF OF IBY, LLC)

CHAIR TAPIA Item 3, Public Hearings Site Plan and Design Review (DA) No. 04-2021 and Conditional Use Permit No. 05-2021 (Paul Garry, Psomas, on behalf of IBY, LLC) Mr. Chico and um could you please come back in.

Commissioner Gomez and Commissioner Chico return to the dais at 7:14 p.m.

COMMISSIONER CHICO I thought you did not like us anymore.

CHAIR TAPIA Well that is to be debated. Okay staff the presentation.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Thank you, Chair and Commissioners. This item is to be presented by Lisa Chou, our Associate Planner.

ASSOCIATE PLANNER CHOU Good evening honorable chair and members of the Planning Commission, the next item on the agenda is Site Plan and Design Review (DA) No. 04-2021 and Conditional Use Permit No. 05-2021 for 15801 1st Street. The applicant is Paul Garry from PSOMAS, on behalf of the property owner, IBY, LLC. The Applicant is requesting a Site Plan and Design Review for the construction of a Filtration Building and a Conditional Use Permit to allow storage and use of cleaning chemicals for an existing brewery. Irwindale Brew Yard, or IBY, is an existing beverage manufacturing campus that was originally owned by Molson Coors. Miller Brewing Company first opened the Irwindale facility in 1980. After a series of acquisitions, the Irwindale facility ceased production in September 2020. The sale of Molson Coors's Irwindale bewery property to IBY, a subsidiary of Pabst Brewing Company, was completed November 2020. The site is zoned M-2 Heavy Manufacturing and designated in the General Plan as Industrial/Business Park. The project is categorically exempt from CEQA pursuant to Section 15301 (Class 1; Existing Facilities). The subject property is approximately two hundred twenty-six (226) acres, the proposed Filtration Building will abut the existing beverage manufacturing facility and be located within the interior of the existing campus. The proposed addition will house two independent four stage filtration systems as well as two eight thousand gallon tanks, two three hundred gallon tanks of cleaning chemicals, and their associated

equipments. The filtration system will filter malted beer in support of the existing beverage manufacturing facility. The proposed Filtration Building will consolidate accessory equipments and cleaning chemicals without reconfiguring existing equipment and improve the efficiency of facility operations. There is no limit to building height in the M-2 (Heavy Manufacturing) zone. The proposed height of the Filtration Building is approximately forty-four (44) feet, which is shorter than the existing building of approximately sixty-six (66) feet and nearby fermenting tanks measuring sixty-one (61) feet. The minimum required additional parking spaces needed is five (5) spaces and six (6) spaces will be provided. The landscaping requirement has been met through plant materials appropriate to the location, building type, and building scale. There will be twenty-eight thousand (28,000) square feet of drought-tolerant planting to replace the thirteen thousand (13,000) square foot reduction of lawn area due to the proposed addition. The IBY is an existing campus built in 1980 and consists of approximately 983,235 square feet of office, production, and warehouse uses, which have all been constructed in a utilitarian industrial style. Since the campus was built prior to the adoption of the Commercial and Industrial Design Guidelines, the campus was not designed in the desired Spanish mission style. However, all the buildings on campus were built according to development standards for M-2 (Heavy Manufacturing) in terms of height, setback, and landscaping. The IMC allows for an exemption from the Commercial and Industrial Design Guidelines for corporate campuses that are planned, organized, and managed to function as a unified whole with common driveways, common parking, and common landscaping area. Per IMC Subsection 17.70.010(B)(2), any new improvements or new buildings that are less than thirty percent (30%) of the total existing floor area within a corporate campus are exempt from design review, subject to the discretion of the Planning Commission or City Council. The proposed Filtration Building will be one (1%) percent of the total beverage manufacturer facility's floor area. In order for the existing campus to maintain its architectural character, the proposed Filtration building is designed to match the industrial style for consistency. The exemption, as allowed via IMC Subsection 17.070.010(B)(2) will prevent the design of the addition from appearing out of place and detracting from the existing IBY. The Filtration Building will house the cleaning chemicals to support the existing beverage manufacturing facility. Per IMC Subsection 17.80.030(27), the use, sale or storage of any materials classified as toxic or hazardous by either the federal or state government, as a substantial part of the total use shall require a CUP. The Hydrochloric Acid and Caustic Soda Liquid will be stored inside two (2) separate eight thousand (8,000) gallon steel tanks while the Poni Acid is stored in two (2) separate three hundred (300) gallon plastic tanks. All chemicals will be stored in a safe and secure manner that is compliant with Los Angeles County Fire Department regulations. The storage and use of the cleaning chemicals is not expected to generate additional traffic or freight vehicle trips and the Filtration Building will not be visible from off-site views as it is screened

by landscaping. Therefore, the impact of the facility on the surrounding properties is expected to be insignificant. In conclusion, it is recommended that the Planning Commission: Adopt Resolution No. 807(21) recommending that the City Council approve Site Plan and Design Review (DA) No. 04-2021 and Conditional Use Permit No. 05-2021, subject to the proposed Conditions of Approval. That concludes staff's report. Staff and applicants are available for any questions. Thank you.

CHAIR TAPIA — Any questions for staff? Any questions for staff? My questions are just clarifications. I would like to know, what year or how did this facility become a corporate campus. I don't remember, what is the process or procedure, and what entity and what part of our process titles this as a corporate campus? I would like to know when because I do not remember them, Miller, ever coming to us or anybody else. I do not remember them being called a corporate campus. I know that the City of Hope and that the other facilities had paperwork incorporating that. I like to know what the procedure is. Not that I am oppose to it but like I said I just want clarification.

ASSOCIATE PLANNER CHOU — Thank you chair, so the brewery facility was designed as a campus from the get-go, when it was first design and broke ground in 1977 and when it was completed in 1980. It is defined as a campus because they have shared driveways, parking, and landscaping.

CHAIR TAPIA — So that option was already there since 1980, you say? 77? The corporate because I never heard of it until City of Hope came around. Never ever had heard of it. I thought that was incorporated to be an exemption with our Design Guidelines but never before had I ever heard of that.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — Thank you Chair and Commission, so the designation of calling it a campus or a corporate campus, is when you have a large piece of property that has multiple buildings for multiple use. In this case there is offices, there is manufacturing, there is the warehouse, there is the distribution. The designation would be the same thing like the three M building that is off of Peck Road. You know we had that come to the Planning Commission a few years ago, that they were adding some awnings to it and extending some buildings. We considered that as a corporate campus that was exempt from the Design Guidelines. This would be similar to that.

CHAIR TAPIA — Does the Planning Department designate who is going to qualify to be a corporate campus?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: No, It is not necessarily that it has to have a specific designation because there is a corporate campus that is off of Rivergrade, that we do call the Corporate Campus. It was labeled that but this is a campus and it has their headquarters and their offices in there and that is typically what we would call a corporate campus.

CHAIR TAPIA: Okay, Yes.

COMMISSIONER CHICO: Is that a legal term?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: That is a good question, and we have somebody that has some legal experience to answer that.

CITY ATTORNEY GUERRA: The word campus? I do not recall that in our Zoning Code, myself. I would have to look but I do not recall that being a separate definition. I think something you would consider is like a specific plan that kind of governs the use of the site. But I have never heard of campus as a label, a description.

CHAIR TAPIA: Okay so you answered both of my questions here. I have another here. Number four on page twenty-one. No I am sorry hold up a second.

ADMINISTRATIVE SECRETARY AGUILA: Excuse me Commissioner Chico, could you please turn on your mic.

COMMISSIONER CHICO: My mic? I guess I am not close enough.

ADMINISTRATIVE SECRETARY AGUILA: There we go, thank you.

COMMISSIONER CHICO: I did not want you to hear me.

CHAIR TAPIA: Okay so my question is number four on twenty-one. I really don't agree with this paragraph or maybe I am not interrupting it right. But the way it reads it reads this, "the proposed development consistent with applicable City design guidelines and historic design themes, and provides for appropriate exterior building design and appearance consistent and complementary to present and proposed buildings and structures in the vicinity." Okay first of all what is the vicinity? Is it the vicinity within the campus or is it the vicinity around the campus? "Of the subject project while still providing for a variety of designs, forms and treatments." Well I cannot see how it is providing a variety of designs, forms, and treatments so I don't agree. As I read this, as I

interrupt it number four shouldn't be there or it should be worded differently.

CITY ATTORNEY GUERRA — Mr. Chair at this time if you are seeking clarification on what the paragraph means we can definitely provide it. But as a reminder we should not be making any determinations until after the Public Hearing. So if you are asking for clarification I can provide that.

CHAIR TAPIA — Well it is a question. Like I stated in the first place, I am just seeking clarification.

CITY ATTORNEY GUERRA — Okay, very good.

CHAIR TAPIA — I am just seeking clarification it is not a determination that I am opposed or for it. You know? I just want to be clear on what I am going to vote for. You know? That is my position.

ASSOCIATE PLANNER CHOU — Thank you Chair, so number four as you stated is a statement in which have to provide findings to justify the project. The paragraph immediately following number four is the finding that would support the statement.

CHAIR TAPIA — Can you read that please?

ASSOCIATE PLANNER CHOU — The finding?

CHAIR TAPIA — Yeah, can you read how it is supports it?

ASSOCIATE PLANNER CHOU — Yes, "Per IMC Subsection 17.70.010(B)(2), any new improvements or new buildings that are less than thirty percent (30%) of the total existing floor area within a corporate campus are exempt from design review, subject to the discretion of the Planning Commission or City Council. The proposed Filtration Building will be one (1%) percent of the total beverage manufacturer facility's floor area. The IBY is an existing campus built in 1980 and consists of approximately 983,235 square feet of office, production, and warehouse uses, which have all been constructed in a utilitarian industrial style. Since the campus was built prior to the adoption of the Commercial and Industrial Design Guidelines, the campus was not designed in the desired Spanish mission style. The IMC allows for an exemption from the Commercial and Industrial Design Guidelines for corporate campuses Page 21 of 38 that are planned, organized, and managed to function as a unified whole with common driveways, common parking, and common landscaping plan. In order for the existing campus to maintain its architectural character, the proposed Filtration building is designed to match the industrial style for consistency. The exemption, as allowed

via IMC Subsection 17.070.010(B)(2) will prevent the design of the addition from appearing out of place and detracting from the existing IBY."

CHAIR TAPIA — Okay, I still don't agree with it and I will tell you why. It says, to me I know that it might be redundant, but "the proposed development consistent with applicable design guidelines" that does not make sense because this is not consistent with the applicable City Design Guidelines unless it is exempt. The word exempt is not in there. When it is exempt now that would make a little more sense to me, because now you don't have to follow the guidelines, you just have to match what is already there depending on the design that was there to begin with before the Design Guidelines. It says "with applicable City Design Guidelines and historic design themes," it does not fall into that category. "And provides for appropriate exterior building design and appearance consistent and complementary to present and proposed buildings," that is not true. "And structures in the vicinity," again what is the vicinity because there is a structure on the other side of Irwindale Avenue that looks like the Whitehouse, and for sure that does not look anything like it. What is the vicinity? Is it the vicinity within the campus or is it the vicinity that is around here. "Of the subject project while still providing for a variety of designs," it is not providing a variety of designs it is being constructed to match the design that is already there. Again, I am not oppose but I don't agree with it and I can't. I don't agree with that statement. The statement that you read has nothing to do with this. The statement bellow explains to me why it is exempt and the footing and all that. This paragraph number four, I would still like clarification for it. I will wait to get more into it but it makes no sense.

ASSOCIATE PLANNER CHOU — Thank you Chair, the applicant is seeking an exemption from the Design Guidelines and B2 is an exemption that is allowed for campuses, as long as the addition is less than thirty percent.

CHAIR TAPIA — I understand that but what I am referring to is the paragraph that starts with number four, it has no baring with what is after. What is after has barring. I understand that it is exempt but the paragraph in front paints a different picture, period.

CITY ATTORNEY GUERRA — Are you referencing where is says number four, that the proposed development is consistent lalala.

CHAIR TAPIA — Yes.

CITY ATTORNEY GUERRA — Okay, that section is from the Municipal Code.

CHAIR TAPIA — Pardon.

CITY ATTORNEY GUERRA — That section is from the Municipal Code. That is the finding that is set fourth in the Municipal Code that the Commissioner is referring to.

CHAIR TAPIA — Then the Municipal Code needs to be changed.

CITY ATTORNEY GUERRA — I think we are all in agreement there. For now this is the code section that governors this decision.

CHAIR TAPIA — I don't know, the construction has nothing to do with this paragraph here. I know that it is exempt. I know that it does not have to match the Design Guidelines. I am aware of all that but what it says here it doesn't make no sense. Am I allow here? Commissioners, am I alone? Am I tripping or what.

VICE-CHAIR BURROLA — No, I see where you are going with it but can we make a suggestion for a change in how it is stated? The proposed development follows the applicable Design Guidelines and exempts or something in that sorts.

CITY ATTORNEY GUERRA — I think that can be a discussion for a future meeting in terms of what language is in the code. I will further note that the reason that it needs to be changed because we are actually in the process of doing a Zoning Code Update.

CHAIR TAPIA — I don't want to stop the process just because of that.

CITY ATTORNEY GUERRA — I understand, but technically we can't this is the Municipal Section that governs.

VICE-CHAIR BURROLA — What section is it? Is it 17.70.010(B)(2) because you guys did not state the section of the Municipal Code that you guys stated.

CITY ATTORNEY GUERRA — I am not sure.

VICE-CHAIR BURROLA — Maybe you can out that there just to clarify things.

CHAIR TAPIA — How could somebody write that paragraph on something that is exempt? It doesn't have to follow the Design Guidelines. It makes no sense to me. Anybody else have any suggestions, ideas, or.

COMMISSIONER CHICO — I kind of understand, I don't know if you call if confusion, conflict, misunderstanding that the proposed development is consistent and then the second paragraph says that it is exempt. It is because those two are incompatible with one another.

CHAIR TAPIA — As long as we all know that we understand what we are voting for. Like I said again, all I want is clarification. That is all I am asking for. I think you for putting up with me. Okay any other questions for staff?

COMMISSIONER GOMEZ: I have a couple of questions Mr. Chair, I don't know if they are for the staff or if the company should answer it. It is on page eighteen. I wanted to do some clarification on the cleaning of the chemicals. I am not sure if they are going to answer that or?

ASSOCIATE PLANNER CHOU: Commissioner could you repeat your question.

COMMISSIONER GOMEZ: I want to address the cleaning chemicals that they are going to be using at this facility. Is that something you would answer or the owner of the company?

ASSOCIATE PLANNER CHOU: Thank you Commissioner I can answer the basics of it.

COMMISSIONER GOMEZ: When we go to page eighteen, the start of the third paragraph it addresses the different cleaning chemicals. Are they standard? Is it standard? Did Miller Coors also used those as well?

ASSOCIATE PLANNER CHOU: Yes Commissioner.

COMMISSIONER GOMEZ: Also the other question is, I know that we are going to be in compliance with the Los Angeles County Fire Department regulations, how is the waste managed to dispose of excess chemicals after the cleaning process?

ASSOCIATE PLANNER CHOU: I believe that would be better answered by the applicant.

COMMISSIONER GOMEZ: Do you want to do that know or do you want to wait till?

CHAIR TAPIA: I'll call the applicant after, if anybody has other questions for staff. No?

COMMISSIONER HARTMAN: I can answer part of that.

COMMISSIONER GOMEZ: Okay.

COMMISSIONER HARTMAN: I work in the food industry for many, many years and everything has to be neutralized before it is released into the water system. Most food processing companies and beverage companies have a, oh gosh I forgot what they call it, it is a series of separation tanks that get filtered, treated, neutralized, and then released down the drain.

COMMISSIONER GOMEZ: We need to clarify it. Would that be a similar process? And what guidelines is it? Is it standard to test the water before it is released?

COMMISSIONER HARTMAN: It is the LA County Waste Water Management.

COMMISSIONER GOMEZ: Okay and then under that process then, and this is just clarification because in the community even though they are really excited about the brewery they are also concern about pollution lately, under the guidelines when there is a natural disaster, do you have a process for a natural disaster? For safety? More than likely with LA County right and the fire department. Then it also speaks to road off.

CHAIR TAPIA: Could you please direct that to the applicant so they can gave us an answer?

COMMISSIONER GOMEZ: Sure, we can do that. So do you want me to wait until that process?

CHAIR TAPIA: Yes.

COMMISSIONER GOMEZ: Okay no problem.

CHAIR TAPIA: Thank you very much could the applicant step forward please.

VICE-CHAIR BURROLA: Chair, before the applicant goes up this is for staff. So what Susan was saying, I know for this proposed building it is exempt from CEQA but with this new building going in are they going to be following some sort of CEQA requirement that was already in place, for the actual brewing company when it first started? I guess what I am asking is who is going to be making sure all of this is taken care of? Is there going to be inspections? Code Enforcement going to do it? County going to do it? Who is going to be making sure that everything is safe and filtration is being done properly? Since it does not fall under CEQA it is exempt from CEQA.

ASSOCIATE PLANNER CHOU: Thank you Commissioner so the business will be operating according to City guidelines. For hazardous waste and other storage other agencies are responsible. LA County Health will also be, the Health Permit will also be required for the business as part of the Business License that has to be renewed every year. The businesses will stay on top of that.

VICE-CHAIR BURROLA: Does Code Enforcement have any inspections done to these facilities?

ASSOCIATE PLANNER CHOU: Not regular inspections.

VICE-CHAIR BURROLA: Okay so we leave it up to County to do these inspections?

ASSOCIATE PLANNER CHOU: Or the Health Department, yes.

VICE-CHAIR BURROLA: Okay so they let us know what findings they have and they send it to you guys?

ASSOCIATE PLANNER CHOU: Should there be an issue, yes.

COMMISSIONER CHICO: I have a question.

CHAIR TAPIA: Yes sir.

COMMISSIONER CHICO: Question, the Health Department will make periodic inspections on this operation, will they report to the City each and every time there is an inspection? Will they also report to the City any violations that may be uncovered?

ASSOCIATE PLANNER CHOU: They will report to the City any violations and it is up to the business to follow up with the Health Department and the City, to provide the proper documentation.

COMMISSIONER CHICO: Okay, will we get that documentation of the conventional regular schedule inspections?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Thank you Chair and Commission, I think that the applicant can speak in detailed about that. Typically what will happen, is for any food or beverage type businesses, whether it is manufacturing or restaurant the Health Department makes their inspections. There are things that the businesses will have to post those and keep them on file with that. But the County agencies, whether it is State or County, if they find any violations they do notify the City. We get those.

COMMISSIONER CHICO: In the mean time we can go check those records in their office?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Absolutely, yes.

VICE-CHAIR BURROLA: Real quick, is this part of our CUP? Is there some statement in our CUP that governs this requirement inspections and so forth?

ASSOCIATE PLANNER CHOU: It is required as part of their Business License that must be renewed every year, to provide their Health Permit.

VICE-CHAIR BURROLA: Which is part of the CUP? Conditional Use Permit.

ASSOCIATE PLANNER CHOU: It is part of the Business Operation.

COMMISSIONER CHICO: That didn't really answer the question. I understand, the Business License is one thing, the CUP is another.

VICE-CHAIR BURROLA: Can we for that in the CUP? Is that something we can ask for? Or is it typically not put in the CUP as a requirement. I guess it would be under, what would it be under Building and Safety? Not Engineering but maybe Community Development Department.

ASSOCIATE PLANNER CHOU: So thank you Commissioner, within the Conditions of Approval A10 and A11 it states that, "A City Inspector shall have full access to the site to reasonably inspect the site during normal working hours to insure compliance with these conditions and any other codes and the facility and use thereof should be maintained in full compliance with all codes, standards, policies, and regulations impose by the City, County, State, or Federal agencies with jurisdiction over the facility." So that would include the Health Department, yes.

VICE-CHAIR BURROLA: Okay, thank you.

CHAIR TAPIA: To the applicant, just in general, our questions of clarifications we were not the Commissioner that were back here when Millers open. These questions may be repetitive, they may be commonsense, but we have to ask them so that we can consciously and to the best of our ability give you our honest approval and decision. That is the thing, even though Millers is there and you are going to follow the same procedure, but we don't know what the procedure was at that particular time. That's why we need clarification so that we can make the proper decision. Any other questions? Okay then thank you. I would like to

ask counsel, if I can call the applicant now to answer questions or do I open up the Public Hearing.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — Thank you Chair, it would be appropriate to open the Public Hearing and we can have the applicant give a brief presentation.

CHAIR TAPIA — Okay and then once the applicant makes the presentation do I go to the public first or do the Commissioners ask questions first?

CITY ATTORNEY GUERRA — The Commission would hear from the applicant ask them any questions that you have, and at the conclusion of that you can invite the rest of the public to provide comments.

CHAIR TAPIA — Okay, thank you. If there is no further questions, thank you very much for your report and bearing with us. Now we will open up the Public Hearing and we will call the applicant up to make the presentation. Thank you very much.

OPEN PUBLIC HEARING — At 7:53 p.m., Chair Tapia opened the public hearing.

ANITA HERNANDEZ — Good Evening, my name is Anita Hernandez and I am the Corporate Communications Manager for City Brewery. I was also with Miller Coors for twenty-four years. I had a long history here with the City and the Chamber, IEF, and many of the other City functions here. This is definitely home so it is nice to be back. I wanted to just acknowledge in 2020 it wasn't just a horrible year for COVID, but it was also a horrible year for us with the announcement of the closure and all of the uncertainty that we went through. It is very exciting to have Irwindale Brew Yard back here and to start up production. We are hoping for a very long great relationship just like Miller Coors had with you and Molson Coors. I would like to introduce to you our President of Irwindale Brew Yard, and that is Adam Sher and he will be able to answer a lot of the questions that you might have. Thank you again for the opportunity to be here tonight. We really appreciate it.

CHAIR TAPIA — Thank you. State your name and address for the record please.

ADAM SHER — Adam Sher, Los Angeles, California. I want to thank the Commission for hearing this item tonight. We put some complicated stuff in front of you and I appreciate your patience. I specially want to thank the planning staff Marilyn, Brandie, Lisa they all done a lot of hard work and have been great to work with. We are here tonight to support the staff recommendation for approval of the new filtration building and respectfully ask for the Commission's yes vote this evening. As staff and Anita noted, when Miller Coors left they temporarily paused commercial production at the brewery. We want to be clear from the

moment we took over we were performing sustaining functions and gearing up, to make sure we can restart the plant as easily as possible. The handoff I think it was 3 p.m. November 4th and we were there 3:01 November 4th, starting to do our work. On that note, we have been lucky to have many of the Miller Coors employees that were there before come back to work with us. There is a lot of familiarity, comfort, and people that really have some pride in that facility. I want to thank all the men and women who have worked in the brewery, day in and day out to get us here. Returning to tonight's applications, as the staff detailed the filtration building represents just a small, its less than ten thousand square foot in closure next to the existing building. It is in a concrete courtyard. Lisa pointed out it is less than one percent of the existing campus. It will contain equipment that performs the same type of functions that already exists in the brewery today. I understand your concern, when someone here's the word chemicals that's scary. Those chemicals are all in the brewery today cleaning the facility and have been for decades. All we are asking is that we have a tank next to the new filtration system that we want to install. The filtration system is effectively a high efficiency filter removing solids from freshly brew beer that allows us to produce some of the beverage innovations that you are seeing on your supermarket shelves today, the hard seltzers, the hard ice teas. These is where modern consumer tastes are and we want to be able to make them. We can do that in the existing facility but we would have to reconfigure a lot of the equipment that is there now in order to add a proprietary system, which is what this is. City Brewery, which is operating the brewery, does unlike Miller Coors, who produces Miller lite and MGD, they own their beer. City while they will of course be producing PBR as Pabst is an owner of the property, City's model is to produce beer or beverages for other suppliers. Being able to be nibble and accommodate customers that have proprietary formulas that they do not want to share is hugely important. By setting it in a standalone building we can accommodate them. It is also much more efficient, we would not have to uninstall what is there today. As staff explained well, this is a small structure. It will likely be invisible to the public and to some of the Design Guidelines concerns. It is house in such a way that unless you are in the brewery you will not see this building. It is shielded by other existing utilitarian buildings or by landscaping and we intend to put in some additional landscaping on top of what is there today. This represents a kind of investment in Irwindale that

CHAIR TAPIA Sir you can take your mask off, if you are more comfortable.

ADAM SHER You are all wearing them, so I do not know the protocols. I guess none of us do, it changes daily. This represents an internal milestone, we have been working towards with some engineers that have been working very hard to figure out how to do this. It represents an investment in Irwindale that we look forward in making in years to come. Miller Coors has been there for decades and there is some

upgrades we need to do to get it to where it is a viable business. I want to thank you for your consideration of our application. My team is here to answer any questions, if you still have. We are asking for your yes on the staff's recommendation. I would like to reserve some rebuttal time in case necessary but I think that covers it.

CHAIR TAPIA Questions?

COMMISSIONER GOMEZ I think that my questions had to do with the whole process and also the safety element, giving if there is a natural disaster and also the upgrade. I think that the discussion shared with my other Commissioners was that it will be reviewed yearly, annually by the Health Department. I think that my questions have been sufficiently answered. We want you to be successful and it seem like you want to put the most progressive system into place to produce what you have. I think that, Mr. Chair, my questions have been answered. I just want to say that I am pleased to see Ms. Hernandez, she has been an advocate for the City in many functions and very supportive. I am sure we are all looking forward to working with you.

ADAM SHER We are pleased she chose to stay with us.

COMMISSIONER GOMEZ Thank you. I have nothing else Mr. Chair.

CHAIR TAPIA I just have one for clarification. That's on page seventeen the last paragraph towards the end, project description. I think I know what it means but I like clarification instead of just you know using my imagination. "The filtration system will filter malted beer in support of the existing beverage manufacturing facility," so I am thinking that the filtration system will filter the tanks of the malted beer because I don't think it will be filtering the beer itself. I would like clarification on that statement.

ADAM SHER I am going to try to approach this at a high level. Of course we can get more technical as you need and we have some engineers, who know this a lot better than me, if we really want to go that route. The filter process itself, which can be done in the existing brewery just not as efficiently as if we were to install this, effectively removes solids, favors, and orders from our freshly brewed beer. That creates what in our industry we would call a neutral malt base, we can then use that to add flavors, juices, something that would make it palatable but not what you would think of probably as a traditional beer.

CHAIR TAPIA So the filtration system is going to be used as the beer is being made, the malted beer? The filtration system?

ADAM SHER So with the caveat that there is some trade secrets in how some of these beverages are produced, no it would be after fresh beer is brewed. It would run through the filter and create the neutral malt base then that would be blended.

CHAIR TAPIA So I liked that clarified. I like to clarify it because as it reads, “The filtration system will filter malted beer,” now I got a tank full of malted beer. Now the filtration system is going to kick in and filter the malted beer, while the beer is in there knowing that you are going to use these chemicals. That is what is confusing me.

ADAM SHER Just to clarify the chemicals, in addition to Ms. Gomez’s concerns, are regulated. The brewing industry is heavily regulated. As a food and beverage facility and as an alcohol facility, we have both Code Guidelines and inspections that we have to follow from the FDA, from the TTB, which is effectively the Federal Alcohol Agency from California, ABC, from the County Sanitation Department and Health Department, and I can go on but it would be a long time. The chemicals themselves are simply use to clean the equipment

CHAIR TAPIA Not while the beer is in there?

ADAM SHER It is the exact same process that has been going on there for decades.

CHAIR TAPIA Sir, not while the beer is in there?

ADAM SHER No sir.

CHAIR TAPIA Okay.

COMMISSIONER HARTMAN I think I can explain it fairly easy. They do all their processing, they do all their filtration, once that batch is done that is when they run the hydrochloric acid through all the pipelines to clean it, then they run a sanitizer through it, then they run a rinse through it. Then they can start the process all over again.

CHAIR TAPIA I understand that but that is not what this sentence says. I liked that sentence changed somehow to reflect to what you have said and what the Commissioner has said. I understand that but that is not what this statement is saying.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON Thank you Chair and Commission, I appreciate your comments and we will clarify that. This item will go to the City Council and we will make that clarification in that report.

CHAIR TAPIA But I want it to be clarified today, not for the City Council.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — It will be clarified in the Minutes as well.

CHAIR TAPIA — Today I want our counsel to choose the wording that needs to be changed so that we can again make a consciences decision, because the way it reads right there it says, “The filtration system will filter malted beer.”

ADAM SHER — That is a true statement Commissioner.

CHAIR TAPIA — It doesn’t say that it is going to clean the tank after the beer is empty. That is my point.

ADAM SHER — I think there is some confusion, there is a filter housing this building. For certain type of beverages we will run freshly brew beer through the filter to create a neutral malt base. On occasion we will need to clean the equipment. The chemical tanks are simply there to reduce having to transport chemicals for cleaning. The cleaning chemicals have nothing to do with the brewing process.

CHAIR TAPIA — That is making more sense to me know. You know I am getting a better picture of just what it is says here, because that is not what it says here. What you just explained is not what it says here and again it is just clarification. I don’t know am I just confused or do you guys read it another way?

COMMISSIONER HARTMAN — I understand it.

CHAIR TAPIA — No you understand it that’s good because you understand that process, but what does it say there in English. You know?

COMMISSIONER HARTMAN — That is what the filtration system is going to do. It is going to filter the beer.

CHAIR TAPIA — Okay it is going to filter the beer. That is what I’ve been asking. Is the beer going to be in the hopper or is it not going to be in the hopper? That is what I’ve been trying to get an answer on. So could somebody please explain it?

ADAM SHER — This is Ben Gibson.

BEN SALTSMAN — Good evening Chair and members of the Commission, just to clarify.

CHAIR TAPIA — Could you state your name and address for the record.

BEN SALTSMAN Ben Saltsman, Los Angeles, California 333 South Grand Avenue, I just want to try to make sure we are being very clear about the statement you had a question on. This is on page seventeen, this is the statement, “The filtration system will filter malted beer in support of the existing beverage manufacturing facility.” We agree with how staff categorized it because the filtration system will filter beer. We agree with how staff categorized it, we think that is correct.

CHAIR TAPIA While the beer is in there?

BEN SALTSMAN Correct.

CHAIR TAPIA That is all I wanted to know. While the beer was in there or while it was not. That was confusing to me because what is going to be in the filtration system. It is not going to be filter by the chemicals that clean it right?

BEN SALTSMAN That is correct.

CHAIR TAPIA So see I didn’t understand that. Now you have another chemical that is incorporated in the filtration system that is going to do whatever it needs to do to the beer. Now I get it thank you.

BEN SALTSMAN Thank you Mr. Chairman.

CHAIR TAPIA Any other questions? You can go ahead and take a seat, no we are going to open it up to the public they are going to have questions for you. Okay at this time we are going to open up the Public Hearing to the public. Raise your hands if you have any questions now and you will be addressed. Thank you.

ADMINISTRATIVE SECRETARY AGUILA Okay, so the first individual that I will now be unmuting will be Dena.

CHAIR TAPIA Go ahead.

DENA ZEPEDA Thank you chair, I am going to have to agree with Chair Tapia, this whole write up with what you guys have been reading and stuff is so confusing. It is so not right, Shame on staff again. You bring something to the table it should be directly how it is supposed to be. Existing is a big word in there. With a company coming in and taking over, if they are going to be the same kind of company, for instance like Michael’s Hamburgers Stand was just bought over by another owner and the same thing ran. Okay. They sold Millers and it was sold to another brewery, but it is not the same kind of company or they are gonna add more. Existing is using what you have existing. Description is you have a right to say yes or no to this. For bring in a new company, a new business, I feel they should start from the beginning and apply and do all this, because they are not existing with Millers Computation. They

are not doing exactly was Millers was doing. They are changing over. They are changing something else. All these little ins and outs and different sentences and words that they are using is not going with me either. I am understanding were you are coming from Chair Tapia. I understand, Mr. Hartman, the procedure I did work there too. The writing and the way it is written, we gotta protect ourselves because we are always getting step on. All because the writing wasn't right and all because it wasn't brought to you guys right. It should come to my Commissioners before it goes to my Council, right. I am going to ask my Commissioners to bring it back to the table when they have it done right. I am sorry if the company has to go through this but we need to get it done right. We can't come back in two years and say well you said we can do it because of this or that or exempt. No they are not exempt. Discretion is up to you guys okay. I agree with Tapia, one hundred percent because there is a lot of discrepancy there. I mean I am not understanding. You are saying one thing then you say okay we will change it. Change it and then bring it back. That is my thing. Thank you Chair.

CHAIR TAPIA Thank you.

ADMINISTRATIVE SECRETARY AGUILA The next individual that I will be unmuting is Pearl Virgin.

PEARL VIRGIN Good evening Chair Tapia and members of the Planning Commission, my name is Pearl Virgin and I am currently the HR Manger for Irwindale Brew Yard, but I am also excited to introduce myself as a new homeowner of Irwindale, as I just became a resident early August. The only reason why I wanted to introduce myself is because I hope that you approve this as the filtration building will be very beneficial. We are going to be able to bring in new customers. As we get this phase growing, if approved, it will give us the opportunity of also being able to hire additional employees. As you heard earlier, 2020 was a year of many changes including the plant closing, and it is exciting to be able to be a part of this now and be a part of it reopening and bring this to the City of Irwindale. Thank you for your time.

ADMINISTRATIVE SECRETARY AGUILA So once again I will be unmuting Dena, she did have one minute left of the three minutes allow to speak. So Dena you have now been unmuted.

DENA ZEPEDA Thank you Chair, well that says a lot. Today we had to shut down that new home because they refused to get permits. They were told three times by our City's inspectors and they refused to get permits on that house that was just bought. I can just imagine what we are going to be going through with this company. Again Chair and Commissioners, I am asking you to please table it, have them write it right and bring it back to do it right the way it is supposed to be, because it is not been done right thank you.

ADMINISTRATIVE SECRETARY AGUILA: So Pearl Virgin has also raised her hand once again. She has a minute and a half remaining out of her three minutes to speak. I will now be unmuting her.

PEARL VIRGIN: As mentioned previously and when I introduced myself, yes I am a new resident here. In clarification of Ms. Dena's comment, we did hire an architect so that we can actually make sure that the plans and everything where in place. We did put it in the hands of a professional to make sure. The fact that we received this, my husband and I, is something that we are going back to, to make sure that this doesn't occur because we are trying to avoid anything that would have causes. We realized that it is a home that we purchased but the goal is to do any remodelization to bring it up and also add beatification to the City of Irwindale. As there is many homes, as we look at the City, are trying to improve and make better. That is what our goal is. In no way, though I am a resident of Irwindale and an employee of a company that is in the City of Irwindale is there any intention to not follow. That is why we are here today, both as a resident and as an employee of IBY to go through the process, so that we can have a smooth transition and build a partnership between all of us. Thank you so much again for your time.

ADMINISTRATIVE SECRETARY AGUILA: We have no more speakers.

CHAIR TAPIA: Do we have anymore comments from Commission? Okay. At this time we will close the Public Hearing.

CLOSE PUBLIC HEARING: There being no speakers, Chair Tapia closed the public hearing at 8:19 p.m.

CHAIR TAPIA: We will open it up for Commissioners Comments. Do we have any comments or requests? If not we will open for a motion.

VICE-CHAIR BURROLA: I have a comment, just to clarify things because of the back and fourth. We are approving the resolution, correct? We are not approving a report by planning, is that correct?

CHAIR TAPIA: I don't know maybe you can ask our attorney.

CITY ATTORNEY GUERRA: Yes the Staff Report is there just to give you information, background, and it is supplemented by staff's verbal Staff Report. But yes, the only action you would be doing is to adopt the resolution. If that is the desire of the Commission.

VICE-CHAIR BURROLA: I have a comment just real quick. In the Conditional Use Permit that we are going to approve in the Resolution 807 page 29 of 38 subparagraph A it states, there is two eight thousand gallon tanks, correct? And then on C it talks about the two separate eight thousand gallon tanks, plus a Poni Acid is stored in two separate three hundred gallon tanks. This is just for clarification okay. Going into the CUP, which we are going to be holding them it's a Conditional Use Permit, on page 36 of 38 paragraph 19 it talks about 8,000 Hydrochloric Acid, 8,000 gallons of Caustic Soda Liquid, and then it says 600 gallons of Poni Acid. Did you guys combine? There is two tanks right? So you combine it into, I know three hundred and three hundred is six hundred but it should be two tanks correct? It is not just one tank of six hundred. That is a little confusing because it states everywhere it is two tanks three hundred, two tanks eight thousand, but over here in the Conditional Use Permit it states six hundred gallons.

ASSOCIATE PLANNER CHOU: Yes Commissioner it was combined to six hundred gallons total.

VICE-CHAIR BURROLA: See the confusion there, in the future though? Just for clarification can we state that there is two tanks at three hundred for the CUP to match the resolution? Or is that something petty? But I feel that in the future it might be confusing, if we hold them to certain things, you know inspections and stuff like that.

ASSOCIATE PLANNER CHOU: Yes Commissioner the six hundred is not to exceed limit. We could change the language to reflex the two separate tanks of three hundred gallons.

VICE-CHAIR BURROLA: No to exceed three hundred for each tank?

ASSOCIATE PLANNER CHOU: There is two tanks each three hundred so the not to exceed six hundred. If you liked for the language to be changed we can.

VICE-CHAIR BURROLA: Yeah if you can because we are talking about two tanks at three hundred, not to exceed three hundred for each tank not six hundred gallons.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Thank you Commissioner, what we can do for clarification on the Condition of Approval on page 36 where it says, and 600 gallons of Poni Acid to be stored in two three hundred gallons tanks.

VICE-CHAIR BURROLA: That would be good. Just for the future so we can hold them to two tanks not just one six hundred. That is how I am seeing it. I don't know how other Commissioners are see it.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Okay, thank you.

VICE-CHAIR BURROLA: Are we able to make that change tonight or do we have to table it to next meeting?

CITY ATTORNEY GUERRA: We can make that change tonight. We can include that as part of the action. I was informed that they wish to call it a tote.

VICE-CHAIR BURROLA: Okay, is that like some sort of tank? Same thing?

CITY ATTORNEY GUERRA: They are nodding yes, so I will go with it.

CHAIR TAPIA: Any other questions from staff? I mean from Commissioners. Okay so it is open for a motion.

COMMISSIONER HARTMAN: I like to make a comment before I make a motion.

CHAIR TAPIA: Okay.

COMMISSIONER HARTMAN: I know firsthand how strictly monitor food beverage and especially alcohol manufacturing plants are. They are monitored very strictly by multiple different agencies. Knowing that, I make a motion to approve Site Plan and Design Review No. 04-2021 and Conditional Use Permit No. 05-2021, with the language change.

CITY ATTORNEY GUERRA: Commissioner Hartman, do you mind if I read the title of the resolution.

COMMISSIONER HARTMAN: Absolutely.

CHAIR TAPIA: The title of the resolution is a resolution of the Planning Commission of the City of Irwindale recommending City Council approval of Site Plan and Design Review (DA) No. 04-2021 and Conditional Use Permit No. 05-2021 for the construction of one new ± 9,907 square foot filtration building and the approval for storage of cleaning chemicals for an existing beverage manufacturing facility (Irwindale Brew Yard, formerly Molson-Coors) for property located at 15801 First Street, Irwindale, CA 91706 (APN: 8533-009-021, -024, -907) in the M-2 (Heavy Manufacturing) zone subject to conditions as set forth herein and making findings in support thereof and finding the project exempt from CEQA pursuant to section 15301 (class 1; existing facilities) with the

revision as stated by Community Development Director Simpson to condition B-19.

COMMISSIONER HARTMAN: I motion to approve as read.

COMMISIONER CHICO: Second.

CHAIR TAPIA: Roll Call.

ADMINISTRATIVE SECRETARY AGUILA: Commissioner Hartman.

COMMISSIONER HARTMAN: Yes.

ADMINISTRATIVE SECRETARY AGUILA: Commissioner Gomez.

COMMISSIONER GOMEZ: Yes.

ADMINISTRATIVE SECRETARY AGUILA: Commissioner Chico.

COMMISIONER CHICO: Yes.

ADMINISTRATIVE SECRETARY AGUILA: Vice-Chair Burrola.

VICE-CHAIR BURROLA: Yes.

ADMINISTRATIVE SECRETARY AGUILA: Chair Tapia.

CHAIR TAPIA: I am still debating about page twenty-one, number four I do not agree with that sentence that is supposed to be a part of what is written in the code. I do not agree. That does not have anything to do, in my opinion, with exemption. You say there is nothing that can be changed there, counsel?

CITY ATTORNEY GUERRA: With respect to the langue after the number four in the first paragraph, no that is from the Municipal Code.

CHAIR TAPIA Okay, I want to go on record as I do not agree with number four and it should be changed. Who establishes what is said in our code?

CITY ATTORNEY GUERRA Traditionally it would be a recommendation from the Planning Commission that goes to the City Council for adoption.

CHAIR TAPIA Okay well I would like the City Council to take a real good look at what this says because again I want to read it, "The proposed development is consistent with applicable City design guidelines," which is not applicable with the City Design Guidelines at all. "And historic design themes," it is not Mediterranean or whatever you want to call it. "And provides for appropriate exterior building design," which it does not if you are going to call it Design Guidelines. "And appearance consistent and complementary to present and proposed buildings and structures in the vicinity," we don't know what vicinity it is not clear at all. What vicinity? I don't know. "Of the subject project while still providing for a variety of designs," what variety of designs is it providing? It is not providing any variety of designs, it is just going complementary with the designs that are already there. And it says, "forms and treatments." To me that paragraph has nothing to do with the exemption of this project. It has nothing to do with it. It shouldn't even be in there. Under those circumstances, I am going to go along with the rest of the Commission and vote yes, but I want this to clearly go to the Council and to make sure that when we are given the explanations that we get in our reports are more specific and that we don't have to look into. Yes I have worked in this field for fifteen years so I already know what that means but me I don't. I am a Commissioner, I don't know what you guys know. I need to read it here. I don't need to pull my hair trying to figure out what it means, then come to a meeting and find out that you did not mean it that way, it means this. I would like wherever we are going to be instructed to read, to read it literally. Under those conditions, and you said it will go to the Council? Under those conditions I am going to give my yes vote. Roll call.

COMMISIONER CHICO We already did it.

CHAIR TAPIA Did we? Oh sorry. So, thank you very much gentlemen. Okay we move on to Discussion Items and Presentations.

DISCUSSION ITEMS/ PRESENTATIONS

CHAIR TAPIA Any Discussion Items and Presentations?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Thank you Chair and Commission, the only presentation I have tonight is I would like to introduce a new Community Development staff member, Jesus Hernandez. He is our Office Specialist. A little bit about Jesus is that, he previously worked in Monterey Park for the City Clerk's Office and the City Manager's Office, so he is familiar with city business. He has worked for the Disney Company for several years so he has really great Disney customer service skills. He has a dual degree from the University of La Verne in Criminology and Speech Communications. He had an eye on going to law school, he is shaking his head at me, and then he saw the wisdom of that and joined the City and Community Development.

COMMISSIONER GOMEZ: Well welcome aboard.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yes, I liked to introduce Jesus Hernandez.

OFFICE SPECIALIST HERNANDEZ: Thank you Chair and Commission, it is an honor.

CHAIR TAPIA: Okay, Commissioner Comments or Request.

COMMISSIONER COMMENTS/ REQUESTS

CHAIR TAPIA: Okay Commissioner Comments and request?

COMMISSIONER HARTMAN: I have one. I don't know if it is a question or a request. You know the Bus Company, that is over on Cypress, maybe because school is over but that bus yard is full of busses now. We as residents nearby are experiencing parking wars. The employees and the drivers of those buses are parking all up and down. Is that proper? Are they supposed to supply parking for their employees?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Thank you Commission that did come to our attention, Code Enforcement is following up on that. It is a new company that came in and they complied with certain things with Code Enforcement. We are working on that because we recognized that it's had an impact on the neighborhood.

COMMISSIONER HARTMAN: A big impact.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yes.

COMMISSIONER CHICO: Thank you that is all I had.

CHAIR TAPIA: Okay.

COMMISSIONER GOMEZ: Chair I also had a comment.

VICE-CHAIR BURROLA: I had a comment to so after Susan.

COMMISSIONER GOMEZ: I want them to pass it on to the correct department. Right at the new Memorial Park, we have low density grass which is really nice, however there is a section north of the tables and benches that is saturated with water and it is muddy. It is dangerous. Somebody could fall. I want it forwarded to the proper department so that they can look into changing the sprinkler density.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: I'll relate that to Public Works Services.

COMMISSIONER GOMEZ: Thank you.

CHAIR TAPIA: This couple with what Commissioner Hartman said, I know that in some instances you can't report it, but I would like to see what the follow through is on things that we bring up for consideration in the comments. Are they complying or are they not complying? How long will we going to give them to comply and that type of thing? I would like it to come back and let us know the results of the Code Enforcement visits to the facility. Anybody else?

VICE-CHAIR BURROLA: Yes, so I had a comment a couple meetings before, it's the warehouse west of Fraijo Street between Huy Fong Foods and Fraijo. That company is storing a lot of their scrap metal I guess. I look over the wall, because I live there, it seems like they cleaned up a little bit but more than clearing up they just kind of moved it around. There is still large, like there is a conex there, there is like a, what do you call those like a fifth wheel. Someone might be staying in it because I see them coming in and out. There is cars parked there old cars, campers. I asked this before I was wondering if Code Enforcement ever went there. The Chair made a good point we say these comments and then

we really don't get a report back, if they actually went out there and talked to the business owner. I was wondering if that was ever taken care of.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Thank you Commissioner, Code Enforcement did go out. When they do an inspection, and on that one the items have been removed. If there is campers and fifth wheels and things like that, we will have Code Enforcement follow up. If we need to we can ask police if somebody is living in that.

VICE-CHAIR BURROLA: Okay. I just want to do it legally too, whatever is part of the CUP and any other requirements. Code Enforcement does it right and looks into it.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yes they follow up. In fact they may even be listening to the meeting tonight.

VICE-CHAIR BURROLA.: Okay.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Thank you.

CHAIR TAPIA: Well I like to thank legal counsel for the pamphlet on the Brown Act. That was very concise and should help us out. Any Legal Counsel Comments.

LEGAL COUNSEL COMMENTS

CITY ATTORNEY GUERRA: No comments but thank you for the complement. I will let Jaime know.

CHAIR TAPIA: Okay. Community Development Director's Report?

COMMUNITY DEVELOPMENT DIRECTOR REPORT

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Just a couple of items here. To remind the Commission to please check your City emails on a daily basis. There are some items in there regarding trainings that are required. I believe there are some of the Commissioners that will be getting iPads but when we talked to our IT department, I guess there has been a little bit of a delay in getting those from Apple. Probably in the next month, month in a half you should be

getting those. Then a reminder the next meeting that we have in October will be open to the public, and we will have the public coming in. There will be some row configuring of some of the seats just for safety purposes. For those Commissioners, who are going to the conference, some of you are going tomorrow and I will be seeing you there. I hope to see you, and make questions. They sound like good sessions. Thank you.

CHAIR TAPIA — No one else? Okay again, meeting will be adjourn in memory of Oliva Grijalva, Margaret Tapia, and Stacy Gonzalez. May they rest in peace. This meeting is now adjourn.

ADJOURNMENT — There being no further business to conduct, the meeting was adjourned at 8:40 p.m.

_____
Planning Commission Chair

Attest:

_____
Jesus Hernandez, Administrative Secretary

IRWINDALE COUNCIL CHAMBER **January 19, 2022**
5050 N. IRWINDALE AVENUE **Wednesday**
IRWINDALE, CALIFORNIA 91706 **6:36 P.M.**

The Irwindale **PLANNING COMMISSION** met in regular session at the above time and place.

PLEDGE OF ALLEGIANCE — I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

INVOCATION COMMISSIONER GOMEZ — Father God, I want to thank you for this New Year. We ask for continuous guidance and wisdom. Protect our City, Staff, the Police Department, and protect our State and our Nation. We pray this, amen.

CHAIR TAPIA — Roll call.

ROLL CALL: Present: Commissioners; Robert E. Hartman; David Fuentes; Richard Chico; Vice Chair Enoch Burrola; Chair Suzanne Gomez

Also present: Adrian Guerra, City Attorney; Marilyn Simpson, Community Development Director; Jamie Traxler, Assistant City Attorney; Brandi Jones, Senior Planner; Lisa Chou, Associate Planner; Martin Romero, Planning Technician; Jesus Hernandez, Administrative Secretary

ANNOUNCEMENTS

VICE-CHAIR BURROLA — Do we have any announcements, for today?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — No announcements.

REORGANIZATION OF PLANNING COMMISSION

VICE-CHAIR BURROLA — So then we are going to go ahead and do the Reorganization of the Planning Commission. I guess you guys can run that as for as the nominations.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — Yes.

VICE-CHAIR BURROLA — Okay.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Thank you Vice-Chair and Commission. This is the time for the Reorganization of Planning Commission and Jesus Hernandez will be giving the report.

ADMINISTRATIVE SECRETARY HERNANDEZ: At this time it is appropriate to reorganize the Planning Commission, including the selection of a Chair and Vice Chair. Any Commissioner may nominate another Commissioner or themselves and no second to the nomination is required. I will start off with opening the nominations for the office of Chair. After receiving all the nominations I will close the nominations and conduct the election of Chair by roll call vote, in the order nominated. Do we have any nominations for the office of Chair?

VICE-CHAIR BURROLA: I'd like to nominate Suzanne Gomez for Chair.

ADMINISTRATIVE SECRETARY HERNANDEZ: Commissioner Gomez, do you accept or decline?

COMMISSIONER GOMEZ: I accept.

ADMINISTRATIVE SECRETARY HERNANDEZ: Do we have any other nominations?

COMMISSIONER CHICO: Motion to close the nominations.

ADMINISTRATIVE SECRETARY HERNANDEZ: I will now be conducting roll call for the nomination of Chair, for Commissioner Gomez. Commissioner Chico.

COMMISSIONER CHICO: Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ: Commissioner Fuentes.

COMMISSIONER FUENTES: Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ: Commissioner Gomez

COMMISSIONER GOMEZ	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Hartman.
COMMISSIONER HARTMAN	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Vice-Chair Burrola.
VICE-CHAIR BURROLA	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	We will now welcome our new Chair, Chair Gomez to open the nominations for Vice Chair. Again, any Commissioner may nominate another Commissioner or themselves and no second to the nomination is required. After receiving all the nominations, I will close the nominations and conduct the election of Vice Chair by roll call vote, in the order nominated. Do we have any nominations for Vice-Chair?
CHAIR GOMEZ	Yes, I'd like to nominate Commissioner Burrola.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Burrola, do you accept or decline?
VICE-CHAIR BURROLA	I accept.
ADMINISTRATIVE SECRETARY HERNANDEZ	Do we have any more nominations? Okay, I will now be conducting roll call for the nomination of Vice-Chair for Commissioner Burrola. Commissioner Chico.
COMMISSIONER CHICO	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Fuentes.
COMMISSIONER FUENTES	Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Gomez
COMMISSIONER GOMEZ	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Hartman.
COMMISSIONER HARTMAN	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Vice-Chair Burrola.
VICE-CHAIR BURROLA	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Thank you, we welcome our Vice-Chair.
VICE-CHAIR BURROLA	We will do a five-minute intermission and pick up with Spontaneous Communications.
RECESS	Vice-Chair Burrola recessed the meeting at 6:40 p.m.
RECONVENED	Chair Gomez reconvened the meeting at 6:45 p.m.
ADMINISTRATIVE SECRETARY HERNANDEZ	We are going to start with another Roll Call, with the new reorganization. Commissioner Hartman.
COMMISSIONER HARTMAN	Here.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Fuentes.
COMMISSIONER FUENTES	Here.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Chico.

COMMISSIONER CHICO: Here.

ADMINISTRATIVE SECRETARY HERNANDEZ: Vice-Chair Burrola.

VICE-CHAIR BURROLA: Here.

ADMINISTRATIVE SECRETARY HERNANDEZ: Chair Gomez

CHAIR GOMEZ: Here.

ADMINISTRATIVE SECRETARY HERNANDEZ: Thank you.

CHAIR GOMEZ: Now we are going to open up the meeting for Spontaneous Communications.

SPONTANEOUS COMMUNICATIONS

CHAIR GOMEZ: If we have any in-person attendees, they can come forth and speak. Since it seems like we do not, we will move on to Tier Two, which is the teleconference attendees. Do we have any teleconference attendees?

ADMINISTRATIVE SECRETARY HERNANDEZ: We do. We have…

CHAIR GOMEZ: We do have any raised hands?

ADMINISTRATIVE SECRETARY HERNANDEZ: Yes, correct.

CHAIR GOMEZ: Okay, let's proceed.

ADMINISTRATIVE SECRETARY HERNANDEZ: I am going to go ahead and unmute Dena.

DENA ZEPEDA Thank you Chair, first of all I'd like to congratulate Commissioner Fuentes. I am really happy to see that we are having you up there for all your knowledge, and everything you had in the past, congratulations. Congratulations to Chair, Ms. Gomez, I am glad to see you up there, being that you are very knowledgeable about a lot and to benefit our City. I really would like to thank and congratulate Burrola; you have done a lot for our community. You have great knowledge. Your knowledge saved us from a lot and we really appreciate that. We want you to know, the residents, we want you to know that what you've done for us with the Vincente project, we really appreciate that. Thank you. To the other Commissioners, thank you so very much, Hartman and Chico. I hope we have a good year this year, there's a lot to look forward to and I think we have a great team right now. I want to thank all of you for accepting all your duties and everything, to benefit our residents. I do have a question for you guys, for the one doing this. We like to see you guys, on the webinar we have the Spontaneous Communications Label across and we can't see you guys up in the corner. We would like to see if you could switch those screens so we can be able to see as others get appointed and stuff. We want to be able to see it and we can't see that. Another thing is congratulations to our new clerk. Thank you and if you could put your speaker up because you are going in and out. Thank you, you guys have a good day.

CHAIR GOMEZ Thank you Ms. Zepeda, we will look into that. Any other hands raised?

ADMINISTRATIVE SECRETARY HERNANDEZ We do not.

CHAIR GOMEZ Thank you so much for that. We will go into, is there anyone for Tier 3 to address? No? And then Tier 4 the teleconference attendees, nothing to address on that. So we will move forward, and we will move forward to the Consent Calendar.

CONSENT CALENDAR

CHAIR GOMEZ On the Consent Calendar there is a recommendation to approve some minutes, the Adjourned Meeting held August 09, 2021. I believe that we have some guidance on that meeting from our attorney. Is that correct?

CITY ATTORNEY GUERRA: Yes, my understanding is that former Chair Tapia, was a participant in some of the hearings in which we only had three Commissioners present for that hearing. Therefore, the other two Commissioners that did not participate, were outside of the chambers and did not have a role in those items. Usually as many of you know, when Council Members or Commissioners have missed a meeting the traditional process is that they recuse themselves, from voting on the Minutes since they were not there. This is a unique scenario where that Commissioner is not coming back, and we would have two Commissioners who participated in that specific hearing being able to vote, and that is less than a quorum. What I have usually recommended, is that one of the other Commissioners who did not participate go back and listen to the audio or review the video of the meeting, and ensure that the Minutes reflect accurately what occurred at that meeting. You do not have to participate to do that but that would at least allow us to adopt the Minutes. We can do it one of three ways.

CHAIR GOMEZ: I have a couple of comments just before we make that decision. On that August 9th Meeting, there were two Commissioners that had to recuse themselves based on the proximity of the project. I believe that the new commissioner would also be in the circumstances, where his residence is in proximity to the property. Even in that, because we need a quorum one of us would have to listen to the minutes to get them approved. I would like to make a recommendation on that, that is since Commissioner Chico and I were present for the hearing and the discussion, I wonder instead of drawing straws if we could have a commissioner volunteer and listen to it, so they can get caught up on what happen in those proceedings. Would that be okay?

CITY ATTORNEY GUERRA: Yes.

CHAIR GOMEZ: Commissioner Fuentes.

COMMISSIONER FUENTES: I have a question. Since the Commission is just approving Minutes, all Minutes are, are the written documents from the transcript verbatim on what when on in the meeting. Why would that preclude anybody from voting on that? This is what it is. This happen and the other Commissioners were outside listening. What would preclude them from voting on this?

CITY ATTORNEY GUERRA: Nothing, if they listen to the meeting.

CHAIR GOMEZ — My concern with that is, when we came before to approve these Minutes we found some indiscrepancies that we needed to correct. In abundance of caution because of the relevancy of this project, I would like to take the recommendation of the City Attorney and have somebody volunteer to review them and make sure the items were changed as previously noted, and bring it back and vote on it and have it approved. We can draw straws or somebody can volunteer.

COMMISSIONER FUENTES — I would volunteer but I was not here to see if the changes have been made in this document. I've read this document but that is all I got is a document that is before me. I wasn't present at the meeting.

CITY ATTORNEY GUERRA — Right and so what Staff can do is provide access to the video or audio of the meeting, and you can just listen to it and ensure the Minutes reflect accurately of what occurred.

ADMINISTRATIVE SECRETARY HERNANDEZ — Just to clarify, the changes were not made. We went back and listened to the recording and what was said was written on the Minutes.

CHAIR GOMEZ — Okay. Great. Excellent. I appreciate that thank you for the input. I think that whoever is reviewing it, any other Commissioner here other than the two that voted, we can verify just to be sure. As we know, the Minutes are a legal document once they are approved, and that is a strong ramification especially on this particular project.

VICE-CHAIR BURROLA — Can I make a comment?

CHAIR GOMEZ — Sure.

VICE-CHAIR BURROLA — I think that it would be good for you to actually go over the audio. Just so you get caught up to where we are at now, with the whole situation at the Manning Pit and Vincent.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — Can you please turn your mic on?

VICE-CHAIR BURROLA — Oh you couldn't hear? I am sorry. I kind of agree with the Chair. If you wish to be the one to review it, and get caught up to where we are at now.

COMMISSIONER FUENTES — If that is the recommendation of this Commission, I am willing to oblige.

COMMISSIONER CHICO: I was gonna say I personally appreciate it. If no other reason you were totally independent. You weren't even a Commissioner. It keeps everything squeaky clean.

CHAIR GOMEZ: Do we need a motion or we just going to have somebody who is going to volunteer.

CITY ATTORNEY GUERRA: I think if we have someone who is going to volunteer, we can just move the item to the next meeting.

CHAIR GOMEZ: Do we have any volunteers on the Commission that would listen and review the Minutes and the motion. Do we have anybody who is willing to volunteer to review the audio, and also in conjunction with review the minutes for this meeting so we can come back and approve them.

COMMISSIONER FUENTES: I have no problem. I have a question though.

CITY ATTORNEY GUERRA: Sure.

COMMISSIONER FUENTES: I notice in the meetings that there were several Union representatives that came up and spoke on behalf of project. I was a union member affiliated with one of those Unions for twenty-eight years. Would I have a conflict of interest there?

CITY ATTORNEY GUERRA: I do not see a conflict there.

COMMISSIONER FUENTES: Okay, I am okay then.

CITY ATTORNEY GUERRA: But thank you for asking.

CHAIR GOMEZ: You are willing to volunteer then?

COMMISSIONER FUENTES: Sure.

CHAIR GOMEZ: Okay.

COMMISSIONER FUENTES: If that is the wishes of this Commission.

CHAIR GOMEZ: Thank you.

CITY ATTORNEY GUERRA: So Chair, we will bring the items back at the next meeting.

CHAIR GOMEZ Okay, does that also pertain to the Regular Meeting held August 18th and September 15th. Are we approving those or do those also pertain to similar issue that we need to…

CITY ATTORNEY GUERRA I believe that includes a similar issue.

CHAIR GOMEZ So all three need to be…

ADMINISTRATIVE SECRETARY HERNANDEZ Give me one second. The one in August everyone was here, it was regarding a presentation of Conflict of Interest. Just let me double check. That would be August 18th.

CITY ATTORNEY GUERRA Yeah, for the August 18th there were no action items other than...

CHAIR GOMEZ So we can go ahead and pass those today. And then also the Regular Meeting of September 15th, were there any items that were of issue?

CITY ATTORNEY GUERRA Let me see.

ADMINISTRATIVE SECRETARY HERNANDEZ I don't believe so, but give me one second.

CITY ATTORNEY GUERRA We had the Vincent Project.

CHAIR GOMEZ On that item?

CITY ATTORNEY GUERRA On the 15th.

ADMINISTRATIVE SECRETARY HERNANDEZ Oh yes we did on the Consent Calendar.

CHAIR GOMEZ So we are going to go over, Number 1 the Meeting of August 9th and Number 3 the Meeting of September 15th for review by Commissioner Fuentes. We will bring those back on the next Consent Calendar. Can I have a motion to approve the consent for the Regular Meeting held August 18th.

VICE-CHAIR BURROLA For the 18th you said?

CHAIR GOMEZ August 18th.

VICE-CHAIR BURROLA: August 18th. motion to approve.

ADMINISTRATIVE SECRETARY HERNANDEZ: Do we have a second?

COMMISSIONER CHICO: Second.

CHAIR GOMEZ: Roll Call please.

VICE-CHAIR BURROLA: Is it August 18th?

CHAIR GOMEZ: It says August 18th, 2021 Regular Meeting, there was no conflict as to that discussion, correct?

ADMINISTRATIVE SECRETARY HERNANDEZ: Correct.

CHAIR GOMEZ: There was a motion and a second by Commissioner Chico, so can we do Roll Call?

ADMINISTRATIVE SECRETARY HERNANDEZ: Yes. Commissioner Chico.

COMMISSIONER CHICO: Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ: Commissioner Fuentes.

COMMISSIONER FUENTES: Abstain.

ADMINISTRATIVE SECRETARY HERNANDEZ: Commissioner Hartman.

COMMISSIONER HARTMAN: Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ: Vice-Chair Burrola.

VICE-CHAIR BURROLA: Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ: Chair Gomez

CHAIR GOMEZ: Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ: Thank you.

CHAIR GOMEZ: Do we need a motion to put over the other motion? No? We will just bring it back?

CITY ATTORNEY GUERRA: We will just bring it back.

CHAIR GOMEZ: So we move to the next issue, which would be New Business.

NEW BUSINESS

CHAIR GOMEZ: Do we have any New Business?

ADMINISTRATIVE SECRETARY HERNANDEZ: We do not.

CHAIR GOMEZ: So now we move into Public Hearings.

PUBLIC HEARINGS

CHAIR GOMEZ: Do we have any Public Hearings?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Thank you Chair and Commission, we do not have any Public Hearings tonight.

CHAIR GOMEZ: Then we will move on to the next item.

DISCUSSION ITEMS/ PRESENTATIONS

CHAIR GOMEZ: Any presentations?

ADMINISTRATIVE SECRETARY HERNANDEZ — We do not have any presentations.

CHAIR GOMEZ — Thank you.

COMMISSIONER COMMENTS

CHAIR GOMEZ — And do we have any Commissioner Comments or Request this evening?

COMMISSIONER FUENTES — I have a comment, forgive me when you have call Commissioner Chico I might answer. I've gone by that name, it is not my name, but I've gone by that name as a nickname.

COMMISIONER CHICO — I had it first.

COMMISSIONER FUENTES — When you first motion, I almost..

COMMISIONER CHICO — While we are at it, I would like to officially welcome Commissioner Fuentes to our group here.

VICE-CHAIR BURROLA — Welcome.

CHAIR GOMEZ — Yes, welcome Mr. Fuentes. Any other comments by any other Commissioners or requests?

COMMISIONER HARTMAN — I had a couple of comments. Two items are things that need to be taken care off. On the Irwindale Avenue, bridge over at the Metro Station under the bridge there is full of graffiti and it is very, very visible. It is on the bottom of the bridge right above the bicycle lockers. I thought maybe it would get taken care of, but it has been there for about three weeks. I'd like to see that get cleaned up by somebody. I don't know if it is Metro or us. The other item is, on the meandering sidewalk at the south end of this Irwindale business complex, actually at the south end of Louis Vuitton, there is the meandering sidewalk lights; quite a few of them are burned out. Two of them that I saw, had holes in the glass planes and birds had actually made a nest inside. I think that needs to be taken care of by the maintenance department over there. That is all I have.

CHAIR GOMEZ — Any other Commissioners have a comments or requests? Did you have a comment or request at this time?

VICE-CHAIR BURROLA: I have a comment. Happy New Year for one. I just hope this year could be a good year, where we work together to get things done for the City. There is probably going to be a lot of projects coming through and we have a good staff. I just want to say that working together we can get things done. Just keep that in mind. We work as a team. As we work as a team we can get things done for the residents and for the City of Irwindale. And Merry Christmas too. We haven't seen each other since then so Merry Christmas, Happy New Year, and congratulations to the new Chair. I am very sure she is gonna do a very, very good job. Thank you.

CHAIR GOMEZ: Thank you, any other comments.

COMMISSIONER CHICO: Yes, Chair Gomez.

CHAIR GOMEZ: Sure.

COMMISSIONER CHICO: I'd like to request at this time that when we adjourn, we adjourn in the memory of Ben Aguayo, who passed away recently. Mr. Aguayo was, although not a lifelong citizen of Irwindale, he did live most of his life in Irwindale. He was a member of the Planning Commission. He was always involved in civic affairs and he was very much of a gentlemen. So if you would, please.

CHAIR GOMEZ: Thank you. I just like to take this opportunity to thank you for putting me in this position. I have worked previously with many members on this Commission in capacity of Planning Commission previously and also in the City Council. I do believe that our heart and integrity is for the benefit of the City overall. As representatives of the City Council and of residents, I am sure that we will do our best to continue to beautify and enhance Irwindale in the vison and the mission that our forefathers had. Also, Ben was my neighbor and he was a great guy. So we will certainly do that. Any comments from Legal Counsel as we move to complete the Agenda.

LEGAL COUNSEL COMMENTS

CITY ATTORNEY GUERRA: Madame Chair, actually I do. Going back to the Minutes, it appears that Commissioner Burrola you were absent at that meeting. I just want to make sure you were comfortable moving forward with the Minutes.

CHAIR GOMEZ: Was he teleconference? He did a teleconference.

CITY ATTORNEY GUERRA: That was a training session.

VICE-CHAIR BURROLA: Okay, I was unaware of that. I had a sickness, I guess at that time now that I am recalling. One of the meetings I had was at home. The second meeting after that, the next month after, was that the meeting August 18th?

CITY ATTORNEY GUERRA: Yeah this one...

VICE-CHAIR BURROLA: That was after the one where we voted on the Vincent property?

CITY ATTORNEY GUERRA: I believe so.

VICE-CHAIR BURROLA: Okay. So how would that work? Should we abstain from those?

CITY ATTORNEY GUERRA: Yes, so what I would suggest is that maybe we do a motion to reconsider since you made the motion.

VICE-CHAIR BURROLA: Let's do that.

CHAIR GOMEZ: Okay.

VICE-CHAIR BURROLA: I abstain from…

CITY ATTORNEY GUERRA: The procedure would be; do a motion to reconsider, do a second, we will have a vote on that, basically take that vote off the table, and then somebody else will make the motion to adopt those Minutes.

CHAIR GOMEZ: Okay, so we are going to review and have a motion to reconsider for the Minutes of…

CITY ATTORNEY GUERRA: August 18th.

CHAIR GOMEZ: August 18th. So I need a motion to reconsider.

COMMISSIONER CHICO: I motion.

COMMISSIONER HARTMAN: Second.

CHAIR GOMEZ: We will take Roll Call and then vote for those Minutes.

ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Chico.
COMMISSIONER CHICO	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Fuentes.
COMMISSIONER FUENTES	Abstain.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Hartman.
COMMISSIONER HARTMAN	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Vice-Chair Burrola.
VICE-CHAIR BURROLA	Abstain.
ADMINISTRATIVE SECRETARY HERNANDEZ	Chair Gomez
CHAIR GOMEZ	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	So that was a motion to reconsider. Now we will do a motion to approve the Minutes.
COMMISSIONER CHICO	Motion to approve the Minutes.
CHAIR GOMEZ	Second.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Chico.
COMMISSIONER CHICO	Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Fuentes.

COMMISSIONER FUENTES Abstain.

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Hartman.

COMMISSIONER HARTMAN Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Vice-Chair Burrola.

VICE-CHAIR BURROLA Abstain.

ADMINISTRATIVE SECRETARY HERNANDEZ Chair Gomez

CHAIR GOMEZ Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ Thank you.

CHAIR GOMEZ Anything else from our Legal Counsel at this time?

CITY ATTORNEY GUERRA No, I think I've said enough tonight.

CHAIR GOMEZ Okay, thank you.

COMMISSIONER FUENTES Chair?

CHAIR GOMEZ Yes?

COMMISSIONER FUENTES I've got I guess, one…

CHAIR GOMEZ Comment?

COMMISSIONER FUENTES: Yes, comment/request. There was several items that were brought before us, for Staff to look into. I would like a report back, where we are at with that. It would be thirty days or so, hopefully the graffiti is cleaned up and also those lights are taken care of. Are those Edison lights or are they parking lights?

COMMISSIONER HARTMAN: They belong to the...

COMMISSIONER FUENTES: The parking ot?

COMMISSIONER HARTMAN: Not parking lot, they are along the sidewalk at the south end of the property.

COMMISSIONER FUENTES: Okay.

COMMISSIONER HARTMAN: Right by the wash.

COMMISSIONER FUENTES: Okay, so if we can get a report back of where we are at, instead of just letting it lay idle. If they can report back to us and let us know if Staff or the City, if we have taken care of it or where we are at in an update.

CHAIR GOMEZ: Absolutely, that can be incorporated in the Community Development Director Report monthly, and so right now we are at that.

COMMUNITY DEVELOPMENT DIRECTOR REPORT

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Thank you Chair and Commissioners, yes we will report. Actually in the Metro, I can give you a report now. Code Enforcement has issued their Courtesy Warning Notice and they have thirty days to respond to it. I will remind them again and I will follow up on it.

COMMISSIONER HARTMAN: Isn’t graffiti 48 hours after notification?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yes but …

COMMISSIONER HARTMAN: We are dealing with Metro.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yes but they have reached out to them. About the lights, thank you, we will follow up with the property management company. First off, congratulations on the new appointments and welcome to our newest Commissioner. Just a couple of things, the City Council had approved, they are continuing the hybrid meetings. That gets approved month to month. For the time being, it is still going to be the hybrid format for that. Next thing, thank you Vice Chair Burrola, you know working as a team. All I want to say is buckle up. We got the Zoning Code that once it gets going it's really going to get going. The same thing with the General Plan. So really exciting. 2022 is going to be a good year. That is it. Thank you.

CHAIR GOMEZ: Thank you. If there is no other comments I would like to adjourn the meeting on behalf of Ben Aguayo. Thank you.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:09 p.m.

_____
Suzanne E. Gomez, Planning Commission Chair

Attest:

_____
Jesus Hernandez, Administrative Secretary

IRWINDALE COUNCIL CHAMBER **February 16, 2022**
5050 N. IRWINDALE AVENUE **Wednesday**
IRWINDALE, CALIFORNIA 91706 **6:33 P.M.**

The Irwindale **PLANNING COMMISSION** met in regular session at the above time and place.

PLEDGE OF ALLEGIANCE — I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

INVOCATION COMMISSIONER FUENTES — Father God, we just come before you this evening thanking you so much for your love, your grace, and your mercy. Father God, I just pray, dear Lord, that you would give this Commission your wisdom, Father, for these items that have come before us. I pray for the City, dear Lord, for all the Staff, dear Lord, and everyone that is here. We just ask for your blessings. In Jesus name, amen.

CHAIR TAPIA — Roll call.

ROLL CALL: Present: Commissioners; Robert E. Hartman; David Fuentes; Richard Chico; Vice Chair Enoch Burrola; Chair Suzanne Gomez

Also present: Julian Miranda, City Manager; Adrian Guerra, City Attorney; Marilyn Simpson, Community Development Director; Arsanious Hanna, City Engineer/Building Official; Elizabeth Rodriguez, Public Services Director; Jamie Traxler, Assistant City Attorney; Theresa Olivares, Assistant City Manager; Daniel Co, Assistant City Engineer; Brandi Jones, Senior Planner; Lisa Chou, Associate Planner; Martin Romero, Planning Technician; Jesus Hernandez, Administrative Secretary

ANNOUNCEMENTS

CHAIR GOMEZ — Now we move on to any announcements by the Commission or by Staff. Any announcements at this time?

ADMINISTRATIVE SECRETARY HERNANDEZ — We do have an announcement from Director Simpson.

CHAIR GOMEZ — Thank you.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — Thank you Chair and Planning Commission, it is my pleasure to introduce a guest that we have at tonight's meeting. I'd like to introduce our new City Manager, Julian Miranda.

CHAIR GOMEZ — Welcome Mr. Miranda, our new City Manager, we look forward to working with you. Thank you for attending our meeting tonight. Now we move on to Spontaneous Communications. Mr. Hernandez is going to read the objective of the Spontaneous Communications as well as the Tier System.

SPONTANEOUS COMMUNICATIONS

ADMINISTRATIVE SECRETARY HERNANDEZ: During Spontaneous Communications, this is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits any Commission discussion or action on such communications unless 1) the Commission by majority vote finds that a catastrophe or emergency exists; or 2) the Commission by at least four votes finds that the matter (and need for action thereon) arose within the last five days. Since the Commission cannot (except as stated) participate it is requested that all such communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 3 minutes, unless such time limits are extended. In the hybrid format, both in-person and hybrid audience members will participate in the following order; Tier 1: In-person attendees, Tier 2: Teleconference attendees, Tier 3: In-person attendees who have not previously provide comments on the matter(s) being discussed by the legislative body, and Tier 4: Teleconference attendees who have not previously provide comments on the matter(s) being discussed by the legislative body.

CHAIR GOMEZ: Thank you. Do we have anybody for Spontaneous Communications, a member of the public at this time? Please step forward and state you name.

ROBERT DIAZ: Robert Diaz. Address also?

CHAIR GOMEZ: Yes.

ROBERT DIAZ: 2408 South Mountain Avenue, Irwindale. I have a question that pertains in general but also in part to the item for the general hearing. Because it is general, I am bringing it up, some of which it might be applicable to today's hearing. What is the actual height limit for M-1 property? From my understanding, there is a thirty-five foot height limit but I am not sure it is interpreted the same in each building that is M-1. Or perhaps it is something that I don't understand, that is why I might ask for your clarification. For example, the Panattoni development on Arrow Highway and Morada. Mark Payne, I believe is the one that represented Panattoni, came to the Planning Commission and asked for an eight-foot variance to expand the height of the building because it extended beyond the thirty-five feet. Yet when approved later on there was no request for a variance and the height is above that. From what I understand is that, there is no limit for the architectural features that may be above the parapet wall. We may need to consider a limit there, especially when it gets near residential areas. The parapet wall, what exactly would be the height? I am not sure. If you take it at thirty-five feet, maybe. I know that in the past, when you look at buildings in other parts of Irwindale, thirty-five feet seems to be a lower measure

but they did not have architectural features like they do now. The ones I am thinking of. Let's ensure the height limit, the ceiling height, the roof height, the height of the parapet wall or architectural features that may be above that. Brandi, one of our Planners here, at the Planning Commission Hearing involving Azusa Canyon Road and the development there, pointed out that at Azusa Canyon Road there were other buildings of various height. Don't know if they are all M-1 but it suggests to me that there is a variation of the interpretation of that. That is why I am asking that perhaps there could be a clarification.

CHAIR GOMEZ Thank you, is there anybody else for Spontaneous Communication.

ADMINISTRATIVE SECRETARY HERNANDEZ We do not have any more members of the public wishing to speak during Spontaneous Communication.

CHAIR GOMEZ Thank you, so now we are going to move to the Consent Calendar.

CONSENT CALENDAR

CHAIR GOMEZ The Consent Calendar contains matters of routine business and is to be approved with one motion unless a member of the Commission requests separate action on a specific item. At this time, members of the audience may ask to be heard regarding an item on the Consent Calendar. Is there anybody who wishes to speak from the audience on the Consent Calendar?

ADMINISTRATIVE SECRETARY HERNANDEZ We have no members of the audience wishing to speak for the Consent Calendar.

CHAIR GOMEZ And as to the Commissioners any separate action request. Can I have a motion to approve the Regular Meeting held October 20, 2021 and the Regular meeting held November 17, 2021?

COMMISSIONER HARTMAN Motion to approve.

CHAIR GOMEZ I need a second.

COMMISSIONER CHICO Second.

CHAIR GOMEZ Thank you.

ADMINISTRATIVE SECRETARY HERNANDEZ Commissioner Chico.

COMMISSIONER CHICO	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Fuentes.
COMMISSIONER FUENTES	Abstain.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Hartman.
COMMISSIONER HARTMAN	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Vice-Chair Burrola.
VICE-CHAIR BURROLA	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Chair Gomez.
CHAIR GOMEZ	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Thank you.
CHAIR GOMEZ	Now we move on to Public Hearings.

NEW BUSINESS

No Items

PUBLIC HEARINGS

CHAIR GOMEZ	May we have information regarding presentation of Public Hearings.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Thank you Chair and Commission, the Public Hearing tonight is Site Plan and Design Review (DA) No. 04-2020, for a speculative 129,830 square-foot concrete tilt-up building at 4416 Azusa Canyon Road. Our Senior Planner Brandi Jones will be giving the presentation.
CHAIR GOMEZ	Thank you.

COMMISSIONER FUENTES: Chairperson.

CHAIR GOMEZ: Yes.

COMMISSIONER FUENTES: We do not have an item here for Commissioner questions or comments? I know that in the City Council Meetings there is a…

CHAIR GOMEZ: We did have Announcements. Did you have any announcements?

COMMISSIONER FUENTES: Is that where it would be in Announcements, it is not Commissioner Comments?

CHAIR GOMEZ: Comments as to the presentation?

COMMISSIONER FUENTES: For something we liked to bring up prior to when the meeting starts.

CHAIR GOMEZ: I think that, Commissioner Comments, number 5, on the Agenda towards the end.

COMMISSIONER FUENTES: In the end? Okay, all right.

CHAIR GOMEZ: Thank you. Yes, anytime you are ready.

SENIOR PLANNER JONES: Good evening Chair and members of the Planning Commission, before I get started I just wanted to acknowledge the letter we received, from Lozeau and Drury that we put on the dais for you. That comment letter was received about an hour and a half ago. I want to also acknowledge that it is outside the comment review period. The Applicant is requesting a Site Plan and Design Review for the construction of a 129,830 square-foot concrete tilt-up building with associated parking. Based on a review of historical information, the project site appears to have been used as an orchard from at least 1928 until around 1952. The current main building was constructed in 1956 and was used by PepsiCo as a bottling plant. The site is presently developed with one building of approximately 62,713 square feet. The bottling plant ceased operation in December 2020, and the site has remained vacant. The property is located in the M-1, Light Manufacturing Zone, and has a General Plan designation of Industrial/Business Park. Within the 129,830 square-foot building 9,160 would be dedicated to office, 17,000 dedicated to manufacturing, and the remaining 103,670 feet of warehousing. The lot itself is 251,096 square feet. There is also a 5,568 square feet required street dedication along Azusa Canyon Road. There is also no prospective user in mind. So it is speculative just like nearly all of the developments that we process. The proposed tilt-up building incorporates many of the desired design elements from the Commercial and Industrial Design Guidelines. The layout,

landscaping, and design of the site also incorporate and encourages design elements. The building incorporates tower elements, as focal points and breaks up the expansive exterior walls with architectural projections and details around the windows. The design is similar to many of the recently approved developments, which have been designed to closely adhere to the guidelines, while maintaining function and aesthetic uniqueness. This slide shows how the proposed architecture meets the guidelines. When it comes to style, like varied roof lines and low pitch, smooth and troweled stucco, metal, glass, wood, stone, and brick, recessed windows and doors, custom ornamentation, enhanced street corner. Let's see, facades with the depth of the planes. These are basically similar to the other designs for recently approved buildings. The prospective use is currently unknown, but there are many potential uses that are permitted by right due to the current zoning designation. However, certain uses would not be allowed or would be subject to a Conditional Use Permit. These uses would require Planning Commission approval, so we would bring it back to you in the event that the new tenant applied for something that was conditionally permitted. In the event that a CUP was approved, the new owner and tenant would be subject to signing an Affidavit of Acceptance to accept the Conditions of Approval, agreeing to abide by the imposed conditions. Cold storage, however, has been expressly prohibited for this site without further future environmental analysis. That is because in the event that cold storage comes back then it would require further environmental analysis. At this point it is prohibited. There is approximately 27,979 square feet of landscaping on the proposed site. The minimum for new construction is ten percent of the total site area, so it meets and exceeds the requirement for landscaping. Ingress and egress to the site are provided via three driveways, one fronting onto Azusa Canyon Road and the other two fronting on Los Angeles. A twenty-foot wide dedication along Azusa Canyon would be required. There was an exhibit showing the dedication in your packet. This slide shows the minimum Development Standards for the M-1 Zone, with the minimum requirements. It also shows the Project Proposal which meets or exceeds the minimum requirements. Based on the square footage, the project would require one hundred sixteen stalls and one hundred twenty-three stalls are being proposed, including five ADA stalls; ninety-seven standard, and twenty-one compact. All the parking is surface. There is no subterranean lots or anything like that. I also want to talk about building height. In the report we do talk about the maximum building height in M-1, which is thirty-five. However, IMC section 17.68.010 entitled, "Height of Penthouses and Roof Structures" allows parapet walls to be erected above the height limits prescribed. The maximum height is thirty-five but you can have like architectural features, towers, parapet walls that exceed that. The maximum height of this building is thirty-nine feet, it is only four feet taller than the maximum thirty-five.

COMMISSIONER FUENTES Chairperson?

CHAIR GOMEZ Yes?

COMMISSIONER FUENTES I have a question on this. What is the limit then, on the parapets? You say it can exceed but is there a threshold there? Is it two feet? Is it ten feet? Is it forty feet?

SENIOR PLANNER JONES The Code does not specify.

COMMISSIONER FUENTES Well we need to tighten that up then.

CHAIR GOMEZ Let her finish her presentation and then we will come back. Thank you.

SENIOR PLANNER JONES So now we are going to get into the environmental discussion. Based on the Initial Study and subsequent analysis of the project, Staff has determined that the project as proposed qualifies for a Mitigated Negative Declaration according to CEQA. Specifically, the impacts of the proposed project would be mitigated to less-than significant levels with the implementation of the Mitigation Measures for the following areas: Air Quality, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Transportation, Tribal Cultural Resources, and Mandatory Findings of Significance. The Initial Study and MND were posted and circulated for the required thirty days for public review and comments. That period was December 21, 2021 ending January 19, 2022. We received four comment letters. Those comment letters were from: The State of California Department of Transportation or Caltrans, LA County Sanitation District, Lozeau Drury, LLP and Teamsters Local Union No. 396. These letters and the responses to comments have been included in the MND and they were part of your packet. Now I am going to turn it over to our Environmental Consultant, Dina El Chammas, and she will continue with the presentation. After she is done it will come back to me.

CHAIR GOMEZ Thank you.

DINA EL CHAMMAS Now do I advance the slides or will someone advance them for me? Do I advance the slides myself?

SENIOR PLANNER JONES Yeah you can but you will have to keep your mask on.

DINA EL CHAMMAS Oh I am sorry. Okay, I will speak loudly since I have to keep my mask on. My name is Dina El Chammas, I am from Placeworks, the consulting firm that did the CEQA analysis for this project. We have virtually with us also Marlie Whiteman, from Urban Crossroads, they conducted the traffic and VMT analyzes for this project. Brandi, she ran us through a few of the points in the Environmental Review. I will just go back a slide. As mention, the IS/MND was up for a thirty day public review period, from December 21 till January 19. There was Notice of Intent posting for the IS/MND. The Notice of Intent for the NOI included a notification of the Public Review period, how to submit comments on the IS/MND, how to access the IS/MND, for this project also specified today's hearing and how to attend. The NOI was posted on the Office of Planning and Resources or OPR's website, and the County Clerk's Office. It was distributed to responsible agencies, adjacent Cities in the County of LA, School Districts, utility services like water and sanitation, Native American Tribal representatives, and it was also send out to surrounding property owners. I included an aerial of the site here. This structure is the former Pepsi Bottling Plant. This is included here just to indicate that, for the IS/MND the operating plant was used as baseline conditions. That is because the plant was operational on the site for sixty plus years and only recently shut down, so any kind of impacts were assist against these baseline conditions. Project impacts compared to net impacts over existing conditions of an operational bottling plant. The topics analyzed in the IS/MND are the CEQA topics, the topics required by CEQA. You can see that a number of these topics do include technical studies. This is a list of the technical studies that were prepared. Our in-house Air Quality and GHG specialist prepared an Air Quality and GHG Emissions Analysis. We prepared an Operational Health Risk Assessment, a Cultural and Paleontological Resources Study, a Geotechnical Report, a Phase 1 Environmental Site Assessment or a Phase 1 ESA, that studies current and historic hazardous materials that could be or were on the site, Water Quality and Hydrology Reports, Noise and Vibration Analysis, and a Transportation Analysis. All of the impacts were found to be less than significant without mitigation except for the following. Now when we say less than significant without mitigation, it means after regulatory requirements and project design features. For Air Quality, a Mitigation Measure was included for any future tenant that might create odor impacts and the need for an odor management plan. For Cultural Resources, we included a Mitigation Measure in case any cultural finds were found on the site, during any kind of ground disturbance activities. For Geology and Soils, a similar Mitigation Measure was included for paleontological finds. Hazards and Hazardous Materials also included a Mitigation Measure, for testing and management of soils that might be suspect for contamination. Transportation included Mitigation Measures for pedestrian safety; this included new crosswalks and a restriction on parking at the Azusa Canyon and the Los Angeles Street intersection. For Tribal Cultural Resources we also included a Mitigation Measure, and this was per the request of tribes

that were consulted in accordance with AB 52 requirements. No statement of Overriding Consideration is required for this project. Again, we received comments from two agencies and two organizations; Caltrans, Los Angeles County Sanitation Districts, SAFER, and Teamsters. The responses to these comments are included in your Staff Report, in the Response to Comments Document. Primarily the comments were addressed through Conditions of Approval. Mainly the Conditions of Approval, and this addressed many of the comments, was the requirement for a site specific trip generation technical memo, in case the trips for subsequent tenants exceed the trips that were study in the Transportation Study. The requirement that the City regularly and continually monitors the actual trips generated by future tenants. Also, a Condition of Approval for applicants to submit plumbing plans to the Los Angeles County Sanitation Districts, prior to issuance of a building permit. We also made changes to the text of the Initial Study to respond to the comments that we received.

CHAIR GOMEZ — Thank you.

SENIOR PLANNER JONES — With that, that concludes Staff's report and what our recommendation is, 1) to Adopt Resolution No. 813(22) recommending that the City Council adopt the Mitigated Negative Declaration and Mitigated Monitoring Reporting Program. 2) Adopt Resolution No. 814(22) recommending that the City Council approves Site Plan and Design Review (DA) No. 04-2020 subject to the proposed Conditions of Approval for the speculative tilt-up building totaling ±129,830 square feet. Or alternatively, request that Staff prepare a resolution of denial based on recommended Findings of Fact to be brought back at the next regularly scheduled Planning Commission meeting for adoption; or request that the applicant revise the project and continue the hearing to a date certain.

CHAIR GOMEZ — Thank you. At this time we are going to open it up for Commissioner questions or clarification, for further discussion. Do we have some questions?

VICE-CHAIR BURROLA — I have questions for Staff and I guess for the study, the Environmental MND. I want to begin with the Operations and Analyzes. I know you talked about a speculative concrete tilt-up and that most of the buildings that come through are for permits or to get accepted, it's speculative. I just wanted to make sure, you know, the end use needs to be determined to make a reasonable judgment on the impacts of the new buildings. How do we determine the impacts, if we don't really know what is going to be there. You guys are basing it off on what Pepsi was doing it? Is that my understanding?

SENIOR PLANNER JONES — Are you talking specifically about the air quality, the number of trips because it is speculative with no user?

VICE-CHAIR BURROLA: All of that, yes. All impacts.

SENIOR PLANNER JONES: Okay.

DINA EL CHAMMAS: So what we did, is that we, we do know that it is going to be manufacturing and a warehousing building. We based our analysis on the Land Use statistics that Brandi showed. How the building is going to be kind of split up, manufacturing and warehousing. We did assess the more conservative aspect of that split up. We took the maximum that the building would take up as manufacturing and the rest was warehousing. All the air quality/GHG are based on the trips generated by those land uses and how they are distributed. Noise would be the same thing and the HRA. Anything else yes and it is all net impact. The trips are based on a net difference between Pepsi and what is being proposed.

VICE-CHAIR BURROLA: My next question would be, I guess this is for you Brandi. To avoid conflict with the City, shouldn't we make certain the developer owner is fully aware of what end use constitute a Conditional Use Permit? I know it is in our subsection, I guess 17.52.080, which is M-1 Zone. If the City can deny, like they come back and we deny the end use, wouldn't that be like a conflict with the City and the developer that might be litigation later on? I don't feel comfortable not knowing what the end use is, and then we come back and say we are going to deny it because we need a Conditional Use Permit, and then we deny it because we find something wrong. When the developer is saying, "okay this is my end use" and they have an idea what their end use is going to be, hopefully, and if they don't it is something that we should talk about up front not wait till later. Is that a possibility because you know nowadays we have big E-commerce going up like Amazon? M-1 Zone is for an Amazon building, but we are looking at a high level of truck traffic coming in and out. That is a tight area because I believe there is a business behind them that share that intersection, coming in and out. It really doesn't talk about that, well I didn't see it in the traffic study, about how it is going to conflict with neighboring businesses and stuff like that. That is just a concern I have with this study. Then going further for the engineering section, which is on page fourteen out of seventeen, we're proposing an easement. What is that easement for?

SENIOR PLANNER JONES: I'll respond to your first questions.

VICE-CHAIR BURROLA: Okay.

SENIOR PLANNER JONES: And then Engineering can respond to the easement.

VICE-CHAIR BURROLA: Okay, that is fine.

SENIOR PLANNER JONES: Most of the buildings that come in are speculative. When we are preparing the report in the Mitigation Monitoring Motoring Program, the developer is aware of the Conditions that we are going to be imposing. The Condition that in the future there might be a use that requires a CUP, so they are aware of that. Even if there weren't a Condition of Approval, the Code would still require a CUP for that particular use. Most of the time the developer doesn't know who the tenant is going to be, because most of the tenants want to make sure there is an entitlement in place before they commit. Again, most of our development is speculative. Most of the uses that come in after Planning Commission and City Council approval are permitted by right, because they are just typically a warehouse, maybe some light manufacturing, office, or storage. Those are all uses that are permitted by right. Again, if somebody came in and they wanted a CUP for that particular use and the Planning Commission denied it, you would have to make the findings to support that denial. That would just be the process.

VICE-CHAIR BURROLA: Okay.

SENIOR PLANNER JONES: It is standard process.

VICE-CHAIR BURROLA: Because the impacts may be different than what we are thinking they are right now, at this time. The impacts may be different depending on the end use, correct?

SENIOR PLANNER JONES: Yeah, that can be. Again, for example we specifically prohibited cold storage because you would have the refrigerator trucks, that could have potentially some additional impacts.

VICE-CHAIR BURROLA: There is a long list in that section.

SENIOR PLANNER JONES: Yeah, so we prohibited that.

ASSISTANT CITY ENGINEER CO: Good evening, to answer the question specifically about the easement, it is a roadway easement. Currently the property line is in the street. This is just an easement that we are requesting, that we are requiring just to clean it up to make sure that we get the right of way for the entire street.

VICE-CHAIR BURROLA: Okay this is on Azusa Canyon Road?

ASSISTANT CITY ENGINEER CO: On Azusa Canyon Road.

VICE-CHAIR BURROLA: On the west side?

ASSISTANT CITY ENGINEER CO: It is on the east side of the street.

VICE-CHAIR BURROLA: Okay and then did you guys look into the Initial Study for the sewer? Making sure that this new development, because I know they are going to demo the existing building put up a new building. Is it going to be able to handle the additional, if there is an additional gallons per day of sewage?

ASSISTANT CITY ENGINEER CO: Yes we will look at that when the design comes in. We will take a look at that. As a Condition we do require a Sewer Study, the sewer analysis comes in with the plans.

VICE-CHAIR BURROLA: I get that but this is an impact. If it impacts the, you know, I guess it goes wherever it goes, you know, is it going to increase that? Does something have to be done to mitigate that?

ASSISTANT CITY ENGINEER CO: Yes, if it does require more capacity then it would require additional sewer improvements.

VICE-CHAIR BURROLA: And do we look at it?

ASSISTANT CITY ENGINEER CO: Yes we will.

VICE-CHAIR BURROLA: Have we looked at it?

ASSISTANT CITY ENGINEER CO: Because it is a speculative building, we don’t know exactly what is going in, when plans do come in we can analyze that.

VICE-CHAIR BURROLA: Okay.

ASSISTANT CITY ENGINEER CO: It is not very likely. This is an industrial building and it’s constructed to be industrial use, and typically industrial use the waste water is relatively low. There is, I believe an eight inch main and I think only two buildings connect to that sewer main.

VICE-CHAIR BURROLA: Okay.

ASSISTANT CITY ENGINEER CO: And it connects to a L.A. County Sanitation District Trunk Sewer. They would be the ones at the end of the day analyzing that because it is their sewer. The City really doesn't have jurisdiction on that main.

VICE-CHAIR BURROLA: My understanding here is, okay they are going to build the speculative building, it is going to go up but L.A. County is already aware that they are going to be using their sewage.

ASSISTANT CITY ENGINEER CO: Correct, because they commented, they submitted a comment letter so they did a review of the project.

VICE-CHAIR BURROLA: I am just making sure that it doesn't go up and then you guys run into…

ASSISTANT CITY ENGINEER CO: It wouldn't be a surprise for them, because again the MND went out and they are one of the parties that do review it.

VICE-CHAIR BURROLA: Okay, so number eighteen talks about fair share of improvements on Arrow and Azusa what does this mean, fair share?

ASSISTANT CITY ENGINEER CO: The fair share is a traffic mitigation. It is not really part of CEQA, but it is part of the City's Traffic Impact Guidelines. We require that these projects do a traffic analysis on level of service, at several locations depending on how much traffic is added. Our Traffic Impact Guidelines have a very specific formula to determine what a fair share cost is. It is essentially the portion of traffic that they add compared to existing. In this case for that location, I believe the projects fair share was about three percent.

VICE-CHAIR BURROLA: Why don't we state that? Why isn't it stated in the report? I think this is part of what we are approving right? Part of the Resolution?

ASSISTANT CITY ENGINEER CO: It is part of a Condition but it is not part of the MND. With new rules in CEQA, which changed I believed two years ago, level of service and congestion is no longer an analysis that is part of CEQA. We have to remove that out of our environmental document. The City still analyzes it as a City requirement.

VICE-CHAIR BURROLA: Okay, I would just like to elaborate a little bit more of what fair share means.

ASSISTANT CITY ENGINEER CO: In the future, we can put that percentage in the Condition of Approval.

VICE-CHAIR BURROLA: Okay.

ASSISTANT CITY ENGINEER CO: But again it would not be in an Environmental Document.

VICE-CHAIR BURROLA: Then you know, talking about the traffic impact the Environmental Study talked about transportation, improving the curb and sidewalks but what about the intersections? We have a mining operation going on which is truck traffic, the speculative building I don't know how much traffic that is going to produce but that is going to produce a good amount. You guys talk about $550,000 for installation of a new traffic signal. You know $550,000 will have probably a cost of one of the traffic poles, it is not going to have the whole. Just my understanding of an intersection with traffic signals, with a railroad crossing we are looking at way more than $550,000. Where will the other amount come from and is this part of the impacts? Are we going to look at this and make sure that we do have a traffic signal there, and when the building goes up the traffic signal is also going up at the same time or the construction of it?

ASSISTANT CITY ENGINEER CO: You are right, with the railroad track it does increase the cost more than a typical traffic signal. I would say for a typical traffic signal without a railroad crossing that would be close to that amount. Because the railroad crossing is there, there are requirements we need to meet in order to fulfill the requirements from Metrolink and the Railroad Authority. As you are aware the Olive Pit operation is right across the street, so they are also required to install a signal as is this project contributing as well. We are hoping that this funding will contribute to that signal construction and installation. This is just this project paying their part.

VICE-CHAIR BURROLA: Wouldn't we want it done? Wouldn't we want some collaboration between companies, I guess, to make sure that this is set in stone?

ASSISTANT CITY ENGINEER CO: Yes the dollar amount is set in stone.

VICE-CHAIR BURROLA: Not even the dollar amount, just the fact that they both are aware that these are impacts, to that intersection with these new developments. I know United Rock is probably aware of it already, with their Resolution whatever they have, whatever agreements they have with the City.

ASSISTANT CITY ENGINEER CO: The agreement between the City and United Rock states that United Rock is responsible to install that signal. They are aware of the responsibility. They signed the contract. They signed the agreement. They did agree to install it. This project is also acknowledging their impact on the signal that is why they are agreeing to pay that $550,000.

VICE-CHAIR BURROLA: I just want to make sure that everyone is aware of this, and that the new developer is aware that this is an impact and it needs to be addressed.

ASSISTANT CITY ENGINEER CO: Absolutely and that's why they agreed to pay for it.

VICE-CHAIR BURROLA: And that they are collaborating with United Rock in making sure they are going to get half, or whatever they agree. Whatever their agreement is because it is not on this report, so I can't really say.

ASSISTANT CITY ENGINEER CO: The agreement between Irwindale and United Rock is unrelated to this project. At the end of the day United Rock is the one responsible. The City is going to work with them to get the project done. We have to work with the other agencies like the railroad, and possibly the City of West Covina in order to get the easements required for that signal.

VICE-CHAIR BURROLA: Okay.

ASSISTANT CITY ENGINEER CO: It will be a collaborative effort.

VICE-CHAIR BURROLA: Thank you. One other question, about I think this is for the Mitigation Monitoring and Reporting Program. There is a table that is all I have in my report, a table showing "3.17 Transportation." It doesn't state anywhere in that, is this actual mitigation? Give me an understanding of what the Mitigation Monitoring requirements are, if you can. It is a table on page Seventy-nine of eighty-five.

DINA EL CHAMMAS: What the Mitigation Monitoring…

CHAIR GOMEZ: Please speak up.

DINA EL CHAMMAS: So what the MMRP is, is an extraction of all the Mitigation Measures that were assessed in the IS/MND in table form. What it will tell you, at what point that Mitigation Measure needs to be implemented and by whom. The Mitigation Measures come from the IS/MND, and they are anything that is over and above regulatory requirements or project design features, that are needed to mitigate an impact to less than significant.

VICE-CHAIR BURROLA: How come the traffic signal improvement in that intersection is not in there? Also the mitigation for Azusa Canyon and Arrow, that fair share we talked about. Wouldn't those be in there? Or shouldn't they be in there?

DINA EL CHAMMAS: The thing is, they used to be under a CEQA threshold, "Transportation Impact." Those were removed from CEQA. The only Mitigation Measure that you see in front of you is related to pedestrian safety that is still a CEQA threshold. Traffic and anything that has to do with congestion, all of the Mitigation Measures for the intersection, and the fair share they aren't CEQA thresholds.

VICE-CHAIR BURROLA: When did that happen, I am sorry?

ASSISTANT CITY ENGINEER CO: About two years ago.

VICE-CHAIR BURROLA: Two years ago, okay.

DINA EL CHAMMAS: It changed. We used to do a lot of LOS analysis, extensive under CEQA but that is no longer a requirement.

VICE-CHAIR BURROLA: Okay, thank you. That's all the questions I have.

CHAIR GOMEZ: Any other Commissioners have questions or clarification? Anyone else? Okay at this time, we will be opening it up for the Public Hearing. The applicant I believe would be the first to speak, is that correct? Then we will open it for the public to also speak after the applicant.

OPEN PUBLIC HEARING: At 7:19 p.m., Chair Gomez opened the Public Hearing.

ADMINISTRATIVE SECRETARY HERNANDEZ: The applicant is going to be presenting their presentation virtually. His name is Michael Ramirez, and I will be unmuting him now.

CHAIR GOMEZ: Thank you.

MICHAEL RAMIREZ: Good evening, can you guys hear me?

ADMINISTRATIVE SECRETARY HERNANDEZ: Yes.

MICHAEL RAMIREZ: Great. First and foremost, I just want to say thank you for your guys' time and efforts. My name is Michael Ramirez, I am a Senior Project Manager for Rexford Industrial. I just want to kind of echo the sentiments that were relayed in Brandi's presentation, as well as Dina from Placeworks. At this time, going through the presentation I think it is pretty robust and answers a lot of the questions that some of you might have, but in general if there is any specific questions that you want to direct at the owner, now is the time for you to direct that. I believe also in attendance is Steve Masura, who is our Rexford Director of Entitlements. He would make himself available as well. There is also our architect, a gentleman by the name of Kamyar, who would be able to answer any specific design questions if they came up. With that being said, if there is any questions you would like to direct at us fire away.

CHAIR GOMEZ Any questions at this time from the Commission, as to the applicant? No, okay. Thank you so much. Do we have any public that wishes to speak at this time?

ADMINISTRATIVE SECRETARY HERNANDEZ I would like to first read a written communication sent to us via email.

CHAIR GOMEZ Okay.

ADMINISTRATIVE SECRETARY HERNANDEZ It was sent via email by Victoria Ann Yundt, from Lozeau Drury. I will summarize it since it is fourteen pages. She states, “I am writing on behalf of Supporters Alliance for Environmental Responsibility regarding the Initial Study and Mitigated Negative Declaration prepared for the 4416 Azusa Canyon Road Project. After reviewing the IS/MND, we conclude the IS/MND fails as an informational document, and that there is a fair argument that the Project may have adverse environmental impacts. Therefore, we request that the City of Irwindale prepare an Environmental Impact Report for the Project pursuant to the California Environmental Quality Act.”

CHAIR GOMEZ Thank you.

ADMINISTRATIVE SECRETARY HERNANDEZ We will start now with Tier 1, any in person attendees who would like to speak.

CHAIR GOMEZ Anybody from the audience would like to speak please come forward for Spontaneous Communication, I mean for communication as to this Public Hearing.

FRED BARBOSA Good evening Chair and Commissioners, Staff, and residents. My name is Fred Barbosa, 16164 Calle De Paseo. My question is, since nobody answered, how many bays are in this, since it is industrial whatever you want to call it. Do we know? You don’t know how many bays? That is kind of affecting the whole thing about what air quality is. How many trip generations there will be? You don’t know the bays. To make a Mitigated Negative Declaration before you know exactly what is going in, you are tying the City’s hands because you accept the Mitigated Negative Declaration. You are telling whoever is out there, that we might take whatever you are going to throw at us. Please, don’t give it to them until you know what is going in there. Like I said, do I get an answer? How many bays are there?

CHAIR GOMEZ Yeah, we will get you that answer. Did you have additional questions?

FRED BARBOSA No.

CHAIR GOMEZ Staff will answer that. Please, thank you.

ROBERT DIAZ Robert Diaz, 2408 South Mountain Avenue, Irwindale.

ADMINISTRATIVE SECRETARY HERNANDEZ Before we start, Mr. Diaz was given an additional three minutes by Theresa Ortiz.

CHAIR GOMEZ Thank you.

ROBERT DIAZ Thank you. One of the concerns I had is whether or not there has been an Economic Impact Study in this EIR. From what I saw it does not appear there is one. I believe there should be. Some Mitigation Measures are recommended depending on what happens, but what will it cost? We won't know until there is an impact or a study of a potential impact. That is only done, I understand, if the Council request it. I might ask that you recommend the Council to do an Economic Impact Study, and include in that the cost of the truck traffic damage to roadways. About the traffic light, installation of that should be included. I know it will benefit the developer and also the traffic. It could also change traffic patterns, I don't know if that had been studied. Once you get a traffic light there, left turns from Los Angeles Street north bound on to Azusa Canyon Road that might increase, also the traffic through Cypress. I believe also Nora residents should have been notified, though legally they might be beyond the required footage for notification. Being responsible for Irwindale residents, I would hope that you take into mind to notify residents that might be impacted by potential developments, before Council or Planning Commission decides them. Another thing, could there be more landscaping than was proposed? When Pepsi went in they had more landscaping. They came to the City Council and at one time requested to use the landscaping for parking, it was granted. With what I see now it is less than what was done. Just a thought, if they move the building further back they can increase the landscaping in the front. You included in that economic report, no parking in front one hundred and fifty feet from the rail line but I would say no parking at all. One recommendation is to consider bicycle paths or whatever. My experience is you get more and more traffic all the time. If you are dealing with truck traffic through that site, they make big round turns that would impact other lanes. You might have to see that the lanes are wide enough. If not now, if you have an easement through the front then possibly you can do that with less cost in the future, if need be. Or one of those bicycle paths if it is necessary. Those are some of the comments that I have. Also I didn't get a notice on this meeting either.

CHAIR GOMEZ Thank you. Anyone else in the audience that wishes to speak, before we move to the next tier? Anyone with a hand raised?

ADMINISTRATIVE SECRETARY HERNANDEZ We do have one person who wishes to speak on our online communication. I will now be unmuting Victoria Yundt.

CHAIR GOMEZ Thank you.

VICTORIA YUNDT Good evening, my name is Victoria Yundt. I am an attorney at Lozeau Drury, and I am speaking on behalf of Supporters Alliance for Environmental Responsibility or SAFER. SAFER submitted detailed written comments to the Planning Commission earlier today. SAFER requests that the Planning Commission refrain from adopting the resolutions, recommending that the City Council approve the MND for the proposed warehouse project at 4416 Azusa Canyon Road, until an EIR is prepared. Several overarching factors support requiring an EIR for the project. First, the MND provides substantial evidence that the project could result in significant impacts, from soil contamination on the project site but fails to adequately analyze or mitigate those impacts. According to the MND there is a potential for release of petroleum products in a vapor risk of the site, due to a twelve-thousand gallon diesel underground storage tank, that was installed in 1990. Due to the lack of closure documentation from regulatory agencies, the MND states that it cannot be certain whether significant contamination impacts could occur due to project construction. Instead of adequately analyzing the potentially contaminated soil on the site, the MND fails to consider baseline conditions for soil vapor and realizes on deferred mitigation and violation of CEQA. Second, the MND's transportation analysis on Appendix I, fails to adequately address transportation impacts for two reasons. First, the transportation analysis does not include a VMT Analysis, although it is required under CEQA. Second, the Transportation Analysis improperly relies realize on the August 2003, City of Fontana Truck Trip Generation Study to determine the operational passenger car and truck trip generation rates for the project. Thirdly, the MND cannot be relied upon to determine the significance of the project's air quality impacts, because the air model underestimated the projects construction and operational emissions. Fourth, the MND inadequately analyzed the project's impact on human health from diesel particulate matter emissions, a nearby sensitive receptors, by failing to prepare a quantified construction Health Risk Assessment and by including an operational Health Risk Assessment, that fails to evaluate the cumulative lifetime cancer risk to nearby existing receptors as a result of project construction and operation together. Lastly, the MND inadequately addresses impacts related to hazards and hazardous materials, air quality health risks, and greenhouse gas emissions from the project construction operation. Given the substantial evidence of significant impacts to the environment from the project construction and operation, the Commission should recommend that an EIR is prepared for this project. Thank you for your consideration.

CHAIR GOMEZ Thank you. At this time we had a question on the floor, if you would come and answer that.

SENIOR PLANNER JONES: To first answer Mr. Barbosa's question, based on the elevations there are eighteen dock doors, but I would also like to specify that dock doors do not equate to truck trips or air quality measurements or emissions. As far as Mr. Diaz's comments, I do not believe that there was an Economic Feasibility Study prepared. That's not something that we would require as part of the development or an application process. As far as notification, property owners within 500 feet of the subject property are notified a minimum of ten days before the Public Hearing. We also post Public Notices, in City Hall, Community Development, the Library, and the Post Office for every meeting. There was the NOI, which is the Environmental Notice for the thirty day review, there was the Public Hearing Notice, and also it is posted on the website. This project has a dedicated webpage, which has all of our notifications on it. If the public wants to they can always call us. They can always sign up to be on a list to receive notifications, or they can just go on our website. We don't notify the whole City, the code requires 500 feet. This was also in the Tribune, the NOI was in the Tribune and the Notice of Public Hearing was in the Tribune. Landscaping, it exceeds the minimum landscaping of ten percent. Based on the last time that I was on the Pepsi site, it was almost completely paved.

CHAIR GOMEZ: Thank you. Before we close the Public Hearing, do any of the Commissioners have any additional questions at this time?

COMMISSIONER FUENTES: I am looking at the elevations. Is it possible you bring up the elevation coming from Los Angeles Street heading east? It would be the frontage of Azusa Canyon Road.

SENIOR PLANNER JONES: Can you repeat that?

COMMISSIONER FUENTES: The slide of the elevation view heading east on Los Angeles Street into. That would be it. That would be it there, correct?

SENIOR PLANNER JONES: Yes, that is how it would look…

COMMISSIONER FUENTES: That would be if I was on Los Angeles Street, at the intersection heading east. That's what I would see?

SENIOR PLANNER JONES: It is heading north on Azusa Canyon.

COMMISSIONER HARTMAN: I believe Los Angeles Street would continue on the right side of the…

COMMISSIONER FUENTES: I am saying if you are at the intersection. Right now the way it is, is there even a street that goes further back or is it just an alley way. If you were at the stop sign on the west side of Azusa Canyon Road heading east, is that the elevation you would see?

SENIOR PLANNER JONES: Yes, like Commissioner Hartman said that's the right side. That is LA Street and then this side here with the majority of the elevation, that's Azusa Canyon Road.

COMMISSIONER FUENTES: Right there the dark brown with the glass there, that would be fronting Azusa Canyon Road?

SENIOR PLANNER JONES: Yes.

COMMISSIONER FUENTES: Okay my question is, that is somewhat of an entrance way into the City of Irwindale, because West Covina right there the tracks, that is West Covina to the south of it. Is it possible on that to have "Welcome to Irwindale or City of Irwindale" placed in there?

SENIOR PLANNER JONES: On their private building?

COMMISSIONER FUENTES: Correct.

SENIOR PLANNER JONES: I don't think so.

COMMISSIONER FUENTES: Well can we ask? I mean it is part of the entryway into the City. I know we have asked for it in other sites, prior to your time here. I would like to know if we can have that because that is an entrance into the City.

SENIOR PLANNER JONES: We can ask.

COMMISSIONER FUENTES: Okay, and then also the frontage on it, it says meandering sidewalks but as I look at the site plans, I don't see any meandering sidewalks in there. It looks like it is just a straight sidewalk. It is two hundred and seventy feet I believe. I mean when I look at meandering sidewalks I can look across the street and those are meandering. According the site plan that you are showing us now, it is just straight but in the report it says meandering.

SENIOR PLANNER JONES: Let me look in the report. It could have been that we were giving an example of what are some of the elements. For example, we might suggest a meandering sidewalk. What page is that on?

COMMISSIONER FUENTES	I don't know. I read it, I don't know. You did the report, I don't know where it is. I guess I am asking, are there meandering sidewalks or is it just straight sidewalks?
SENIOR PLANNER JONES	Sidewalks out there are straight.
COMMISSIONER FUENTES	Excuse me?
SENIOR PLANNER JONES	The sidewalks are straight.
COMMISSIONER FUENTES	Okay, well we need to get some meandering sidewalks in there, make it pedestrian friendly, Like I said this is the entrance into our City here.
CHAIR GOMEZ	I think the Commissioner is asking if we can ask the developer for meandering sidewalks.
SENIOR PLANNER JONES	That would be up to Public Works because that is in the public right away.
CHAIR GOMEZ	Okay so let's get somebody from Public Works so we can talk about that.
ASSISTANT CITY ENGINEER CO	We can definitely ask.
CHAIR GOMEZ	Thank you.
COMMISSIONER FUENTES	Can we make that a Condition?
CHAIR GOMEZ	Let's close the Public Hearing and then we will have that discussion. At this time we will close the Public Hearing.
CLOSE PUBLIC HEARING	There being no speakers, Chair Gomez closed the Public Hearing at 7:36 p.m.
CHAIR GOMEZ	We will go into having additional discussion as regards to this recommendation. Commissioners?
COMMISSIONER FUENTES	Yeah, can we require as part of one of the Conditions that we have meandering sidewalks on the frontage of this building here, on the sidewalk for the two hundred seventy feet?
SENIOR PLANNER JONES	We'll have to unmute the developer and ask them, so you can ask them about the meandering sidewalk and the signage.

CHAIR GOMEZ We can also ask them or we can make it part of a Condition when we have that motion. As we go through this discussion. Anyone else have any other comments?

SENIOR PLANNER JONES They need to agree to it.

CHAIR GOMEZ Okay.

SENIOR PLANNER JONES Yes.

CHAIR GOMEZ Any other comments?

COMMISSIONER CHICO Yes.

CHAIR GOMEZ Yes.

COMMISSIONER CHICO My biggest concern about this project is the traffic, as a potential problem, simply because there's only so much we can do to those streets. You can't widen most of it you can't widen, what is this Azusa Canyon road? The south? And the lady who was talking mentioned that the VMT study. I don't know what it shows but I'm reading here, on response to comments page sixty-three, that the City is to monitor these trips. That's an expense to the City. And I don't know how that's physically done. And then I would ask my next question would be, okay. Knowing how real life operates, there was one car too many, yesterday, do we shut them down? I don't know, I know I'm being ridiculous but the question is how this works. How this works in real life. I don't see where. I'm concerned because it talks about trips and what about vehicles that are just parked along the street, it doesn't cover that subject. We don't have a real traffic study because obviously we don't know who's gonna use it. Or how they're gonna use it. So I'm really, really concerned. And having received this letter, I would really like time to study the environmental issues this letter has brought forth. I think the sensitivity of this project merits that kind of study. In my opinion would be that we table at least for one month, to our next meeting. So we can have time to study this. So what's the comment from my colleagues regarding that?

CHAIR GOMEZ Do you have something to add?

VICE-CHAIR BURROLA I would just like to add on to what you are saying. My big concern is the traffic. Especially the intersection of Azusa at Los Angeles and the railroad crossing. I don't know and I haven't, I really didn't see the traffic study, you know, with these impacts. It might have been in the report, I didn't see it but to have a better understanding how we're going to mitigate this. And then we talked about traffic signals and

we're not sure who's paying for it, and how it's gonna be done, so that's another thing that I would like more clarification so yea. I think it's wise that we table it and get more comfortable with what they're trying to do here. And have more information. Especially on the traffic study.

COMMISSIONER FUENTES — First I know that I've taken that route coming home from work 3:30, 4:00, 4:30, 5:00 hitting east bound on Los Angeles Street, and you've got a stop sign there. And that thing backs way up, let alone the traffic off of San Bernardino hitting north on Azusa Canyon Road. That's only one lane there. And then if you put a signal there that's gonna back up even further. So that's a concern also. Brandi, I found where it is there, Commissioner Burrola showed me, page nine of eight-five the last two lines. It's section four of section four here we go it says the last of it says "include varied rooflines, berms and meandering sidewalks and multi layered landscaping" so it's in your report.

SENIOR PLANNER JONES — Right and when I reread that that's basically just given examples of some of the elements that we typically incorporate in projects.

COMMISSIONER FUENTES — That we want incorporated in projects. Ok so that's…

SENIOR PLANNER JONES — That's not a Condition and that's not specifically stating that this one has meandering sidewalks.

CHAIR GOMEZ — Thank you and anybody else? Commissioner Hartman did you have any?

COMMISSIONER HARTMAN — I'd like to agree with Commissioner Chico about this. It all has to do with the traffic. Like he was saying, the south side of Azusa Canyon Road south of Los Angeles Street, there's nothing you can do with that. It's one lane south, one lane north. Soon as you get passed that, it opens up to two lanes north, two lanes south, two lanes east, two lanes west. Yeah, I'd like to table it for another month at least.

CHAIR GOMEZ — Thank you, and so when we review this we see that the report the Environmental Initial Study, the MND, do address CEQA standards. But we also know the City of Irwindale often requests additional traffic congestion issues that seem to be relevant. When we're discussing this we heard that at the end of the day each project is separate, and we know that the mining going on at that area for we're waiting for the street light, it's still relevant. Even though each project is separate, the impact on the community, on the residents, on the businesses is still relevant. I would agree, however, I wanna go a step further and ask what would be, from the Director of Development, what would be necessary to get an EIR for the whole project. Cause what we're looking at is, even though you did your due diligence in comparison to Pepsi. Pepsi is totally different than what we have here now. Especially sixty years ago. The relevance of eighteen bays whether they be used

or not is obviously speculative. However, if they are used we need to anticipate that as due diligence as a Planning Commission, as a City of Irwindale, for our residents, and our environment. So I would like to know from our Director, what would be necessary and how would that look if not only putting it over for a month but investigating the EIR.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON — Thank you Chair and Commission I'm going to have the environmental expert explain that, the difference between the MND and what would require an EIR.

CHAIR GOMEZ — Okay, Thank you.

DINA EL CHAMMAS — You know we got this letter just today just like the rest of you, they gave us a very short period of time to look into these comments. We do not agree with the statement that there is substantial evidence indicating significant…

CHAIR GOMEZ — Ok that wasn't my question as to this letter. My question is what would be the next step to get an EIR, and the cost, and how long would that take, and would it investigate or address the issues that the Commission has stated here today. I'm not speaking to the letter I'm speaking to the potential that we would like that information.

DINA EL CHAMMAS — Well in terms of the comments that were brought up by the Commission tonight, with regards to CEQA our stance is that the IS/MND do address those.

CHAIR GOMEZ — And I do agree, they do address it but we have additional concerns so if there is additional concerns will the EIR address those, as terms of all of the issues that are congestion in that area.

DINA EL CHAMMAS — Well in terms of traffic and congestion an EIR would not address those impacts, because they are not CEQA issues.

CHAIR GOMEZ — Okay.

DINA EL CHAMMAS — So even if we go to an EIR those impacts would not be in an EIR. Traffic and Congestion will not find their way into an EIR.

CHAIR GOMEZ — Okay.

DINA EL CHAMMAS — Or the impacts.

CHAIR GOMEZ — Ok so is there a study that would that we could ask for and command for. I'm sorry.

DINA EL CHAMMAS Well in terms of a traffic study that would I think be more Daniel's purview, in terms of you know your issues with the intersection and congestion and things like that. But yeah, it wouldn't be something that would filter into the EIR.

COMMISSIONER CHICO What we need is a traffic study.

CHAIR GOMEZ Ok so we can start with a traffic study, so Daniel?

ASSISTANT CITY ENGINEER CO The Traffic Study was prepared so that was part of the report, it is part it is appendices to the MND. That traffic study was prepared under the guidelines the city has adopted for traffic impact analysis. So the congestion is part of that and that was analyzed in this report.

CHAIR GOMEZ Can you tell us what that reflected as a recommendation just refresh our recollection from the report?

ASSISTANT CITY ENGINEER CO Yeah, so again it's the traffic signal at Azusa Canyon and Los Angeles, Los Angeles and Azusa Canyon and we have also improvements on Arrow and Azusa Canyon. So that's the one of the Conditions that we put in the Conditions of Approval with the fair share cost.

CHAIR GOMEZ So the fair share cost is also speculative cause the building is speculative. We don't know what's going in there. We don't know how much traffic is going in there, and giving them three percent that they would pay, even though we don't know how much congestion. We would have to come back later and assess it more, since we're not even assessing any part to the signal which I think at the other Council meeting they indicated that its $3.5 million, that's why it hasn't been put up yet. Is that correct? So my question is, it's speculative how can we say how much congestion is there, when we really don't know what kind of business it is? If they're gonna use eighteen bays, we're suggesting we're not gonna use eighteen bays, but if they do use eighteen bays what kind of traffic are we gonna generate? I think that's what the Commission is saying and what our concern is in an already congested area. How do we justify welcoming, Pepsi was there sixty years, and so Pepsi we knew what kind of traffic they generated and how it impacted the environment with smog, with pollutants. So when you made that analysis what degree did it reflect maximum use of a business there?

ASSISTANT CITY ENGINEER CO Yeah, so as I think Dina stated before it was seventy-five percent warehouse, twenty-five percent manufacturing which the traffic trip generation is based on land use, not on the truck bays. Based on that split we are able to create a trip generation. Again, like you said, this is speculative, we don't know what's going to end up being there. That's the information we were given so we do our analysis based on what we know. In terms of putting the limit, there is a Condition in the

Conditions of Approval that limits the daily am/pm peak hour trips for this project. And I believe Commissioner Chico had a comment about the monitoring. The monitoring is going to be paid for by the developer.

COMMISSIONER CHICO — Who enforces it?

ASSISTANT CITY ENGINEER CO — The City would.

CHAIR GOMEZ — Okay so what we have here is a Commission we've…

ASSISTANT CITY ENGINEER CO — We also have the Traffic Engineer on the line. You can ask him any questions. They're available.

CHAIR GOMEZ — Have any questions for the Traffic Engineer? So I think that we've come to some type of, we need a motion to continue it. The thing is that I want a day certain to continue it but for what resolve, right? What is the resolve of continuing it? Because we want more information we want information that, so we need a motion.

COMMISSIONER CHICO — Motion to continue.

COMMISSIONER HARTMAN — Second.

CHAIR GOMEZ — Let's do a roll call.

ADMINISTRATIVE SECRETARY HERNANDEZ — Commissioner Chico.

COMMISSIONER CHICO — Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ — Commissioner Fuentes.

COMMISSIONER FUENTES — Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ — Vice-Chair Burrola.

VICE-CHAIR BURROLA — Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ: Sorry. Commissioner Hartman.

COMMISSIONER HARTMAN: Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ: Vice-Chair Burrola.

VICE-CHAIR BURROLA: Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ: Chair Gomez.

CHAIR GOMEZ: Yes.

ADMINISTRATIVE SECRETARY HERNANDEZ: Thank you.

DISCUSSION ITEMS/ PRESENTATIONS

CHAIR GOMEZ: Next we have, any presentations? No presentations?

ADMINISTRATIVE SECRETARY HERNANDEZ: No presentations.

COMMISSIONER COMMENTS

CHAIR GOMEZ: Commissioner Comments. Commissioner Comments?

COMMISSIONER FUENTES: I liked to find out, what is a threshold above thirty-five feet for these parapets? Is it unlimited? Is it ten feet? Is it five feet? What does our code say, if not we need to tighten up our code. What do we need to do so we can have a definitive answer?

SENIOR PLANNER JONES: Since the code doesn't have a specific threshold, in order to add one we would have to do a Zone Ordinance Amendment to add that language.

COMMISSIONER FUENTES: We need to do something because this is going to continue to happen with new buildings coming up. It is going to be an ongoing thing that happens every time we come here. If we are having to table things and stuff like that we need to do our due diligence, and find out what we want for the City as far as the height and institute that.

SENIOR PLANNER JONES: We are currently working on the Comprehensive Zoning Code Update. If you don't want to wait for that, you can suggest or tell us to do a City initiated Zone Ordinance Amendment, to specify the penthouse and parapet height in the M-1. Actually it would be a definition it's not just in the M-1 section.

CHAIR GOMEZ: Thank you for that. We can wait for the zoning. I wonder if when we have applicants and those issues come up, we can make a stronger recommendation that our zoning is going to be modified with that whole change. Or do you think we need it now because you are the one that gets all the request. What would your recommendation be? Do we ask for it now, or do we wait, letting new businesses come in knowing that's our standard.

SENIOR PLANNER JONES: I don't think we need it at all because those parapets only went four feet beyond the maximum height. The M-2 section, for example, doesn't even have a height limit. If you want us to do one let us know and then give us the language that you would like.

CHAIR GOMEZ: Sure but my question was, do we do it now or do we wait for the zoning.

SENIOR PLANNER JONES: It is up to you. If we do it now as just a singular one, it would probably be quicker.

COMMISSIONER FUENTES: Well we need it across the board because this is going to be a recurring…

CHAIR GOMEZ: Commissioner Fuentes do you think it will be okay, when we do the zoning and we are going to do all that zoning. We can incorporate it at that time.

COMMISSIONER FUENTES: That's fine. Yeah, I think so.

CHAIR GOMEZ: Okay. We will go with that. Thank you Brandi. Any other Commissioner comments?

VICE-CHAIR BURROLA: I got a question.

CHAIR GOMEZ: Sure.

VICE-CHAIR BURROLA: What is the timeline on the Zoning Map Update and the General Plan Update?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Thank you, I will take that question. We are in the process. The timing, we are scheduling the public outreach but we are looking at the Zoning Code probably closer to the end of the year to be adopted. That would be coming before you, I would say in the summer.

VICE-CHAIR BURROLA: Summer meaning June time?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yes.

VICE-CHAIR BURROLA: Okay.

CHAIR GOMEZ: When it comes in the summer, will it be a final product? How will we give input prior to the final product? Do we get a preview or is that the input that you are doing to the community at different times of outreach? I liked to have opportunity to preview it continuously as it evolves.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yes, the public outreach will incorporate any of the comments from the community, both residents and business. There will be multiple opportunities for comment with that. When it comes to you it will be in a draft form, it won't be in a final form. There will be recommendations and we can always go back and bring it back to you. When you are done with it, it goes to the City Council.

CHAIR GOMEZ: What I liked to see, and I want you to contemplate this and we can discuss it next time on the Community Development Director Report, is a workshop. Maybe we can take a section as Commissioners and do a workshop so we can really look at some of the zoning, so it is not overwhelming and we are not inundated. Not only not us being inundated as Commissioners but also your Staff. When we look at it, because we have particularities of stuff as residents and as a community, as the forbearers of protecting our community of participating and putting some insight ahead of time. You think you can take a look at that and see what that looks like?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yes, definitely.

CHAIR GOMEZ: Thank you.

VICE-CHAIR BURROLA: Percentage wise, where do you guys think you are at right now with the study, and the development of the Zoning Map and General Plan.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: With Staff's review, we are at nighty-eight percent.

CHAIR GOMEZ: Wow that is excellent.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: There will be some revisions. Just so you know, what we have done at several of the meetings that we've had over the several years, we have taken notes of some of these comments and we've tried to include those with the consultant. When you see it, some of the things will be addressed.

CHAIR GOMEZ: Excellent. I think that when we speak to not only zoning, if we can do a couple of workshops and if the Commissioners can make it so we can be active and then we won't have to be redundant and put things over. Also, when we speak of the General Plan if we can also contemplate having workshops ahead of time, so we can also. I do appreciate that you've taken a record of those comments and incorporated them.

VICE-CHAIR BURROLA: One last question, is there any way we can get a copy of it now, so I can look at it now? Not in the meetings obviously but just for my knowledge. Is that public records?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: It is not at the point to be released right now, but as soon as we can definitely, to get the feedback.

VICE-CHAIR BURROLA: Thank you.

CHAIR GOMEZ: I think that beforehand, sooner than later, in a workshop even though it is not necessary for release, I think that if we have a workshop for the Commissioners and the public is invited, we can address things that later. You know you can't always know anything. You do your due diligence, you do your best with your staff and we do appreciate that. We would also like to have some input as Commissioners. Things come up later that we recognize, Commissioner Fuentes, all of the Commissioners, have had time and space so some things might come up to them later than sooner, so we appreciate that.

VICE-CHAIR BURROLA: Thank you.

CHAIR GOMEZ: Anybody else?

COMMISIONER HARTMAN: I do. First of all. Last month I brought up the graffiti at the Metro Station. I do understand we are dealing with Metro, but as of today nothing has changed. As of today also the meandering sidewalk lights, nothing has changed. I have an addition the huge vacant lot at the corner of Irwindale Avenue and Foothill, on the west side of Irwindale Avenue, there is a wall along the north of that property. That wall is visible from the 210 freeway, both directions, and it is covered with graffiti also. If I am not mistaken that is our property, isn't it?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: The property you are referring to that is the Reliance II Pit. Code Enforcement has sent a notice out to the property owner. Regarding the light, I am glad that you brought that up, you jumped me on that. Code Enforcement has gotten in touch with the property management company, they are ordering a new light for that, so they are aware of it. Probably in the next week there should be a changed.

COMMISIONER HARTMAN: A new light?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: I think, is it just one?

COMMISIONER HARTMAN: Oh no. no, no. Along the south end of the property, along the Louis Vuitton, there is multiple lights that have panes broken out of them.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: I think that when they go out there, I will make sure that Code Enforcement follows up with that.

COMMISIONER HARTMAN: There is bird nest inside trying to keep warm.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yes, they saw that. Going back to the Metro site, after some review with that, that is actually the City of Irwindale's property.

COMMISIONER HARTMAN: You are way overdue getting that taken care of.

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: Yes, so Public Works Services is aware of that and they will be taking care of that.

COMMISSIONER FUENTES: When will they take care of that?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: I don't have a date for that.

CHAIR GOMEZ: Is Public Works still here?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: What is that?

CHAIR GOMEZ: Is a representative from Public Works still here?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: The Director of Public Works Services was here so she can address that.

CHAIR GOMEZ: Just for our own knowledge, number seven, we decided on our last meeting when we have issues then the Director will review those in her time, but you can still bring up comments about some stuff that is also happening.

COMMISIONER HARTMAN: Okay, I have another question then.

CHAIR GOMEZ: Wait till they are done talking. But please, please bring it up but they are talking right now, please wait for them please. It might have to do with them.

COMMISIONER HARTMAN: Oh it does.

CHAIR GOMEZ: Ms. Rodriguez, wait one minute he has one more question for the…

COMMISIONER HARTMAN: Yeah, if it was decided that this is Irwindale's property, when was that discovered?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: I believe that was discovered last week after looking at it.

CHAIR GOMEZ: Good answer.

COMMISIONER HARTMAN: So we are in violation of our own code.

CHAIR GOMEZ: Well we'll acknowledge that they just found out, so we will give them a little bit of…

COMMISIONER HARTMAN: Well it's been a month.

PUBLIC SERVICES DIRECTOR RODRIGUEZ: Madame Chair, Commission, Staff, and audience we will go ahead and put that in our schedule. Once we find out that we have graffiti and it is our responsibility to abate it, we do so in forty-eight hours. I will meet with our Maintenance Supervisor and get that on our schedule as soon as possible.

COMMISIONER HARTMAN: Thank you very much.

CHAIR GOMEZ: Commissioner Hartman, is there anything else?

COMMISIONER HARTMAN: That's it.

CHAIR GOMEZ: Anybody else? Is there anything else for our Director tonight, any questions? Do you have additional information or anything else to report?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON: No.

CHAIR GOMEZ: Thank you. So before I adjourn this meeting I like to…

COMMISSIONER CHICO: Legal, don't we have legal.

CHAIR GOMEZ: Oh Legal Counsel.

LEGAL COUNSEL COMMENTS

CITY ATTORNEY GUERRA: Nothing tonight.

CHAIR GOMEZ: I knew he didn't have anything.

CITY ATTORNEY GUERRA: Thank you.

COMMUNITY DEVELOPMENT DIRECTOR REPORT

Combined with Commissioner Comments.

CHAIR GOMEZ I would like to adjourn this meeting in memory of Richard Miranda. He passed today. A big part of our community and we just send God's speed to the family and to our community.

ADJOURNMENT There being no further business to conduct, the meeting was adjourned at 8:02 p.m.

_____
Suzanne E. Gomez, Planning Commission Chair

Attest:

_____
Jesus Hernandez, Administrative Secretary

CITY OF IRWINDALE
PLANNING COMMISSION STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

Date: April 20, 2022 **Agenda Item No. 3-A**

To: Honorable Chair and Members of the Planning Commission

From: Marilyn Simpson, AICP, Community Development Director

Project Planner: Martin Romero, Planning Technician

Project: Conditional Use Permit No. 02-2021

Applicant: Michael McKain, Cal Blend Soils Inc.
PO Box 2203, Irwindale, CA 91706

Property Owner: Michael Brown, Brown Family Trust
PO Box 1414, Glendora, CA 91740

Project Location: 1399 Las Lomas Road (APN: 8604-018-014)

Map Date October 2021
Source: ESRI, City of Irwindale

Staff Recommendation: That the Planning Commission adopt Resolution No. 815(22), entitled "A Resolution of the Planning Commission of the City of Irwindale approving Conditional Use Permit No. 02-2021 for the Outdoor Storage and Onsite Sale of Bulk Landscape and Gardening Materials and The Outdoor Storage of Grandstand Equipment, for the Property Located at 1399 Las Lomas Road, Irwindale, CA 91706 (APN: 8604-018-014) in the M-2 (Heavy Manufacturing) Zone Subject to Conditions As Set Forth Herein and Making Findings In Support Thereof and Finding the Project Exempt From CEQA.

REQUEST

The Applicant is requesting a Conditional Use Permit (CUP) for the onsite sale and outdoor storage of bulk landscape and gardening materials and the outdoor storage of grandstand equipment for the property located at 1399 Las Lomas Road, Irwindale, CA 91706 in the M-2 (Heavy Manufacturing) zone.

BACKGROUND/HISTORY

Cal Blend Soils is a wholesale landscape and gardening material supplier located at 1399 Las Lomas Road, which sells a variety of products such as topsoil, soil mixes, decomposed granite, sand, gravel, and river rock cobble. They have conducted business in Irwindale for nearly twenty (20) years. They were previously granted three (3) Conditional Use Permits at two (2) previous locations before moving to the 1399 Las Lomas Road property. On November 2, 2006, the Planning Commission approved CUP No. 12-06 for the establishment of a plant nursery and demonstration garden, located at 1270 East Arrow Highway. On November 7, 2002, the Planning Commission approved CUP No. 09-02 for the establishment of a plant nursery and demonstration garden, located at 13530 Live Oak Avenue. Additionally, the Planning Commission approved CUP No. 12-03 on March 4, 2004 for an extension of CUP No. 09-02. The business relocated to the current location after the approval and subsequent grading of the Park at Live Oak project site began.

Mike Brown Grandstands is a stage and event seating business also located at 1399 Las Lomas Road, which uses the southwest part of the property for its outdoor operations. Mike Brown Grandstands uses the project site for the storage, shipping, receiving, and distribution of grandstand, spectator seating, and materials. Although not part of the proposed project, it should be noted that Mike Brown Grandstands, the property owner, has granted approval of an easement deed in July 2020 to allow the City of Irwindale to construct the Las Lomas Road cul-de-sac within the northeastern portion of the site.

This item was originally scheduled for hearing November 17, 2021. At the time, Staff recommended to the Planning Commission that CUP No. 02-2021 be continued to a date uncertain to address concerns from the City of Duarte. City Staff, including the Planning, Engineering and Code Enforcement divisions, and members from UltraSystems, the environmental consultant for the project, met with City of Duarte staff on multiple occasions (virtually and at the project site) to address their questions and concerns regarding dust, noise, traffic, and odor. In order to address concerns and be a cooperative neighbor to the City of Duarte, Irwindale Staff engaged further analysis of the application, including Traffic counts and a Noise Level Survey, which are included in the updated Notice of Exemption appendices.

GENERAL PLAN AND ZONING
The site is designated in the General Plan as Industrial/Business Park and zoned M-2 (Heavy Manufacturing). The site is surrounded by the following zones and uses:

Direction	Zoning Designation	General Plan Land Use	Existing Development
North	M-1 Light Manufacturing R-1 Single-Family Residential (Duarte)	Industrial/Business Park Residential (Duarte)	Vacant Single-Family Homes
South	N/A	N/A	Interstate 605 Freeway
East	M-2 Heavy Manufacturing	Industrial/Business Park	SCE transmission line easement and vacant land
West	M-2 Heavy Manufacturing	Industrial/Business Park	Truck rental business (U-Haul) and outdoor storage business (Mike Brown Grandstands)

ENVIRONMENTAL REVIEW
An environmental review was conducted by UltraSystems. Based on the scope of the project, it is the professional recommendation of UltraSystems that the project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301 (Class 1; Existing Facilities) of the CEQA Guidelines. The project is to allow for the outdoor storage of bulk landscape and gardening materials and grandstand equipment, a negligible change in use from the existing baseline of site conditions and use of outdoor storage, shipping, receiving, and distribution of grandstand, spectator seating, and materials by Mike Brown Grandstands. The project is not located in an environmentally sensitive area, pursuant to CEQA Guidelines § 15300.2. If action is taken to approve the project, a Notice of Exemption (NOE) will be filed with the Los Angeles County Clerk Recorder. The NOE is on file at the Community Development Department and available for review by the public and attached hereto as Exhibit C.

The following areas have been analyzed for potential impacts, and the proposed mitigation measures, as necessary:

Dust
The proposed project does have the potential to generate dust. However, dust emissions are minimal, and controlled and localized to the site boundary. Dust emissions from materials handling and motor vehicles delivering stored materials will be further minimized by the CUP's requirement that the Applicant adhere to the Southern California Air Quality Management District (SCAQMD) Rule 403 (Fugitive Dust). Business operations for the site will comply with SCAQMD Rule 403 regarding the Importing/Exporting of Bulk Materials, Stockpiles/Bulk Material Handling, and Truck Loading. Cal Blend Soils requires all vehicles adhere to the posted speed limit to reduce dust generation from vehicles entering and exiting the site. An onsite water truck periodically sprays materials with water and an onsite street sweeper sweeps the site and a portion of Las Lomas Road. The project applicant deploys standard housekeeping practices as an essential part of daily operations at the site, which would continue as an imposed condition under the CUP. Housekeeping activities for dust, odor,

vehicle track-out, and vector control are generally considered best practices and are intended to keep the project site well maintained and well-kept at all times. The project applicant controls dust by the daily watering of interior roadways and storage areas. Additionally, during seasonal wind events (i.e., Santa Ana Winds), the project applicants uses a directional windsock to determine the strength and direction of the wind. During these types of events, additional on-site water and coverage of materials is used to control any on-site dust that may occur. All products onsite are either pre-packaged, or are contained within bins or concrete material bunkers. There are limited times when any soil product is not within concrete material bunkers, such as the limited time it takes to transfer materials to customer vehicles. No curing, composting, crushing, or changing the physical composition of gardening or landscaping materials occurs onsite. Currently, Cal Blend Soils advises its customers that all open bed customer vehicles must have a covering over their load. On the occasion that customers do not provide their own covering, tarps are available for purchase on the site. A Condition of Approval has been added for the requirement of tarps on all open bed vehicles exiting the site (COA No. B.14). Additionally, the material bunkers will be required to be covered during instances of high wind or any other dusty conditions. A Condition of Approval for the covering of the material bunkers has been added (COA No. B.9). Moreover, there is a limit placed on the height of material piles (COA No. B.8), which localizes and minimizes the amount of dust.

Noise

The approved business operations for the site will not increase the established operating hours of Cal Blend Soil's existing operations, nor do the operations exceed the requirements of the City. Cal Blend Soils' hours of operations are Monday through Friday 7:00 a.m. to 5:00 p.m., Saturday 7:00 a.m. to 2:00 p.m. and closed on Sundays. Mike Brown Grandstands' business operations on the site are seasonal and only access the site sporadically. Mike Brown Grandstands' hours of operations are Monday through Friday 7:00 a.m. to 3:00 p.m. and closed Saturdays and Sundays.

City of Irwindale Code Enforcement conducted onsite Noise Level Surveys on the Cal Blend Soils Site on February 22, 2022 from 7:30 am to 9:18 am and February 24, 2022 3:00pm to 3:55 pm, reported by the Applicant as the generally busiest times during hours of operation. The Noise Level Survey included customer visits, Cal Blend Soils deliveries, operation of the onsite material screener and wheeled loaders. Code Enforcement used a Decibel Level Comparison Chart from Yale University to compare the sound level readings generated on the site. Cal Blend Soils' material screeners are stored at the western end of the Cal Blend Site, farthest away from the City of Duarte residential areas, and are screened by large containers. When in operation, the screener reads at 46.5 decibels from the Cal Blend Soils property boundary line.

The City of Irwindale's ambient base noise level between 7:00 a.m. and 10:00 p.m. is 70 decibels for industrial areas, per IMC Subsection 9.28.030(A). Per Subsection 9.28.030(B) of the City of Irwindale's Municipal Code, "Any noise at a level which exceeds the ambient or the ambient base level as set forth in Subsection A of this section, whichever is greater, by more than ten dB [decibels] when measured at any boundary line of the property from which the noise emanates shall constitute sufficient proof of a violation." The noise measurements conducted by Code Enforcement did not exceed the ambient base noise level by more than ten dB at any time.

Traffic

Cal Blend Soils shares a cul-de-sac with a Southern California Edison (SCE) site. SCE utilizes their site for tree trimming purposes and emergency utility services. Access to the Cal Blend Soils site is from Las Lomas Road and does not require the use of the neighboring local streets within the City of Duarte. The Applicant has also prepared a Preferred Truck Route, attached hereto as Exhibit D. The City of Duarte, however, has expressed concern regarding vehicle trips associated with operation of the project. In response to this concern, the City of Irwindale retained a traffic firm (Counts Unlimited) to conduct traffic counts at the project site. A traffic count was performed to identify the amount and type of traffic generated by the Cal Blend Soils site. Two (2) cameras were used for the traffic counts. One camera was placed on the Cal Blend Soils gate and was used to monitor vehicles entering and exiting the Cal Blend Soils property. A second camera was placed east of the property, along Las Lomas Road, facing the employee parking lot outside Cal Blend Soils' gate. The traffic count was done over three days (a 72-hour period) from February 22, 2022 to February 24, 2022, and averaged based on general industry standards.

The following Traffic Count Summary breaks down the traffic flow to and from the project site over a three-day period by type and number of vehicles. As shown in Appendix D of Exhibit C attached hereto, over the course of three days, approximately 71 percent of the vehicles entering and exiting the project site were passenger vehicles, followed by approximately 18 percent large two axle vehicles. During the three-day traffic count, the average number of vehicles per day was as follows: 77 passenger vehicles, 20 two-axle vehicles, approximately 8 three-axle vehicles and 2 four-axle vehicles. The Traffic Timing Summary, provides and overview of the timing of the vehicles entering and exiting the project site. As shown in Appendix D of Exhibit C, during the three-day period observed vehicles visited the site as early as 5:00 a.m. and left the site as late as 5:00 p.m.

Using the three-day counts to calculate a one-day average, it was calculated that on average 54 vehicles enter the site a day and 54 vehicles exit the site a day. On average, the site generates 108 vehicle trips per day. The City of Irwindale Policy Guidelines for Traffic Impact Reports requires a traffic impact analysis for projects generating a net increase of over 50 vehicle trips during one AM or PM peak hour. Cal Blend Soil's operations generate about 108 vehicle trips over a 24-hour period; therefore, the proposed use does not require a traffic impact analysis.

The project is also exempt from CEQA Vehicle Miles Traveled (VMT) traffic analysis. The project generates an average of 77 passenger car trips per day. In accordance with the California Governor's Office of Planning and Research Technical Advisory on Senate Bill 742, Evaluating Transportation Impacts in CEQA, absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a general plan, it is reasonable to assume that projects that generate or attract fewer than 110 passenger car trips per day cause a less-than-significant transportation impact. The Project was analyzed and traffic counts conducted show that the Project site generates or attracts fewer than 110 trips per day, thus VMT analysis was screened out due to a presumption of less than significant impacts.

Odor

Business operations for the site have been set up to help mitigate potential odors. Material storage bunkers are positioned to store odorless inorganic materials such as sand, gravel, aggregate, and river rock on the northern property line about 55 feet from the nearest City of

Duarte residence. Organic materials such as bark, woodchips, leafpost and mulch, which have a woodsy aroma, are stored on the southern property line, away from residential areas. The organic materials are positioned to have the least aromatic materials closer to the residential area and most aromatic furthest from the residential area. The closest organic material bunker to the nearest City of Duarte residence is about 115 feet and the furthest is about 310 feet. Cal Blend Soils does not process or sell manure or compost, nor is any curing, composting, or crushing of raw or organic materials allowed on site. All stored materials are finished products.

PROJECT DESCRIPTION

The applicant, Cal Blend Soils, is requesting a Conditional Use Permit (CUP No. 02-2021) for the outdoor storage of bulk materials for onsite sale and the continued outdoor storage operations for Mike Brown Grandstands. Per the IMC Subsection 17.80.030(26) all outdoor storage of building and contractor supplies shall not be permitted unless a Conditional Use Permit has been granted.

Cal Blend Soils' hours of operations are Monday through Friday 7:00 a.m. to 5:00 p.m. and Saturday 7:00 a.m. to 2:00 p.m. Truck deliveries to the site occur approximately one (1) to four (4) times a week from suppliers in Ontario, Chino, and San Fernando Valley. On average, a total of 54 vehicles enter and exit the Cal Blend Soils site a day. Cal Blend soils conducts about 12 deliveries to customers a day and about 13 large customer trucks and about 29 customer passenger vehicles visit the site a day. Cal Blend Soils has 29 existing outdoor concrete bunkers and proposes to store soil, soil amendments, mulches, rocks, and aggregates within the bunkers. All materials for sale are finished products and the proposed project would not include curing, composting, or crushing of materials. An onsite material screener sorts landscaping and gardening materials into desired sizes. The materials stored in the bunkers is organized to prevent odors or dust from reaching properties in the vicinity. Gravel, aggregates, and other dust-free and/or odorless materials are positioned towards the northern edge of the property line closest to the residential area. Bark and other wood chip materials are positioned on the southern edge of the property line towards the front of the site. Mulch and other organic materials are positioned on the back end of the southern property line. Replenishing of stock materials occurs in phases depending on time of day and the direction of the wind. Wind direction is observed through multiple ribbon streamers located throughout the property. Materials positioned near the residential area are restocked in the mornings when the wind direction pushes towards the western side of the property away from the residential area. Additionally, the operation has an onsite water truck and materials are regularly sprayed with water to prevent the creation of dust during regular business operations.

Additionally, Cal Blend Soils is proposing to install a containment basin and basin overflow in the northwestern corner of the project site to accommodate the slope of the site. The containment basin would measure 1,400 square feet in area and two feet deep. The project will also include thirteen (13) new parking spaces, eight (8) spaces in front of the bunkers for loading and unloading and five (5) spaces in the northeastern side of the parcel for employee parking. Lastly, the project would install an ADA ramp from the existing ADA parking space to the existing office. Construction of the proposed runoff basin would last approximately one week and would not generate substantial traffic through hauling construction equipment and supplies or through construction worker commute trips. Project construction impacts would be less than significant due to both the brief duration and the small scale of construction.

Although Mike Brown Grandstands has been in business in Irwindale for more than 40 years, the site's current use of outdoor storage of grandstands is considered legal non-conforming. Mike Brown Grandstands previously utilized the site for outdoor storage before the City's adoption of the requirement of a conditional use permit for outdoor storage. The site thus became legal non-conforming, per IMC Section 17.76.020 "Continuation" which states: a lawful nonconforming use may be continuously maintained; provided, there is no alteration or addition to any structure nor any enlargements of area, space or volume occupied by or devoted to such use, except as otherwise provided in this chapter." Since the operations of Cal Blend Soils constitutes an increase in volume of outdoor storage on the site, a CUP is required for the continued use of outdoor storage on the site. The site of a currently legal non-conforming use can be triggered into compliance even if there is a proposed expansion of the use by an unrelated onsite operation. While the two site operations are unrelated, the City's current IMC Subsection 17.80.030(26), requiring a Conditional Use Permit for outdoor storage does not distinguish between the "types" of materials stored, but rather requires that **all** outdoor storage of building and contractor supplies be subject to a Conditional Use Permit. While two separate businesses operate onsite, two separate entitlements for the same use are not required as Conditions of Approval run with the land.

A Conditional Use Permit and adopted Conditions of Approval regulate a specific use that is not permit by right. There is no proposed development on the site that would constitute any appreciable offsite improvements. These types of improvements are usually imposed when new construction is entitled, such as a Site Plan and Design Review (DA) application. However, each business is still required to obtain the requisite business license and operational permits from the City. Cal Blend Soils' operations and occupation of the site, resulted in the requirement to bring Mike Brown Grandstands into compliance with the City's Municipal Code. This entitlement would resolve the existing legal non-conformity.

Site Inspections

City of Irwindale Staff conducted both scheduled and unscheduled site inspections throughout the course of the application to ascertain any business operations that may have a negative impact on the neighboring City of Duarte residential area. During these site inspections, Staff observed the outside storage of the landscaping material, the onsite equipment, fence screening, and business operation practices amongst other potential catalysts for negative impacts. On December 14, 2021, during a conference call with the City of Duarte's Planning Staff, they informed us that they had not been out to the site during the entire entitlement process and that many of the issues and concerns were purely speculative. In order to facilitate a congenial process, Irwindale Staff worked with Duarte to visit the site together and eliminate any ambiguity about the business operations. On January 18, 2022 Irwindale Staff investigated reports of a foul odor emanating from the site. Irwindale Staff concluded that the odor did not originate from the site as it was strongest on Fernley Drive away from Cal Blend Soils. To help address any negative impacts on the Duarte residential area, Irwindale Staff created a log to organize any Code Enforcement complaints towards Cal Blend Soils. As of January 18, 2022 there have been two (2) reported complaints from Duarte residents both concerning the aforementioned odor. The most recent site inspection occurred on February 3, 2022 wherein Irwindale Staff accompanied Duarte Staff on their first inspection of the site. The purpose of the February 3rd site visit was to help Duarte Staff understand the project site to address speculation and their concerns about the perceived cumulative impacts of the site to the neighboring residential area. The Duarte Staff appeared satisfied with the outcome of the site inspection.

Correspondence Received

A comment letter from the City of Duarte (Exhibit E) was received in response to the Notice of Public Hearing on November 17, 2021. A second Letter from the City of Duarte was received on March 22, 2022. A comment letter from Mount Olive Storage was received on April 13, 2022.

ANALYSIS

Conditional Use Permit

IMC Subsection 17.80.030(26) provides that "[t]he following uses, having unique and unusual characteristics, shall be permitted, provided that a Conditional Use Permit is first issued: 26) All outdoor storage of building and contractor supplies."

Pursuant to IMC Section 17.80.040, before any Conditional Use Permit is granted, the applicant must show, to the satisfaction of the Planning Commission or the City Council, the existence of the following findings of fact. Staff has determined that the findings can be made based on the analysis shown:

A. That the site for the proposed use is adequate in size and shape.

The project site offers sufficient space to adequately house bulk material sales yard and required vehicular circulation and parking, as well as the shipping, receiving, and distribution of grandstand materials. The project site sits on the northeastern side of a ±4.9 acre parcel. The proposed outdoor storage will consist of twenty-nine (29) material bunkers. Eleven (11) material bunkers will have dimensions 14'-0" x 26'-0" with a height of 4'-0" and eighteen (18) material bunkers will have dimensions 14'-0" x 46'-0" with a height of 4'-0".

B. That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.

The project site can be accessed via Las Lomas Road. There is an approved street improvement plan to widen Las Lomas Road which will improve overall circulation. Vehicles accessing the site range from personal vehicles (employees and/or customers), dump trucks, and the onsite "wheeled loaders." Additionally, truck routing signs will be posted to direct traffic away from residential areas, and the Applicant has submitted to the City a preferred truck route (Exhibit D), which directs traffic away from the nearby residential areas. The City's traffic count analysis of the project site showed that the project generates a less-than-significant transportation impact.

C. That the proposed use will not have an adverse effect upon adjacent property.

The site is zoned M-2 (Heavy Manufacturing) and surrounded by uses of similar intensity. A small portion of the site borders the City of Duarte. Approximately five (5) single family homes, zoned R-1 Single Family Residential, are separated approximately 30 feet from the subject property by Las Lomas Road. The rear yards are separated by a gate and/or fence. Access to the residential areas is from Maynard Drive and Central Avenue, which becomes Fernley Drive. Access to the Cal Blend

Soils site does not require the use of the local streets, and the Applicant has submitted to the City a preferred truck route (Exhibit D), which directs traffic away from the nearby residential areas. The City's traffic count analysis of the project site showed that the project generates a less-than-significant transportation impact. Cal Blend Soils does not compost materials; all materials stored on the site are finished products. The material storage bunkers are organized in such a way that the odorless and dust-free materials are positioned closest towards the residential area. Gravel, aggregates, and other dust-free and/or odorless materials are positioned towards the northern edge of the property line about 55 feet from the nearest City of Duarte residence. The residential area is approximately 115 feet from the closest organic material storage bunker. Additionally, the materials stored are sprayed regularly with water with the onsite water truck. The site is also swept regularly with the onsite street sweeper. The storage bunkers are to be covered as needed to impede any fugitive dust. Since November 2021 to present, the City of Irwindale has conducted significant analysis into dust, noise, traffic, and odor in order to determine adverse effects upon the adjacent properties, which were determined to be less than significant. Additionally, the conditions of approval are designed to mitigate any impacts on the adjacent property, including dust, noise, traffic, and odor.

The proposed general conditions for the CUP are attached as Exhibit "A" to Resolution No. 815(22).

CONCLUSION

It is recommended that the Planning Commission take the following action:

1. Adopt Resolution No. 815(22) approving Conditional Use Permit No. 02-2021, subject to the proposed Conditions of Approval.

Alternative Actions:

2. Request that staff prepare a resolution of denial based on recommended Findings of Fact to be brought back at the next regularly scheduled Planning Commission meeting for adoption; OR

3. Request that the applicant revise the project and continue the hearing to a date certain.

ATTACHMENTS

Exhibit A: Resolution No. 815(22) with Conditions of Approval
Exhibit B: Project Plans dated November 11, 2021
Exhibit C: Notice of Exemption/Project Description and Justification for CEQA Exemption including Technical Appendices, April 2022
Exhibit D: Preferred Truck Route prepared by Cal Blend Soils
Exhibit E: City of Duarte Comment Letter (Rutan & Tucker) received November 17, 2021
Exhibit F: City of Duarte Comment Letter (Nick Baldwin) received March 22, 2022
Exhibit G: Mount Olive Storage Comment Letter (Carlos T. Bea) received April 13, 2022

EXHIBIT "A"

RESOLUTION NO. 815(22)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 02-2021 FOR THE OUTDOOR STORAGE AND ONSITE SALE OF BULK LANDSCAPE AND GARDENING MATERIALS AND THE OUTDOOR STORAGE OF GRANDSTAND EQUIPMENT, FOR THE PROPERTY LOCATED AT 1399 LAS LOMAS ROAD, IRWINDALE, CA 91706 (APN: 8604-018-014) IN THE M-2 (HEAVY MANUFACTURING) ZONE SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF AND FINDING THE PROJECT EXEMPT FROM CEQA PURSUANT TO SECTION 15301 (CLASS 1; EXISTING FACILITIES).

A. RECITALS.

(i) Michael McKain, on behalf of Cal Blend Soils, has made a request for the approval of a Conditional Use Permit (CUP) pursuant to Section 17.80.030(26) of the Irwindale Municipal Code (IMC) for the onsite sale and outdoor storage of bulk landscape and gardening materials and grandstand equipment for the property located at 1399 Las Lomas Road, Irwindale, CA 91706.

(ii) The Subject Property is zoned M-2 (Heavy Manufacturing). Hereinafter in this Resolution, the subject application shall be referred to as the "Application."

(iii) The site's current use is considered legal non-conforming per IMC Section 17.76.020. This is because Mike Brown Grandstands, the current owner of the property, previously utilized the site for outdoor storage before the City's adoption of the requirement of a conditional use permit for outdoor storage. The site thus became legal non-conforming, per IMC Section 17.76.020 "Continuation" which states: a lawful nonconforming use may be continuously maintained; provided, there is no alteration or addition to any structure nor any enlargements of area, space or volume occupied by or devoted to such use, except as otherwise provided in this chapter." Since the operations of Cal Blend Soils constitutes an increase in volume of outdoor storage on the site, a CUP is required for the continued use of outdoor storage on the site. The site of a currently legal non-conforming use can be triggered into compliance even if there is a proposed expansion of the use by an unrelated onsite operation. While Cal Blend Soils and Mike Brown Grandstands' operations onsite are unrelated, a conditional use permit for outdoor storage does not distinguish between the "types" of materials stored, but rather requires that ***all*** outdoor storage of building and contractor supplies be subject to a conditional use permit. While two separate businesses operate onsite, two separate entitlements for the same use are not required as conditions of approval run with the land. A conditional use permit regulates land, not individuals or businesses.

However, each business is still required to obtain the requisite business license and operational permits from the City. Cal Blend Soils' operations and occupation of the site resulted in the requirement to bring Mike Brown Grandstands into compliance with the City's Municipal Code. This entitlement would resolve the existing legal non-conformity.

(iv) The City, as the Lead Agency, has determined that, pursuant to the California Environmental Quality Act (CEQA), which lists classes of projects determined not to have a significant effect on the environment and are therefore, categorically exempt from the provisions of CEQA, the proposed Project is categorically exempt pursuant to Section 15301 (Existing Facilities). The project allows for the outdoor storage of bulk landscape and gardening materials and grandstand equipment, a negligible change in use from the existing baseline of site conditions and use of outdoor storage, shipping, receiving, and distribution of grandstand, spectator seating, and materials by Mike Brown Grandstands. The project is not located in an environmentally sensitive area, pursuant to CEQA Guidelines § 15300.2; and a Notice of Exemption (Class 1) has been prepared.

(v) On November 17, 2021, Staff recommended to the Planning Commission that CUP No. 02-2021 be continued to a date uncertain.

(vi) On March 10, 2022, the item was pulled from the agenda and would be re-noticed for a future date.

(vii) On March 16, 2022, the Planning Commission Meeting was cancelled.

(viii) On April, 20 2022, the Irwindale Planning Commission conducted a duly noticed public hearing held both in person (with limited capacity) and virtually as a webinar and approved the Conditional Use Permit, subject to the approval of a Resolution, which would detail the specific Conditions under which the Application was approved.

(ix) All legal prerequisites to the adoption of this Resolution have occurred.

RESOLUTION.

NOW, THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Irwindale as follows:

1. The Planning Commission hereby specifically finds that all of the facts set forth in Recitals, Part A, of this Resolution are true and correct and incorporated herein by this reference.

2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, site plans and Conditions of Approval

attached hereto as Attachment “A,” this Planning Commission hereby specifically finds as follows:

Conditional Use Permit

a. *That the site for the proposed use is adequate in size and shape.*

The project site offers sufficient space to adequately house bulk material sales yard and required vehicular circulation and parking, as well as the shipping, receiving, and distribution of grandstand materials. The project site sits on the northeastern side of a ±4.9 acre parcel. The proposed outdoor storage will consist of twenty-nine (29) material bunkers. Eleven (11) material bunkers will have dimensions 14’-0” x 26’-0” with a height of 4’-0” and eighteen (18) material bunkers will have dimensions 14’-0” x 46’-0” with a height of 4’-0”.

b. *That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.*

The project site can be accessed via Las Lomas Road. There is an approved street improvement plan to widen Las Lomas Road, which will improve overall circulation. Vehicles accessing the site range from personal vehicles (employees and/or customers), dump trucks, and the onsite “wheeled loaders.” Additionally, truck routing signs will be posted to direct traffic away from residential areas, and the Applicant has submitted to the City a preferred truck route (Exhibit D), which directs traffic away from the nearby residential areas. The City’s traffic count analysis of the project site showed that the project generates a less-than-significant transportation impact.

c. *That the proposed use will not have an adverse effect upon adjacent property.*

The site is zoned M-2 (Heavy Manufacturing) and surrounded by uses of similar intensity. A small portion of the site borders the City of Duarte. Approximately five (5) single-family homes, zoned R-1 Single Family Residential, are separated approximately 30 feet from the subject property by Las Lomas Road. The rear yards are separated by a gate and/or fence. Access to the residential areas is from Maynard Drive and Central Avenue, which becomes Fernley Drive. Access to the Cal Blend Soils site does not require the use of the residential roads, and the Applicant has submitted to the City a preferred truck route (Exhibit D), which directs traffic away from the nearby residential areas. The City’s traffic count analysis of the project site showed that the project generates a less-than-significant transportation impact. Cal Blend Soils does not compost materials; all materials stored on the site are finished products. The material storage bunkers are organized in such a way that the odorless and dust-free materials are positioned closest

towards the residential area. Gravel, aggregates, and other dust-free and/or odorless materials are positioned towards the northern edge of the property line about 55 feet from the nearest City of Duarte residence. The residential area is approximately 115 feet from the closest organic material storage bunker. Additionally, the materials stored are sprayed regularly with water with the onsite water truck. The site is also swept regularly with the onsite street sweeper. The storage bunkers are to be covered as needed to impede any fugitive dust. Since November 2021 to present, the City of Irwindale has conducted significant analysis into dust, noise, traffic, and odor in order to determine adverse effects upon the adjacent properties, which were determined to be less than significant. Additionally, the conditions of approval are designed to mitigate any impacts on the adjacent property, including dust, noise, traffic, and odor.

The proposed general conditions for the CUP are attached as Attachment "A" to Resolution No. 815(22).

3. The City, as the Lead Agency, determined that the project as proposed is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1; Existing Facilities), which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination of the CEQA Guidelines.

4. Based upon the substantial evidence and conclusions set forth herein above, this Planning Commission hereby approves the Application subject to the conditions set forth in Attachment "A" attached hereto and by this reference incorporated herein, which conditions are deemed necessary to protect the public health, safety and general welfare and are reasonable and proper in accordance with the intent and purposes of Title 17 of the Irwindale Municipal Code.

The Secretary shall:

a. Certify to the adoption of this Resolution; and

b. Forthwith transmit a certified copy of this Resolution, by certified mail, to the Applicant at the address of record set forth in the Application.

ADOPTED AND APPROVED this 20th day of April 2022.

Suzanne E. Gomez, Chair
City of Irwindale Planning Commission

ATTEST:

_____
Marilyn Simpson, AICP, Secretary

CITY OF IRWINDALE
COUNTY OF LOS ANGELES } ss.
STATE OF CALIFORNIA

I, Marilyn Simpson, AICP, Community Development Director of the City of Irwindale, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Irwindale held on the 20th day of April 2022, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

_____
Marilyn Simpson, AICP, Secretary

PLANNING COMMISSION RESOLUTION NO. 815(22)
Conditional Use Permit No. 02-2021
Cal Blend Soils Inc.
1399 Las Lomas Road

A. GENERAL CONDITIONS

1. The use authorized by this Conditional Use Permit allows for the onsite sale and outdoor storage of bulk landscape and gardening materials and grandstand equipment at 1399 Las Lomas Road as shown on the stamped approved drawing set dated November 11, 2021.

2. The Applicant shall agree and consent, in writing, to each and every condition of permit approval set forth herein within twenty (20) days from the adoption of this Resolution by the Planning Commission approving the Conditional Use Permit.

3. The signed Final Conditions of Approval shall be photocopied and included as a sheet in the building plan set.

4. Plans for any proposed site improvements shall be submitted to the Los Angeles County Fire Department and City Building and Safety Division for review and approval prior to the issuance of Building Permits.

5. Prior to the issuance of a business license and/or occupancy permit and/or final inspection by the Community Development Department, all applicable conditions of approval (except those involving construction permits) shall be completed to the reasonable satisfaction of the City.

6. This Conditional Use Permit may be revoked for any violation of or noncompliance with any of these conditions or other codes, regulations of standards enforced by or beneficial to the City of Irwindale in accordance with IMC Section 17.80.140.

7. All graffiti shall be adequately and completely removed or painted over within 48 hours of such graffiti being affixed on any structure or fence at the site.

8. The Applicant shall defend, indemnify and hold harmless the City of Irwindale, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, any approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 02-2021. The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.

9. The use authorized by this Conditional Use Permit shall conform to the plans as finally approved by the City as conditioned herein, and any appreciable modification, as determined by the Community Development Director, shall require the prior approval of the Planning Commission pursuant to the amendments of these entitlements.

10. City inspectors shall have access to the site to reasonably inspect the site during normal working hours to assure compliance with these conditions and other codes.

11. The facility and use thereof shall be maintained in full compliance with all codes, standards, policies and regulations imposed by the City, County, State or Federal agencies with jurisdictions over the facility.

12. Any and all fees required to be paid to any public agency shall be paid prior to obtaining any permit for this project.

13. All appropriate practices shall be adopted to control dust, odor and vermin.

14. Upon receipt of a complaint related to any Condition of Approval imposed by this Conditional Use Permit, the City shall notify the Applicant of the alleged violation, and the Applicant shall commence to cure within ten (10) days after the receipt of the notice.

15. The subject site shall be maintained free and clear of any accumulation of trash debris, waste, and combustible and/or flammable materials, other than the related materials specifically authorized under the Conditional Use Permit.

16. Upon termination of the authorized use for any reason, including abandonment of this use by the Applicant, for 180 consecutive days, or revocation by the City, all materials and equipment shall be removed from the site within 30 days after notice from the City, at the expense of the Applicant. If the Applicant does not remove all materials and equipment, the City shall be authorized to do so, and the Applicant shall pay all costs related to the removal process.

B. <u>COMMUNITY DEVELOPMENT DEPARTMENT</u>

1. The project shall substantially conform to the submitted plans date-stamped November 11, 2021, except as modified herein. Future modifications that are not in substantial conformance shall be reviewed by the Community Development Director, and may require modification of this approval subject to the provisions of IMC Section 17.70.060 “Expiration and Revisions” and IMC Section 17.80.160 “Modification.”

2. This Conditional Use Permit shall allow the onsite sale and outdoor storage of bulk landscape and gardening materials and grandstand equipment.

3. The provisions of this Conditional Use Permit are to run with the land/project and shall bind the current and future owner(s), successor(s) in interest, assignee(s) and/or transferor(s) of said project. This Conditional Use Permit is only valid for 1399 Las Lomas Road (APN: 8604-018-014).

4. Business hours shall be limited to the hours of 7:00 am to 5:00 pm, Monday through Friday, 7:00 am to 2:00 pm, Saturday, and Closed on Sunday.

5. No raw manure or unprocessed green waste material shall be stored on the subject site.

6. No composting, curing or processing of organics shall be allowed onsite.

7. All landscape materials for sale shall be finished products.

8. No landscape material piles shall exceed 30’-0” in diameter or 12’-0” in height.

9. Landscape material piles shall be adequately covered when dusty conditions arise (i.e. weather, substantiated complaints directly to Code Enforcement).

10. Water shall be available on site for controlling dust.

11. The onsite street sweeper shall regularly clean the site.

12. The project site shall be well kept at all times and best practices for dust, odor, noise, vehicle track-out, and vector control shall be utilized.

13. Landscape materials loaded upon vehicles leaving the site shall be appropriately protected to avoid spillage into the public right of way.

14. Loading and unloading of landscape materials shall be done in a manner that has the least impact on the surrounding neighborhood. Onsite loading shall be primarily conducted on the areas south of the sales office.

15. All vehicles carrying landscaping and gardening materials in and out of the site must use a tarp.

16. Tarps shall be available for purchase for uncovered loads.

17. The “Preferred Truck Route” handout, prepared by Cal Blend Soils shall be posted in the sales office and attached to each sales receipt.

18. Signage displaying the “Preferred Truck Route” shall be prominently displayed at points of ingress and egress to the site.

19. All plant material, including trees, shall be maintained in good condition and replaced in the event they die or become diseased.

20. All approved business operations on-site shall have an Occupancy Permit and Business License prior to commencing operations.

21. Should existing outdoor storage and business operations of Mike Brown Grandstands intensify, a Modification of this Conditional Use Permit shall be required.

22. The Applicant shall be required to submit plans for future development to the Community Development Department.

23. Applicant shall obtain approval and permits from the Community Development Department and Building Division for all project signage prior to construction of any signs on the project site.

C. PUBLIC WORKS/ENGINEERING

1. All off-site improvements within the Public Right-of-Way shall be performed in accordance with City Standards to the satisfaction of the City Engineer. Construction plans shall be reviewed and approved by the City Engineer.

2. Adequate “on-site” parking shall be provided per City requirements.

3. The owner and/or developer shall remove and reconstruct all damaged or deficient sidewalk, driveways, curb ramps, curb and gutter as directed by the City Engineer.

4. Common driveways shall not be allowed unless approved by the City Engineer. Proposed driveways shall be located clear of existing fire hydrants, street lights, water meters, etc.

5. The owner and/or applicant shall bear the full cost of installing new street lights along Las Lomas Road with energy efficient LED fixtures. New street lighting shall meet the City of Irwindale and County of Los Angeles Street Lighting Design Standards.

6. The owner/developer shall install new ADA-compliant driveway approaches as directed by the City Engineer.

7. Any changes to the site plan shall be reviewed and approved by the City Engineer.

8. Sanitary sewers shall be constructed in accordance with City specifications to serve the subject property. The plans for the sanitary sewers shall be approved by the City Engineer. A sewer study shall be submitted along with the sanitary sewer plans.

9. Prior to the issuance of building permits, the owner/developer shall provide a will-serve letter from the water utility provider to the City

10. The owner/developer shall comply with all requirements of the County Sanitation District, make application for and pay the sewer maintenance fee.

11. Storm drains, catch basins, connector pipes, and appurtenances for the site specific storm drain system shall be designed and constructed in accordance with Los Angeles County standards and the City Engineer's requirements. The owner/developer shall submit grading and drainage plans to the City Engineer for review and approval. The grading and drainage plans shall be prepared by a licensed civil engineer and comply with Los Angeles County grading permit requirements. A hydrology study shall be included with the drainage plan.

12. The owner/developer shall pay the connection fee upon application for storm water connection to the City or County of Los Angeles system.

13. The owner/developer shall pay for the entire cost for the design, engineering construction and inspection of any upgrade to the water main and connections as required by the serving water company for the proposed development.

14. Fire hydrants shall be installed as required by the Fire Department. Existing public fire hydrants adjacent to the site, if any, shall be upgraded if required by the City Engineer.

15. Prior to issuance of grading permits, a grading and drainage plan shall be submitted for approval to the City Engineer. The owner/developer shall pay drainage review fees in conjunction with this submittal. A professional civil engineer registered in the State of California shall prepare the grading and drainage plan.

16. The owner/developer shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm water/urban runoff pollution prevention controls and Best Management Practices (BMPs) on all construction sites in accordance with the City Code. The owner/developer will also be required to submit a Certification for the project and may be required to prepare a Storm Water Pollution Prevention Plan (SWPPP). Projects over five acres in size will be required to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB). The owner/developer can obtain the current application packet by contacting the SWRCB, Construction Storm Water Unit, at (866) 563-3107 or by downloading the forms from their website at: www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml

The project shall also conform to the City's Ordinance regarding the requirements for the submittal of a Standard Urban Storm Water Mitigation Plan (“SUSMP”), and the requirements of Low Impact Development ("LID"). The SUSMP includes a requirement to implement Post Construction BMPs to infiltrate the first 3/4" of runoff from all storm events and to control peak-flow discharges.

D. BUILDING AND SAFETY

1. Building permits shall be obtained from the Building and Safety Division for any building modifications and all construction shall be in compliance with the current Irwindale Building Code.

2. The applicant shall submit site, floor, elevation plans that include all Life & Safety and Accessibility requirements as required by the current Los Angeles County Building Code for any proposed improvements to the existing facility.

3. Clearance from Industrial Waste and Drainage & Grading Section are required and will be referred at the time of plan submittal to Building and Safety.

4. Submit structural design for block walls (retaining soils with mas height as proposed), vehicular impact loads as applicable. Identify on plans if walls are protected from operating vehicles as applicable.

E. PUBLIC WORKS SERVICES

1. Complete the construction of Las Lomas Road per the approved Prior agreement between Mike Brown Grandstands and the City of Irwindale. The construction of sidewalk, curb, and gutter on both sides of the street; a driveway approach into the property; a parkway drain; a half hammer head at the end of the street; required fire hydrants per Fire Department; and pave/repave las Lomas from the Irwindale City Limits (Public) to the entrance of Mike Brown Grandstands (Private).

2. Any work within easements on the project site shall require proper permits from the easement holder (City of Irwindale, County of Los Angeles, etc.).

3. The owner/developer shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm/urban runoff pollution prevention controls and Best Management practices (BMPs) on all construction sites in accordance with the City Code. The owner/developer will also be required to submit a certification for the project and may be required to prepare a Storm Water Pollution Prevention Plan (SWPPP). Projects over five acres in size will be required to file a Notice of Intent (NOI) with California Environmental Protection Agency’s State Water Resources Control Board (SWRCB). The owner/developer can obtain the current application packet by contacting SWRCB, Construction Storm Water Unit, at

(866) 563-33107 or by downloading the forms from the following website: www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml

The project shall also conform to the City's Ordinance regarding the requirements for the submittal of a Standard Urban Storm Water Mitigation Plan (SUSMP), and the requirements of Low Impact Development (LID). The SUSMP includes a requirement to implement Post Construction BMPs to infiltrate the first 3/4" of runoff from all storm events ad to control Peak-flow discharges.

4. Unless exempted by the Los Angeles Regional Water Quality Control Board, a Covenant and Restriction ensuring the provisions of the approved SWPPP shall also be required.

5. Cal Blend Soils is required to obtain a General Industrial Permit or No Exposure Certification with the California Environmental Protection Agency's State Water Resources Control Board (SWRCB) due to the business type, fertilizer sales/storage. More information can be found at the following website: https://www.waterboards.ca.gov/water_issues/programs/stormwater/igp_20140057dwq.shtml

6. No dumping or unpermitted discharges are allowed into the San Gabriel River.

7. Onsite trash enclosure areas shall have sufficient space for solid waste and organic waste receptacles and shall be covered from the elements with a solid roof structure per Title 14, Division 7, Section 17313 of the California Code of Regulations and Building Code Manual County of Los Angeles Department of Public Works Building and Safety Division 312 Article 2.

8. As Food Recovery Service, a compost and mulch commercial business, adhere to the SB 1383 regulations set forth by CalRecycle and the City regarding requirements for food recovery organizations and services established under 14CCR Section 18991.3(b) and 18991.5(a)(1)(2).

Print Form

EXHIBIT "C"

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Los Angeles
12400 Imperial Highway
Norwalk, CA 90650

From: (Public Agency): City of Irwindale
5050 N Irwindale Ave
Irwindale CA 91706
(Address)

Project Title: Outdoor Soil Storage, 1399 Las Lomas Road

Project Applicant: Cal Blend Soils

Project Location - Specific:
1399 Las Lomas Road, Irwindale, CA

Project Location - City: Irwindale Project Location - County: Los Angeles

Description of Nature, Purpose and Beneficiaries of Project:
Store bulk soils, soil amendments, rocks, and aggregates for a retail sales yard in existing bunkers separated by low block walls.

Name of Public Agency Approving Project: City of Irwindale

Name of Person or Agency Carrying Out Project: Cal Blend Soils

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: CEQA Section 15301, Existing Facilities
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:
See Attachment A

Lead Agency
Contact Person: Brandi Jones, Senior Planner Area Code/Telephone/Extension: (626) 430-2260

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ▪ No

Signature: _____ Date: _____ Title: _____

☐ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

ATTACHMENT A
PROJECT DESCRIPTION AND JUSTIFICATION FOR CEQA EXEMPTION
OUTDOOR BULK LANDSCAPE AND GARDENING STORAGE, 1399 LAS LOMAS ROAD
REVISED MARCH 2022

1.0 INTRODUCTION

Cal Blend Soils is a wholesale landscaping and gardening material supplier at 1399 Las Lomas Road in the City of Irwindale, California, which sells a variety of products such as topsoil, leafpost soil mixes, decomposed granite, sand, gravel, and river rock cobble.[1] Cal Blend Soils has 29 existing outdoor concrete material bunkers and proposes to store soil, soil amendments, mulches, rocks, and aggregates within the material bunkers for a retail sales yard.

Although not part of the proposed project, it should be noted that Cal Blend Soils has granted approval of an easement deed in July 2020 to allow the City of Irwindale to construct the Las Lomas Road cul-de-sac within the northeastern portion of the site (shown in **Appendix A,** *Easement Map*) for public street and municipal purposes. The property owner granted the easement deed: Michael H. Brown, Trustee of the Brown Family Survivor's Trust.

2.0 EXISTING CONDITIONS

Project Location

The project site is located at 1399 Las Lomas Road within the City of Irwindale (Assessor Parcel Number (APN) 8604-018-014). Although the property is approximately 5.27 acres, the project site is 1.4 acre within the northern half of the property. The project site consists of a landscaping supply business, Cal Blend Soils. The project site is approximately 0.15 mile northeast of the Interstate 210 (I-210) freeway, and approximately 0.3 mile east of the junction of the I-210 and the Interstate 605 freeways; the Santa Fe Dam Recreation Area is to the south opposite the I-210.

Existing Conditions Onsite

The site is developed with three modular buildings and several freight containers. Two rows of material bunkers for storage of soil and other products, one along the west site boundary and one along the east, are formed with low rows of concrete blocks demarcating each area. The project site has eight striped parking spaces located at the northeastern portion of the project; seven of those parking spaces are located directly north of Cal Blend Soil's office building and consist of six general parking spaces and one Americans with Disabilities Act (ADA) parking space; the one remaining space is north of an accessory structure that lies east of the Cal Blend Soil's office building. Cal Blend Soils is currently open 7:00 a.m. to 5:00 p.m. Monday through Friday and from 7:00 a.m. to 2:00 p.m. Saturday, and is closed on Sundays. The southern half of the parcel is used by Mike Brown Grandstands for outdoor storage of portable outdoor stages.

Refer to **Figures 1** and **2** below, which depict the project's location and recent site photographs.

[1] Cal Blend Soils Inc., 2021. Accessed online at https://www.calblendsoils.com/, accessed on May 28, 2021.

Figure 1
PROJECT LOCATION MAP

Figure 2
PROJECT SITE PHOTOGRAPHS

Photo 1: View looking northeast across the project site from the southwestern part of the site.

Photo 2: View looking southwest across the project site from the northeast part of the site.

Photo 3: View looking northwest across the project site from the northeast part of the site.

Photo 4: View looking west across the project site from the northeast part of the site.

Existing Project Operations- Housekeeping

The project applicant deploys standard housekeeping practices as an essential part of daily operations at the site. Housekeeping activities (described below) for dust, odor, vehicle track-out, and vector control are generally considered best practices and are intended to keep the project site well maintained and well-kept at all times. Refer to **Appendix B**, *Site Photographs*, which depict the good housekeeping measures the applicant currently implements.

The project lines at this facility include the following:

- Large Bark
- Playground Chip Bark
- Gorilla Hair Bark
- Cedar Mulch
- Pumice Sand – usually mixed with an amendment
- Garden Mix Mulch – all organic, no animal product
- Garden Mix
- Leaf Post
- Pebble Bark – used for Orchid Growers
- Super Fine Mulch – used for a top dressing
- Gravel – from the Vulcan mine in Irwindale
- Decomposed Granite – there are four different types
- Large Boulders and Smaller Rocks for Landscaping

Dust Control and Measures Implemented by Project Applicant

Site operations and supporting activities have the potential to generate dust. However, the limited fugitive dust emissions are localized to the site boundary. The project applicant controls dust by the daily watering of interior roadways and storage areas. Additionally, during seasonal wind events (i.e., Santa Ana Winds), the project applicants uses a large flag located east of the project site as well as ribbons located round the project site to determine the strength and direction of the wind. During these types of events, additional on-site water is used to control any on-site dust that may occur.

The operator owns and utilizes a water truck to control any dust emissions from the existing rock and soil products that are located on-site. All products are contained within bins or concrete material bunkers. There are limited times when any soil product is not within concrete material bunkers. Additionally, signage at the project site limits on-site vehicle speed to 15 miles per hour. The project applicant also provides guidance to each vendor and customer regarding established speed limits within the property boundaries. The project applicant enforces track-out control at the project site by using enforcement procedures and has the ability to initiate corrective actions of vendors that disobey established speed limits within the site boundary. Therefore, these types of procedures established by the project applicant help control dust emissions on-site at this facility.

Odor Emissions and Measures Implemented by Project Applicant

All organic products (noted above) that are sold at this facility are located within concrete material bunkers. Products stored onsite may generate odors; however, due to the turnover of those products, and the distance of storage areas from existing sensitive receptors it is very unlikely that the organic products would produce odors on a continuous basis. The City of Irwindale has received two complaints about odor however it was determined that the odors did not come from the project site. If an odor complaint is registered with the City, then the City's Code Enforcement office would be

called upon to investigate the complaint. Code Enforcement would collect the name of the complainant, the location, description, nature, and duration of the odor. Code Enforcement asks the complainant if they would like an Officer to visit their home to substantiate the odor complaint. The City inspectors would investigate the area and home and the project applicant. They will determine the source of the odor and if the project applicant's facility is the source of the odor. Therefore, a facility visit would determine if the facility is complying with its permits and regulations.

The City would then work with the project applicant to stop or lessen the generation of any odor(s), if odors are found. As an example, this could require processing changes, operational changes to mitigate the odor source, if an odor occurs. The project applicant has considered every activity in operation and continues to deploy Best Management Practices (BMPs) and good housekeeping measures to eliminate any potential odor issue at this facility.

Vehicle Track-Out and Measures Implemented by Project Applicant

Vehicle track-out refers to "any bulk material that adheres to and agglomerates on the exterior surface of motor vehicles, haul trucks, and equipment (including tires) that have been released onto a paved road[2]" Below is a list of some vehicle track-out measures which could be implemented:

- Limit vehicle speed on the project site;
- Remove dust from paved roadways and construction vehicles to prevent track-out or entrained dust by washing, vacuum sweeping, broom sweeping or any other mechanical means that does not generate fugitive dust.

Vector Control and Measures Implemented by Project Applicant

Below is a list of some vector control measures which could be implemented:

- Monitor the project site on a regular basis for vector activity and take corrective measures immediately should a vector problem be detected.
- Rodents can be controlled in accordance with regulations established by the County Department of Health Services and the California State Department of Health.

Existing Project Operations- Noise

The City of Duarte has expressed concern regarding noise. In response, a City of Irwindale Code Enforcement officer visited the project site on February 22 and February 24, 2022 and conducted sound measurements for two hours in the morning and two hours in the afternoon on each of the two days.

Appendix C, *Noise Measurements*, includes the noise measurements from the City of Irwindale's Code Enforcement Officer on the dates listed above. As noted in **Appendix C**, the highest noise level measured was not from operations on the project site. Recorded sound levels in decibels ranged from a low of 47.1 decibels at 9:18 a.m. on February 22 (which was a base noise level including

[2] Source: South Coast Air Quality Management District, 2022. Draft Proposed Rule 403.2 - Fugitive Dust From Large Roadway Projects, March 28. Accessed online at: http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1157.1/pr-403-2-(revised-preliminary-draft-3-28-22).pdf?sfvrsn=6 on April 12, 2022.

freeway noise) to a high of 78.2 decibels at 3:12 p.m. on February 24 (which included noise from a Duarte resident owned semi and trailer made a u-turn and parked on Las Lomas Road). Noise from project operations ranged from 60.5 decibels for less than one minute at 9:17 a.m. on February 22 (from a CalBlends customer pick up trick) to 73.5 decibels for less than one minute at 9:15 a.m on February 22 (from a CalBlends truck returning to the project site).

The Code Enforcement Officer noted that when the screener was operating it yielded a noise reading of 46.5 decibels at the entrance to the project site, and the City of Irwindale's noise limit[3] is 50 decibels during the day for residences. As shown in **Appendix C**, noise associated with the project site occurs from less than a minute to 1-2 minutes from vehicles. The City of Irwindale's noise limit between 7 a.m. and 10 p.m. is 70 decibels for industrial areas. Per Section 9.28.030(B) of the City of Irwindale's Municipal Code, "Any noise at a level which exceed the ambient or the ambient base level as set forth in subsection A of this section, whichever is greater, by more than ten dB [decibels] when measured at any boundary line of the property from which the noise emanates shall constitute sufficient proof of a violation. Refer to **Table 1**, *City of Irwindale Ambient Base Noise Levels Compared to the Highest Noise Measurements*, below. The noise measurements conducted by the Code Enforcement Officer did not exceed ambient base level by more than ten dB at any time.

Table 1
CITY OF IRWINDALE AMBIENT BASE NOISE LEVELS
COMPARED TO THE HIGHEST NOISE MEASUREMENTS

Zone	Ambient Base Noise Level		3 Highest Onsite Noise Measurements (in decibels)			Does the onsite noise measurement exceed 10 decibels above the ambient base noise level?
Time	10 p.m. to 7 a.m.	7 a.m. to 10 p.m.	3:12 p.m.	9:15 a.m.	3:08 p.m.	
Residential	45	50	Not Applicable			Not Applicable
Commercial	50	55	Not Applicable			Not Applicable
Industrial	60	70	78.2	73.5	73.1	No

Source: City of Irwindale Municipal Code Section 9.28.030
Note: Not Applicable indicated because the project site is located in an industrial zone.

Per the City of Irwindale Municipal Code:

"A. Where the ambient noise level is less than designated in this section, the ambient base noise level in this section shall govern.

B. Any noise at a level which exceeds the ambient or the ambient base level as set forth in subsection A of this section, whichever is greater, by more than ten dB when measured at any boundary line of the property from which the noise emanates shall constitute sufficient proof of a violation."

As depicted in **Table 1** above, none of the three highest noise readings taken by the City of Irwindale exceeded 10 decibels above the ambient base noise level for the zone in which the project site is located (Industrial Zone).

[3] City of Irwindale noise limits are set forth in the City's Municipal Code. Specifically, Chapter 9.28.030(A) of the City's Municipal Code regulates noise. The City's Municipal Code is online at: https://library.municode.com/ca/irwindale/codes/code_of_ordinances?nodeId=TIT9PUPEMOWE_CH9.28NORE_9.28.010DEPO

Existing Project Operations- Traffic Counts

The City of Duarte has expressed concern regarding vehicle trips associated with operation of the project. In response to this concern, the City of Irwindale arranged and paid for a traffic firm (Counts Unlimited) to conduct traffic counts on a 24-hour basis over the span of three days (February 22-24, 2022). Refer to **Appendix D**, *Traffic Counts*, which documents all of the vehicles entering and exiting the project site during a three-day period. **Table 2**, *Traffic Count Summary*, breaks down the traffic flow to and from the project site over a three-day period by type and number of vehicles. As shown in **Table 2** below, over the course of three days approximately 71 percent of the vehicles entering and exiting the project site were passenger vehicles, followed by approximately 18 percent large two axle vehicles. During the three-day traffic count, the average number of vehicle trips per day was as follows: 77 passenger vehicles, 20 two-axle vehicles, approximately 8 three-axle vehicles and 2 four-axle vehicles. **Table 3**, *Traffic Timing Summary*, provides and overview of the timing of the vehicles entering and exiting the project site. As shown below, during the three day period observed vehicles visited the site as early as 5:00 a.m. and left the site as late as 5:00 p.m. Refer to **Appendix D** for details and raw data regarding type and timing of all vehicles.

Table 2
TRAFFIC COUNT SUMMARY

Date	February 22, 2022				February 23, 2022				February 24, 2022					Percent of Total for All Three Days*
Vehicle Type	Entering	Exiting	Total Vehicles for the Day	Percent of Total for the Day*	Entering	Exiting	Total Vehicles for the Day	Percent of Total for the Day*	Entering	Exiting	Total Vehicles for the Day	Percent of Total for the Day*	Average Number of Vehicles over Three Days*	
Passenger Vehicles	30	28	58	68.2%	42	44	86	75.4%	43	44	87	70.7%	77	**71.7%**
Large 2 Axle	5	7	12	14.1%	12	11	23	20.2%	14	11	25	20.3%	20	**18.6%**
3 Axle	9	6	15	17.6%	1	4	5	4.4%	2	3	5	4.1%	8.3	**7.8%**
Large 4+ Axle	0	0	0	0.0%	0	0	0	0.0%	3	3	6	4.9%	2	**1.9%**
Grand Total	**44**	**41**	**85**	**100%**	**55**	**59**	**114**	**100%**	**53**	**61**	**123**	**100%**	**107.3**	**100%**

Source: Counts Unlimited Traffic Count Data, February 22-24, 2022
Notes: *=numbers have been rounded

Table 3
TRAFFIC TIMING SUMMARY

Date	February 22, 2022			February 23, 2022			February 24, 2022		
Vehicle Type	Earliest Entering Time	Latest Exiting Time	Total Vehicles for the Day	Earliest Entering Time	Latest Exiting Time	Total Vehicles for the Day	Earliest Entering Time	Latest Exiting Time	Total Vehicles for the Day
Passenger Vehicles	5:30 a.m.	5:00 p.m.	58	5:45 a.m.	5:00 p.m.	86	5:00 a.m.	5:00 p.m.	87
Large 2 Axle	7:00 a.m.	2:15 p.m.	12	6:00 a.m.	3:00 p.m.	23	6:30 a.m.	3:30 p.m.	25
3 Axle	9:00 a.m.	3:30 p.m.	15	11:15 a.m.	8:30 a.m.	5	1:15 p.m.	1:00 p.m.	5
Large 4+ Axle	N/A	N/A	0	N/A	N/A	0	12:45 p.m.	3:15 p.m.	6
Grand Total	**--**	**--**	**85**	**--**	**--**	**114**	**--**	**--**	**123**

Source: Counts Unlimited Traffic Count Data, February 22-24, 2022
Notes: N/A= Not Applicable- no vehicles of this type were recorded that day; -- = No Data

General Plan Land Use/Zoning

The project site has a general plan land use designation of Industrial/Business Park and a zoning designation of M-2 (Heavy Manufacturing) (Refer to **Table 4**, *Existing Land Uses for the Project Site and Surrounding Area*).[4, 5]

Surrounding Development

The project site is surrounded by single-family homes in the City of Duarte to the north, a Southern California Edison (SCE) transmission line easement to the south, a SCE transmission line easement and undeveloped land to the east, and a self-storage and truck rental business and Mike Brown Grandstands storage to the west. The general plan land use and zoning designations, and existing uses of the surrounding developments are described in **Table 4**.

Table 4
EXISTING LAND USES FOR THE PROJECT SITE AND SURROUNDING AREA

Location	General Plan Land Use	Zoning Designation	Existing Development
Project Site	Industrial/Business Park	M-2 (Heavy Manufacturing)	Landscaping supply business (Cal Blend Soils)
North	Industrial/Business Park	M-1 (Light Manufacturing)	vacant
Northwest	Residential (City of Duarte)	R-1 (Single-Family Residential) (City of Duarte)	Single-family homes
South	Interstate 605 Freeway	Interstate 605 freeway	Interstate 605 freeway
East and Southeast	Industrial/Business Park	M-2 (Heavy Manufacturing)	SCE transmission line easement and vacant land
West	Industrial/Business Park	M-2 (Heavy Manufacturing)	Truck rental (U-Haul) and self-storage business and outdoor storage business (Mike Brown Grandstands)

Source:
City of Irwindale, 2008, p. 42. City of Irwindale 2020 General Plan. Accessed online at https://www.irwindaleca.gov/DocumentCenter/View/38/General-Plan?bidId=, accessed on May 27, 2021.
City of Irwindale, 2018. City of Irwindale Zoning Map. Accessed online at https://www.irwindaleca.gov/DocumentCenter/View/40/Zoning-Map?bidId=, accessed on June 1, 2021
City of Duarte, 2007. Zoning Map. Accessed online at https://duarte-prod.civica.granicusops.com/civicax/filebank/blobdload.aspx?blobid=23299, accessed on May 27, 2021.
City of Duarte, 2016, p. 9. City of Duarte General Plan Designations. Accessed online at https://www.accessduarte.com/civicax/filebank/blobdload.aspx?BlobID=22819, accessed on June 1, 2021.
Google Earth Pro, 2021. Accessed on May 27, 2021.

[4] City of Irwindale, 2008, p. 42. City of Irwindale 2020 General Plan. Accessed online at https://www.irwindaleca.gov/DocumentCenter/View/38/General-Plan?bidId= , accessed on June 1, 2021.
[5] City of Irwindale, 2018. Zoning Map. Accessed online at https://www.irwindaleca.gov/DocumentCenter/View/40/Zoning-Map?bidId= , accessed on June 1, 2021.

3.0 PROJECT DESCRIPTION

Proposed Land Use

Cal Blend Soils proposes to store bulk soils, soil amendments, rocks, and aggregates for a retail sales yard. All materials for sale on the project site would be finished products and would not include curing, composting, or changing the physical composition of organics. The materials would be stored in existing material bunkers separated by low block walls.

Cal Blend Soils proposes to install a debris and runoff containment basin and basin overflow in the southwestern corner of the project site to manage potential erosion and flooding impacts created from the proposed storage of landscaping materials at the existing material bunkers. The debris and runoff containment basin would approximately be 1,400 square feet in area and two feet deep.

The proposed project would stripe a total of 13 new parking spaces, which include eight vehicle parking spaces in front of the material bunkers for temporary unloading and loading of landscaping materials, and five parking spaces at the northeastern portion of the project site for employees. Additionally, the proposed project would install an ADA ramp next to the existing ADA parking space, which would create a safe path from the ADA parking stall to the Cal Blend Soil's office building. At project completion, there would be 21 parking spaces onsite, the 8 existing spaces plus the 13 new ones. Refer to **Figure 3**, which depicts the proposed project components on the project site.

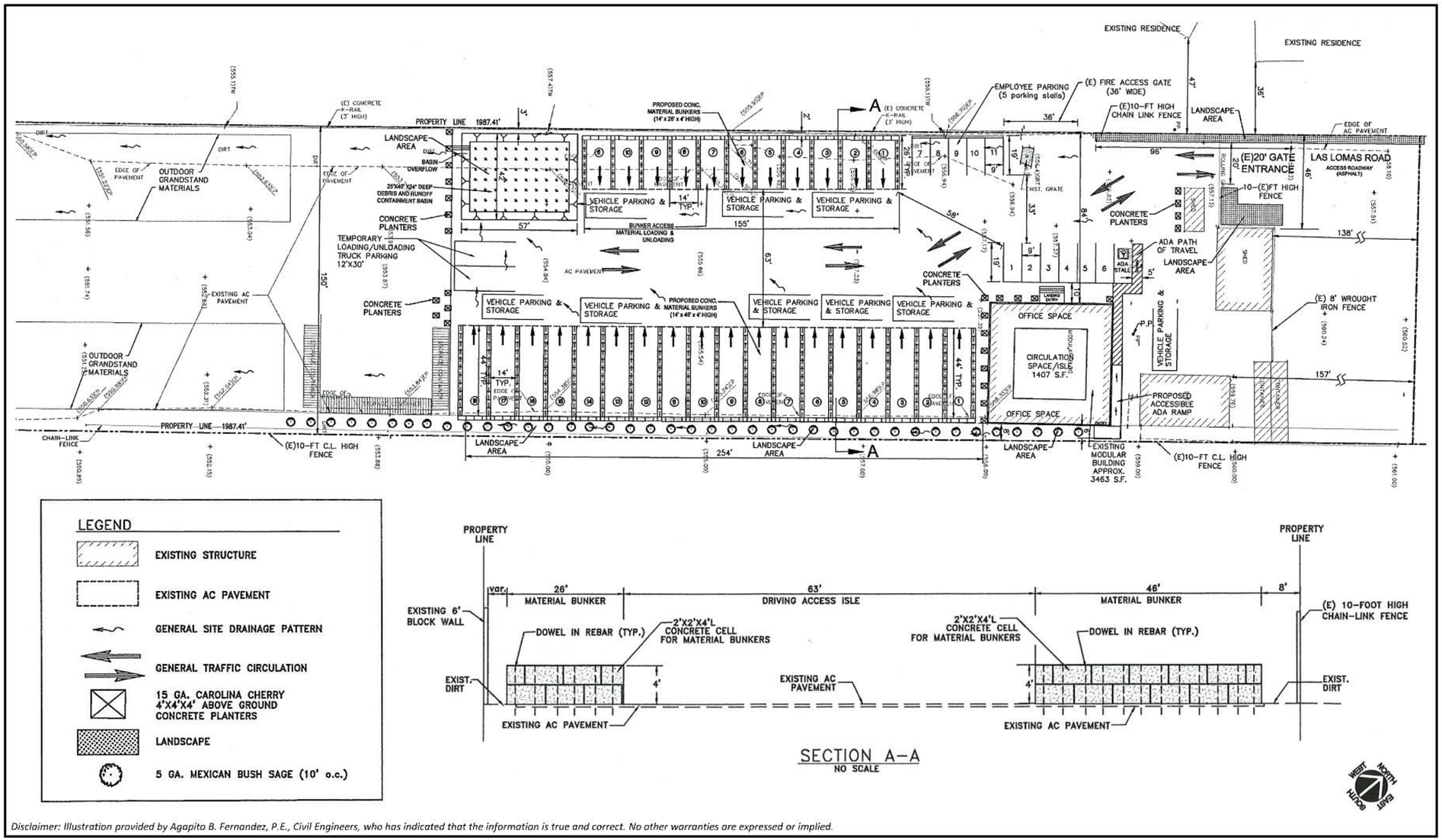
Operations

Cal Blend's operating hours, including pre-business preparations, shall be limited to the hours of 6:00 am to 5:00 pm, Monday through Friday, 6:00 am to 2:00 pm, Saturday, and closed on Sunday. In the past the City of Duarte has expressed concern regarding vehicle trips associated with project operation. In response to the City of Duarte's concerns, as discussed earlier in this document, the City of Irwindale arranged for vehicle counts to be conducted over the course of three days in February 2022.

Based on the results of the traffic counts detailed earlier in this section and provided in **Appendix D** of this document, the project does not meet the thresholds for vehicle miles traveled (VMT) analysis. Refer to **Appendix E**, State of California Governor's Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA. Per the Governor's Office of Planning and Research technical advisory for Senate Bill 743 and the City of Irwindale, absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a general plan, it is reasonable to assume that projects that generate or attract fewer than 110 passenger car trips per day cause a less-than-significant transportation impact. The project was analyzed and traffic counts conducted show that the project site generates or attracts fewer than 110 trips per day, thus, the project is screened out of VMT analysis requirements. As detailed in **Table 2** above, current project operations are well below the 110 passenger vehicle trips per day, which is why a VMT analysis is not warranted.

Front-end loaders would be used daily for four to six hours to move soils to and from the material bunkers. The landscaping materials would be stockpiled approximately 12 feet high in each bunker. Stockpiles are covered as needed to minimize erosion including wind erosion. Cal Blend sells leafpost (crushed leaves) and fertilizer in bags; it does not sell those materials in loose bulk form. Cal Blend does not sell manure. All Cal Blend products are finished products, and Cal Blend does not process compost, mulch, or other organic material.

Figure 3
SITE PLAN



Disclaimer: Illustration provided by Agapito B. Fernandez, P.E., Civil Engineers, who has indicated that the information is true and correct. No other warranties are expressed or implied.

Source: Agapito B. Fernandez, P.E., Civil Engineers, January 27, 2020.

Outdoor Soil Storage, 1399 Las Lomas Road, Irwindale

Site Plan

Site Circulation

The ingress and egress of all employees, general public, and trucks for the proposed project would come from the northeast portion of the project site, where there is one gate entrance/exit at the south end of Las Lomas Road. Employees and the general public would be able to access the parking spaces and office building, and the trucks would be able to access the concrete material bunkers to load or unload the landscaping materials. The proposed cul-de-sac at the south end of Las Lomas Road, which is not a part of the proposed project, would enable trucks to turn around before or after loading or unloading at the site.

Access Control

The entire project site is bounded by chain link fences on the north, a six-foot block wall on the south, and stacked shipping containers, except at the northeast portion of the site, where a 10-foot-tall sliding chain link gate along Las Lomas Road would allow employees, general public and trucks access to the project site. This gate would be open during business hours and closed otherwise. Access to the Cal Blend Soils site does not require the use of the residential roads, and the Applicant has submitted to the City a preferred truck route, which directs traffic away from the nearby residential areas. The City's traffic count analysis of the project site showed that the project generates a less-than-significant transportation impact. The entrance to the project site does not affect Duarte residential areas because fencing and vegetation provide a buffer and act as a screen between the entrance to the project site and the homes nearby.

Proposed Housekeeping

Housekeeping at the project site would continue to be the same as the current good housekeeping measures outlined above in **Section 2.0**. Standard housekeeping practices would be an essential part of daily operations at the site. Housekeeping activities for dust, odor, vehicle track-out and vector are generally considered best practices and are intended to keep the project site well maintained and well-kept at all times. The project applicant would control dust by the daily watering of interior roadways and storage areas with a water truck owned and operated by Cal Blend Soils. Additionally, during wind events, the project applicant would utilize additional on-site water to control any on-site dust that may occur. The project would comply with South Coast Air Quality Management District (SCAQMD) Rule 403. The purpose of this Rule is to reduce the amount of particulate matter entrained in the ambient air as a result of anthropogenic (man-made) fugitive dust sources by requiring actions to prevent, reduce or mitigate fugitive dust emissions[6]. Using good housekeeping measures would reduce any potential dust or odors.

Construction

Construction of the runoff containment basin would involve a one rubber-tired dozer, one backhoe and one off-highway truck and would require approximately one week.

Requested Permits

Project implementation requires the following approvals by the City of Irwindale:

- A Conditional Use Permit (CUP) to ensure that the proposed use will be rendered compatible with other existing and permitted uses located in the general area of the proposed use. The

[6] Source: http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf, accessed March 8, 2022.

CUP would also permit continuing operation of Mike Brown Grandstands, which is currently a Legal non-conforming use with regard to the M-2 zoning district.

- Grading and building permits from the City of Irwindale Building & Safety Division.

4.0 REASONS WHY THE PROJECT IS EXEMPT

The proposed project is exempt from CEQA under a Class 1 (Existing Facilities) categorical exemption. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use. For the reasons described below the project involves negligible use.

The site is designated in the General Plan as Industrial/Business Park and zoned M-2 (Heavy Manufacturing). The site's current use is considered legal non-conforming per IMC Section 17.76.020 "Continuation" which states: a lawful nonconforming use may be continuously maintained; provided, there is no alteration or addition to any structure nor any enlargements of area, space or volume occupied by or devoted to such use, except as otherwise provided in this chapter. Since the operations of Cal Blend Soils constitute an increase in volume of outdoor storage on the site, a CUP is required for the continued use of outdoor storage on the site, this would be subject to a CUP. The site of a current non-conformity can be triggered into compliance even if there is a proposed expansion or intensification to an unrelated, onsite operation. The applicant, Cal Blend Soils, is requesting a Conditional Use Permit (CUP No. 02-2021) for the outdoor storage of bulk materials for onsite sale and the continued outdoor storage operations for Mike Brown Grandstands, , a negligible change in use from the existing baseline of site conditions and use of outdoor storage, shipping, receiving, and distribution of grandstand, spectator seating, and materials by Mike Brown Grandstands. Per the IMC Subsection 17.80.030(26) all outdoor storage of building and contractor supplies shall not be permitted unless a Conditional Use Permit has been granted.

Justification why Project is Exempt: Following is an evaluation of six exceptions to categorical exemptions set forth in CEQA Guidelines Section 15300.2 showing that none of the exceptions apply to the proposed project.

4.1 Evaluation of Exceptions to Categorical Exemptions Set Forth in CEQA Guidelines § 15300.2:

a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The proposed project would not use a Class 3, 4, 5, 6 or 11 exemption. Class 3 is New Construction or Conversion of Small Structures; Class 4 is Minor Alterations to Land; Class 5 is Minor Alterations in Land Use Limitations; Class 6 is Information Collection; and Class 11 is Accessory Structures.[7] None

[7] CEQA Guidelines Sections 15303 (Class 3), 15304 (Class 4), 15305 (Class 5), 15306 (Class 6), and 15311 (Class 11).

of those classes of categorical exemptions apply to the proposed project. The project is not located in a particularly sensitive environment. Therefore, there would be no impacts in this regard.

b) Cumulative Impact: All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

A review of current and near-term future development activity indicates that no other projects are proposed within the immediate vicinity of the project.[8] The nearest project in the City of Duarte to the proposed project site is a 6,580-square-foot commercial building at 2137 Huntington Drive about 0.6 mile to the northwest (accessed online on November 30, 2021).[9] Given the small scale and limited impacts of the proposed project, that is too far for impacts of the project in Duarte to combine with impacts of the proposed project to result in significant cumulative impacts.

The nearest other project in the City of Irwindale to the proposed project site is the Reliance II Specific Plan on a 91.5-acre site approximately 0.45 miles east-southeast of the project site. The Reliance II Specific Plan proposes commercial and industrial business park use on a site bounded by the I-210 freeway to the south; Foothill Boulevard (a continuation of Huntington Drive) to the north; Irwindale Avenue to the east; and vacant land east of the San Gabriel River to the west. Considering that the proposed project would only involve one week of construction of a runoff containment basin, construction impacts of the proposed project would not combine with construction impacts of the Reliance II project to cause significant cumulative impacts. The Reliance II site is surrounded by the I-210 freeway and by major industrial uses including the Miller Coors Brewery south opposite the I-210, and the Vulcan sand and gravel quarry north opposite Foothill Boulevard. Therefore, operational impacts of the Reliance II project—such as noise—would not be noticeable at the proposed project site and would not combine with impacts of the proposed project to cause significant cumulative impacts. Regional access to the Reliance II site is from the I-210 via Irwindale Avenue, and it is not expected to generate a large volume of traffic on Huntington Drive past the intersection of Las Lomas Road and Huntington Drive. Cal Blend Soils does not plan other projects on the project site after the proposed project. Therefore, cumulative impacts would be less than significant.

c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

No unusual circumstances have been identified on or next to the site that would give rise to a significant environmental impact. The project site is on a property used for storage and sales by a landscaping supply business, and for storage by an outdoor stage company. The project site is surrounded by single-family homes in the City of Duarte to the north, a Southern California Edison (SCE) transmission line easement to the south, an SCE transmission line easement and vacant land to the east, and a truck rental business and Mike Brown Grandstands to the west. Following are discussions of project air quality, noise, traffic and paleontological resources impacts.

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8 This is based on the City of Irwindale active projects accessed online at: https://www.irwindaleca.gov/427/Active-Projects, on June 11, 2021.

9 City of Duarte Current & Planned Major Development Project List accessed online at: https://www.accessduarte.com/civica/filebank/blobdload.asp?BlobID=24692, on June 11, 2021.

Air Quality

The South Coast Air Quality Management District (SCAQMD) has established significance thresholds for daily emissions of "criteria pollutants," including reactive organic gases (ROG), carbon monoxide (CO), nitrogen oxides (NO_x), respirable particulate matter (PM_{10}) and fine particulate matter ($PM_{2.5}$).[10] These are shown in **Table 5**, *Maximum Daily Criteria Pollutant Emissions* below for both construction and operation of a project. Refer to **Appendix F,** *Air Quality Calculations***,** which contains air quality calculations.

Project Construction

The only construction activity that would result in appreciable air pollutant emissions would be excavation for the debris and runoff containment basin. The analysis estimated conservatively that one rubber-tired dozer, one tractor/loader/backhoe and one off-highway truck would be operating on the day of highest emissions. Equipment brake horsepower, load factors, and emission factors (in grams per brake-horsepower-hour) were obtained from the documentation for the California Emission Estimator Model (CalEEMod), Version 2020.4.0.[11] **Table 5** shows the results of the calculations and compares them with SCAQMD significance thresholds.

Table 5
MAXIMUM DAILY CRITERIA POLLUTANT EMISSIONS
(Pounds per Day)

Pollutant	ROG	CO	NO_x	PM_{10}	$PM_{2.5}$
Construction	0.8	4.6	8.4	0.4	0.4
Threshold	*75*	*550*	*100*	*150*	*55*
Significant?	**No**	**No**	**No**	**No**	**No**
Operations	0.04	1.64	0.28	0.09	0.04
Threshold	*55*	*550*	*55*	*150*	*55*
Significant?	**No**	**No**	**No**	**No**	**No**

Project Operation

The only emission sources during project operation would be fugitive dust emissions from materials handling and emissions from on-road motor vehicles delivering and taking away the stored materials. The fugitive dust emissions would be minimized by adherence to SCAQMD Rule 403 (Fugitive Dust).[12] Requirements set forth in Rule 403 include the following:

Importing/Exporting of Bulk Materials

09-1 Stabilize material while loading to reduce fugitive dust emissions;

10 South Coast AQMD Air Quality Significance Thresholds. South Coast Air Quality Management District, Diamond Bar, CA. Accessed online at http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2. Accessed on September 18, 2021.

11 User's Guide for CalEEMod Version 2020.4.0. Appendix D. Accessed online at http://www.aqmd.gov/docs/default-source/caleemod/user-guide-2021/appendix-d2020-4-0-full-merge.pdf?sfvrsn=12. Accessed September 18, 2021. The CalEEMod software was not used for the calculations described herein.

12 Accessed online at http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf?sfvrsn=4. Accessed September 18, 2021.

09-2 Maintain at least six inches of freeboard on haul vehicles;

09-3 Stabilize material while transporting to reduce fugitive dust emissions;

09-4 Stabilize material while unloading to reduce fugitive dust emissions;

09-5 Comply with Vehicle Code Section 23114.

Guidance:

Use tarps or other suitable enclosures on haul trucks.

Provide water while loading and unloading to reduce visible dust plumes.

Stockpiles/Bulk Material Handling

14-1 Stabilize stockpiled materials.

14-2 Stockpiles within 100 yards of off-site occupied buildings must not be greater than eight feet in height; or must have a road bladed to the top to allow water truck access or must have an operational water irrigation system that is capable of complete stockpile coverage.

Guidance:

Add or remove material from the downwind portion of the storage pile.

Maintain storage piles to avoid steep sides or faces.

Truck loading

17-1 Pre-water material prior to loading; and

17-2 Ensure that freeboard exceeds six inches (CVC 23114)

Guidance:

Empty loader bucket such that no visible dust plumes are created.

Ensure that the loader bucket is close to the truck to minimize drop height while loading.

On-road mobile source emissions were calculated using the assumption that there would be four incoming supply vehicles and four outgoing product vehicles per day, and that each vehicle would travel 96 miles round-trip. Emission factors were obtained from the California Air Resources Board's EMFAC2017 model (Version 1.0.3).[13] **Table 5** shows the results of the calculations and compares them with SCAQMD significance thresholds. As depicted in **Table 5** on the previous page, for both construction and operational emissions, the project would not exceed any of the SCAQMD significance thresholds. Therefore the project would have a less than significant impact in this regard.

Odors

Cal Blend sells leafpost (crushed leaves) and fertilizer in bags; it does not sell those materials in loose bulk form. Cal Blend does not sell manure. All Cal Blend products are finished products, and Cal Blend does not process compost, mulch, or other organic material. No composting, curing or changing the physical composition of organics are allowed on the project site. No changing the physical

13 Accessed online at https://arb.ca.gov/emfac/2017/. Accessed on September 18, 2021.

composition would be allowed on sitethat is material would not be cured, treated, crushed, composted or physically changed. Materials on site would be sorted by size but the nature of the raw materials would not be changed. No changing the physical composition of manure or compost would be permitted on site. Therefore, air quality issues regarding odors would be less than significant. Based on the analysis above, it is clear that criteria pollutant emissions from project construction and operation would be less than significant.

Noise

Project Construction

Construction of the proposed runoff containment basin would last approximately one week. The site of the basin is approximately 200 feet south of the nearest noise-sensitive uses, which are residences; and is screened from the residences by a wall along the east boundary of the truck rental business west of the project site. Construction would be carried out during hours when construction work is allowed by the City of Irwindale, that is, 7:00 a.m. to 7:00 p.m. Monday through Saturday (City of Irwindale Municipal Code § 9.28.110.B). Therefore, project construction would not cause significant noise impacts at the nearest noise-sensitive uses.

Project Operation

Project operation would not substantially expand operations of Cal Blend Soils. Currently Cal Blend Soils' operating hours are 7:00 a.m. to 5:00 p.m. Monday through Friday and 7:00 a.m. to 2:00 p.m. Saturday. Cal Blend Soils is not changing their operating hours. The nearest residential property line to the material bunkers is approximately 60 feet to the north. The material bunkers are mostly screened from the residences by a wall along the property line with the truck rental business to the west, and a wall along the northernmost of the material bunkers on the west side of the project site. project implementation is not expected to generate a significant increase in vehicle trips; and thus is not expected to generate a significant amount of increased noise, as substantiated in the less than significant noise readings detailed in **Table 1** of this document and the limited number of vehicle trips and timing of those trips detailed in **Table 2 and Table 3** of this document. Additionally, fencing and vegetation provide a buffer and act as a screen between the entrance to the project site and the homes nearby in Duarte. Therefore, impacts from project operation would be less than significant.

Traffic

Project Construction

Construction of the proposed runoff basin would last approximately one week and would not generate substantial traffic through hauling construction equipment and supplies or through construction worker commute trips. Project construction traffic impacts would be less than significant due to both the brief duration and the small scale of construction.

Project Operation

Based on the results of the traffic counts detailed earlier in this section and provided in **Appendix D** of this document, the project does not meet the thresholds for vehicle miles traveled (VMT) analysis. Refer to **Appendix E**, *State Of California Governor's Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA* . Per the Governor's Office of Planning and Research technical advisory for Senate Bill 743 and City of Irwindale, if a project's passenger vehicle trips are

under 110 trips per day, the project is screened out of VMT analysis requirements. As detailed in **Table 2**, current project operations are well below the 110 passenger vehicle trips per day, which is why a VMT analysis is not warranted.

Paleontological Resources

A paleontological records search by the Los Angeles County Museum of Natural History identified six fossil localities: three in the City of Chino Hills, one in the City of Monterey Park, one in the City of Bell Gardens, and one in the City of Whittier. Only one on the sites (Monterey Park) is in the San Gabriel Valley; that site is approximately 13 miles from the project site (see **Appendix G,** *Paleontological Resources Records Search*; LACMNH, 2021).

Project Construction

Project development would involve disturbance of soil to a depth of approximately two feet below ground surface (bgs) over a footprint of approximately 1,400 square feet. Impacts on paleontological resources would be less than significant due to the very small scale (and shallow depth) of soil disturbance.

Project Operation

Project operation would not involve ground disturbance and thus would not cause impacts on paleontological resources.

No existing unusual circumstances are present that would cause significant impacts in conjunction with project development, and project development would not introduce unusual circumstances causing significant effects. Impacts would be less than significant.

d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.

The project site is not located along an official state scenic highway. The closest designated state scenic highway, the State Route 2 freeway, is approximately 10 miles north of the project site.[14] The closest eligible state scenic highway to the project site is State Route 39, approximately 2.3 miles southeast of the project site. Therefore, due to the distance between the project site and the closest designated state scenic highway, no impact would occur.

e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The project site is not listed as a hazardous waste site on any list compiled pursuant to California Government Code Section 65962.5.[15] Therefore, no impact would occur.

14 Caltrans, 2021. California State Scenic Highway System Map. Accessed online at https://www.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983. Accessed on June 11, 2021.

15 EPA, 2021. Cortese List. Accessed online at https://calepa.ca.gov/sitecleanup/corteselist/, accessed on May 10, 2021.

f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

UltraSystems completed a Cultural Resources Inventory for the project site in August 2021 (included as **Appendix H**, *Cultural Resources Inventory*,) consisting of a cultural resources records search at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton, and outreach letters to Native American tribal representatives identified by the Native American Heritage Commission. A pedestrian cultural resources survey was not conducted because no native surface soil is available for observation; the entire surface of the project boundary has been graded flat with the majority topped with asphalt and the remaining ground surface occupied by concrete bins filled with landscaping soil. The cultural resources records search did not identify archaeological resources, prehistoric or historic, either within the project boundary or within a half-mile zone of the project boundary.

UltraSystems mailed and emailed letters to nine tribal representatives on June 16, 2021.

On June 30, 2021, Christina Conley, with the Gabrielino Tongva Indians of California Tribal Council, replied to an inquiry letter by email stating that the tribe believes the project "area to be culturally sensitive and [the project] will require Native American monitoring" (see **Attachment C**). Ms. Doukakis responded to Ms. Conley on June 30, 2021 that we would include her recommendations in the cultural report.

On June 16, 2021, Joseph Ontiveros, Tribal Historic Preservation Officer of the Soboba Band of Luiseno Indians, replied by email that they would defer to Mr. Anthony Morales, Chairman of the San Gabriel Band of Mission Indians.

UltraSystems telephoned the six tribal contacts on August 20, 2021 who had not responded to mailing and email. Four telephone calls were placed with no answer and so messages were left describing the project and requesting a response. A call to Tribal Chair Lovina Redner of the Santa Rosa Band of Cahuilla Indians, resulted in a message being left for her with the receptionist. There have been no further responses from these tribes to date (see **Attachment C**).

During the telephone calls of August 20, 2021, Chairperson Andrew Salas, Chairperson of the Gabrieleno Band of Mission Indians-Kizh Nation, answered, stating that he was occupied at the moment, but would telephone back with a response this same day. To date there has been no further reply from Mr. Salas.

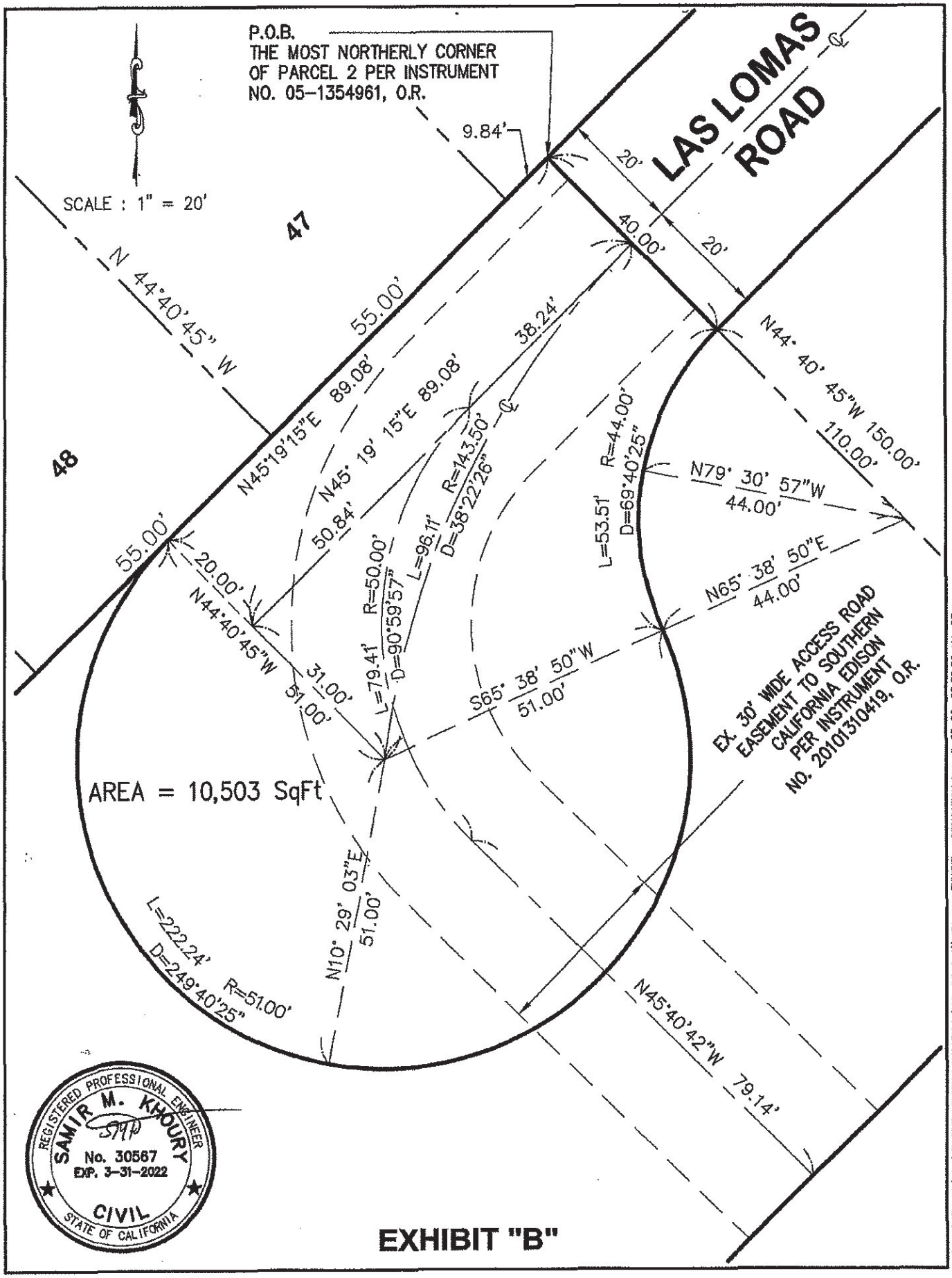
No historical resources were identified onsite in the Cultural Resources Inventory. As a project design feature, if prehistoric and/or historic items are observed during construction activities, work shall be stopped in that area and a qualified archaeologist and Native American monitor should be called to assess the findings and retrieve the material.

4.2 Conclusion

As detailed in **Section 4.1** above, no exceptions to categorical exemptions set forth in CEQA Guidelines Section 15300.2 apply to the proposed project. Therefore, the Class I categorical exemption applies to the proposed project.

APPENDIX A

EASEMENT MAP


P.O.B.
THE MOST NORTHERLY CORNER
OF PARCEL 2 PER INSTRUMENT
NO. 05-1354961, O.R.
LAS LOMAS ROAD
SCALE : 1" = 20'
47
48
N 44°40'45" W
55.00'
9.84'
20'
40.00'
20'
N45°19'15"E 89.08'
N45° 19' 15"E 89.08'
38.24'
N44° 40' 45"W 150.00'
110.00'
55.00'
20.00'
N44°40'45"W
50.84'
R=50.00'
D=90°59'57"
L=96.11'
R=143.50'
D=38°22'26"
L=53.51'
R=44.00'
D=69°40'25"
N79° 30' 57"W
44.00'
N65° 38' 50"E
44.00'
31.00'
51.00'
L=79.41'
S65° 38' 50"W
51.00'
EX. 30' WIDE ACCESS ROAD
EASEMENT TO SOUTHERN
CALIFORNIA EDISON
PER INSTRUMENT
NO. 20101310419, O.R.
AREA = 10,503 SqFt
N10° 29' 03"E
51.00'
L=222.24'
D=249°40'25"
R=51.00'
N45°40'42"W 79.14'
REGISTERED PROFESSIONAL ENGINEER
SAMIR M. KHOURY
No. 30567
EXP. 3-31-2022
CIVIL
STATE OF CALIFORNIA
EXHIBIT "B"
P:\DWG\671-101\dwg\EXHIBIT STREET DEDICATION (CUL-DE-SAC)\671-101-EXHIBIT - DEDICATION.dwg 5-05-20 08:38:36 AM DTran

APPENDIX B

SITE PHOTOGRAPHS

PHOTO 1: Main Entrance, looking north.

PHOTO 2: Main Entrance, landscaping rocks (bagged) for sale.

PHOTO 3: Main Entrance, western landscape perimeter.

PHOTO 4: Typical Storage Areas, near main office.

PHOTO 5: Decorative Rocks in Storage Bins, near front office area.

PHOTO 6: Storage Areas for various soil, mulch, bark products, looking south and along the eastern perimeter.

PHOTO 7: Storage Areas and interior road.

PHOTO 8: Storage Areas along the western perimeter. Includes gravel and decomposed gravel for sale.

PHOTO 9: Decomposed gravel storage areas, looking west from interior roadway.

PHOTO10: Western perimeter of the site. RV Storage area in the background. Looking west from the interior roadway.

PHOTO 11 : Storage Areas looking north, toward the main office area.

PHOTO 12: interior roadway, after wet down by water tanker truck.

PHOTO 13: View of different gravel sizes in different storage areas.

PHOTO 14: Main office building, photo location is north.

PHOTO 15: Perimeter fencing looking westerly. Near the main gate area.

PHOTO 16: Boulders near the main gate area, along with existing storage unit.

PHOTO 17: Designated signage on the site for vendors, visitors and workers.

PHOTO 18: Fence barrier, located proximate to the nearest single-family home.

PHOTO 19: Western perimeter fencing with barrier. Signage near the main entrance.

PHOTO 20: Driveway outside of the main gate area to SCE Storage Yard. Photo is looking north. Utility corridor in the foreground.

PHOTO 21: Signage near the SCE entrance to their storage yard.

PHOTO 22: Main Office Area. Signage out front.

PHOTO 23: Water truck providing dust control, along interior roadway.

PHOTO 24: Effect of dust control measures by water truck.

APPENDIX C

NOISE MEASUREMENTS

Cal Blend Soils - 1399 Las Lomas Road **SOUND TESTING** February 22, 2022 and February 24, 2022

Location	Date	Time	RS dB	DM	Zone	ABNL	Notes
Cal Blends Entrance (traffic counter location)	2/22/2022	7:30 AM	61.2	15	M-2	70	Birds at Las Lomas Rd & residential properties.
West side of Las Lomas Rd behind 2604 Fernley Drive	2/22/2022	8:05 AM	46.5	10	M-2	70	Screener & tractor operating onsite.
		8:15 AM	65.3	1-2			Customer vehicle entering Cal Blends.
		8:20 AM	58.6	3			Small plane flying over.
West side of Las Lomas Rd behind 2630 Fernley Drive	2/22/2022	8:25 AM	72.5	>1	M-2	70	Cal Blend truck returning.
(traffic counter location)		8:30 AM	65.5	4.5			Helicopter flying over.
		8:35 AM	54.6	3.5			Small plane flying over.
		8:44 AM	72.5	>1			Cal Blend truck leaving Cal blends.
		8:46 AM	47.1	10			Base noise level including Freeway noise.
		8:56 AM	55.4	2			Passenger jet flying over.
West side of Las Lomas Rd behind 2650 Fernley Drive	2/22/2022	9:00 AM	51.5	10	M-2	70	Increase in freeway noise.
West side of Las Lomas Rd behind 2666 Fernley Drive	2/22/2022	9:15 AM	73.5	>1	M-2	70	Cal Blend truck returning to Cal Blends.
		9:17 AM	60.5	>1			Cal Blends customer pick up truck.
		9:18 AM	47.1	12			Base noise level including Freeway noise.
Cal Blends Entrance (traffic counter location)	2/24/2022	3:00 PM	54.1	8	M-2	70	Truck noise on freeway.
		3:08 PM	73.1	>1			Cal Blend truck entering Cal Blends.
West side of Las Lomas Rd behind 2604 Fernley Drive.	2/24/2022	3:12 PM	78.2	5	M-2	70	Duarte resident owned semi & trailer made U-
							turn and parked on Las Lomas Road.
West side of Las Lomas Rd behind 2630 Fernley Drive	2/24/2022	3:15 PM	55.9	10	M-2	70	Background freeway noise.
(traffic counter location)		3:25 PM	66.5	>1			Cal Blends customer pick up truck.
		3:25 PM	48.2	5			Small plane flying over.
West side of Las Lomas Rd behind 2650 Fernley Drive	2/24/2022	3:31 PM	66.7	>1	M-2	70	Cal Blends customer pick up truck.
		3:32 PM	68.1	>1			Cal Blends customer truck.
		3:34 PM	66.2	15			Cal Blends employee leaving Cal Blends.
West side of Las Lomas Rd behind 2666 Fernley Drive	2/24/2022	3:35 PM	55.5	15	M-2	70	Background freeway noise.
		3:50 AM	52.1	1.5			Edison employee headed to yard.
		3:55 PM	50.1	35			Background freeway noise.

RS dB - Recorded Sound

DM - Duration in Minutes

ABNL - Ambient Base Noise Level IMC 9.28.030(A)

Zone	ABNL	10pm - 7am	7am - 10pm
Residential		45	50
Commercial		50	55
Industrial		60	70

9.28.030 - Ambient base noise levels designated—Proof of violation (B) Any noise at a level which exceeds the ambient or the ambient base level as set forth in subsection A of this section, whichever is greater, by more than ten dB when measured at any boundary line of the property from which the noise emanates shall constitute sufficient proof of a violation.

APPENDIX D

TRAFFIC COUNTS

City:	Irwindale
Location:	Cal Blend Soils - Main Driveway
Date:	Tuesday, 2/22/2022
Count Type:	Classified Driveway Count

	Entering				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	0	0
5:15	0	0	0	0	0
5:30	0	0	0	0	0
5:45	0	0	0	0	0
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	0	0	0	0	0
6:45	0	0	0	0	0
7:00	1	1	0	0	2
7:15	1	1	0	0	2
7:30	0	0	0	0	0
7:45	0	0	0	0	0
8:00	2	1	0	0	3
8:15	0	0	0	0	0
8:30	3	0	0	0	3
8:45	0	0	0	0	0
9:00	1	0	1	0	2
9:15	1	0	0	0	1
9:30	2	0	0	0	2
9:45	1	0	0	0	1
10:00	0	0	0	0	0
10:15	1	0	0	0	1
10:30	1	0	1	0	2
10:45	1	0	1	0	2
11:00	1	0	0	0	1
11:15	0	0	0	0	0
11:30	0	0	0	0	0
11:45	1	0	0	0	1
12:00	2	0	0	0	2
12:15	0	1	0	0	1
12:30	0	0	0	0	0
12:45	1	0	1	0	2
13:00	0	0	0	0	0
13:15	0	0	0	0	0
13:30	0	0	0	0	0
13:45	0	0	0	0	0
14:00	0	1	0	0	1
14:15	1	0	0	0	1
14:30	0	0	0	0	0
14:45	0	0	0	0	0
15:00	0	0	0	0	0
15:15	0	0	3	0	3
15:30	0	0	1	0	1
15:45	0	0	0	0	0
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	0	0	1	0	1
16:45	1	0	0	0	1
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	22	5	9	0	36

	Exiting				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	0	0
5:15	0	0	0	0	0
5:30	0	0	0	0	0
5:45	0	0	0	0	0
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	0	0	0	0	0
6:45	0	0	0	0	0
7:00	0	0	0	0	0
7:15	0	1	0	0	1
7:30	1	3	1	0	5
7:45	0	0	0	0	0
8:00	1	0	0	0	1
8:15	0	1	0	0	1
8:30	2	0	0	0	2
8:45	2	0	0	0	2
9:00	0	0	0	0	0
9:15	1	0	0	0	1
9:30	4	0	0	0	4
9:45	0	0	0	0	0
10:00	0	0	0	0	0
10:15	0	0	0	0	0
10:30	0	0	0	0	0
10:45	0	0	1	0	1
11:00	2	0	0	0	2
11:15	0	0	0	0	0
11:30	0	0	0	0	0
11:45	1	0	0	0	1
12:00	1	0	0	0	1
12:15	0	0	0	0	0
12:30	0	1	0	0	1
12:45	0	0	0	0	0
13:00	2	0	1	0	3
13:15	0	0	0	0	0
13:30	0	0	0	0	0
13:45	0	0	0	0	0
14:00	1	0	0	0	1
14:15	0	1	0	0	1
14:30	0	0	0	0	0
14:45	1	0	0	0	1
15:00	0	0	0	0	0
15:15	0	0	0	0	0
15:30	0	0	1	0	1
15:45	0	0	0	0	0
16:00	0	0	1	0	1
16:15	0	0	0	0	0
16:30	0	0	1	0	1
16:45	1	0	0	0	1
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	20	7	6	0	33

City:	Irwindale
Location:	Cal Blend Soils - Front Parking Area
Date:	2/22/2022
Count Type:	Classified Driveway Count

	Entering				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	0	0
5:15	0	0	0	0	0
5:30	1	0	0	0	1
5:45	0	0	0	0	0
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	2	0	0	0	2
6:45	4	0	0	0	4
7:00	0	0	0	0	0
7:15	0	0	0	0	0
7:30	0	0	0	0	0
7:45	0	0	0	0	0
8:00	0	0	0	0	0
8:15	0	0	0	0	0
8:30	0	0	0	0	0
8:45	0	0	0	0	0
9:00	0	0	0	0	0
9:15	0	0	0	0	0
9:30	0	0	0	0	0
9:45	0	0	0	0	0
10:00	0	0	0	0	0
10:15	0	0	0	0	0
10:30	0	0	0	0	0
10:45	0	0	0	0	0
11:00	0	0	0	0	0
11:15	0	0	0	0	0
11:30	0	0	0	0	0
11:45	0	0	0	0	0
12:00	0	0	0	0	0
12:15	0	0	0	0	0
12:30	0	0	0	0	0
12:45	0	0	0	0	0
13:00	0	0	0	0	0
13:15	0	0	0	0	0
13:30	0	0	0	0	0
13:45	0	0	0	0	0
14:00	0	0	0	0	0
14:15	0	0	0	0	0
14:30	0	0	0	0	0
14:45	0	0	0	0	0
15:00	0	0	0	0	0
15:15	0	0	0	0	0
15:30	0	0	0	0	0
15:45	0	0	0	0	0
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	0	0	0	0	0
16:45	1	0	0	0	1
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	8	0	0	0	8

	Exiting				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	0	0
5:15	0	0	0	0	0
5:30	0	0	0	0	0
5:45	0	0	0	0	0
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	0	0	0	0	0
6:45	0	0	0	0	0
7:00	0	0	0	0	0
7:15	0	0	0	0	0
7:30	0	0	0	0	0
7:45	0	0	0	0	0
8:00	0	0	0	0	0
8:15	0	0	0	0	0
8:30	0	0	0	0	0
8:45	0	0	0	0	0
9:00	0	0	0	0	0
9:15	0	0	0	0	0
9:30	0	0	0	0	0
9:45	0	0	0	0	0
10:00	0	0	0	0	0
10:15	0	0	0	0	0
10:30	0	0	0	0	0
10:45	0	0	0	0	0
11:00	0	0	0	0	0
11:15	0	0	0	0	0
11:30	0	0	0	0	0
11:45	0	0	0	0	0
12:00	0	0	0	0	0
12:15	0	0	0	0	0
12:30	0	0	0	0	0
12:45	0	0	0	0	0
13:00	0	0	0	0	0
13:15	0	0	0	0	0
13:30	0	0	0	0	0
13:45	0	0	0	0	0
14:00	0	0	0	0	0
14:15	0	0	0	0	0
14:30	0	0	0	0	0
14:45	0	0	0	0	0
15:00	1	0	0	0	1
15:15	0	0	0	0	0
15:30	1	0	0	0	1
15:45	0	0	0	0	0
16:00	1	0	0	0	1
16:15	1	0	0	0	1
16:30	0	0	0	0	0
16:45	3	0	0	0	3
17:00	1	0	0	0	1
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	8	0	0	0	8

City:	Irwindale
Location:	Cal Blend Soils - TOTAL
Date:	2/22/2022
Count Type:	Classified Driveway Count

	Entering				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	0	0
5:15	0	0	0	0	0
5:30	1	0	0	0	1
5:45	0	0	0	0	0
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	2	0	0	0	2
6:45	4	0	0	0	4
7:00	1	1	0	0	2
7:15	1	1	0	0	2
7:30	0	0	0	0	0
7:45	0	0	0	0	0
8:00	2	1	0	0	3
8:15	0	0	0	0	0
8:30	3	0	0	0	3
8:45	0	0	0	0	0
9:00	1	0	1	0	2
9:15	1	0	0	0	1
9:30	2	0	0	0	2
9:45	1	0	0	0	1
10:00	0	0	0	0	0
10:15	1	0	0	0	1
10:30	1	0	1	0	2
10:45	1	0	1	0	2
11:00	1	0	0	0	1
11:15	0	0	0	0	0
11:30	0	0	0	0	0
11:45	1	0	0	0	1
12:00	2	0	0	0	2
12:15	0	1	0	0	1
12:30	0	0	0	0	0
12:45	1	0	1	0	2
13:00	0	0	0	0	0
13:15	0	0	0	0	0
13:30	0	0	0	0	0
13:45	0	0	0	0	0
14:00	0	1	0	0	1
14:15	1	0	0	0	1
14:30	0	0	0	0	0
14:45	0	0	0	0	0
15:00	0	0	0	0	0
15:15	0	0	3	0	3
15:30	0	0	1	0	1
15:45	0	0	0	0	0
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	0	0	1	0	1
16:45	2	0	0	0	2
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	30	5	9	0	44

	Exiting				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	0	0
5:15	0	0	0	0	0
5:30	0	0	0	0	0
5:45	0	0	0	0	0
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	0	0	0	0	0
6:45	0	0	0	0	0
7:00	0	0	0	0	0
7:15	0	1	0	0	1
7:30	1	3	1	0	5
7:45	0	0	0	0	0
8:00	1	0	0	0	1
8:15	0	1	0	0	1
8:30	2	0	0	0	2
8:45	2	0	0	0	2
9:00	0	0	0	0	0
9:15	1	0	0	0	1
9:30	4	0	0	0	4
9:45	0	0	0	0	0
10:00	0	0	0	0	0
10:15	0	0	0	0	0
10:30	0	0	0	0	0
10:45	0	0	1	0	1
11:00	2	0	0	0	2
11:15	0	0	0	0	0
11:30	0	0	0	0	0
11:45	1	0	0	0	1
12:00	1	0	0	0	1
12:15	0	0	0	0	0
12:30	0	1	0	0	1
12:45	0	0	0	0	0
13:00	2	0	1	0	3
13:15	0	0	0	0	0
13:30	0	0	0	0	0
13:45	0	0	0	0	0
14:00	1	0	0	0	1
14:15	0	1	0	0	1
14:30	0	0	0	0	0
14:45	1	0	0	0	1
15:00	1	0	0	0	1
15:15	0	0	0	0	0
15:30	1	0	1	0	2
15:45	0	0	0	0	0
16:00	1	0	1	0	2
16:15	1	0	0	0	1
16:30	0	0	1	0	1
16:45	4	0	0	0	4
17:00	1	0	0	0	1
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	28	7	6	0	41

Counts Unlimited, Inc.
PO Box 1178
Corona, CA 92878
(951) 268-6268

City:	Irwindale
Location:	Cal Blend Soils - Main Driveway
Date:	Wednesday, 2/23/2022
Count Type:	Classified Driveway Count

	Entering				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	0	0
5:15	0	0	0	0	0
5:30	0	0	0	0	0
5:45	0	0	0	0	0
6:00	0	1	0	0	1
6:15	0	0	0	0	0
6:30	0	0	0	0	0
6:45	1	0	0	0	1
7:00	4	0	0	0	4
7:15	0	0	0	0	0
7:30	0	0	0	0	0
7:45	0	0	0	0	0
8:00	0	1	0	0	1
8:15	1	1	0	0	2
8:30	1	0	0	0	1
8:45	0	0	0	0	0
9:00	0	1	0	0	1
9:15	3	0	0	0	3
9:30	0	0	0	0	0
9:45	1	0	0	0	1
10:00	0	0	0	0	0
10:15	0	2	0	0	2
10:30	1	0	0	0	1
10:45	2	0	0	0	2
11:00	1	0	0	0	1
11:15	1	0	1	0	2
11:30	2	0	0	0	2
11:45	0	1	0	0	1
12:00	0	0	0	0	0
12:15	0	0	0	0	0
12:30	1	0	0	0	1
12:45	0	1	0	0	1
13:00	1	0	0	0	1
13:15	2	0	0	0	2
13:30	2	0	0	0	2
13:45	1	1	0	0	2
14:00	1	0	0	0	1
14:15	0	2	0	0	2
14:30	2	0	0	0	2
14:45	0	1	0	0	1
15:00	1	0	0	0	1
15:15	1	0	0	0	1
15:30	0	0	0	0	0
15:45	0	0	0	0	0
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	0	0	0	0	0
16:45	0	0	0	0	0
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	30	12	1	0	43

	Exiting				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	0	0
5:15	0	0	0	0	0
5:30	0	0	0	0	0
5:45	0	0	0	0	0
6:00	0	0	0	0	0
6:15	0	0	1	0	1
6:30	1	0	0	0	1
6:45	0	0	0	0	0
7:00	0	0	0	0	0
7:15	4	1	2	0	7
7:30	0	0	0	0	0
7:45	0	0	0	0	0
8:00	0	0	0	0	0
8:15	0	0	0	0	0
8:30	1	1	1	0	3
8:45	0	0	0	0	0
9:00	0	0	0	0	0
9:15	2	1	0	0	3
9:30	3	0	0	0	3
9:45	0	0	0	0	0
10:00	0	0	0	0	0
10:15	0	0	0	0	0
10:30	1	0	0	0	1
10:45	0	1	0	0	1
11:00	2	0	0	0	2
11:15	1	0	0	0	1
11:30	0	1	0	0	1
11:45	4	0	0	0	4
12:00	1	1	0	0	2
12:15	0	0	0	0	0
12:30	0	0	0	0	0
12:45	1	0	0	0	1
13:00	1	3	0	0	4
13:15	2	0	0	0	2
13:30	1	0	0	0	1
13:45	1	1	0	0	2
14:00	2	0	0	0	2
14:15	0	0	0	0	0
14:30	0	0	0	0	0
14:45	0	0	0	0	0
15:00	1	1	0	0	2
15:15	1	0	0	0	1
15:30	0	0	0	0	0
15:45	0	0	0	0	0
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	1	0	0	0	1
16:45	1	0	0	0	1
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	32	11	4	0	47

Counts Unlimited, Inc.
PO Box 1178
Corona, CA 92878
(951) 268-6268

City:	Irwindale
Location:	Cal Blend Soils - Front Parking Area
Date:	Wednesday, 2/23/2022
Count Type:	Classified Driveway Count

	Entering				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	0	0
5:15	0	0	0	0	0
5:30	0	0	0	0	0
5:45	1	0	0	0	1
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	2	0	0	0	2
6:45	4	0	0	0	4
7:00	0	0	0	0	0
7:15	0	0	0	0	0
7:30	0	0	0	0	0
7:45	1	0	0	0	1
8:00	0	0	0	0	0
8:15	1	0	0	0	1
8:30	0	0	0	0	0
8:45	0	0	0	0	0
9:00	0	0	0	0	0
9:15	0	0	0	0	0
9:30	0	0	0	0	0
9:45	0	0	0	0	0
10:00	1	0	0	0	1
10:15	0	0	0	0	0
10:30	0	0	0	0	0
10:45	0	0	0	0	0
11:00	0	0	0	0	0
11:15	0	0	0	0	0
11:30	0	0	0	0	0
11:45	2	0	0	0	2
12:00	0	0	0	0	0
12:15	0	0	0	0	0
12:30	0	0	0	0	0
12:45	0	0	0	0	0
13:00	0	0	0	0	0
13:15	0	0	0	0	0
13:30	0	0	0	0	0
13:45	0	0	0	0	0
14:00	0	0	0	0	0
14:15	0	0	0	0	0
14:30	0	0	0	0	0
14:45	0	0	0	0	0
15:00	0	0	0	0	0
15:15	0	0	0	0	0
15:30	0	0	0	0	0
15:45	0	0	0	0	0
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	0	0	0	0	0
16:45	0	0	0	0	0
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	12	0	0	0	12

	Exiting				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	0	0
5:15	0	0	0	0	0
5:30	0	0	0	0	0
5:45	0	0	0	0	0
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	0	0	0	0	0
6:45	0	0	0	0	0
7:00	0	0	0	0	0
7:15	0	0	0	0	0
7:30	0	0	0	0	0
7:45	0	0	0	0	0
8:00	0	0	0	0	0
8:15	1	0	0	0	1
8:30	0	0	0	0	0
8:45	0	0	0	0	0
9:00	0	0	0	0	0
9:15	0	0	0	0	0
9:30	1	0	0	0	1
9:45	0	0	0	0	0
10:00	0	0	0	0	0
10:15	1	0	0	0	1
10:30	0	0	0	0	0
10:45	0	0	0	0	0
11:00	0	0	0	0	0
11:15	0	0	0	0	0
11:30	0	0	0	0	0
11:45	1	0	0	0	1
12:00	0	0	0	0	0
12:15	0	0	0	0	0
12:30	0	0	0	0	0
12:45	0	0	0	0	0
13:00	0	0	0	0	0
13:15	0	0	0	0	0
13:30	0	0	0	0	0
13:45	0	0	0	0	0
14:00	0	0	0	0	0
14:15	0	0	0	0	0
14:30	0	0	0	0	0
14:45	0	0	0	0	0
15:00	0	0	0	0	0
15:15	0	0	0	0	0
15:30	1	0	0	0	1
15:45	0	0	0	0	0
16:00	1	0	0	0	1
16:15	1	0	0	0	1
16:30	0	0	0	0	0
16:45	1	0	0	0	1
17:00	4	0	0	0	4
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	12	0	0	0	12

Counts Unlimited, Inc.
PO Box 1178
Corona, CA 92878
(951) 268-6268

City:	Irwindale
Location:	Cal Blend Soils - TOTAL
Date:	Wednesday, 2/23/2022
Count Type:	Classified Driveway Count

	Entering					Exiting				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0	0	0	0	0	0
0:15	0	0	0	0	0	0	0	0	0	0
0:30	0	0	0	0	0	0	0	0	0	0
0:45	0	0	0	0	0	0	0	0	0	0
1:00	0	0	0	0	0	0	0	0	0	0
1:15	0	0	0	0	0	0	0	0	0	0
1:30	0	0	0	0	0	0	0	0	0	0
1:45	0	0	0	0	0	0	0	0	0	0
2:00	0	0	0	0	0	0	0	0	0	0
2:15	0	0	0	0	0	0	0	0	0	0
2:30	0	0	0	0	0	0	0	0	0	0
2:45	0	0	0	0	0	0	0	0	0	0
3:00	0	0	0	0	0	0	0	0	0	0
3:15	0	0	0	0	0	0	0	0	0	0
3:30	0	0	0	0	0	0	0	0	0	0
3:45	0	0	0	0	0	0	0	0	0	0
4:00	0	0	0	0	0	0	0	0	0	0
4:15	0	0	0	0	0	0	0	0	0	0
4:30	0	0	0	0	0	0	0	0	0	0
4:45	0	0	0	0	0	0	0	0	0	0
5:00	0	0	0	0	0	0	0	0	0	0
5:15	0	0	0	0	0	0	0	0	0	0
5:30	0	0	0	0	0	0	0	0	0	0
5:45	1	0	0	0	1	0	0	0	0	0
6:00	0	1	0	0	1	0	0	0	0	0
6:15	0	0	0	0	0	0	0	1	0	1
6:30	2	0	0	0	2	1	0	0	0	1
6:45	5	0	0	0	5	0	0	0	0	0
7:00	4	0	0	0	4	0	0	0	0	0
7:15	0	0	0	0	0	4	1	2	0	7
7:30	0	0	0	0	0	0	0	0	0	0
7:45	1	0	0	0	1	0	0	0	0	0
8:00	0	1	0	0	1	0	0	0	0	0
8:15	2	1	0	0	3	1	0	0	0	1
8:30	1	0	0	0	1	1	1	1	0	3
8:45	0	0	0	0	0	0	0	0	0	0
9:00	0	1	0	0	1	0	0	0	0	0
9:15	3	0	0	0	3	2	1	0	0	3
9:30	0	0	0	0	0	4	0	0	0	4
9:45	1	0	0	0	1	0	0	0	0	0
10:00	1	0	0	0	1	0	0	0	0	0
10:15	0	2	0	0	2	1	0	0	0	1
10:30	1	0	0	0	1	1	0	0	0	1
10:45	2	0	0	0	2	0	1	0	0	1
11:00	1	0	0	0	1	2	0	0	0	2
11:15	1	0	1	0	2	1	0	0	0	1
11:30	2	0	0	0	2	0	1	0	0	1
11:45	2	1	0	0	3	5	0	0	0	5
12:00	0	0	0	0	0	1	1	0	0	2
12:15	0	0	0	0	0	0	0	0	0	0
12:30	1	0	0	0	1	0	0	0	0	0
12:45	0	1	0	0	1	1	0	0	0	1
13:00	1	0	0	0	1	1	3	0	0	4
13:15	2	0	0	0	2	2	0	0	0	2
13:30	2	0	0	0	2	1	0	0	0	1
13:45	1	1	0	0	2	1	1	0	0	2
14:00	1	0	0	0	1	2	0	0	0	2
14:15	0	2	0	0	2	0	0	0	0	0
14:30	2	0	0	0	2	0	0	0	0	0
14:45	0	1	0	0	1	0	0	0	0	0
15:00	1	0	0	0	1	1	1	0	0	2
15:15	1	0	0	0	1	1	0	0	0	1
15:30	0	0	0	0	0	1	0	0	0	1
15:45	0	0	0	0	0	0	0	0	0	0
16:00	0	0	0	0	0	1	0	0	0	1
16:15	0	0	0	0	0	1	0	0	0	1
16:30	0	0	0	0	0	1	0	0	0	1
16:45	0	0	0	0	0	2	0	0	0	2
17:00	0	0	0	0	0	4	0	0	0	4
17:15	0	0	0	0	0	0	0	0	0	0
17:30	0	0	0	0	0	0	0	0	0	0
17:45	0	0	0	0	0	0	0	0	0	0
18:00	0	0	0	0	0	0	0	0	0	0
18:15	0	0	0	0	0	0	0	0	0	0
18:30	0	0	0	0	0	0	0	0	0	0
18:45	0	0	0	0	0	0	0	0	0	0
19:00	0	0	0	0	0	0	0	0	0	0
19:15	0	0	0	0	0	0	0	0	0	0
19:30	0	0	0	0	0	0	0	0	0	0
19:45	0	0	0	0	0	0	0	0	0	0
20:00	0	0	0	0	0	0	0	0	0	0
20:15	0	0	0	0	0	0	0	0	0	0
20:30	0	0	0	0	0	0	0	0	0	0
20:45	0	0	0	0	0	0	0	0	0	0
21:00	0	0	0	0	0	0	0	0	0	0
21:15	0	0	0	0	0	0	0	0	0	0
21:30	0	0	0	0	0	0	0	0	0	0
21:45	0	0	0	0	0	0	0	0	0	0
22:00	0	0	0	0	0	0	0	0	0	0
22:15	0	0	0	0	0	0	0	0	0	0
22:30	0	0	0	0	0	0	0	0	0	0
22:45	0	0	0	0	0	0	0	0	0	0
23:00	0	0	0	0	0	0	0	0	0	0
23:15	0	0	0	0	0	0	0	0	0	0
23:30	0	0	0	0	0	0	0	0	0	0
23:45	0	0	0	0	0	0	0	0	0	0
TOTAL	42	12	1	0	55	44	11	4	0	59

Counts Unlimited, Inc.
PO Box 1178
Corona, CA 92878
(951) 268-6268

City:	Irwindale
Location:	Cal Blend Soils - Main Driveway
Date:	Thursday, 2/24/2022
Count Type:	Classified Driveway Count

	Entering				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	2	0	0	0	2
5:15	0	0	0	0	0
5:30	0	0	0	0	0
5:45	0	0	0	0	0
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	0	1	0	0	1
6:45	1	0	0	0	1
7:00	1	0	0	0	1
7:15	0	0	0	0	0
7:30	2	0	0	0	2
7:45	1	0	0	0	1
8:00	1	0	0	0	1
8:15	1	2	0	0	3
8:30	1	2	0	0	3
8:45	1	0	0	0	1
9:00	0	0	0	0	0
9:15	0	1	0	0	1
9:30	0	1	0	0	1
9:45	3	0	0	0	3
10:00	1	1	0	0	2
10:15	0	1	0	0	1
10:30	2	0	0	0	2
10:45	2	1	0	0	3
11:00	2	0	0	0	2
11:15	1	0	0	0	1
11:30	0	0	0	0	0
11:45	0	1	0	0	1
12:00	1	1	0	0	2
12:15	0	0	0	0	0
12:30	0	0	0	0	0
12:45	1	0	0	1	2
13:00	1	0	0	0	1
13:15	1	1	1	0	3
13:30	3	0	0	0	3
13:45	0	0	0	0	0
14:00	0	0	0	1	1
14:15	1	0	0	0	1
14:30	0	0	0	0	0
14:45	0	0	0	0	0
15:00	0	0	0	1	1
15:15	1	1	0	0	2
15:30	0	0	0	0	0
15:45	1	0	0	0	1
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	2	0	0	0	2
16:45	0	0	1	0	1
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	34	14	2	3	53

	Exiting				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	0	0
5:15	1	0	0	0	1
5:30	1	0	0	0	1
5:45	0	0	0	0	0
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	0	0	0	0	0
6:45	0	0	0	0	0
7:00	2	0	0	0	2
7:15	0	0	2	0	2
7:30	1	0	0	0	1
7:45	2	0	0	0	2
8:00	1	1	0	0	2
8:15	1	0	0	0	1
8:30	0	3	0	0	3
8:45	0	1	0	0	1
9:00	2	0	0	0	2
9:15	0	0	0	0	0
9:30	0	0	0	0	0
9:45	1	0	0	1	2
10:00	1	0	0	0	1
10:15	2	1	0	0	3
10:30	0	1	0	0	1
10:45	0	0	0	0	0
11:00	3	1	0	0	4
11:15	1	0	0	0	1
11:30	1	0	0	0	1
11:45	0	0	0	0	0
12:00	1	0	0	0	1
12:15	1	1	0	0	2
12:30	0	1	0	0	1
12:45	0	0	0	0	0
13:00	3	0	1	1	5
13:15	0	0	0	0	0
13:30	2	0	0	0	2
13:45	0	0	0	0	0
14:00	0	0	0	0	0
14:15	0	0	0	1	1
14:30	1	0	0	0	1
14:45	0	0	0	0	0
15:00	1	0	0	0	1
15:15	1	0	0	0	1
15:30	0	1	0	0	1
15:45	1	0	0	0	1
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	1	0	0	0	1
16:45	2	0	0	0	2
17:00	1	0	0	0	1
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	35	11	3	3	52

City:	Irwindale
Location:	Cal Blend Soils - Front Parking Area
Date:	Thursday, 2/24/2022
Count Type:	Classified Driveway Count

	Entering				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	0	0
5:15	0	0	0	0	0
5:30	1	0	0	0	1
5:45	0	0	0	0	0
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	2	0	0	0	2
6:45	3	0	0	0	3
7:00	0	0	0	0	0
7:15	0	0	0	0	0
7:30	0	0	0	0	0
7:45	0	0	0	0	0
8:00	0	0	0	0	0
8:15	0	0	0	0	0
8:30	0	0	0	0	0
8:45	0	0	0	0	0
9:00	0	0	0	0	0
9:15	0	0	0	0	0
9:30	0	0	0	0	0
9:45	0	0	0	0	0
10:00	0	0	0	0	0
10:15	0	0	0	0	0
10:30	0	0	0	0	0
10:45	0	0	0	0	0
11:00	0	0	0	0	0
11:15	0	0	0	0	0
11:30	0	0	0	0	0
11:45	0	0	0	0	0
12:00	0	0	0	0	0
12:15	1	0	0	0	1
12:30	0	0	0	0	0
12:45	0	0	0	0	0
13:00	0	0	0	0	0
13:15	0	0	0	0	0
13:30	0	0	0	0	0
13:45	0	0	0	0	0
14:00	0	0	0	0	0
14:15	0	0	0	0	0
14:30	0	0	0	0	0
14:45	1	0	0	0	1
15:00	1	0	0	0	1
15:15	0	0	0	0	0
15:30	0	0	0	0	0
15:45	0	0	0	0	0
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	0	0	0	0	0
16:45	0	0	0	0	0
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	9	0	0	0	9

	Exiting				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	0	0
5:15	0	0	0	0	0
5:30	0	0	0	0	0
5:45	0	0	0	0	0
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	0	0	0	0	0
6:45	0	0	0	0	0
7:00	0	0	0	0	0
7:15	0	0	0	0	0
7:30	1	0	0	0	1
7:45	0	0	0	0	0
8:00	0	0	0	0	0
8:15	0	0	0	0	0
8:30	0	0	0	0	0
8:45	0	0	0	0	0
9:00	0	0	0	0	0
9:15	0	0	0	0	0
9:30	0	0	0	0	0
9:45	0	0	0	0	0
10:00	0	0	0	0	0
10:15	0	0	0	0	0
10:30	0	0	0	0	0
10:45	0	0	0	0	0
11:00	0	0	0	0	0
11:15	0	0	0	0	0
11:30	0	0	0	0	0
11:45	0	0	0	0	0
12:00	1	0	0	0	1
12:15	0	0	0	0	0
12:30	0	0	0	0	0
12:45	0	0	0	0	0
13:00	0	0	0	0	0
13:15	0	0	0	0	0
13:30	0	0	0	0	0
13:45	0	0	0	0	0
14:00	0	0	0	0	0
14:15	0	0	0	0	0
14:30	0	0	0	0	0
14:45	0	0	0	0	0
15:00	1	0	0	0	1
15:15	0	0	0	0	0
15:30	1	0	0	0	1
15:45	1	0	0	0	1
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	0	0	0	0	0
16:45	0	0	0	0	0
17:00	4	0	0	0	4
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	9	0	0	0	9

City:	Irwindale
Location:	Cal Blend Soils - TOTAL
Date:	Thursday, 2/24/2022
Count Type:	Classified Driveway Count

	Entering				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	2	0	0	0	2
5:15	0	0	0	0	0
5:30	1	0	0	0	1
5:45	0	0	0	0	0
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	2	1	0	0	3
6:45	4	0	0	0	4
7:00	1	0	0	0	1
7:15	0	0	0	0	0
7:30	2	0	0	0	2
7:45	1	0	0	0	1
8:00	1	0	0	0	1
8:15	1	2	0	0	3
8:30	1	2	0	0	3
8:45	1	0	0	0	1
9:00	0	0	0	0	0
9:15	0	1	0	0	1
9:30	0	1	0	0	1
9:45	3	0	0	0	3
10:00	1	1	0	0	2
10:15	0	1	0	0	1
10:30	2	0	0	0	2
10:45	2	1	0	0	3
11:00	2	0	0	0	2
11:15	1	0	0	0	1
11:30	0	0	0	0	0
11:45	0	1	0	0	1
12:00	1	1	0	0	2
12:15	1	0	0	0	1
12:30	0	0	0	0	0
12:45	1	0	0	1	2
13:00	1	0	0	0	1
13:15	1	1	1	0	3
13:30	3	0	0	0	3
13:45	0	0	0	0	0
14:00	0	0	0	1	1
14:15	1	0	0	0	1
14:30	0	0	0	0	0
14:45	1	0	0	0	1
15:00	1	0	0	1	2
15:15	1	1	0	0	2
15:30	0	0	0	0	0
15:45	1	0	0	0	1
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	2	0	0	0	2
16:45	0	0	1	0	1
17:00	0	0	0	0	0
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	43	14	2	3	62

	Exiting				
	Passenger Vehicles	Large 2 Axle	3 Axle	4+ Axle	Total
0:00	0	0	0	0	0
0:15	0	0	0	0	0
0:30	0	0	0	0	0
0:45	0	0	0	0	0
1:00	0	0	0	0	0
1:15	0	0	0	0	0
1:30	0	0	0	0	0
1:45	0	0	0	0	0
2:00	0	0	0	0	0
2:15	0	0	0	0	0
2:30	0	0	0	0	0
2:45	0	0	0	0	0
3:00	0	0	0	0	0
3:15	0	0	0	0	0
3:30	0	0	0	0	0
3:45	0	0	0	0	0
4:00	0	0	0	0	0
4:15	0	0	0	0	0
4:30	0	0	0	0	0
4:45	0	0	0	0	0
5:00	0	0	0	0	0
5:15	1	0	0	0	1
5:30	1	0	0	0	1
5:45	0	0	0	0	0
6:00	0	0	0	0	0
6:15	0	0	0	0	0
6:30	0	0	0	0	0
6:45	0	0	0	0	0
7:00	2	0	0	0	2
7:15	0	0	2	0	2
7:30	2	0	0	0	2
7:45	2	0	0	0	2
8:00	1	1	0	0	2
8:15	1	0	0	0	1
8:30	0	3	0	0	3
8:45	0	1	0	0	1
9:00	2	0	0	0	2
9:15	0	0	0	0	0
9:30	0	0	0	0	0
9:45	1	0	0	1	2
10:00	1	0	0	0	1
10:15	2	1	0	0	3
10:30	0	1	0	0	1
10:45	0	0	0	0	0
11:00	3	1	0	0	4
11:15	1	0	0	0	1
11:30	1	0	0	0	1
11:45	0	0	0	0	0
12:00	2	0	0	0	2
12:15	1	1	0	0	2
12:30	0	1	0	0	1
12:45	0	0	0	0	0
13:00	3	0	1	1	5
13:15	0	0	0	0	0
13:30	2	0	0	0	2
13:45	0	0	0	0	0
14:00	0	0	0	0	0
14:15	0	0	0	1	1
14:30	1	0	0	0	1
14:45	0	0	0	0	0
15:00	2	0	0	0	2
15:15	1	0	0	0	1
15:30	1	1	0	0	2
15:45	2	0	0	0	2
16:00	0	0	0	0	0
16:15	0	0	0	0	0
16:30	1	0	0	0	1
16:45	2	0	0	0	2
17:00	5	0	0	0	5
17:15	0	0	0	0	0
17:30	0	0	0	0	0
17:45	0	0	0	0	0
18:00	0	0	0	0	0
18:15	0	0	0	0	0
18:30	0	0	0	0	0
18:45	0	0	0	0	0
19:00	0	0	0	0	0
19:15	0	0	0	0	0
19:30	0	0	0	0	0
19:45	0	0	0	0	0
20:00	0	0	0	0	0
20:15	0	0	0	0	0
20:30	0	0	0	0	0
20:45	0	0	0	0	0
21:00	0	0	0	0	0
21:15	0	0	0	0	0
21:30	0	0	0	0	0
21:45	0	0	0	0	0
22:00	0	0	0	0	0
22:15	0	0	0	0	0
22:30	0	0	0	0	0
22:45	0	0	0	0	0
23:00	0	0	0	0	0
23:15	0	0	0	0	0
23:30	0	0	0	0	0
23:45	0	0	0	0	0
TOTAL	44	11	3	3	61

Counts Unlimited, Inc.
PO Box 1178
Corona, CA 92878
(951) 268-6268

APPENDIX E

STATE OF CALIFORNIA GOVERNOR'S OFFICE OF PLANNING AND RESEARCH TECHNICAL ADVISORY ON EVALUATING TRANSPORTATION IMPACTS IN CEQA

TECHNICAL ADVISORY

ON EVALUATING TRANSPORTATION IMPACTS IN CEQA

December 2018

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A. Introduction

This technical advisory is one in a series of advisories provided by the Governor's Office of Planning and Research (OPR) as a service to professional planners, land use officials, and CEQA practitioners. OPR issues technical assistance on issues that broadly affect the practice of land use planning and the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). (Gov. Code, § 65040, subds. (g), (l), (m).) The purpose of this document is to provide advice and recommendations, which agencies and other entities may use at their discretion. This document does not alter lead agency discretion in preparing environmental documents subject to CEQA. This document should not be construed as legal advice.

Senate Bill 743 (Steinberg, 2013), which was codified in Public Resources Code section 21099, required changes to the guidelines implementing CEQA (CEQA Guidelines) (Cal. Code Regs., Title 14, Div. 6, Ch. 3, § 15000 et seq.) regarding the analysis of transportation impacts. As one appellate court recently explained: "During the last 10 years, the Legislature has charted a course of long-term sustainability based on denser infill development, reduced reliance on individual vehicles and improved mass transit, all with the goal of reducing greenhouse gas emissions. Section 21099 is part of that strategy . . . ." (*Covina Residents for Responsible Development v. City of Covina* (2018) 21 Cal.App.5th 712, 729.) Pursuant to Section 21099, the criteria for determining the significance of transportation impacts must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." (*Id.*, subd. (b)(1); see generally, adopted CEQA Guidelines, § 15064.3, subd. (b) [Criteria for Analyzing Transportation Impacts].) To that end, in developing the criteria, OPR has proposed, and the California Natural Resources Agency (Agency) has certified and adopted, changes to the CEQA Guidelines that identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. With the California Natural Resources Agency's certification and adoption of the changes to the CEQA Guidelines, automobile delay, as measured by "level of service" and other similar metrics, generally no longer constitutes a significant environmental effect under CEQA. (Pub. Resources Code, § 21099, subd. (b)(3).)

This advisory contains technical recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures. Again, OPR provides this Technical Advisory as a resource for the public to use at their discretion. OPR is not enforcing or attempting to enforce any part of the recommendations contained herein. (Gov. Code, § 65035 ["It is not the intent of the Legislature to vest in the Office of Planning and Research any direct operating or regulatory powers over land use, public works, or other state, regional, or local projects or programs."].)

This December 2018 technical advisory is an update to the advisory it published in April 2018. OPR will continue to monitor implementation of these new provisions and may update or supplement this advisory in response to new information and advancements in modeling and methods.

B. Background

VMT and Greenhouse Gas Emissions Reduction. Senate Bill 32 (Pavley, 2016) requires California to reduce greenhouse gas (GHG) emissions 40 percent below 1990 levels by 2030, and Executive Order B-16-12 provides a target of 80 percent below 1990 emissions levels for the transportation sector by 2050. The transportation sector has three major means of reducing GHG emissions: increasing vehicle efficiency, reducing fuel carbon content, and reducing the amount of vehicle travel. The California Air Resources Board (CARB) has provided a path forward for achieving these emissions reductions from the transportation sector in its 2016 Mobile Source Strategy. CARB determined that it will not be possible to achieve the State's 2030 and post-2030 emissions goals without reducing VMT growth. Further, in its 2018 Progress Report on California's Sustainable Communities and Climate Protection Act, CARB found that despite the State meeting its 2020 climate goals, "emissions from statewide passenger vehicle travel per capita [have been] increasing and going in the wrong direction," and "California cannot meet its [long-term] climate goals without curbing growth in single-occupancy vehicle activity."[1] CARB also found that "[w]ith emissions from the transportation sector continuing to rise despite increases in fuel efficiency and decreases in the carbon content of fuel, California will not achieve the necessary greenhouse gas emissions reductions to meet mandates for 2030 and beyond without significant changes to how communities and transportation systems are planned, funded, and built."[2]

Thus, to achieve the State's long-term climate goals, California needs to reduce per capita VMT. This can occur under CEQA through VMT mitigation. Half of California's GHG emissions come from the transportation sector[3], therefore, reducing VMT is an effective climate strategy, which can also result in co-benefits.[4] Furthermore, without early VMT mitigation, the state may follow a path that meets GHG targets in the early years, but finds itself poorly positioned to meet more stringent targets later. For example, in absence of VMT analysis and mitigation in CEQA, lead agencies might rely upon verifiable offsets for GHG mitigation, ignoring the longer-term climate change impacts resulting from land use development and infrastructure investment decisions. As stated in CARB's 2017 Scoping Plan:

> "California's future climate strategy will require increased focus on integrated land use planning to support livable, transit-connected communities, and conservation of agricultural and other lands. Accommodating population and economic growth through travel- and energy-efficient land use provides GHG-efficient growth, reducing GHGs from both transportation and building energy use. GHGs can be further reduced at the project level through implementing energy-efficient construction and travel demand management approaches."[5] (*Id.* at p. 102.)

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[1] California Air Resources Board (Nov. 2018) *2018 Progress Report on California's Sustainable Communities and Climate Protection Act*, pp. 4, 5, available at https://ww2.arb.ca.gov/sites/default/files/2018-11/Final2018Report_SB150_112618_02_Report.pdf.
[2] *Id.*, p. 28.
[3] See https://ca50million.ca.gov/transportation/
[4] Fang et al. (2017) *Cutting Greenhouse Gas Emissions Is Only the Beginning: A Literature Review of the Co-Benefits of Reducing Vehicle Miles Traveled*.
[5] California Air Resources Board (Nov. 2017) *California's 2017 Climate Change Scoping Plan*, p. 102, available at https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf.

In light of this, the 2017 Scoping Plan describes and quantifies VMT reductions needed to achieve our long-term GHG emissions reduction goals, and specifically points to the need for statewide deployment of the VMT metric in CEQA:

> "Employing VMT as the metric of transportation impact statewide will help to ensure GHG reductions planned under SB 375 will be achieved through on-the-ground development, and will also play an important role in creating the additional GHG reductions needed beyond SB 375 across the State. Implementation of this change will rely, in part, on local land use decisions to reduce GHG emissions associated with the transportation sector, both at the project level, and in long-term plans (including general plans, climate action plans, specific plans, and transportation plans) and supporting sustainable community strategies developed under SB 375."[6]

VMT and Other Impacts to Health and Environment. VMT mitigation also creates substantial benefits (sometimes characterized as "co-benefits" to GHG reduction) in both in the near-term and the long-term. Beyond GHG emissions, increases in VMT also impact human health and the natural environment. Human health is impacted as increases in vehicle travel lead to more vehicle crashes, poorer air quality, increases in chronic diseases associated with reduced physical activity, and worse mental health. Increases in vehicle travel also negatively affect other road users, including pedestrians, cyclists, other motorists, and many transit users. The natural environment is impacted as higher VMT leads to more collisions with wildlife and fragments habitat. Additionally, development that leads to more vehicle travel also tends to consume more energy, water, and open space (including farmland and sensitive habitat). This increase in impermeable surfaces raises the flood risk and pollutant transport into waterways.[7]

VMT and Economic Growth. While it was previously believed that VMT growth was a necessary component of economic growth, data from the past two decades shows that economic growth is possible without a concomitant increase in VMT. (Figure 1.) Recent research shows that requiring development projects to mitigate LOS may actually reduce accessibility to destinations and impede economic growth.[8,9]

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[6] *Id.* at p. 76.

[7] Fang et al. (2017) *Cutting Greenhouse Gas Emissions Is Only the Beginning: A Literature Review of the Co-Benefits of Reducing Vehicle Miles Traveled*, available at https://ncst.ucdavis.edu/wp-content/uploads/2017/03/NCST-VMT-Co-Benefits-White-Paper_Fang_March-2017.pdf.

[8] Haynes et al. (Sept. 2015) *Congested Development: A Study of Traffic Delays, Access, and Economic Activity in Metropolitan Los Angeles*, available at http://www.its.ucla.edu/wp-content/uploads/sites/6/2015/11/Haynes_Congested-Development_1-Oct-2015_final.pdf.

[9] Osman et al. (Mar. 2016) *Not So Fast: A Study of Traffic Delays, Access, and Economic Activity in the San Francisco Bay Area*, available at http://www.its.ucla.edu/wp-content/uploads/sites/6/2016/08/Taylor-Not-so-Fast-04-01-2016_final.pdf.

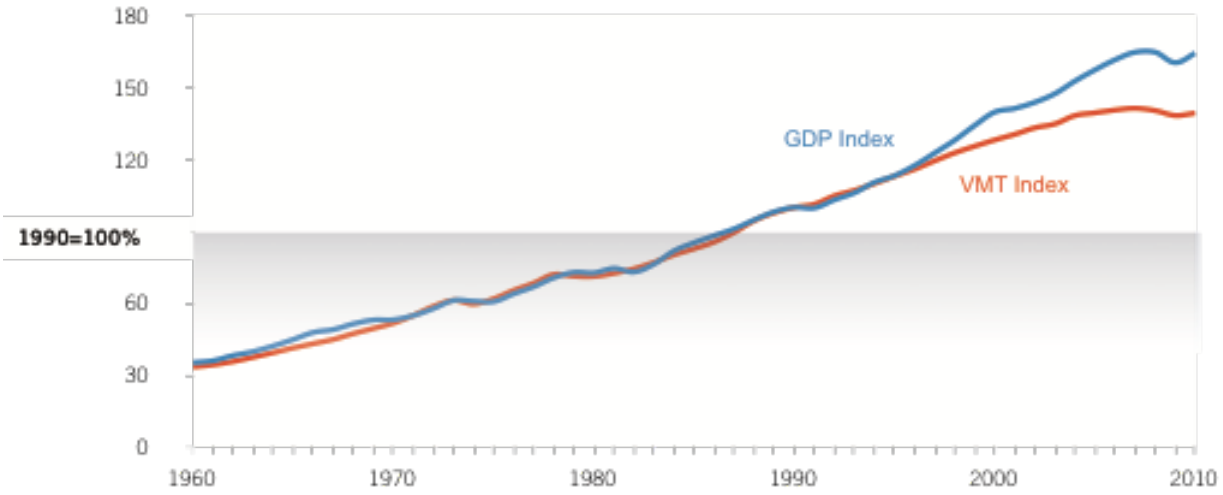

Figure 1. Kooshian and Winkelman (2011) *VMT and Gross Domestic Product (GDP), 1960-2010*.

C. Technical Considerations in Assessing Vehicle Miles Traveled

Many practitioners are familiar with accounting for VMT in connection with long-range planning, or as part of the CEQA analysis of a project's greenhouse gas emissions or energy impacts. This document provides technical information on how to assess VMT as part of a transportation impacts analysis under CEQA. Appendix 1 provides a description of which VMT to count and options on how to count it. Appendix 2 provides information on induced travel resulting from roadway capacity projects, including the mechanisms giving rise to induced travel, the research quantifying it, and information on additional approaches for assessing it.

1. Recommendations Regarding Methodology

Proposed Section 15064.3 explains that a "lead agency may use models to estimate a project's vehicle miles traveled . . . ." CEQA generally defers to lead agencies on the choice of methodology to analyze impacts. (*Santa Monica Baykeeper v. City of Malibu* (2011) 193 Cal.App.4th 1538, 1546; see *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 409 ["the issue is not whether the studies are irrefutable or whether they could have been better" … rather, the "relevant issue is only whether the studies are sufficiently credible to be considered" as part of the lead agency's overall evaluation].) This section provides suggestions to lead agencies regarding methodologies to analyze VMT associated with a project.

Vehicle Types. Proposed Section 15064.3, subdivision (a), states, "For the purposes of this section, 'vehicle miles traveled' refers to the amount and distance of automobile travel attributable to a project." Here, the term "automobile" refers to on-road passenger vehicles, specifically cars and light trucks. Heavy-duty truck VMT could be included for modeling convenience and ease of calculation (for example, where models or data provide combined auto and heavy truck VMT). For an apples-to-apples

comparison, vehicle types considered should be consistent across project assessment, significance thresholds, and mitigation.

Residential and Office Projects. Tour- and trip-based approaches[10] offer the best methods for assessing VMT from residential/office projects and for comparing those assessments to VMT thresholds. These approaches also offer the most straightforward methods for assessing VMT reductions from mitigation measures for residential/office projects. When available, tour-based assessment is ideal because it captures travel behavior more comprehensively. But where tour-based tools or data are not available for all components of an analysis, a trip-based assessment of VMT serves as a reasonable proxy.

Models and methodologies used to calculate thresholds, estimate project VMT, and estimate VMT reduction due to mitigation should be comparable. For example:

- A tour-based assessment of project VMT should be compared to a tour-based threshold, or a trip-based assessment to a trip-based VMT threshold.
- Where a travel demand model is used to determine thresholds, the same model should also be used to provide trip lengths as part of assessing project VMT.
- Where only trip-based estimates of VMT reduction from mitigation are available, a trip-based threshold should be used, and project VMT should be assessed in a trip-based manner.

When a trip-based method is used to analyze a residential project, the focus can be on home-based trips. Similarly, when a trip-based method is used to analyze an office project, the focus can be on home-based work trips.

When tour-based models are used to analyze an office project, either employee work tour VMT or VMT from all employee tours may be attributed to the project. This is because workplace location influences overall travel. For consistency, the significance threshold should be based on the same metric: either employee work tour VMT or VMT from all employee tours.

For office projects that feature a customer component, such as a government office that serves the public, a lead agency can analyze the customer VMT component of the project using the methodology for retail development (see below).

Retail Projects. Generally, lead agencies should analyze the effects of a retail project by assessing the change in total VMT[11] because retail projects typically re-route travel from other retail destinations. A retail project might lead to increases or decreases in VMT, depending on previously existing retail travel patterns.

[10] See Appendix 1, *Considerations About Which VMT to Count,* for a description of these approaches.
[11] See Appendix 1, *Considerations About Which VMT to Count, "*Assessing Change in Total VMT" section, for a description of this approach.

Considerations for All Projects. Lead agencies should not truncate any VMT analysis because of jurisdictional or other boundaries, for example, by failing to count the portion of a trip that falls outside the jurisdiction or by discounting the VMT from a trip that crosses a jurisdictional boundary. CEQA requires environmental analyses to reflect a "good faith effort at full disclosure." (CEQA Guidelines, § 15151.) Thus, where methodologies exist that can estimate the full extent of vehicle travel from a project, the lead agency should apply them to do so. Where those VMT effects will grow over time, analyses should consider both a project's short-term and long-term effects on VMT.

Combining land uses for VMT analysis is not recommended. Different land uses generate different amounts of VMT, so the outcome of such an analysis could depend more on the mix of uses than on their travel efficiency. As a result, it could be difficult or impossible for a lead agency to connect a significance threshold with an environmental policy objective (such as a target set by law), inhibiting the CEQA imperative of identifying a project's significant impacts and providing mitigation where feasible. Combining land uses for a VMT analysis could streamline certain mixes of uses in a manner disconnected from policy objectives or environmental outcomes. Instead, OPR recommends analyzing each use separately, or simply focusing analysis on the dominant use, and comparing each result to the appropriate threshold. Recommendations for methods of analysis and thresholds are provided below. In the analysis of each use, a mixed-use project should take credit for internal capture.

Any project that includes in its geographic bounds a portion of an existing or planned Transit Priority Area (i.e., the project is within a ½ mile of an existing or planned major transit stop or an existing stop along a high quality transit corridor) may employ VMT as its primary metric of transportation impact for the entire project. (See Pub. Resources Code, § 21099, subds. (a)(7), (b)(1).)

Cumulative Impacts. A project's cumulative impacts are based on an assessment of whether the "incremental effects of an 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." (Pub. Resources Code, § 21083, subd. (b)(2); see CEQA Guidelines, § 15064, subd. (h)(1).) When using an absolute VMT metric, i.e., total VMT (as recommended below for retail and transportation projects), analyzing the combined impacts for a cumulative impacts analysis may be appropriate. However, metrics such as VMT per capita or VMT per employee, i.e., metrics framed in terms of efficiency (as recommended below for use on residential and office projects), cannot be summed because they employ a denominator. A project that falls below an efficiency-based threshold that is aligned with long-term environmental goals and relevant plans would have no cumulative impact distinct from the project impact. Accordingly, a finding of a less-than-significant project impact would imply a less than significant cumulative impact, and vice versa. This is similar to the analysis typically conducted for greenhouse gas emissions, air quality impacts, and impacts that utilize plan compliance as a threshold of significance. (See *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal.4th 204, 219, 223; CEQA Guidelines, § 15064, subd. (h)(3).)

D. General Principles to Guide Consideration of VMT

SB 743 directs OPR to establish specific "criteria for determining the significance of transportation impacts of projects[.]" (Pub. Resources Code, § 21099, subd. (b)(1).) In establishing this criterion, OPR was guided by the general principles contained within CEQA, the CEQA Guidelines, and applicable case law.

To assist in the determination of significance, many lead agencies rely on "thresholds of significance." The CEQA Guidelines define a "threshold of significance" to mean "an identifiable **quantitative, qualitative[12] or performance level** of a particular environmental effect, non-compliance with which means the effect will ***normally*** be determined to be significant by the agency and compliance with which means the effect ***normally*** will be determined to be less than significant." (CEQA Guidelines, § 15064.7, subd. (a) (emphasis added).) Lead agencies have discretion to develop and adopt their own, or rely on thresholds recommended by other agencies, "provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence." (*Id*. at subd. (c); *Save Cuyama Valley v. County of Santa Barbara* (2013) 213 Cal.App.4th 1059, 1068.) Substantial evidence means "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." (*Id*. at § 15384 (emphasis added); *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1108-1109.)

Additionally, the analysis leading to the determination of significance need not be perfect. The CEQA Guidelines describe the standard for adequacy of environmental analyses:

> An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to **make a decision which intelligently takes account of environmental consequences**. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is **reasonably feasible**. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The **courts have looked not for perfection** but for **adequacy**, **completeness**, and a **good faith effort** at full disclosure.

(CEQA Guidelines, § 15151 (emphasis added).)

These general principles guide OPR's recommendations regarding thresholds of significance for VMT set forth below.

[12] Generally, qualitative analyses should only be conducted when methods do not exist for undertaking a quantitative analysis.

E. Recommendations Regarding Significance Thresholds

As noted above, lead agencies have the discretion to set or apply their own thresholds of significance. (*Center for Biological Diversity v. California Dept. of Fish & Wildlife* (2015) 62 Cal.4th 204, 218-223 [lead agency had discretion to use compliance with AB 32's emissions goals as a significance threshold]; *Save Cuyama Valley v. County of Santa Barbara* (2013) 213 Cal.App.4th at p. 1068.) However, Section 21099 of the Public Resources Code states that the criteria for determining the significance of transportation impacts must promote: (1) reduction of greenhouse gas emissions; (2) development of multimodal transportation networks; and (3) a diversity of land uses. It further directed OPR to prepare and develop criteria for determining significance. (Pub. Resources Code, § 21099, subd. (b)(1).) This section provides OPR's suggested thresholds, as well as considerations for lead agencies that choose to adopt their own

The VMT metric can support the three statutory goals: "the reduction of greenhouse gas emissions, the development of multimodal transportation networks, ***and*** a diversity of land uses." (Pub. Resources Code, § 21099, subd. (b)(1), emphasis added.) However, in order for it to promote and support all three, lead agencies should select a significance threshold that aligns with state law on all three. State law concerning the development of multimodal transportation networks and diversity of land uses requires planning for and prioritizing increases in complete streets and infill development, but does not mandate a particular depth of implementation that could translate into a particular threshold of significance. Meanwhile, the State has clear quantitative targets for GHG emissions reduction set forth in law and based on scientific consensus, and the depth of VMT reduction needed to achieve those targets has been quantified. Tying VMT thresholds to GHG reduction also supports the two other statutory goals. Therefore, to ensure adequate analysis of transportation impacts, OPR recommends using quantitative VMT thresholds linked to GHG reduction targets when methods exist to do so.

Various legislative mandates and state policies establish quantitative greenhouse gas emissions reduction targets. For example:

- Assembly Bill 32 (2006) requires statewide GHG emissions reductions to 1990 levels by 2020 and continued reductions beyond 2020.

- Senate Bill 32 (2016) requires at least a 40 percent reduction in GHG emissions from 1990 levels by 2030.

- Pursuant to Senate Bill 375 (2008), the California Air Resources Board GHG emissions reduction targets for metropolitan planning organizations (MPOs) to achieve based on land use patterns and transportation systems specified in Regional Transportation Plans and Sustainable Community Strategies (RTP/SCS). Current targets for the State's largest MPOs call for a 19 percent reduction in GHG emissions from cars and light trucks from 2005 emissions levels by 2035.

- Executive Order B-30-15 (2015) sets a GHG emissions reduction target of 40 percent below 1990 levels by 2030.

- Executive Order S-3-05 (2005) sets a GHG emissions reduction target of 80 percent below 1990 levels by 2050.

- Executive Order B-16-12 (2012) specifies a GHG emissions reduction target of 80 percent below 1990 levels by 2050 specifically for transportation.

- Executive Order B-55-18 (2018) established an additional statewide goal of achieving carbon neutrality as soon as possible, but no later than 2045, and maintaining net negative emissions thereafter. It states, "The California Air Resources Board shall work with relevant state agencies to develop a framework for implementation and accounting that tracks progress toward this goal."

- Senate Bill 391 requires the California Transportation Plan to support 80 percent reduction in GHGs below 1990 levels by 2050.

- The *California Air Resources Board Mobile Source Strategy* (2016) describes California's strategy for containing air pollutant emissions from vehicles, and quantifies VMT growth compatible with achieving state targets.

- The California Air Resources Board's *2017 Climate Change Scoping Plan Update: The Strategy for Achieving California's 2030 Greenhouse Gas Target* describes California's strategy for containing GHG emissions from vehicles, and quantifies VMT growth compatible with achieving state targets.

Considering these various targets, the California Supreme Court observed:

> Meeting our statewide reduction goals does not preclude all new development. Rather, the Scoping Plan … assumes continued growth and depends on increased efficiency and conservation in land use and transportation from all Californians.

(*Center for Biological Diversity v. California Dept. of Fish & Wildlife*, *supra*, 62 Cal.4th at p. 220.) Indeed, the Court noted that when a lead agency uses consistency with climate goals as a way to determine significance, particularly for long-term projects, the lead agency must consider the project's effect on meeting long-term reduction goals. (*Ibid*.) And more recently, the Supreme Court stated that "CEQA requires public agencies . . . to ensure that such analysis stay in step with evolving scientific knowledge and state regulatory schemes." (*Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2017) 3 Cal.5th 497, 504.)

Meeting the targets described above will require substantial reductions in existing VMT per capita to curb GHG emissions and other pollutants. But targets for overall GHG emissions reduction do not translate directly into VMT thresholds for individual projects for many reasons, including:

- Some, but not all, of the emissions reductions needed to achieve those targets could be accomplished by other measures, including increased vehicle efficiency and decreased fuel carbon content. The CARB's *First Update to the Climate Change Scoping Plan* explains:

"Achieving California's long-term criteria pollutant and GHG emissions goals will require four strategies to be employed: (1) improve vehicle efficiency and develop zero emission technologies, (2) reduce the carbon content of fuels and provide market support to get these lower-carbon fuels into the marketplace, (3) **plan and build communities to reduce vehicular GHG emissions and provide more transportation options, and (4) improve the efficiency and throughput of existing transportation systems.**"[13] CARB's *2018 Progress Report on California's Sustainable Communities and Climate Protection Act* states on page 28 that "California cannot meet its climate goals without curbing growth in single-occupancy vehicle activity." In other words, vehicle efficiency and better fuels are necessary, but insufficient, to address the GHG emissions from the transportation system. Land use patterns and transportation options also will need to change to support reductions in vehicle travel/VMT.

- New land use projects alone will not sufficiently reduce per-capita VMT to achieve those targets, nor are they expected to be the sole source of VMT reduction.

- Interactions between land use projects, and also between land use and transportation projects, existing and future, together affect VMT.

- Because location within the region is the most important determinant of VMT, in some cases, streamlining CEQA review of projects in travel efficient locations may be the most effective means of reducing VMT.

- When assessing climate impacts of some types of land use projects, use of an efficiency metric (e.g., per capita, per employee) may provide a better measure of impact than an absolute numeric threshold. (*Center for Biological Diversity*, *supra*.)

Public Resources Code section 21099 directs OPR to propose criteria for determining the significance of transportation impacts. In this Technical Advisory, OPR provides its recommendations to assist lead agencies in selecting a significance threshold that may be appropriate for their particular projects. While OPR's Technical Advisory is not binding on public agencies, CEQA allows lead agencies to "consider thresholds of significance . . . recommended by other public agencies, provided the decision to adopt those thresholds is supported by substantial evidence." (CEQA Guidelines, § 15064.7, subd. (c).) Based on OPR's extensive review of the applicable research, and in light of an assessment by the California Air Resources Board quantifying the need for VMT reduction in order to meet the State's long-term climate goals, **OPR recommends that a per capita or per employee VMT that is fifteen percent below that of existing development may be a reasonable threshold**.

Fifteen percent reductions in VMT are achievable at the project level in a variety of place types.[14]

Moreover, a fifteen percent reduction is consistent with SB 743's direction to OPR to select a threshold that will help the State achieve its climate goals. As described above, section 21099 states that the

[13] California Air Resources Board (May 2014) *First Update to the Climate Change Scoping Plan*, p. 46 (emphasis added).
[14] CAPCOA (2010) *Quantifying Greenhouse Gas Mitigation Measures*, p. 55, available at http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf.

criteria for determining significance must "promote the reduction in greenhouse gas emissions." In its document *California Air Resources Board 2017 Scoping Plan-Identified VMT Reductions and Relationship to State Climate Goals*[15], CARB assesses VMT reduction per capita consistent with its evidence-based modeling scenario that would achieve State climate goals of 40 percent GHG emissions reduction from 1990 levels by 2030 and 80 percent GHG emissions reduction levels from 1990 by 2050. Applying California Department of Finance population forecasts, CARB finds per-capita light-duty vehicle travel would need to be approximately 16.8 percent lower than existing, and overall per-capita vehicle travel would need to be approximately 14.3 percent lower than existing levels under that scenario. Below these levels, a project could be considered low VMT and would, on that metric, be consistent with 2017 Scoping Plan Update assumptions that achieve climate state climate goals.

CARB finds per capita vehicle travel would need to be kept below what today's policies and plans would achieve.

CARB's assessment is based on data in the 2017 Scoping Plan Update and 2016 Mobile Source Strategy. In those documents, CARB previously examined the relationship between VMT and the state's GHG emissions reduction targets. The Scoping Plan finds:

> "While the State can do more to accelerate and incentivize these local decisions, local actions that reduce VMT are also necessary to meet transportation sector-specific goals and achieve the 2030 target under SB 32. Through developing the Scoping Plan, CARB staff is more convinced than ever that, in addition to achieving GHG reductions from cleaner fuels and vehicles, California must also reduce VMT. Stronger SB 375 GHG reduction targets will enable the State to make significant progress toward needed reductions, but alone will not provide the VMT growth reductions needed; there is a gap between what SB 375 can provide and what is needed to meet the State's 2030 and 2050 goals."[16]

Note that, at present, consistency with RTP/SCSs does not necessarily lead to a less-than-significant VMT impact.[17] As the Final 2017 Scoping Plan Update states,

> VMT reductions are necessary to achieve the 2030 target and must be part of any strategy evaluated in this Plan. Stronger SB 375 GHG reduction targets will enable the State to make significant progress toward this goal, but alone will not provide all of the VMT growth reductions that will be needed. There is a gap between what SB 375 can provide and what is needed to meet the State's 2030 and 2050 goals."[18]

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[15] California Air Resources Board (Jan. 2019) *California Air Resources Board 2017 Scoping Plan-Identified VMT Reductions and Relationship to State Climate Goals*, available at https://ww2.arb.ca.gov/resources/documents/carb-2017-scoping-plan-identified-vmt-reductions-and-relationship-state-climate.

[16] California Air Resources Board (Nov. 2017) *California's 2017 Climate Change Scoping Plan*, p. 101.

[17] California Air Resources Board (Feb. 2018) *Updated Final Staff Report: Proposed Update to the SB 375 Greenhouse Gas Emission Reduction Targets*, Figure 3, p. 35, available at https://www.arb.ca.gov/cc/sb375/sb375_target_update_final_staff_report_feb2018.pdf.

[18] California Air Resources Board (Nov. 2017) *California's 2017 Climate Change Scoping Plan*, p. 75.

Also, in order to capture the full effects of induced travel resulting from roadway capacity projects, an RTP/SCS would need to include an assessment of land use effects of those projects, and the effects of those land uses on VMT. (See section titled "*Estimating VMT Impacts from Transportation Projects"* below.) RTP/SCSs typically model VMT using a collaboratively-developed land use "vision" for the region's land use, rather than studying the effects on land use of the proposed transportation investments.

In summary, achieving 15 percent lower per capita (residential) or per employee (office) VMT than existing development is both generally achievable and is supported by evidence that connects this level of reduction to the State's emissions goals.

1. Screening Thresholds for Land Use Projects

Many agencies use "screening thresholds" to quickly identify when a project should be expected to cause a less-than-significant impact without conducting a detailed study. (See e.g., CEQA Guidelines, §§ 15063(c)(3)(C), 15128, and Appendix G.) As explained below, this technical advisory suggests that lead agencies may screen out VMT impacts using project size, maps, transit availability, and provision of affordable housing.

Screening Threshold for Small Projects

Many local agencies have developed screening thresholds to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day[19] generally may be assumed to cause a less-than-significant transportation impact.

Map-Based Screening for Residential and Office Projects

Residential and office projects that locate in areas with low VMT, and that incorporate similar features (i.e., density, mix of uses, transit accessibility), will tend to exhibit similarly low VMT. Maps created with VMT data, for example from a travel survey or a travel demand model, can illustrate areas that are

[19] CEQA provides a categorical exemption for existing facilities, including additions to existing structures of up to 10,000 square feet, so long as the project is in an area where public infrastructure is available to allow for maximum planned development and the project is not in an environmentally sensitive area. (CEQA Guidelines, § 15301, subd. (e)(2).) Typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract an additional 110-124 trips per 10,000 square feet. Therefore, absent substantial evidence otherwise, it is reasonable to conclude that the addition of 110 or fewer trips could be considered not to lead to a significant impact.

currently below threshold VMT (see recommendations below). Because new development in such locations would likely result in a similar level of VMT, such maps can be used to screen out residential and office projects from needing to prepare a detailed VMT analysis.

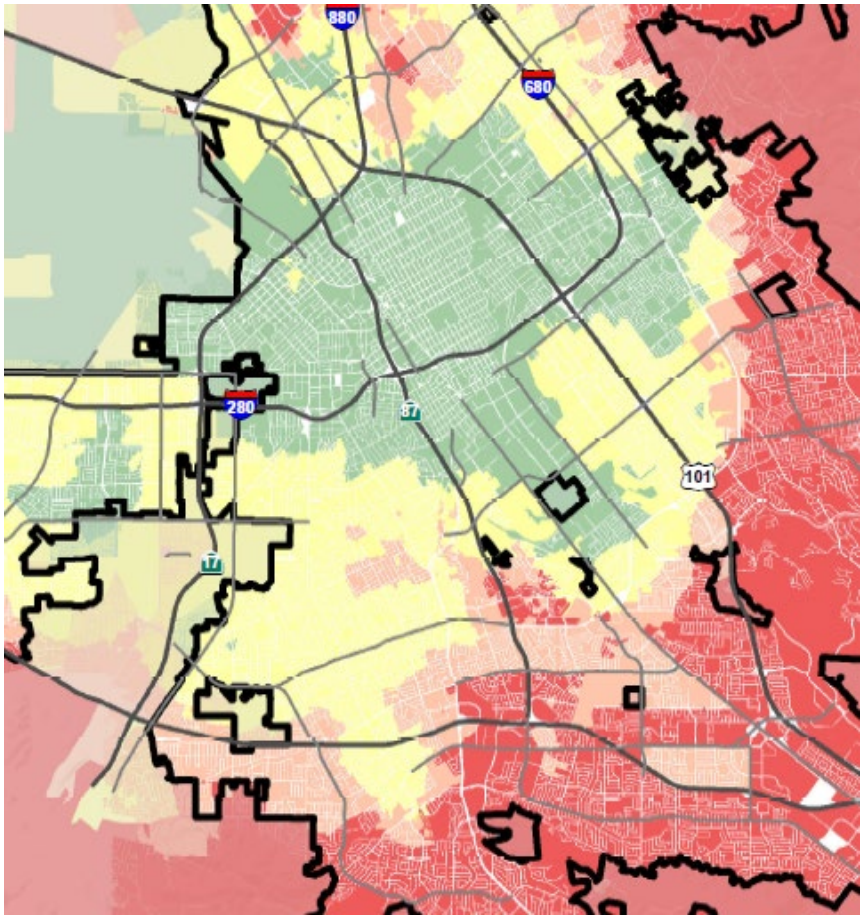

Figure 2. Example map of household VMT that could be used to delineate areas eligible to receive streamlining for VMT analysis. (Source: City of San José, Department of Transportation, draft output of City Transportation Model.)

Presumption of Less Than Significant Impact Near Transit Stations

Proposed CEQA Guideline Section 15064.3, subdivision (b)(1), states that lead agencies generally should presume that certain projects (including residential, retail, and office projects, as well as projects that are a mix of these uses) proposed within ½ mile of an existing major transit stop[20] or an existing stop

[20] Pub. Resources Code, § 21064.3 ("'Major transit stop' means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.").

along a high quality transit corridor[21] will have a less-than-significant impact on VMT. This presumption would not apply, however, if project-specific or location-specific information indicates that the project will still generate significant levels of VMT. For example, the presumption might not be appropriate if the project:

- Has a Floor Area Ratio (FAR) of less than 0.75
- Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking)
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization)
- Replaces affordable residential units with a smaller number of moderate- or high-income residential units

A project or plan near transit which replaces affordable residential units[22] with a smaller number of moderate- or high-income residential units may increase overall VMT because the increase in VMT of displaced residents could overwhelm the improvements in travel efficiency enjoyed by new residents.[23]

If any of these exceptions to the presumption might apply, the lead agency should conduct a detailed VMT analysis to determine whether the project would exceed VMT thresholds (see below).

Presumption of Less Than Significant Impact for Affordable Residential Development

Adding affordable housing to infill locations generally improves jobs-housing match, in turn shortening commutes and reducing VMT.[24,25] Further, "… low-wage workers in particular would be more likely to choose a residential location close to their workplace, if one is available."[26] In areas where existing jobs-housing match is closer to optimal, low income housing nevertheless generates less VMT than market-

[21] Pub. Resources Code, § 21155 ("For purposes of this section, a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.").
[22] Including naturally-occurring affordable residential units.
[23] Chapple et al. (2017) *Developing a New Methodology for Analyzing Potential Displacement,* Chapter 4, pp. 159-160, available at https://www.arb.ca.gov/research/apr/past/13-310.pdf.
[24] Karner and Benner (2016) *The convergence of social equity and environmental sustainability: Jobs-housing fit and commute distance* ("[P]olicies that advance a more equitable distribution of jobs and housing by linking the affordability of locally available housing with local wage levels are likely to be associated with reduced commuting distances").
[25] Karner and Benner (2015) *Low-wage jobs-housing fit: identifying locations of affordable housing shortages.*
[26] Karner and Benner (2015) *Low-wage jobs-housing fit: identifying locations of affordable housing shortages.*

rate housing.[27,28] Therefore, a project consisting of a high percentage of affordable housing may be a basis for the lead agency to find a less-than-significant impact on VMT. Evidence supports a presumption of less than significant impact for a 100 percent affordable residential development (or the residential component of a mixed-use development) in infill locations. Lead agencies may develop their own presumption of less than significant impact for residential projects (or residential portions of mixed use projects) containing a particular amount of affordable housing, based on local circumstances and evidence. Furthermore, a project which includes any affordable residential units may factor the effect of the affordability on VMT into the assessment of VMT generated by those units.

2. Recommended Numeric Thresholds for Residential, Office, and Retail Projects

Recommended threshold for residential projects: A proposed project exceeding a level of 15 percent below existing VMT per capita may indicate a significant transportation impact. Existing VMT per capita may be measured as regional VMT per capita or as city VMT per capita. Proposed development referencing a threshold based on city VMT per capita (rather than regional VMT per capita) should not cumulatively exceed the number of units specified in the SCS for that city, and should be consistent with the SCS.

Residential development that would generate vehicle travel that is 15 or more percent below the existing residential VMT per capita, measured against the region or city, may indicate a less-than-significant transportation impact. In MPO areas, development measured against city VMT per capita (rather than regional VMT per capita) should not cumulatively exceed the population or number of units specified in the SCS for that city because greater-than-planned amounts of development in areas above the region-based threshold would undermine the VMT containment needed to achieve regional targets under SB 375.

For residential projects in unincorporated county areas, the local agency can compare a residential project's VMT to (1) the region's VMT per capita, or (2) the aggregate population-weighted VMT per capita of all cities in the region. In MPO areas, development in unincorporated areas measured against aggregate city VMT per capita (rather than regional VMT per capita) should not cumulatively exceed the population or number of units specified in the SCS for that city because greater-than-planned amounts of development in areas above the regional threshold would undermine achievement of regional targets under SB 375.

[27] Chapple et al. (2017) *Developing a New Methodology for Analyzing Potential Displacement*, available at https://www.arb.ca.gov/research/apr/past/13-310.pdf.
[28] CAPCOA (2010) *Quantifying Greenhouse Gas Mitigation Measures*, pp. 176-178, available at http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf.

These thresholds can be applied to either household (i.e., tour-based) VMT or home-based (i.e., trip-based) VMT assessments.[29] It is critical, however, that the agency be consistent in its VMT measurement approach throughout the analysis to maintain an "apples-to-apples" comparison. For example, if the agency uses a home-based VMT for the threshold, it should also be use home-based VMT for calculating project VMT and VMT reduction due to mitigation measures.

Recommended threshold for office projects: A proposed project exceeding a level of 15 percent below existing regional VMT per employee may indicate a significant transportation impact.

Office projects that would generate vehicle travel exceeding 15 percent below existing VMT per employee for the region may indicate a significant transportation impact. In cases where the region is substantially larger than the geography over which most workers would be expected to live, it might be appropriate to refer to a smaller geography, such as the county, that includes the area over which nearly all workers would be expected to live.

Office VMT screening maps can be developed using tour-based data, considering either total employee VMT or employee work tour VMT. Similarly, tour-based analysis of office project VMT could consider either total employee VMT or employee work tour VMT. Where tour-based information is unavailable for threshold determination, project assessment, or assessment of mitigation, home-based work trip VMT should be used throughout all steps of the analysis to maintain an "apples-to-apples" comparison.

Recommended threshold for retail projects: A net increase in total VMT may indicate a significant transportation impact.

Because new retail development typically redistributes shopping trips rather than creating new trips,[30] estimating the total change in VMT (i.e., the difference in total VMT in the area affected with and without the project) is the best way to analyze a retail project's transportation impacts.

By adding retail opportunities into the urban fabric and thereby improving retail destination proximity, local-serving retail development tends to shorten trips and reduce VMT. Thus, lead agencies generally may presume such development creates a less-than-significant transportation impact. Regional-serving retail development, on the other hand, which can lead to substitution of longer trips for shorter ones, may tend to have a significant impact. Where such development decreases VMT, lead agencies should consider the impact to be less-than-significant.

Many cities and counties define local-serving and regional-serving retail in their zoning codes. Lead agencies may refer to those local definitions when available, but should also consider any project-

[29] See Appendix 1 for a description of these approaches.
[30] Lovejoy, et al. (2013) *Measuring the impacts of local land-use policies on vehicle miles of travel: The case of the first big-box store in Davis, California, The Journal of Transport and Land Use*.

specific information, such as market studies or economic impacts analyses that might bear on customers' travel behavior. Because lead agencies will best understand their own communities and the likely travel behaviors of future project users, they are likely in the best position to decide when a project will likely be local-serving. Generally, however, retail development including stores larger than 50,000 square feet might be considered regional-serving, and so lead agencies should undertake an analysis to determine whether the project might increase or decrease VMT.

Mixed-Use Projects

Lead agencies can evaluate each component of a mixed-use project independently and apply the significance threshold for each project type included (e.g., residential and retail). Alternatively, a lead agency may consider only the project's dominant use. In the analysis of each use, a project should take credit for internal capture. Combining different land uses and applying one threshold to those land uses may result in an inaccurate impact assessment.

Other Project Types

Of land use projects, residential, office, and retail projects tend to have the greatest influence on VMT. For that reason, OPR recommends the quantified thresholds described above for purposes of analysis and mitigation. Lead agencies, using more location-specific information, may develop their own more specific thresholds, which may include other land use types. In developing thresholds for other project types, or thresholds different from those recommended here, lead agencies should consider the purposes described in section 21099 of the Public Resources Code and regulations in the CEQA Guidelines on the development of thresholds of significance (e.g., CEQA Guidelines, § 15064.7).

Strategies and projects that decrease local VMT but increase total VMT should be avoided. Agencies should consider whether their actions encourage development in a less travel-efficient location by limiting development in travel-efficient locations.

Redevelopment Projects

Where a project replaces existing VMT-generating land uses, if the replacement leads to a net overall decrease in VMT, the project would lead to a less-than-significant transportation impact. If the project leads to a net overall increase in VMT, then the thresholds described above should apply.

As described above, a project or plan near transit which replaces affordable[31] residential units with a smaller number of moderate- or high-income residential units may increase overall VMT, because

[31] Including naturally-occurring affordable residential units.

displaced residents' VMT may increase.[32] A lead agency should analyze VMT for such a project even if it otherwise would have been presumed less than significant. The assessment should incorporate an estimate of the aggregate VMT increase experienced by displaced residents. That additional VMT should be included in the numerator of the VMT per capita assessed for the project.

If a residential or office project leads to a net increase in VMT, then the project's VMT per capita (residential) or per employee (office) should be compared to thresholds recommended above. Per capita and per employee VMT are efficiency metrics, and, as such, apply only to the existing project without regard to the VMT generated by the previously existing land use.

If the project leads to a net increase in provision of locally-serving retail, transportation impacts from the retail portion of the development should be presumed to be less than significant. If the project consists of regionally-serving retail, and increases overall VMT compared to with existing uses, then the project would lead to a significant transportation impact.

RTP/SCS Consistency (All Land Use Projects)

Section 15125, subdivision (d), of the CEQA Guidelines provides that lead agencies should analyze impacts resulting from inconsistencies with regional plans, including regional transportation plans. For this reason, if a project is inconsistent with the Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS), the lead agency should evaluate whether that inconsistency indicates a significant impact on transportation. For example, a development may be inconsistent with an RTP/SCS if the development is outside the footprint of development or within an area specified as open space as shown in the SCS.

3. Recommendations Regarding Land Use Plans

As with projects, agencies should analyze VMT outcomes of land use plans across the full area over which the plan may substantively affect travel patterns, including beyond the boundary of the plan or jurisdiction's geography. And as with projects, VMT should be counted in full rather than split between origin and destination. (Emissions inventories have sometimes spit cross-boundary trips in order to sum to a regional total, but CEQA requires accounting for the full impact without truncation or discounting). Analysis of specific plans may employ the same thresholds described above for projects. A general plan, area plan, or community plan may have a significant impact on transportation if proposed new residential, office, or retail land uses would in aggregate exceed the respective thresholds recommended above. Where the lead agency tiers from a general plan EIR pursuant to CEQA Guidelines sections 15152 and 15166, the lead agency generally focuses on the environmental impacts that are specific to the later project and were not analyzed as significant impacts in the prior EIR. (Pub. Resources Code, § 21068.5; Guidelines, § 15152, subd. (a).) Thus, in analyzing the later project, the lead agency

[32] Chapple et al. (2017) *Developing a New Methodology for Analyzing Potential Displacement,* Chapter 4, pp. 159-160, available at https://www.arb.ca.gov/research/apr/past/13-310.pdf.

would focus on the VMT impacts that were not adequately addressed in the prior EIR. In the tiered document, the lead agency should continue to apply the thresholds recommended above.

Thresholds for plans in non-MPO areas may be determined on a case-by-case basis.

4. Other Considerations

Rural Projects Outside of MPOs

In rural areas of non-MPO counties (i.e., areas not near established or incorporated cities or towns), fewer options may be available for reducing VMT, and significance thresholds may be best determined on a case-by-case basis. Note, however, that clustered small towns and small town main streets may have substantial VMT benefits compared to isolated rural development, similar to the transit oriented development described above.

Impacts to Transit

Because criteria for determining the significance of transportation impacts must promote "the development of multimodal transportation networks" pursuant to Public Resources Code section 21099, subd. (b)(1), lead agencies should consider project impacts to transit systems and bicycle and pedestrian networks. For example, a project that blocks access to a transit stop or blocks a transit route itself may interfere with transit functions. Lead agencies should consult with transit agencies as early as possible in the development process, particularly for projects that are located within one half mile of transit stops.

When evaluating impacts to multimodal transportation networks, lead agencies generally should not treat the addition of new transit users as an adverse impact. An infill development may add riders to transit systems and the additional boarding and alighting may slow transit vehicles, but it also adds destinations, improving proximity and accessibility. Such development also improves regional vehicle flow by adding less vehicle travel onto the regional network.

Increased demand throughout a region may, however, cause a cumulative impact by requiring new or additional transit infrastructure. Such impacts may be adequately addressed through a fee program that fairly allocates the cost of improvements not just to projects that happen to locate near transit, but rather across a region to all projects that impose burdens on the entire transportation system, since transit can broadly improve the function of the transportation system.

F. Considering the Effects of Transportation Projects on Vehicle Travel

Many transportation projects change travel patterns. A transportation project which leads to additional vehicle travel on the roadway network, commonly referred to as "induced vehicle travel," would need to quantify the amount of additional vehicle travel in order to assess air quality impacts, greenhouse gas emissions impacts, energy impacts, and noise impacts. Transportation projects also are required to

examine induced growth impacts under CEQA. (See generally, Pub. Resources Code, §§ 21065 [defining "project" under CEQA as an activity as causing either a direct or reasonably foreseeable indirect physical change], 21065.3 [defining "project-specific effect" to mean all direct or indirect environmental effects], 21100, subd. (b) [required contents of an EIR].) For any project that increases vehicle travel, explicit assessment and quantitative reporting of the amount of additional vehicle travel should not be omitted from the document; such information may be useful and necessary for a full understanding of a project's environmental impacts. (See Pub. Resources Code, §§ 21000, 21001, 21001.1, 21002, 21002.1 [discussing the policies of CEQA].) A lead agency that uses the VMT metric to assess the transportation impacts of a transportation project may simply report that change in VMT as the impact. When the lead agency uses another metric to analyze the transportation impacts of a roadway project, changes in amount of vehicle travel added to the roadway network should still be analyzed and reported.[33]

While CEQA does not require perfection, it is important to make a reasonably accurate estimate of transportation projects' effects on vehicle travel in order to make reasonably accurate estimates of GHG emissions, air quality emissions, energy impacts, and noise impacts. (See, e.g., *California Clean Energy Com. v. City of Woodland* (2014) 225 Cal.App.4th 173, 210 [EIR failed to consider project's transportation energy impacts]; *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 Cal.App.4th 256, 266.) Appendix 2 describes in detail the causes of induced vehicle travel, the robust empirical evidence of induced vehicle travel, and how models and research can be used in conjunction to quantitatively assess induced vehicle travel with reasonable accuracy.

If a project would likely lead to a measurable and substantial increase in vehicle travel, the lead agency should conduct an analysis assessing the amount of vehicle travel the project will induce. Project types that would likely lead to a measurable and substantial increase in vehicle travel generally include:

- Addition of through lanes on existing or new highways, including general purpose lanes, HOV lanes, peak period lanes, auxiliary lanes, or lanes through grade-separated interchanges

Projects that would not likely lead to a substantial or measurable increase in vehicle travel, and therefore generally should not require an induced travel analysis, include:

- Rehabilitation, maintenance, replacement, safety, and repair projects designed to improve the condition of existing transportation assets (e.g., highways; roadways; bridges; culverts; Transportation Management System field elements such as cameras, message signs, detection, or signals; tunnels; transit systems; and assets that serve bicycle and pedestrian facilities) and that do not add additional motor vehicle capacity
- Roadside safety devices or hardware installation such as median barriers and guardrails

[33] See, e.g., California Department of Transportation (2006) *Guidance for Preparers of Growth-related, Indirect Impact Analyses*, available at http://www.dot.ca.gov/ser/Growth-related_IndirectImpactAnalysis/GRI_guidance06May_files/gri_guidance.pdf.

- Roadway shoulder enhancements to provide “breakdown space,” dedicated space for use only by transit vehicles, to provide bicycle access, or to otherwise improve safety, but which will not be used as automobile vehicle travel lanes
- Addition of an auxiliary lane of less than one mile in length designed to improve roadway safety
- Installation, removal, or reconfiguration of traffic lanes that are not for through traffic, such as left, right, and U-turn pockets, two-way left turn lanes, or emergency breakdown lanes that are not utilized as through lanes
- Addition of roadway capacity on local or collector streets provided the project also substantially improves conditions for pedestrians, cyclists, and, if applicable, transit
- Conversion of existing general purpose lanes (including ramps) to managed lanes or transit lanes, or changing lane management in a manner that would not substantially increase vehicle travel
- Addition of a new lane that is permanently restricted to use only by transit vehicles
- Reduction in number of through lanes
- Grade separation to separate vehicles from rail, transit, pedestrians or bicycles, or to replace a lane in order to separate preferential vehicles (e.g., HOV, HOT, or trucks) from general vehicles
- Installation, removal, or reconfiguration of traffic control devices, including Transit Signal Priority (TSP) features
- Installation of traffic metering systems, detection systems, cameras, changeable message signs and other electronics designed to optimize vehicle, bicycle, or pedestrian flow
- Timing of signals to optimize vehicle, bicycle, or pedestrian flow
- Installation of roundabouts or traffic circles
- Installation or reconfiguration of traffic calming devices
- Adoption of or increase in tolls
- Addition of tolled lanes, where tolls are sufficient to mitigate VMT increase
- Initiation of new transit service
- Conversion of streets from one-way to two-way operation with no net increase in number of traffic lanes
- Removal or relocation of off-street or on-street parking spaces
- Adoption or modification of on-street parking or loading restrictions (including meters, time limits, accessible spaces, and preferential/reserved parking permit programs)
- Addition of traffic wayfinding signage
- Rehabilitation and maintenance projects that do not add motor vehicle capacity
- Addition of new or enhanced bike or pedestrian facilities on existing streets/highways or within existing public rights-of-way
- Addition of Class I bike paths, trails, multi-use paths, or other off-road facilities that serve non-motorized travel
- Installation of publicly available alternative fuel/charging infrastructure
- Addition of passing lanes, truck climbing lanes, or truck brake-check lanes in rural areas that do not increase overall vehicle capacity along the corridor

1. Recommended Significance Threshold for Transportation Projects

As noted in Section 15064.3 of the CEQA Guidelines, lead agencies for roadway capacity projects have discretion, consistent with CEQA and planning requirements, to choose which metric to use to evaluate transportation impacts. This section recommends considerations for evaluating impacts using vehicle miles traveled. Lead agencies have discretion to choose a threshold of significance for transportation projects as they do for other types of projects. As explained above, Public Resources Code section 21099, subdivision (b)(1), provides that criteria for determining the significance of transportation impacts must promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. (*Id.*; see generally, adopted CEQA Guidelines, § 15064.3, subd. (b) [Criteria for Analyzing Transportation Impacts].) With those goals in mind, OPR prepared and the Agency adopted an appropriate transportation metric.

Whether adopting a threshold of significance, or evaluating transportation impacts on a case-by-case basis, a lead agency should ensure that the analysis addresses:

- Direct, indirect and cumulative effects of the transportation project (CEQA Guidelines, § 15064, subds. (d), (h))
- Near-term and long-term effects of the transportation project (CEQA Guidelines, §§ 15063, subd. (a)(1), 15126.2, subd. (a))
- The transportation project's consistency with state greenhouse gas reduction goals (Pub. Resources Code, § 21099)[34]
- The impact of the transportation project on the development of multimodal transportation networks (Pub. Resources Code, § 21099)
- The impact of the transportation project on the development of a diversity of land uses (Pub. Resources Code, § 21099)

The CARB Scoping Plan and the CARB Mobile Source Strategy delineate VMT levels required to achieve legally mandated GHG emissions reduction targets. A lead agency should develop a project-level threshold based on those VMT levels, and may apply the following approach:

1. Propose a fair-share allocation of those budgets to their jurisdiction (e.g., by population);

[34] The California Air Resources Board has ascertained the limits of VMT growth compatible with California containing greenhouse gas emissions to levels research shows would allow for climate stabilization. (See *The 2017 Climate Change Scoping Plan: The Strategy for Achieving California's 2030 Greenhouse Gas Target* (p. 78, p. 101); *Mobile Source Strategy* (p. 37).) CARB's *Updated Final Staff Report on Proposed Update to the SB 375 Greenhouse Gas Emission Reduction Targets* illustrates that the current Regional Transportation Plans and Sustainable Communities Strategies will fall short of achieving the necessary on-road transportation-related GHG emissions reductions called for in the 2017 Scoping Plan (Figure 3, p. 35). Accordingly, OPR recommends not basing GHG emissions or transportation impact analysis for a transportation project solely on consistency with an RTP/SCS.

2. Determine the amount of VMT growth likely to result from background population growth, and subtract that from their "budget";
3. Allocate their jurisdiction's share between their various VMT-increasing transportation projects, using whatever criteria the lead agency prefers.

2. Estimating VMT Impacts from Transportation Projects

CEQA requires analysis of a project's potential growth-inducing impacts. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, § 15126.2, subd. (d).) Many agencies are familiar with the analysis of growth inducing impacts associated with water, sewer, and other infrastructure. This technical advisory addresses growth that may be expected from roadway expansion projects.

Because a roadway expansion project can induce substantial VMT, incorporating quantitative estimates of induced VMT is critical to calculating both transportation and other impacts of these projects. Induced travel also has the potential to reduce or eliminate congestion relief benefits. An accurate estimate of induced travel is needed to accurately weigh costs and benefits of a highway capacity expansion project.

The effect of a transportation project on vehicle travel should be estimated using the "change in total VMT" method described in *Appendix 1*. This means that an assessment of total VMT without the project and an assessment with the project should be made; the difference between the two is the amount of VMT attributable to the project. The assessment should cover the full area in which driving patterns are expected to change. As with other types of projects, the VMT estimation should not be truncated at a modeling or jurisdictional boundary for convenience of analysis when travel behavior is substantially affected beyond that boundary.

Transit and Active Transportation Projects

Transit and active transportation projects generally reduce VMT and therefore are presumed to cause a less-than-significant impact on transportation. This presumption may apply to all passenger rail projects, bus and bus rapid transit projects, and bicycle and pedestrian infrastructure projects. Streamlining transit and active transportation projects aligns with each of the three statutory goals contained in SB 743 by reducing GHG emissions, increasing multimodal transportation networks, and facilitating mixed use development.

Roadway Projects

Reducing roadway capacity (for example, by removing or repurposing motor vehicle travel lanes) will generally reduce VMT and therefore is presumed to cause a less-than-significant impact on transportation. Generally, no transportation analysis is needed for such projects.

Building new roadways, adding roadway capacity in congested areas, or adding roadway capacity to areas where congestion is expected in the future, typically induces additional vehicle travel. For the types of projects previously indicated as likely to lead to additional vehicle travel, an estimate should be made of the change in vehicle travel resulting from the project.

For projects that increase roadway capacity, lead agencies can evaluate induced travel quantitatively by applying the results of existing studies that examine the magnitude of the increase of VMT resulting from a given increase in lane miles. These studies estimate the percent change in VMT for every percent change in miles to the roadway system (i.e., "elasticity").[35] Given that lead agencies have discretion in choosing their methodology, and the studies on induced travel reveal a range of elasticities, lead agencies may appropriately apply professional judgment in studying the transportation effects of a particular project. The most recent major study, estimates an elasticity of 1.0, meaning that every percent change in lane miles results in a one percent increase in VMT.[36]

To estimate VMT impacts from roadway expansion projects:

1. Determine the total lane-miles over an area that fully captures travel behavior changes resulting from the project (generally the region, but for projects affecting interregional travel look at all affected regions).
2. Determine the percent change in total lane miles that will result from the project.
3. Determine the total existing VMT over that same area.
4. Multiply the percent increase in lane miles by the existing VMT, and then multiply that by the elasticity from the induced travel literature:

[% increase in lane miles] x [existing VMT] x [elasticity] = [VMT resulting from the project]

A National Center for Sustainable Transportation tool can be used to apply this method: https://ncst.ucdavis.edu/research/tools

This method would not be suitable for rural (non-MPO) locations in the state which are neither congested nor projected to become congested. It also may not be suitable for a new road that provides new connectivity across a barrier (e.g., a bridge across a river) if it would be expected to substantially

[35] See U.C. Davis, Institute for Transportation Studies (Oct. 2015) *Increasing Highway Capacity Unlikely to Relieve Traffic Congestion*; Boarnet and Handy (Sept. 2014) *Impact of Highway Capacity and Induced Travel on Passenger Vehicle Use and Greenhouse Gas Emissions*, California Air Resources Board Policy Brief, available at https://www.arb.ca.gov/cc/sb375/policies/hwycapacity/highway_capacity_brief.pdf.
[36] See Duranton and Turner (2011) *The Fundamental Law of Road Congestion: Evidence from US cities*, available at http://www.nber.org/papers/w15376.

shorten existing trips. If it is likely to be substantial, the trips-shortening effect should be examined explicitly.

The effects of roadway capacity on vehicle travel can also be applied at a programmatic level. For example, in a regional planning process the lead agency can use that program-level analysis to streamline later project-level analysis. (See CEQA Guidelines, § 15168.) A program-level analysis of VMT should include effects of the program on land use patterns, and the VMT that results from those land use effects. In order for a program-level document to adequately analyze potential induced demand from a project or program of roadway capacity expansion, lead agencies cannot assume a fixed land use pattern (i.e., a land use pattern that does not vary in response to the provision of roadway capacity). A proper analysis should account for land use investment and development pattern changes that react in a reasonable manner to changes in accessibility created by transportation infrastructure investments (whether at the project or program level).

Mitigation and Alternatives

Induced VMT has the potential to reduce or eliminate congestion relief benefits, increase VMT, and increase other environmental impacts that result from vehicle travel.[37] If those effects are significant, the lead agency will need to consider mitigation or alternatives. In the context of increased travel that is induced by capacity increases, appropriate mitigation and alternatives that a lead agency might consider include the following:

- Tolling new lanes to encourage carpools and fund transit improvements
- Converting existing general purpose lanes to HOV or HOT lanes
- Implementing or funding off-site travel demand management
- Implementing Intelligent Transportation Systems (ITS) strategies to improve passenger throughput on existing lanes

Tolling and other management strategies can have the additional benefit of preventing congestion and maintaining free-flow conditions, conferring substantial benefits to road users as discussed above.

G. Analyzing Other Impacts Related to Transportation

While requiring a change in the methodology of assessing transportation impacts, Public Resources Code section 21099 notes that this change "does not relieve a public agency of the requirement to analyze a project's potentially significant transportation impacts related to air quality, noise, safety, or any other impact associated with transportation." OPR expects that lead agencies will continue to

[37] See National Center for Sustainable Transportation (Oct. 2015) *Increasing Highway Capacity Unlikely to Relieve Traffic Congestion*, available at http://www.dot.ca.gov/newtech/researchreports/reports/2015/10-12-2015-NCST_Brief_InducedTravel_CS6_v3.pdf; see Duranton and Turner (2011) *The Fundamental Law of Road Congestion: Evidence from US cities*, available at http://www.nber.org/papers/w15376.

address mobile source emissions in the air quality and noise sections of an environmental document and the corresponding studies that support the analysis in those sections. Lead agencies should continue to address environmental impacts of a proposed project pursuant to CEQA's requirements, using a format that is appropriate for their particular project.

Because safety concerns result from many different factors, they are best addressed at a programmatic level (i.e., in a general plan or regional transportation plan) in cooperation with local governments, metropolitan planning organizations, and, where the state highway system is involved, the California Department of Transportation. In most cases, such an analysis would not be appropriate on a project-by-project basis. Increases in traffic volumes at a particular location resulting from a project typically cannot be estimated with sufficient accuracy or precision to provide useful information for an analysis of safety concerns. Moreover, an array of factors affect travel demand (e.g., strength of the local economy, price of gasoline), causing substantial additional uncertainty. Appendix B of OPR's General Plan Guidelines summarizes research which could be used to guide a programmatic analysis under CEQA. Lead agencies should note that automobile congestion or delay does not constitute a significant environmental impact (Pub. Resources Code, §21099(b)(2)), and safety should not be used as a proxy for road capacity.

H. VMT Mitigation and Alternatives

When a lead agency identifies a significant impact, it must identify feasible mitigation measures that could avoid or substantially reduce that impact. (Pub. Resources Code, § 21002.1, subd. (a).) Additionally, CEQA requires that an environmental impact report identify feasible alternatives that could avoid or substantially reduce a project's significant environmental impacts.

Indeed, the California Court of Appeal recently held that a long-term regional transportation plan was deficient for failing to discuss an alternative which could significantly reduce total vehicle miles traveled. In *Cleveland National Forest Foundation v. San Diego Association of Governments, et al.* (2017) 17 Cal.App.5th 413, the court found that omission "inexplicable" given the lead agency's "acknowledgment in its Climate Action Strategy that the state's efforts to reduce greenhouse gas emissions from on-road transportation will not succeed if the amount of driving, or vehicle miles traveled, is not significantly reduced." (*Cleveland National Forest Foundation*, *supra*, 17 Cal.App.5th at p. 436.) Additionally, the court noted that the project alternatives focused primarily on congestion relief even though "the [regional] transportation plan is a long-term and congestion relief is not necessarily an effective long-term strategy." (*Id.* at p. 437.) The court concluded its discussion of the alternatives analysis by stating: "Given the acknowledged long-term drawbacks of congestion relief alternatives, there is not substantial evidence to support the EIR's exclusion of an alternative focused primarily on significantly reducing vehicle trips." (*Ibid*.)

Several examples of potential mitigation measures and alternatives to reduce VMT are described below. However, the selection of particular mitigation measures and alternatives are left to the discretion of

the lead agency, and mitigation measures may vary, depending on the proposed project and significant impacts, if any. Further, OPR expects that agencies will continue to innovate and find new ways to reduce vehicular travel.

Potential measures to reduce vehicle miles traveled include, but are not limited to:

- Improve or increase access to transit.
- Increase access to common goods and services, such as groceries, schools, and daycare.
- Incorporate affordable housing into the project.
- Incorporate neighborhood electric vehicle network.
- Orient the project toward transit, bicycle and pedestrian facilities.
- Improve pedestrian or bicycle networks, or transit service.
- Provide traffic calming.
- Provide bicycle parking.
- Limit or eliminate parking supply.
- Unbundle parking costs.
- Provide parking cash-out programs.
- Implement roadway pricing.
- Implement or provide access to a commute reduction program.
- Provide car-sharing, bike sharing, and ride-sharing programs.
- Provide transit passes.
- Shifting single occupancy vehicle trips to carpooling or vanpooling, for example providing ride-matching services.
- Providing telework options.
- Providing incentives or subsidies that increase the use of modes other than single-occupancy vehicle.
- Providing on-site amenities at places of work, such as priority parking for carpools and vanpools, secure bike parking, and showers and locker rooms.
- Providing employee transportation coordinators at employment sites.
- Providing a guaranteed ride home service to users of non-auto modes.

Notably, because VMT is largely a regional impact, regional VMT-reduction programs may be an appropriate form of mitigation. In lieu fees have been found to be valid mitigation where there is both a commitment to pay fees and evidence that mitigation will actually occur. (*Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 140-141; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 727–728.) Fee programs are particularly useful to address cumulative impacts. (CEQA Guidelines, § 15130, subd. (a)(3) [a "project's incremental contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact"].) The mitigation program must undergo CEQA evaluation, either on the program as a whole, or the in-lieu fees or other mitigation must be evaluated

on a project-specific basis. (*California Native Plant Society v. County of El Dorado* (2009) 170 Cal.App.4th 1026.) That CEQA evaluation could be part of a larger program, such as a regional transportation plan, analyzed in a Program EIR. (CEQA Guidelines, § 15168.)

Examples of project alternatives that may reduce vehicle miles traveled include, but are not limited to:

- Locate the project in an area of the region that already exhibits low VMT.
- Locate the project near transit.
- Increase project density.
- Increase the mix of uses within the project or within the project's surroundings.
- Increase connectivity and/or intersection density on the project site.
- Deploy management strategies (e.g., pricing, vehicle occupancy requirements) on roadways or roadway lanes.

Appendix 1. Considerations About Which VMT to Count

Consistent with the obligation to make a good faith effort to disclose the environmental consequences of a project, lead agencies have discretion to choose the most appropriate methodology to evaluate project impacts.[38] A lead agency can evaluate a project's effect on VMT in numerous ways. The purpose of this document is to provide technical considerations in determining which methodology may be most useful for various project types.

Background on Estimating Vehicle Miles Traveled

Before discussing specific methodological recommendations, this section provides a brief overview of modeling and counting VMT, including some key terminology.

Here is an illustrative example of some methods of estimating vehicle miles traveled. Consider the following hypothetical travel day (all by automobile):

1. Residence to Coffee Shop
2. Coffee Shop to Work
3. Work to Sandwich Shop
4. Sandwich Shop to Work
5. Work to Residence
6. Residence to Store
7. Store to Residence

Trip-based assessment of a project's effect on travel behavior counts VMT from individual trips to and from the project. It is the most basic, and traditionally the most common, method of counting VMT. A trip-based VMT assessment of the residence in the above example would consider segments 1, 5, 6 and 7. For residential projects, the sum of home-based trips is called *home-based* VMT.

A *tour-based* assessment counts the entire home-back-to-home tour that includes the project. A tour-based VMT assessment of the residence in the above example would consider segments 1, 2, 3, 4, and 5 in one tour, and 6 and 7 in a second tour. A tour-based assessment of the workplace would include segments 1, 2, 3, 4, and 5. Together, all tours comprise *household* VMT.

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[38] The California Supreme Court has explained that when an agency has prepared an environmental impact report:

> [T]he issue is not whether the [lead agency's] studies are irrefutable or whether they could have been better. The relevant issue is only whether the studies are sufficiently credible to be considered as part of the total evidence that supports the [lead agency's] finding[.]

(*Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 409; see also *Eureka Citizens for Responsible Gov't v. City of Eureka* (2007) 147 Cal.App.4th 357, 372.)

Both trip- and tour-based assessments can be used as measures of transportation efficiency, using denominators such as per capita, per employee, or per person-trip.

Trip- and Tour-based Assessment of VMT

As illustrated above, a tour-based assessment of VMT is a more complete characterization of a project's effect on VMT. In many cases, a project affects travel behavior beyond the first destination. The location and characteristics of the home and workplace will often be the main drivers of VMT. For example, a residential or office development located near high quality transit will likely lead to some commute trips utilizing transit, affecting mode choice on the rest of the tour.

Characteristics of an office project can also affect an employee's VMT beyond the work tour. For example, a workplace located at the urban periphery, far from transit, can require an employee to own a car, which in turn affects the entirety of an employee's travel behavior and VMT. For this reason, when estimating the effect of an office development on VMT, it may be appropriate to consider total employee VMT if data and tools, such as tour-based models, are available. This is consistent with CEQA's requirement to evaluate both direct and *indirect* effects of a project. (See CEQA Guidelines, § 15064, subd. (d)(2).)

Assessing Change in Total VMT

A third method, estimating the *change in total VMT* with and without the project, can evaluate whether a project is likely to divert existing trips, and what the effect of those diversions will be on total VMT. This method answers the question, "What is the net effect of the project on area VMT?" As an illustration, assessing the total change in VMT for a grocery store built in a food desert that diverts trips from more distant stores could reveal a net VMT reduction. The analysis should address the full area over which the project affects travel behavior, even if the effect on travel behavior crosses political boundaries.

Using Models to Estimate VMT

Travel demand models, sketch models, spreadsheet models, research, and data can all be used to calculate and estimate VMT (see Appendix F of the preliminary discussion draft). To the extent possible, lead agencies should choose models that have sensitivity to features of the project that affect VMT. Those tools and resources can also assist in establishing thresholds of significance and estimating VMT reduction attributable to mitigation measures and project alternatives. When using models and tools for those various purposes, agencies should use comparable data and methods, in order to set up an "apples-to-apples" comparison between thresholds, VMT estimates, and VMT mitigation estimates.

Models can work together. For example, agencies can use travel demand models or survey data to estimate existing trip lengths and input those into sketch models such as CalEEMod to achieve more

accurate results. Whenever possible, agencies should input localized trip lengths into a sketch model to tailor the analysis to the project location. However, in doing so, agencies should be careful to avoid double counting if the sketch model includes other inputs or toggles that are proxies for trip length (e.g., distance to city center). Generally, if an agency changes any sketch model defaults, it should record and report those changes for transparency of analysis. Again, trip length data should come from the same source as data used to calculate thresholds to be sure of an "apples-to-apples" comparison.

Additional background information regarding travel demand models is available in the California Transportation Commission's "2010 Regional Transportation Plan Guidelines," beginning at page 35.

Appendix 2. Induced Travel: Mechanisms, Research, and Additional Assessment Approaches

Induced travel occurs where roadway capacity is expanded in an area of present or projected future congestion. The effect typically manifests over several years. Lower travel times make the modified facility more attractive to travelers, resulting in the following trip-making changes:

- **Longer trips.** The ability to travel a long distance in a shorter time increases the attractiveness of destinations that are farther away, increasing trip length and vehicle travel.
- **Changes in mode choice.** When transportation investments are devoted to reducing automobile travel time, travelers tend to shift toward automobile use from other modes, which increases vehicle travel.
- **Route changes.** Faster travel times on a route attract more drivers to that route from other routes, which can increase or decrease vehicle travel depending on whether it shortens or lengthens trips.
- **Newly generated trips.** Increasing travel speeds can induce additional trips, which increases vehicle travel. For example, an individual who previously telecommuted or purchased goods on the internet might choose to accomplish those tasks via automobile trips as a result of increased speeds.
- **Land Use Changes.** Faster travel times along a corridor lead to land development farther along that corridor; that new development generates and attracts longer trips, which increases vehicle travel. Over several years, this induced growth component of induced vehicle travel can be substantial, making it critical to include in analyses.

Each of these effects has implications for the total amount of vehicle travel. These effects operate over different time scales. For example, changes in mode choice might occur immediately, while land use changes typically take a few years or longer. CEQA requires lead agencies to analyze both short-term and long-term effects.

Evidence of Induced Vehicle Travel. A large number of peer reviewed studies[39] have demonstrated a causal link between highway capacity increases and VMT increases. Many provide quantitative estimates of the magnitude of the induced VMT phenomenon. Collectively, they provide high quality evidence of the existence and magnitude of the induced travel effect.

[39] See, e.g., Boarnet and Handy (Sept. 2014) Impact of Highway Capacity and Induced Travel on Passenger Vehicle Use and Greenhouse Gas Emissions, California Air Resources Board Policy Brief, available at https://www.arb.ca.gov/cc/sb375/policies/hwycapacity/highway_capacity_brief.pdf; National Center for Sustainable Transportation (Oct. 2015) *Increasing Highway Capacity Unlikely to Relieve Traffic Congestion*, available at http://www.dot.ca.gov/research/researchreports/reports/2015/10-12-2015-NCST_Brief_InducedTravel_CS6_v3.pdf.

Most of these studies express the amount of induced vehicle travel as an "elasticity," which is a multiplier that describes the additional vehicle travel resulting from an additional lane mile of roadway capacity added. For example, an elasticity of 0.6 would signify an 0.6 percent increase in vehicle travel for every 1.0 percent increase in lane miles. Many of these studies distinguish "short run elasticity" (increase in vehicle travel in the first few years) from "long run elasticity" (increase in vehicle travel beyond the first few years). Long run elasticity is larger than short run elasticity, because as time passes, more of the components of induced vehicle travel materialize. Generally, short run elasticity can be thought of as excluding the effects of land use change, while long run elasticity includes them. Most studies find a long run elasticity between 0.6 and just over 1.0,[40] meaning that every increase in lanes miles of one percent leads to an increase in vehicle travel of 0.6 to 1.0 percent. The most recent major study finds the elasticity of vehicle travel by lanes miles added to be 1.03; in other words, each percent increase in lane miles results in a 1.03 percent increase in vehicle travel.[41] (An elasticity greater than 1.0 can occur because new lanes induce vehicle travel that spills beyond the project location.) In CEQA analysis, the long-run elasticity should be used, as it captures the full effect of the project rather than just the early-stage effect.

Quantifying Induced Vehicle Travel Using Models. Lead agencies can generally achieve the most accurate assessment of induced vehicle travel resulting from roadway capacity increasing projects by applying elasticities from the academic literature, because those estimates include vehicle travel resulting from induced land use. If a lead agency chooses to use a travel demand model, additional analysis would be needed to account for induced land use. This section describes some approaches to undertaking that additional analysis.

Proper use of a travel demand model can capture the following components of induced VMT:

- Trip length (generally increases VMT)
- Mode shift (generally shifts from other modes toward automobile use, increasing VMT)
- Route changes (can act to increase or decrease VMT)
- Newly generated trips (generally increases VMT)
    - Note that not all travel demand models have sensitivity to this factor, so an off-model estimate may be necessary if this effect could be substantial.

However, estimating long-run induced VMT also requires an estimate of the project's effects on land use. This component of the analysis is important because it has the potential to be a large component of

[40] See Boarnet and Handy (Sept. 2014) *Impact of Highway Capacity and Induced Travel on Passenger Vehicle Use and Greenhouse Gas Emissions*, California Air Resources Board Policy Brief, p. 2, available at https://www.arb.ca.gov/cc/sb375/policies/hwycapacity/highway_capacity_brief.pdf.

[41] Duranton and Turner (2011) *The Fundamental Law of Road Congestion: Evidence from US cities*, available at http://www.nber.org/papers/w15376.

the overall induced travel effect. Options for estimating and incorporating the VMT effects that are caused by the subsequent land use changes include:

1. *Employ an expert panel.* An expert panel could assess changes to land use development that would likely result from the project. This assessment could then be analyzed by the travel demand model to assess effects on vehicle travel. Induced vehicle travel assessed via this approach should be verified using elasticities found in the academic literature.
2. *Adjust model results to align with the empirical research.* If the travel demand model analysis is performed without incorporating projected land use changes resulting from the project, the assessed vehicle travel should be adjusted upward to account for those land use changes. The assessed VMT after adjustment should fall within the range found in the academic literature.
3. *Employ a land use model, running it iteratively with a travel demand model.* A land use model can be used to estimate the land use effects of a roadway capacity increase, and the traffic patterns that result from the land use change can then be fed back into the travel demand model. The land use model and travel demand model can be iterated to produce an accurate result.

A project which provides new connectivity across a barrier, such as a new bridge across a river, may provide a shortened path between existing origins and destinations, thereby shortening existing trips. In rare cases, this trip-shortening effect might be substantial enough to reduce the amount of vehicle travel resulting from the project below the range found in the elasticities in the academic literature, or even lead a net reduction in vehicle travel overall. In such cases, the trip-shortening effect could be examined explicitly.

Whenever employing a travel demand model to assess induced vehicle travel, any limitation or known lack of sensitivity in the analysis that might cause substantial errors in the VMT estimate (for example, model insensitivity to one of the components of induced VMT described above) should be disclosed and characterized, and a description should be provided on how it could influence the analysis results. A discussion of the potential error or bias should be carried into analyses that rely on the VMT analysis, such as greenhouse gas emissions, air quality, energy, and noise.

APPENDIX F

AIR QUALITY CALCULATIONS

On-road Emissions

Truck Activity

Activity	# Vehicles per Day	Trip Length (one-way)	VMT per day	VMT per year
Incoming Supply	4	48.0	384	114,130
Outgoing Product	4	48.0	384	114,130
TOTAL	***8***		***768***	***228,261***

Note - VMT are doubled to reflect round trips

Criteria Emissions

Activity	Pounds per day				
	ROG	CO	NO_X	PM_{10}	$PM_{2.5}$
Incoming Supply	0.021	0.822	0.140	0.045	0.019
Outgoing Product	0.021	0.822	0.140	0.045	0.019
Totals	***0.04***	***1.64***	***0.28***	***0.09***	***0.04***

GHG

Activity	Tonnes per Year			
	CO_2	CH_4	N_2O	CO_2e
Incoming Supply	44.34	0.00061	0.00089	44.62
Outgoing Product	44.34	0.00061	0.00089	44.62
Totals	***88.7***	***0.0012***	***0.0018***	***89.2***

APPENDIX G

PALEONTOLOGICAL RESOURCES RECORDS SEARCH

Natural History Museum
of Los Angeles County
900 Exposition Boulevard
Los Angeles, CA 90007

tel 213.763.DINO
www.nhm.org

Research & Collections

e-mail: paleorecords@nhm.org

June 27, 2021

UltraSystems Environmental
Attn: Stephen O'Neil

re: Paleontological resources for the Outdoor Soil Storage Project (7089)

Dear Stephen:

I have conducted a thorough search of our paleontology collection records for the locality and specimen data for proposed development at the Outdoor Soil Storage project area as outlined on the portion of the Azusa USGS topographic quadrangle map that you sent to me via e-mail on June 23, 2021. We do not have any fossil localities that lie directly within the proposed project area, but we do have fossil localities nearby from the same sedimentary deposits that occur in the proposed project area, either at the surface or at depth.

The following table shows the closest known localities in the collection of the Natural History Museum of Los Angeles County.

Locality Number	Location	Formation	Taxa	Depth
LACM VP 1728	W of intersection of English Rd & Peyton Dr, Chino	Unknown (light brown shale with interbeds of very coarse brown sand; Pleistocene)	Horse (*Equus*), camel (*Camelops*)	15-20 ft bgs
LACM VP 7268, 7271	Sundance Condominiums, South of Los Serranos Golf Course	Unknown formation (Pleistocene)	Horse (*Equus*)	Unknown
LACM VP 7508	Near intersection of Vellano Club Dr. and Palmero Dr., Oakcrest Development; N of Serrano Canyon	Unknown formation (Pleistocene)	Ground sloth (*Nothrotheriops*); elephant family (Proboscidea); horse (*Equus*)	Unknown
LACM VP 3347	11204 Bluefield; Whittier	La Habra Formation (lacustrine silt with caliche and plant detritus)	Horse (*Equus*)	2 feet bgs
LACM VP 7702	Intersection of 26th St and Atlantic Blvd, Bell Gardens	Unknown Formation (Pleistocene; silt)	Fish (*Gasterosteus*); Snake (Colubridae), Rodents (*Thomomys,*	30 ft bgs

			Microtus); Rabbit (*Sylvilagus*)	
LACM VP 3363	W of Monterey Pass Road in Coyote Pass; E of the Long Beach Freeway & S of the N boundary of Section 32	Unknown Formation (Pleistocene; sand and silt)	Horse (*Equus*)	Unknown

VP, Vertebrate Paleontology; IP, Invertebrate Paleontology; bgs, below ground surface

This records search covers only the records of the Natural History Museum of Los Angeles County ("NHMLA"). It is not intended as a paleontological assessment of the project area for the purposes of CEQA or NEPA. Potentially fossil-bearing units are present in the project area, either at the surface or in the subsurface. As such, NHMLA recommends that a full paleontological assessment of the project area be conducted by a paleontologist meeting Bureau of Land Management or Society of Vertebrate Paleontology standards.

Sincerely,

Alyssa Bell, Ph.D.
Natural History Museum of Los Angeles County

enclosure: invoice

APPENDIX H

CULTURAL RESOURCES INVENTORY

PHASE I
CULTURAL RESOURCES INVENTORY

FOR THE

OUTDOOR SOIL STORAGE, 1399 LAS LOMAS ROAD PROJECT
CITY OF IRWINDALE,
LOS ANGELES COUNTY, CALIFORNIA

Prepared for:

Brandi M. Jones, Senior Planner
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Prepared by:

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Irvine, CA 92618

August 2021

Key Words: City of Irwindale, Los Angeles County; *Azusa, Calif*. USGS 7.5' topo map; Gabrielino/Tongva; no survey

PHASE I
CULTURAL RESOURCES INVENTORY

FOR THE

OUTDOOR SOIL STORAGE, 1399 LAS LOMAS ROAD PROJECT
CITY OF IRWINDALE, LOS ANGELES COUNTY, CALIFORNIA

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August 20, 2021

Prepared by: Date: August 20, 2021

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UltraSystems Environmental Inc.

Prepared by: Date: August 20, 2021

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1.0 Introduction

1.1 Overview

This Phase I Cultural Resource Inventory report was prepared by UltraSystems Environmental (UEI) at the request of the City of Irwindale's Community Planning Department (CPD) for the Outdoor Soil Storage, 1399 Las Lomas Road Project (herein referred to as "project"). The project proposes to store bulk soils, soil amendments, rocks, and aggregate in 29 existing outdoor concrete bunkers for retail sales, as well as construction of related infrastructure, at the Cal Blends Soils facility at 1399 Las Lomas Road, Irwindale. The proposed project is exempt from CEQA under a Class 1 (Existing Facilities) categorical exemption (CE). UEI conducted this cultural resources study to evaluate the potential presence of prehistoric and historic resources within the project boundary.

The project site currently occupied by Cal Blend Soils, a wholesale landscaping and gardening material supplier. The site is developed with three modular buildings and several freight containers. Two rows of bunkers for storage of soil and other products, one along the west site boundary and one along the east, are formed with low rows of concrete blocks demarcating each bunker. The project site currently has eight striped parking spaces located at the northeastern portion of the project; seven of those parking spots are directly north of Cal Blend Soil's office building and consist of six general parking spaces and one ADA parking space; the one remaining space is north of an accessory structure that lies east of the Cal Blend Soil's office building. The project site has a general plan land use designation of Industrial/Business Park and a zoning designation of Heavy Manufacturing (M-2).

1.1.1 Proposed Land Use

Cal Blend Soils proposes to store bulk soils, soil amendments, mulches, rocks, and aggregates for a retail sales yard. All materials on the project site would be finished products and would not include curing, composting, or processing of organics. The materials would be stored in 29 existing concrete bunkers separated by low block walls. Cal Blend Soils proposes to install a debris and runoff containment basin and basin overflow in the southwestern corner of the project site to manage potential erosion and flooding impacts created from the proposed storage of landscaping materials at the existing bunkers. The debris and runoff containment basin would be approximately 1,400 square feet in area and two feet deep. The proposed project would also stripe a total of 13 new parking spaces, which include eight vehicle parking spaces in front of the bunkers for temporary unloading and loading of landscaping materials, and five parking spaces at the northeastern portion of the project site for employees. Additionally, the proposed project would install an ADA ramp next to the existing ADA parking space, which would create a safe path from the ADA parking stall to the Cal Blend Soil's office building. At project completion there would be 21 parking spaces onsite, the eight existing spaces plus the 13 new ones.

1.1.2 Project Location

The project site is located at 1399 Las Lomas Road within the City of Irwindale (Assessor Parcel Number [APN] 8604-018-014). Although the property is approximately 5.27 acres, the project site itself is 1.4 acre within the northern half of the property; the remaining portion of the property is used for outdoor storage of portable outdoor stages for Browns United-Stage Assembly. The project site is approximately 0.15 mile northeast of the Interstate 210 (I-210) Foothill Freeway, and approximately 0.3 mile east of the junction of the I-210 freeway and the Interstate 605 San Gabriel River Freeway; the Santa Fe Dam Recreation Area is to the south opposite the I-210 (see

Attachment A, Figure 2). The project sites are depicted on the *Azusa, Calif*., USGS 7.5' topographical quadrangle, Range 10 W, Township 01 S, in the southwest ¼ of the southeast ¼ of Section 29, and the northwest ¼ of the northeast ¼ of Section 32. The project site is surrounded by single-family homes in the City of Duarte to the north, a Southern California Edison (SCE) transmission line easement to the south, an SCE transmission line easement and undeveloped land and bed of the San Gabriel River to the east, and a truck rental business and Browns United-Stage Assembly storage to the west.

The background research and archival study included a one-half-mile buffer surrounding the project site boundary's Area of Potential Effect (APE) (see **Attachment A, Figure 3**).

Area of Potential Effect

The APE for the undertaking encompasses the maximum extent of ground disturbance required by the project design (see **Attachment A, Figure 3**).

1.1.3 Methods

A cultural resources records search was completed on July 7, 2021 at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton, which is the local California Historic Resources Information System (CHRIS) facility. The records search was conducted to identify previously recorded cultural resources (prehistoric and historic archaeological sites/isolates, historic buildings, structures, objects, or districts) within the project area and to determine if previous cultural resource surveys were conducted. The project site boundary and a one-half-mile buffer zone is included in the search radius for archival studies. These records included a review of previously recorded prehistoric and historic archaeological resources and a review of listed cultural resource survey reports within that same geographical area.

Mrs. Megan Black Doukakis, M.A, contacted the Native American Heritage Commission (NAHC) and requested a Sacred Lands File (SLF) search as well as a list of interested local Native American tribal organizations and potentially affiliated Native American individuals. Outreach to the identified parties was conducted requesting cultural resource information. A pedestrian cultural resources survey was not conducted because no native surface soil is available for observation; the entire surface of the project boundary has been graded flat with the majority topped with asphalt and the remaining ground surface occupied by concrete bins filled with landscaping soil. Mr. O'Neil served as the Principal Investigator, who qualifies as Principal Prehistoric Archaeologist and Historic Archaeologist per United States Secretary of the Interior Standards (see **Attachment B**).

1.1.4 Disposition of Data

This report will be filed with the South Central Coastal Information Center, California State University, Fullerton; the City of Irwindale; and UEI Environmental, Inc., Irvine, California. All field notes and other documentation related to the study will remain on file at the Irvine office of UEI.

2.0 Background Settings

2.1 Natural Setting

The City of Irwindale is located in the eastern portion of Los Angeles County, within the Los Angeles Basin which is an open plain spotted with sets of low hills. This region is quite flat with the project site's elevation at between 540 and 545 feet average mean sea level (AMSL), with a very gentle slope to the south. The region's environment is characterized by a warm-summer Mediterranean climate, with the average summer high temperature reaching 91° F (degrees Fahrenheit), the average winter low temperature of 48° F and a mean temperature of 86° F (Weatherspark.com, 2021). Rainfall has averaged 17.96 inches annually the past 24 years (Los Angeles Almanac.com, 2021). The surface geology of the project consists of Young Alluvial Fan Deposits, Silty sand (Qyf) (Campbell, et al. 2014). These were deposited in the Late Pleistocene (126,000 to 11,650 years before present [ybp]) and Holocene (dating from the termination of the Pleistocene to present) epochs.

2.2 Cultural Setting

2.2.1 Prehistoric Context

The term "prehistoric period" refers to the period of pre-contact Native California lifeways and traditions prior to the arrival of Euro-Americans.

It is widely acknowledged that human occupation in the Americas began about 13,000 or more years ago (all dates presented here are calibrated radiocarbon ages or calendar dates). However, recent discoveries in areas outside of California have pushed that age back several thousand years more to about 15,000 or even perhaps up to nearly 20,000 years ago (Smith and Barker, 2017).

To describe and understand the cultural processes that occurred during prehistory, archaeologists have routinely developed a number of chronological frameworks to correlate technological and cultural changes recognized in the archaeological record. These summaries bracket certain time spans into distinct archaeological horizons, traditions, complexes, and phases.

There are many such models even for the various sub-regions of Southern California (cf. Grayson, 2011; Warren, 1984; Jones and Klar, 2007). Given the variety of environments and the mosaic of diverse cultures within California, prehistory is typically divided into specific sub-regions that include: the Interior of Southeastern California and the Mojave Desert (Warren and Crabtree, 1986) and San Diego and the Colorado Desert (Meighan, 1954; True, 1958, 1970).

Many archaeologists tend to follow the regional syntheses adapted from a scheme developed by William J. Wallace in 1955 and modified by others (Wallace, 1978; Warren, 1968; Chartkoff and Chartkoff, 1984; Moratto 1984; Sutton et al., 2007 and others). Although the beginning and ending dates vary, the general framework of prehistory in the Southern California area consists of the following four periods:

- **Paleoindian and Lake Mojave Periods** [Pleistocene and Early Holocene] (ca. 11000 B.C. to 6000 B.C.). This time period is characterized by highly mobile foraging strategies and a broad spectrum of subsistence pursuits. These earliest expressions of aboriginal occupation in America were marked by the use of large dart or spear points (Fluted and Concave Base

Points) that are an element of the Western Clovis expression. Following the earliest portions of this time span there was a change in climate coincident with the retreat of the glaciers. Large bodies of water existed and lakeside aboriginal adaptations were common. Large stemmed points (Western Stemmed Series – Lake Mojave and Silver Lake point types) were accompanied by a wide variety of formalized stone tools and were employed with the aid of atlatls (dart throwing boards). The latter archaeological materials are thought to be representative of an adaptation that was in part focused on lacustrine and riverine environments.

- **Millingstone Horizon** [Middle Holocene] (ca. 6000 B.C. to A.D. 1000). During this time span mobile hunter-gatherers evolved and became more sedentary. Certain plant foods and small game animals came to the forefront of indigenous subsistence strategies. This prehistoric cultural expression is often notable for its large assemblage of millingstones. These are especially well-made, deep-basin metates accompanied by formalized, portable handstones (manos). Additionally, the prehistoric cultural assemblage of this time period is dominated by an abundance of scraping tools (including scraper planes and pounding/pulping implements), with only a slight representation of dart tipped - projectile points (Pinto, Elko and Gypsum types).

- **Late Prehistoric Period** (ca. A.D. 1000 to 1500). Following the Millingstone Horizon were cultures that appeared to have a much more complex sociopolitical organization, more diversified subsistence base and exhibited an extensive use of the bow and arrow. Small, light arrow points (Rose Spring Series), and, later, pottery mark this period along with the full development of regional Native cultures and tribal territories.

- **Protohistoric Period** (ca. A.D. 1500 to 1700s). This final cultural period ushered in long-distance contacts with Europeans, and thereby led to the Historic Period (ca. A.D. 1700 to contemporary times). Small arrow points recognized as Desert Side-notched and Cottonwood forms are a hallmark of this time period.

2.2.2 Ethnohistoric Context

The project lies within the territory of the Gabrielino (Tongva) ethnolinguistic group (Bean and Smith, 1978:538), who speak a language classified as a member of the Uto-Aztecan language family. This language is further affiliated as an element of the Northern Takic Branch of that linguistic group (Golla, 2011:179).

The Gabrielino, with the Chumash, were considered the most populous, wealthiest, and therefore most powerful ethnic nationalities in aboriginal Southern California (Bean and Smith, 1978:538). Unfortunately, most Gabrielino cultural practices had declined before systematic ethnographic studies were instituted. Today, the leading sources on Gabrielino culture are Bean and Smith (1978), Johnson (1962), and McCawley (1996).

According to the recent research, Takic groups were not the first inhabitants of the region. Archaeologists suggest that a Takic in-migration may have occurred as early as 2,000 years ago, replacing or intermarrying with a more ancient indigenous people represented by speakers of a Hokan language (Howard and Raab, 1993; Porcasi, 1998). By the time of European contact, the Gabrielino territory included the southern Channel Islands and the Los Angeles Basin. Their territory reached east into the present-day San Bernardino-Riverside area and south to the San Joaquin Hills in central Orange County.

Different groups of Gabrielino adopted several subsistence strategies, based on gathering, hunting, and fishing. Because of the similarities to other Southern California tribes in economic activities, inland Gabrielino groups' industrial arts, exemplified by basket weaving, exhibited an affinity with those of their neighbors (Kroeber, 1925). Coastal Gabrielino material culture, on the other hand, reflected an elaborately developed artisanship most recognized through the medium of steatite, which was rivaled by few other groups in Southern California.

The intricacies of Gabrielino social organization are not well known. There appeared to have been at least three hierarchically ordered social classes, topped with an elite consisting of the chiefs, their immediate families, and other ceremonial specialists (Bean and Smith, 1978). Clans owned land, and property boundaries were marked by the clan's personalized symbol. Villages were politically autonomous, composed of non-localized lineages, each with its own leader. The dominant lineage's leader was usually the village chief, whose office was generally hereditary through the male line. Occasionally several villages were allied under the leadership of a single chief. The villages frequently engaged in warfare against one another, resulting in what some consider to be a state of constant enmity between coastal and inland groups.

The first Franciscan establishment in Gabrielino territory and the broader region was Mission San Gabriel, founded in A.D. 1772. Priests from the mission proselytized the Tongva throughout the Los Angeles Basin. As early as 1542, however, the Gabrielino were in peripheral contact with the Spanish during the historic expedition of Juan Rodríguez Cabrillo. However, it was not until 1769 that the Spaniards took steps to colonize the territory of aboriginal Californians. Within a few decades, most of the Gabrielino were incorporated into Mission San Gabriel and other missions in Southern California (Engelhardt, 1931). Due to introduced diseases, dietary deficiencies, and forceful *reduccion* (removal of non-agrarian Native populations to the mission compound), Gabrielino population dwindled rapidly from these impacts. By 1900, the Gabrielino community had almost ceased to exist as a culturally identifiable group. In the late 20th century, however, a renaissance of Native American activism and cultural revitalization of Gabrielino descendants took place. Among the results of this movement has been a return to a traditional name for the tribe, the Tongva, which is employed by several of the bands and organizations representing tribal members. Many of the Tongva bands focus on maintaining and teaching traditional knowledge, with special focus on language, place names and natural resources.

The San Gabriel Valley, situated among a foothill transition zone and several streams traversing it on their way to the San Gabriel River, was an ideal location for Native settlements (McCawley, 1996:42). This includes the San Gabriel River itself, adjacent to the project site, with its rich riparian environment and use as a travel route through the tribe's eastern territory connecting landscapes and villages. The villages of *Shevaanga* and *Sonaanga*, *Sheshiikwanonga* and *'Akuuronga* were in "a fertile, well-watered region that was eventually chosen as the permanent site of Mission San Gabriel" (McCawley 1996:41), approximately eight and a half miles to the southwest of Irwindale. The Tongva community of *'Ashuukshanga* was set at the base of the foothills, near the current city of Azusa two and a half miles east of Irwindale, while the village of *'Ahwiinga* was located within the Puente Hills (McCawley, 1996:45-46) to the south. The Gabrielino village of *Guinibit*, a smaller ranchería, was located approximately six miles to the southeast, in the area of south Glendora. These villages were situated in a landscape particularly rich in water and other natural resources, inhabited by a populous hunting and gathering people. These Tongva communities would have made extensive economic use of the Bradbury region for the

gathering of both plant and animal resources. And the San Gabriel River itself adjacent to the project site.

2.2.3 Historic Context

2.2.3.1 Spanish/Mexican Era

Spanish occupation of California began in 1769, in San Diego. The first Europeans to explore the area that would become the state of California were members of the A.D. 1542 expedition of Juan Rodriguez Cabrillo. Cabrillo sailed along the coast of California, but did not explore the interior. Europeans did not attempt inland exploration until 1769, when Lieutenant Colonel Gaspar de Portolá led an overland expedition from San Diego to Monterey. This expedition of 62 people passed south and west of the current study area in August 1769 (Brown, 2001).

Mission San Gabriel was established in the Los Angeles Basin in 1771, 16 miles to the southwest of the study area. The Los Angeles Pueblo, the Pueblo of Nuestra Señora de la Reina de Los Angeles de Porciuncula, was founded September 4, 1781 by the Spanish government. The new pueblo was granted a large tract of land by the Spanish crown for the colonists' (or pobladores) dwellings and small gardens, and a large outlying area as a commons. The first structures there are described as "a dozen or so adobe structures surrounded by wooden palisades." This village housed 44 people, with a military guard of four soldiers (Dillon, 1994). This was in the midst of Tongva territory, and only a few of the indigenous peoples had been converted to the nearby Mission San Gabriel (established 1771) by this time. The government's plan was to start settling the new territory with a mix of missionaries, military and civilian institutions, with the colonists providing grain and other food stuffs to the presidios. Soon, retired soldiers were seeking land for cattle raising following retirement, and portions of the Los Angeles Basin were chosen. Both the rancheros and pobladores had local Native Americans working their land, much to the dismay of the missionaries.

Mexico rebelled against Spain in 1810, and by 1821 Mexico, including California, achieved independence. The Mexican Republic began to grant private land to citizens to encourage emigration to California. Huge land grant ranchos took up large sections of land in California. Ranchos surrounded the mission lands in all directions. Except for those ranchos, the Mission San Gabriel lands were used for the support of the mission and provided for the large population of Tongva Native Americans. The mission lands were held in trust for Native peoples by the Franciscan missionaries for eventual redistribution. The lands along the coast, however, were open for early settlement by the colonists from New Spain.

In 1833, Mexico also secularized the Franciscan missions and opened lands previously held in trust for the Indian population to ownership by ranchers, which included the Rancho Azusa bordering the Angeles National Forest to the south, just three miles from the project site.

Cattle ranching rapidly came to overshadow the agricultural economy in this region during the Mexican Period, and minor industries and trade grew around this shift. San Pedro, south of Los Angeles, became a port for export of tallow and hides to Boston and Europe. At that time, the pueblo of Los Angeles was also the largest town in California. Shipments to San Pedro from Los Angeles proceeded south across the open plain of the Los Angeles Basin. This early trail system was situated along the west side of the river, in the area that would become the Alameda Corridor. In 1836, Los Angeles was elevated from a pueblo to a ciudad or municipality.

After Mexican independence from Spain (1821), the Rancho Azusa (de Duarte) (6,596 acres) was granted in 1841 to Andres Avelino Duarte by Governor Juan Alvarado. Duarte was the son of an Army colonial family, baptized in 1805 at Mission San Juan Capistrano. He joined the Mexican Army at the age of 16 where he raised to the rank of corporal, married Maria Gertrudes Valenzuela and raised a family. He served much of his career at Mission San Gabriel and so knew the Los Angeles region well. Upon retiring from the Army after twenty years he petitioned for the rancho and settled there. His rancho lies adjacent to the west of the Rancho Azusa (de Dalton), where the village of *'Ashuukshanga* was located and gave its name to the area. The original name for Rancho Azusa Dalton was Rancho El Susa (a mispronunciation of the Tongva place names), and Rancho Azusa Duarte, as a smaller adjunct, was often called Susita in a Hispanicized version of the term. It includes what are now all of the towns of Duarte, Arcadia and Bradbury, and portions of the cities of Monrovia, Irwindale and Azusa (Rancho Azusa de Duarte, 2019). City of Commerce's northwest and southern portion lies within the Rancho Azusa (Duarte), while the northeastern portion is made from the Rancho Azusa (Dalton); the current project site lies within the Duarte tract.

The Mexican-American War of 1846 saw the invasion of California from both land and sea. Following several skirmishes in the San Diego and Los Angeles areas, and the capture of the territorial capital in Monterey, United States rule was firmly established. Following the rapid influx of population to the north because of the Gold Rush of 1849, California was made a state in 1850. The economic and social order was slow to change in the southern portion of the state, however, and rancheros were left in control of their vast estates through the 1860s. Los Angeles was a part of the "Cow Counties" and had little representation in the state legislature because of the sparse population. This allowed the predominantly Anglo population of the north to pass laws aimed at breaking up the ranches for settlement by Eastern farmers and, coupled with devastating droughts that crippled many livestock raisers, their dismemberment soon came. This helped pave the way for the "Boom of the Eighties" which saw an influx of people from the rest of the United States and the beginning of many of the towns we see today (Dumke, 1944). This was the first spurt of growth for Los Angeles, and satellite communities started to form around the city to the east, south and west, and much of the plains between these areas came to be filled with farms and orchards.

2.2.3.2 The American Ranch Period to Founding of Irwindale

Like other Mexican ranchers, Duarte had to defend the title to his land grant in the United States Land Claim Commission following domination by the U.S. This process took place over years, sometimes decades of litigation and testimony, during which Duarte incurred legal expenses and other debts. Also, like many of his compatriots, Duarte covered these costs by selling portions of his rancho to the very willing Anglos moving to California in large numbers. "His first sale was a 225-acre parcel at the southern end of the rancho to Michael Whistler. Whistler later sold the entire parcel to Dr. Nehemiah Beardsley, who started the first school in [the town of] Duarte and laid out the first section of Duarte's water lines" (Rancho Azusa de Duarte, 2019). (The city of Irwindale borders Duarte to the south, and is a half mile to the south of Bradbury.) Duarte himself continued to sell portions of his land in an organized manner, dividing it into 40-acre lots and selling them individually to farmers and land speculators. A patent for the rancho was awarded in 1878, over 20 years after the process had started – but Andres Duarte had already died in 1863, so this possibly would have been received by his son Santiago. By then, however, he had been forced to sell off his entire land grant, but his patent did make a clear title for all of its subsequent owners.

The San Gabriel Valley was rapidly developed beginning in the 1850's due to its ideal location for a railroad line connecting the Los Angeles region with eastern markets and, due to its natural resources

with the San Gabriel River and ideal soil for agriculture, with settler populations (Dumke 1944, Brock and Elliott 1988). Soon both the Santa Fe and Southern Pacific used this route. The Azusa rancho itself rancho would have been used predominantly for cattle ranching through the 1870s, though the smaller lots purchased by Anglos were likely turned to agricultural use during the late 1800s.

The first post-rancho residents to settle in what would become Irwindale were the Fraijo and Ayon families in the 1880s (Irwindaleca.com 2021). Gregorio Fraijo and Fecundo Ayon were childhood friends from Sonora, Mexico and came to California during the Gold Rush. According to the 1850 census Fraijo worked as the mayordomo on a ranch near the current area of nearby Culver City (Colver 1964:253). There are seven generations descended from these two families living in Irwindale (Irwindaleca.gov). Fraijo acquired 100 acres in the area in what is now along Irwindale Avenue, south of Arrow Highway. He proceeded to gift half of that land to his friend Ayon (Brock and Elliott 1988).

The area was known locally by multiple names including Cactus Town, Jack-Rabbit Town, and Sonora Town. Sonora Town because many of the first residents immigrated from Sonora, Mexico, such as Fraijo and Ayon noted above (Brock and Elliott 1988). These early residents constructed their homes of stone from the riverbed of the San Gabriel River. Irwindale itself was named after a Mr. Irwin who settle there in 1899 and proceeded to install the first gasoline pump in the area. Before this time, water in Irwindale came from a *zanja* or water trench from the San Gabriel River, or pulled up from wells with buckets. Mr. Irwin used his gasoline pump to pump water more efficiently from the River and subsequently was able to sustain a large citrus grove as a result (Colver 1964:254).

The City of Irwindale was incorporated in 1957, soon followed by adjacent Duarte and then West Covina. Irwindale became the center of the building material industry due to its abundance of rock and sand (Brock and Elliott 1988). With the increased number of cars in southern California, road improvements were needed which also led to Irwindale and its quarries to become some of the most valuable land in the San Gabriel Valley (Irwindaleca.gov 2021).

2.2.3.3 Project Site Land Use History

Historic aerial images for Irwindale, the earliest dating to 1948, show that the project site continued to be undeveloped alluvial fan through the 1970s. Several dirt roads were evident throughout the area (NETROnline, 1948, 1952, 1953). The project area appears to be in the process of being cleared in the 1977 image (NETROnline, 1977). The project area was being used as a storage area in the 1994 image (NETROnline, 1994). Agriculture was also taking place to the south of the project site along the San Gabriel River between 1972 and 1994 (NETROnline, 1977, 1972, 1979, 1980, 1994). The project area appears in its present state in the 2002 image and remains unchanged from that time (NETROnline, 2002, 2003, 2005, 2009, 2010, 2012, 2014, 2016, 2018).

Topographic maps are also available for the project area with the earliest dating to 1897 (USGS, 1897). None of the available topographic maps indicate any buildings in the project area (USGS, 2018, 2015, 2012, 1999, 1976, 1975, 1971, 1968, 1960, 1959, 1955, 1946, 1941, 1939, 1933, 1932, 1928, 1925, 1923, 1912, 1908, 1904, 1902, 1898, 1897). The 1897 to 1960 topographic maps indicate that a finger of the San Gabriel River ran through the project area (USGS,1960, 1959, 1955, 1946, 1941, 1939, 1933, 1932, 1928, 1925, 1923, 1912, 1908, 1904, 1902, 1898, 1897). The 1968 map indicates that the project area was being used for agriculture. A community to the north of the project area was present as well by 1968 (USGS, 1968). Las Lomas Road to the north of the project area first appears on this 1968 map (USGS, 1968).

3.0 Research Methods

This cultural resources inventory and related archival research included a background cultural resources records check (archival research) at the SCCIC, California State University, Fullerton. Additionally, a search of their SLF was requested from the NAHC, as well as a list of local Native American groups and individuals for outreach. Finally, a pedestrian cultural resource survey of the entire project site was conducted.

3.1 Records Search

A cultural resource records search to identify cultural resources on or near the project site was requested on June 1, 2021 and completed by SCCIC staff member Michelle Galas, Assistant Coordinator on July 7, 2021. The local CHRIS facility for Los Angeles County, maintained at the SCCIC, was also reviewed to identify resources that have been previously evaluated for historic significance, as well as to identify any previous completed cultural resources survey reports for the area.

The official records and maps were searched and reviewed for cultural resources and surveys in Los Angeles County, National Register of Historic Places; Listed Properties and Determined Eligible Properties (2012); and the California Register of Historical Resources (2012).

For the current study, the scope of the records search included a 0.5-mile buffer zone from the project's footprint (see **Attachment A, Figure 3**). The research effort was completed to assess the sensitivity of the project site for both surface and subsurface cultural resources and to assist in determining the potential to encounter such resources, especially prehistoric—i.e., Native American—cultural remains, during earth-moving activities associated with the proposed project.

3.2 Field Survey

A pedestrian cultural resources survey was not conducted because no native surface soil is available for observation; the entire surface of the project boundary has been graded flat with the majority topped with asphalt and the remaining ground surface occupied by concrete bins filled with landscaping soil.

3.3 Native American Outreach

On June 1, 2021, Ms. Doukakis contacted the NAHC via email notifying them of the project activities, requesting a search of their SLF, and requesting a list of local tribal organizations and individuals to contact for project outreach. The NAHC replied on June 16, 2021 with a letter dated the same day reporting on the SLF search findings and a list of nine individuals to contact representing seven tribal organizations. Letters to local tribes were sent on June 16, 2021 to all of the tribal organizations and individuals listed in the NAHC June 16, 2021 letter (**Attachment C**).

4.0 Findings

4.1 Records Search

4.1.1 Recorded Archaeological Sites

Based on the cultural resources records search, it was determined that there were no archaeological resources, prehistoric or historic, located either within the project boundary or within a half-mile zone of the project boundary.

4.1.2 Previous Cultural Resource Investigations

According to the records at the SCCIC, there were two previous cultural resource studies that involved the project site. These are LA-09705 and LA-10175. Both of these surveyed transmission lines through the project site; no cultural resources were recorded. There were a further 15 previous cultural resource studies within a half-mile buffer of the project site (**Table 4.1-1**) (see **Attachment D**). Three of the remaining surveys concerned potential wireless facilities, another three involved surveys of the nearby Foothill Boulevard, the I-605 freeway and other transportation infrastructure; and a further six were of various present and potential utility lines following the San Gabriel River. The remaining area cultural resource surveys were associated with potential development projects and projects within the San Gabriel Flood Control Basin recreational open space.

Table 4.1-1
KNOWN CULTURAL RESOURCE STUDIES WITHIN A 0.5-MILE RADIUS

Report Number	Author(s)	Date	Title	Resources
LA-00186	Brock, James and John F. Elliott	1988	A Cultural Resources Assessment for the Raiders Stadium Project, Irwindale, California.	19-001368, 19-189104, 19-190992
LA-00261	Rosen, Martin D.	1975	Evaluation of the Archaeological Resources and Potential Impact of the Proposed Removal and Recreation Developments at the Santa Fe Dam and Basin, Los Angeles County.	
LA-00333	Jacobs, David	1977	Archaeological Survey 82.5 Acre Parcel in Duarte, Los Angeles County, California.	
LA-02111	Farnsworth, Paul S. and L. A. Wilkie Farnsworth	1989	A Cultural Resource Assessment of the Proposed Azusa Quarry Conveyor/Haul Road Azusa, California	19-001368
LA-02412	Singer, Clay A.	1968	UCLA Archaeological Survey Field Project Number Ucas-086.	

Report Number	Author(s)	Date	Title	Resources
LA-04880	Smith, Philomene and Adam Sriro	2000	Pavement Rehabilitation Along Route 605 Within the Cities of Long Beach, Lakewood, Cerritos, Downey, Pico Rivera, Santa Fe Springs, Whittier, City of Industry, Baldwin Park and Irwindale.	
LA-06110	Duke, Curt	2002	Cultural Resource Assessment Cingular Wireless Facility No Vy 268-01, Los Angeles County, California.	
LA-06691	Bonner, Wayne H.	2000	Cultural Resources Survey Report for an AT&T Wireless Services Telecommunications Facility: Cell Site C949 in the City of Irwindale, Los Angeles County, California.	
LA-08416	Schmidt, June A.	2006	Dwo 9597-9498, Mesa-Vincent Skywrap Fiber Optic Cable Repair Project, Los Angeles County, California.	19-001128, 19-002131, 19-003606, 19-186925, 19-187713
LA-08679	Bonner, Wayne H. and Sarah A. Williams	2006	Cultural Resources Records Search Results and Site Visit for T-Mobile Usa Candidate Ie24753a (n. of Foothill and Irwindale), 751 Encanto Parkway, Duarte, Los Angeles County, California.	19-001368
LA-09705	Anonymous	2007	Cultural Resources Inventory of the Southern California Edison Company Tehachapi Renewable Transmission Project, Kern, Los Angeles and San Bernardino Counties, California. ARR #05-01-01046	19-001128, 19-001299, 19-001300, 19-001315, 19-001359, 19-001382, 19-002131, 19-002206, 19-002212, 19-002350, 19-002363, 19-002411, 19-002412, 19-002998, 19-003018, 19-003025, 19-003031, 19-003032, 19-003136, 19-003141, 19-003152, 19-003720, 19-003721, 19-003722, 19-003723, 19-003727, 19-003728, 19-003729, 19-003730, 19-003731, 19-003732, 19-003733, 19-003734, 19-003735, 19-003736, 19-003737, 19-003738, 19-003739, 19-003740, 19-003741, 19-003742, 19-003990, 19-100631, 19-100806, 19-100807, 19-100808

Report Number	Author(s)	Date	Title	Resources
LA-10175	Unknown	2009	Confidential Cultural Resources Specialist Report for the Tehachapi Transmission Project.	19-000806, 19-001128, 19-001299, 19-001300, 19-001315, 19-001357, 19-001382, 19-001636, 19-001770, 19-001771, 19-001783, 19-001956, 19-001957, 19-002206, 19-002212, 19-002343, 19-002350, 19-002363, 19-002411, 19-002412, 19-003009, 19-003018, 19-003025, 19-003031, 19-003032, 19-003037, 19-003090, 19-003099, 19-003136, 19-003152, 19-003295, 19-003385, 19-003477, 19-003606, 19-003638, 19-003795, 19-003852, 19-003853, 19-003854, 19-100277, 19-100439, 19-100496, 19-100644, 19-120031, 19-120032, 19-120072, 19-120074, 19-180689, 19-186545, 19-186860, 19-186870, 19-186871, 19-186872, 19-186873, 19-186875, 19-186876, 19-186877, 19-186917, 19-186921, 19-186923, 19-186925, 19-187713
LA-10501	Toren, George A.	1994	Cultural Resource Survey of Three Segments of the Proposed San Gabriel Valley Water Reclamation Project, Los Angeles County, California.	19-002207
LA-10643	Tang, Bai "Tom", Terri Jacquemain, and Clarence Bodmer	2010	Historical/Archaeological Resources Survey Report - Gold Line Foothill Extension Phase 2A in the Cities of Monrovia, Duarte, and Irwindale, Los Angeles County, California.	19-188782, 19-188783, 19-188784, 19-188785, 19-188786, 19-188787, 19-188788, 19-188789, 19-188790

Report Number	Author(s)	Date	Title	Resources
LA-10896	Greenwood, David	2004	Historic Properties Survey and Effects Report for the Gold Line Phase II Project (Pasadena to Montclair), Los Angeles and San Bernardino Counties, California.	19-000075, 19-179337, 19-179357, 19-180728, 19-183943, 19-185548, 19-185894, 19-186059, 19-187944, 19-189103, 19-189104, 19-189105, 19-189106, 19-189107, 19-189108, 19-189109, 19-189110, 19-189111, 19-189112, 19-189113, 19-189114, 19-189115, 19-189116, 19-189117, 19-189118, 19-189119, 19-189120, 19-189121, 19-189122, 19-189123, 19-189124, 19-189125, 19-189126, 19-189127, 19-189128, 19-189129, 19-189130, 19-189131, 19-189132, 19-189133, 19-189134, 19-189135, 19-189136, 19-189137, 19-189138, 19-189139, 19-189140, 19-189141, 19-189142, 19-189143, 19-189144, 19-189145, 19-189146, 19-189147, 19-189148, 19-189149, 19-189150, 19-189151, 19-189152, 19-189153, 19-189154, 19-189155, 19-189156, 19-189157, 19-189158, 19-189159, 19-189160, 19-189161, 19-189162, 19-189163, 19-189164, 19-189165, 19-189166, 19-189167, 19-189168, 19-189169, 19-189170, 19-189171, 19-189172, 19-189173, 19-189174, 19-189175, 19-189176, 19-189177, 19-189178, 19-189179, 19-189180, 19-189181, 19-189182, 19-189183, 19-189184, 19-189185, 19-189186, 19-189187, 19-189188, 19-189189, 19-189190, 19-189191, 19-189192, 19-189193, 19-189194, 19-189195, 19-189196, 19-189197, 19-189198, 19-189199, 19-189200, 19-189201, 19-189202, 19-189203, 19-189204, 19-189205, 19-189206, 19-189207, 19-189208, 19-189209, 19-189210, 19-189211

Report Number	Author(s)	Date	Title	Resources
LA-11991	Schneider, Tsim and John Holson	2010	Supplemental Archaeological Survey Report #2, Tehachapi Renewable Transmission Project Segment 7, Los Angeles County, California.	19-003813, 19-186917
LA-12525	Poka, Ervin	2003	NHPA Section 106 Review; Metro Gold Line Phase II Extension Project.	19-001368, 19-189104, 19-190992
LA-00186	Brock, James and John F. Elliott	1988	A Cultural Resources Assessment for the Raiders Stadium Project, Irwindale, California.	

4.2 Native American Outreach

On June 1, 2021 Ms. Doukakis contacted the NAHC via email notifying the Commission of the project, requesting a search of their SLF and asking for a list of local tribal organizations and individuals to contact for project outreach. The results of the search request were received June 16, 2021, at the office of UEI from Mr. Andrew Green, Cultural Resources Analyst. The NAHC letter stated that "A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were positive [emphasis in the original]. Please contact the Gabrielino Band of Mission Indians – Kizh Nation on the attached list for information." (See **Attachment C**.)

UEI prepared letters to each of the nine tribal contacts representing seven tribal organizations describing the project and a map showing the project's location, requesting a reply if they have knowledge of cultural resources in the area, and asking if they had any questions or concerns regarding the project. On June 16, 2021, Mr. O'Neil mailed the letters with accompanying maps to all nine tribal contacts, and also emailed identical letters and maps to each of the tribal contacts for which email addresses were known (9) (see **Attachment C**). There have been two responses to the letters and emails to date.

On June 30, 2021, Christina Conley, with the Gabrielino Tongva Indians of California Tribal Council, replied by email stating that the tribe believes the project "area to be culturally sensitive and [the project] will require Native American monitoring" (see **Attachment C**). Ms. Doukakis responded to Ms. Conley on June 30, 2021 that we would include her recommendations in the cultural report.

On June 16, 2021, Joseph Ontiveros, Tribal Historic Preservation Officer of the Soboba Band of Luiseno Indians, replied by email that they would defer to Mr. Anthony Morales, Chairman of the San Gabriel Band of Mission Indians.

Following up on the initial letter and email contacts, telephone calls were conducted on August 20, 2021, to complete the outreach process. These calls were to the six tribal contacts who had not responded to UEI mailing and email. Four telephone calls were placed with no answer and so messages were left describing the project and requesting a response. These were to Chairperson Anthony Morales, Chairperson of the Gabrieleno/Tongva San Gabriel Band of Mission Indians; Chairperson Sandonne Goad, Chairperson of the Gabrielino/Tongva Nation; Mr. Charles Alvarez of the Gabrieleno-Tongva Tribe; and Chairperson Robert Dorame, Chairperson of the Gabrielino Tongva Indians of California Tribal Council. A call to Tribal Chair Lovina Redner of the Santa Rosa Band of

Cahuilla Indians, resulted in a message being left for her with the receptionist. There have been no further responses from these tribes to date (see **Attachment C**).

During the telephone calls of August 20, 2021, Chairperson Andrew Salas, Chairperson of the Gabrieleno Band of Mission Indians-Kizh Nation, answered, stating that he was occupied at the moment, but would telephone back with a response this same day. To date there has been no further reply from Mr. Salas.

5.0 Management Considerations

5.1 Site Evaluation Criteria

Evaluation of significance under the California Environmental Quality Act (CEQA) uses criteria found in eligibility descriptions from the California Register of Historical Resources (CRHR). Generally, a resource is to be considered historically significant if it meets the criteria for listing in the California Register [Public Resources Code § 5024.1; California Code of Regulations § 15064.5(a)(3)]. These criteria provide that a resource may be listed as potentially significant if it:

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

5.2 Potential Effects

No cultural resources will be adversely affected by the project. However, the presence of buried cultural (prehistoric and/or historic archaeological) resources cannot be ruled out. If prehistoric and/or historic artifacts are observed during subsurface excavation, work should be stopped in that area and a qualified archaeologist monitor should be called to assess the finds.

6.0 Conclusions and Recommendations

No prehistoric or historic archaeological resources were identified during the cultural resources records search.

Three Native American responses have been received to date. The Soboba Band of Luiseño Indians has stated that the project site is outside their traditional territories and they defer to the Gabrielino/Tongva San Gabriel Band of Mission Indians. The Gabrielino Tongva Indians of California Tribal Council indicated that the project area is thought to be sensitive for cultural resources and stated that archaeological monitoring of ground disturbing activities should be conducted. Chairperson Andrew Salas of the Gabrieleño Band of Mission Indians – Kizh Nation replied that he would comment via a future telephone call on his part, but this has not yet taken place. (See **Section 4.2** and **Attachment C**).

The cultural resources study findings suggest that there is a low potential for the presence of prehistoric cultural resources. The presence of the San Gabriel River adjacent to the east did represent an attractive natural resource of food and water in the past, but in the historic era has been a source of floods that would scour the banks of and disturbing any potential cultural resources. No specific cultural resources either within the project boundary or the area were noted by tribes during the project study outreach contacts. Therefore, it is not recommended that archaeological monitoring be conducted during construction work. However, if prehistoric and/or historic items are observed during construction activities, work should be stopped in that area and a qualified archaeologist and Native American monitor should be called to assess the findings and retrieve the material.

If human remains are encountered during excavations associated with this project, work will halt in that area and the Los Angeles County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are of recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the most likely descendant (MLD), who will make recommendations as to the manner for handling these remains and further provide for the disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. Following notification by the NAHC, the MLD will make these recommendations within 48 hours of having access to the project site following notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).

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1904 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1908 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1912 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1923 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1925 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1928 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1932 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1933 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1939 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1941 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1946 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1955 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1959 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1960 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1968 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1971 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1975 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1976 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

1999 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

2012 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

2015 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

2018 *Los Alamitos, Calif*. 7.5', USGS Quadrangle map.

ATTACHMENTS

ATTACHMENT A

PROJECT MAPS

Figure 5
PROJECT REGIONAL LOCATION MAP

Figure 6
PROJECT STUDY AREA

Path: \\GISSVR\gis\Projects\7089_Irwindale_Outdoor_Soil_Storage\MXDs\7089_Irwindale_3_0_Project_Location_2021_06_11.mxd
June 11, 2021
Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community UltraSystems Environmental, Inc., 2021

Scale: 1:4,200

N

0 175 350 Feet

0 40 80 Meters

Legend

Project Boundary

Outdoor Soil Storage
1399 Las Lomas Road, Irwindale

Project Location

UltraSystems
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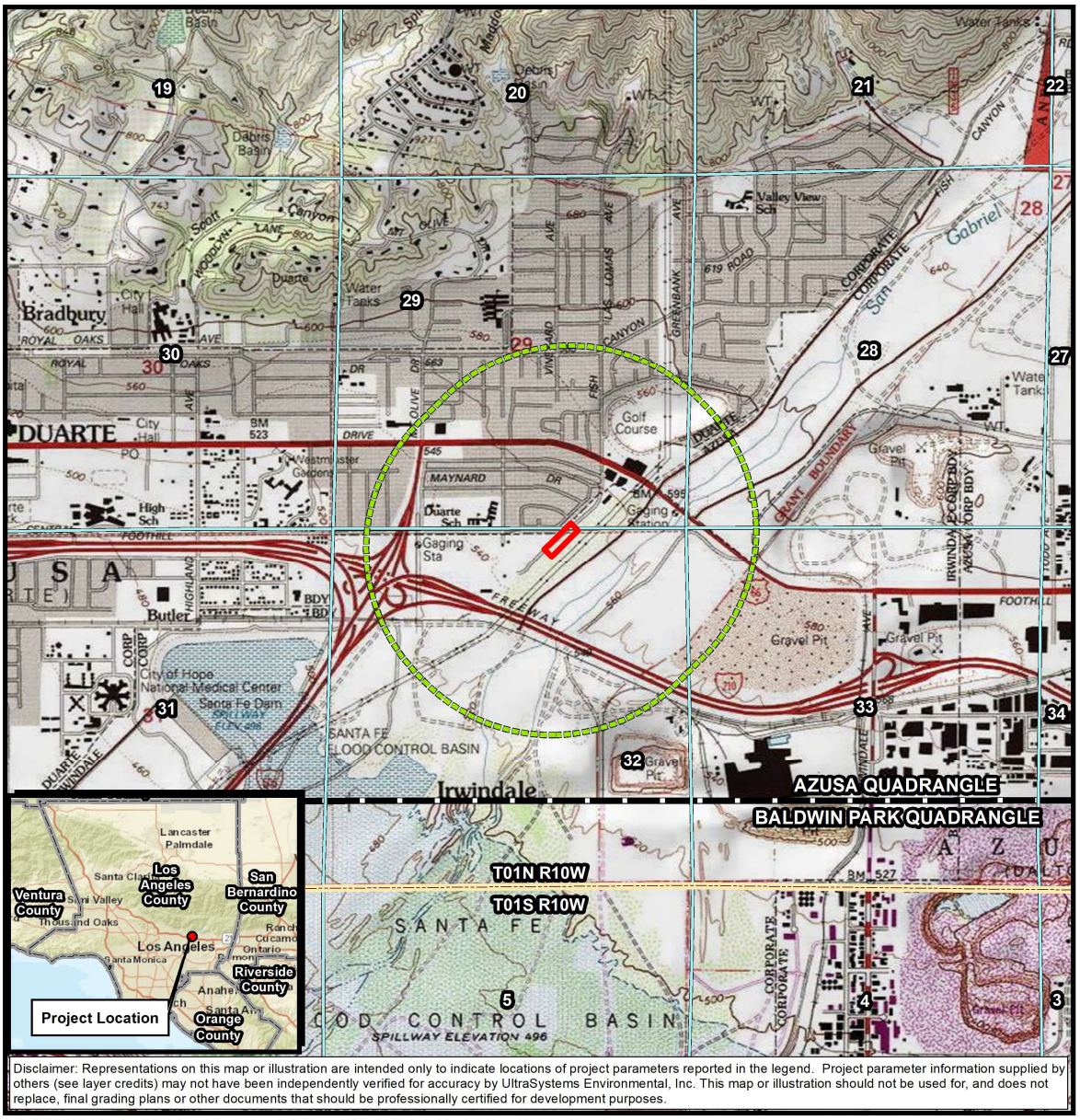
Figure 7
USGS TOPO MAP OF PROJECT STUDY AREA



ATTACHMENT B

PERSONNEL BACKGROUND

Stephen O'Neil, M.A., RPA

Cultural Resources Manager, Cultural Anthropology/Archaeology

Education

- M.A., Anthropology (Ethnography emphasis), California State University, Fullerton, CA, 2002
- B.A., Anthropology, California State University, Long Beach, CA, 1979

Professional and Institutional Affiliations

- California Mission Studies Association
- City of Laguna Beach Environmental Sustainability Committee, appointed 2012
- Orange County Natural History Museum; Board Member
- Pacific Coast Archaeological Society; Board Member and Past President
- Society of California Archaeology

Professional Registrations and Licenses

- Register of Professional Archaeologists (No. 16104) (current)
- Riverside County, CA, Cultural Resource Consultant (No. 259) (current)
- Cultural Resource Field Director, BLM Permit (CA-13-19) – California, 2013
- NEPA and CEQ Consultation for Environmental Professionals; course by the National Association of Environmental Professionals, 2013

Professional Experience

Mr. O'Neil has 30 years of experience as a cultural anthropologist in California. He has researched and written on archaeology, ethnography, and history. Mr. O'Neil has archaeological experience in excavation, survey, monitoring, and lab work. Most of this has been on Native American prehistoric sites, but also includes Spanish, Mexican, and American period adobe sites. His supervisory experience includes excavation and survey crew chief and project director of an adobe house excavation. He has a wide range of expertise in Phase I & II Environmental Site Assessments, archaeological resource assessment surveys, salvage operations, and cultural background studies for various EIR projects. Mr. O'Neil has worked for cultural resource management firms as well as government agencies and Native American entities. He has prepared technical reports as well as published journal articles.

Select project experience

Inglewood Avenue Corridor Widening Project, City of Lawndale, Los Angeles County, CA: 2013–2014

Mr. O'Neil directed and conducted archaeological field survey, cultural resource records search, Native American contacts and report writing for this project. The City of Lawndale is widening Inglewood Avenue from Marine Avenue north. The project uses Caltrans funds and the cultural resources report was prepared in Caltrans format. A separate historic properties report was prepared as well. Prepared for Huitt-Zollars Engineering.

Via Ballena Storm Drain Relocation, City of San Clemente, Orange County, CA: 2013

Mr. O'Neil directed and conducted archaeological field survey, cultural resource records search, Native American contacts and report writing for this project. This residential area has a damaged storm drain under Via Ballena that was causing earth movement and erosion. The meet requirements for state funding, and cultural resources inventory report was required. Prepared for the City of San Clemente

Pine Canyon Road – Three Points Road to Lake Hughes Road, Los Angeles County, CA: 2013

Mr. O'Neil directed and conducted archaeological field survey, cultural resource records search, Native American contacts and report writing for this project. This nine-mile portion of Pine Canyon Road lies partially within the Angeles National Forest. A series of widening and culvert repairs is planned by the Los Angeles County Department of Public Works (LACDPW). An assessment was made of possible cultural resources, historic and prehistoric that may be affected by the construction, and four historic sites were recorded. Prepared for LACDPW.

Alton Parkway Extension Project, Cities of Irvine and Lake Forest, Orange County, CA: 2012

Mr. O'Neil directed and conducted archaeological and paleontological monitoring, archaeological excavation, cultural resource records search, Native American contacts and report writing for this project. Alton Parkway was extended 2.1 miles between the cities of Irvine and Lake Forest. For the portion within the City of Irvine, UltraSystems conducted monitoring and excavation services. One prehistoric site was excavated and reported on; a series of living features were discovered and also reported. The final monitoring report described the paleontological and archaeological findings. A separate technical report on the archaeological excavations was also prepared. Mr. O'Neil directed research into historic and prehistoric background, and prepared the final assessment of potential impacts. Prepared for the Orange County Department of Public Works.

NEPA and CEQA Documentation, Los Angeles Regional Interoperable Communications System (LA-RICS), Los Angeles County, CA: 2011–2014

Mr. O'Neil is part of UltraSystems team currently preparing technical studies and NEPA and CEQA documentation toward the construction of LA-RICS, an $800-million emergency communications system due to be operational in 2016. LA-RICS will provide a highly coordinated emergency communications system to all first-responders to natural and man-made disasters throughout Los Angeles County. Mr. O'Neil is the cultural and historical resources studies team leader, directing five researchers. These studies include coordination of field visits to all 260-plus locations for an archaeologist and/or an architectural historian with agency escorts to observe and record any onsite prehistoric and historic features, performing records and literature searches at archaeology information centers and local archives, contacting local agencies for historically listed structures and districts, coordinate public notices of the project throughout Los Angeles County, consultation with the NAHC and all local tribal organizations, and direct consultation with the California State Historic Preservation Officer (SHPO). This information was compiled by Mr. O'Neil and is used to prepare FCC historical resource forms which were submitted to the SHPO for review.

Megan B. Doukakis, M.A.

Archaeological Technician

Education

- M.A. Public Archaeology, California State University, Northridge, 2012–2018
- B.A., Anthropology, California State University, Long Beach, 2011
- University of California, Los Angeles - Pimu Catalina Archaeological Field School, 2010
- International Scholar Laureate Program: Delegation on Anthropology and Archaeology in China, 2009
- Earthwatch Institute, "Unearthing Mallorca's Past" archaeological excavation, Mallorca, Spain, 2005

Professional and Institutional Affiliations

- Phi Kappa Phi National Honor Society, 2011
- Sigma Alpha Lambda, National Leadership and Honor Organization, 2010
- Society for California Archaeology Membership 2012–2015

Professional Experience

Mrs. Doukakis has worked in the field of cultural resource management for seven years at environmental firms. Before this Mrs. Doukakis had participated in multiple field schools in Southern California and abroad. She has experience in survey, excavation, laboratory work, and information searches. Mrs. Doukakis holds the title of Archaeological Technician at UltraSystems Environmental. Prior to this, she completed a CRM internship at UltraSystems. These positions have provided her with the opportunity to contribute to proposals, final reports, project scheduling, archaeological record searches and paleontological, archaeological and Native American monitor organizing for projects.

Select project experience

Results of the Condition Assessment, Site Monitoring, and Effects Treatment Plan (CASMET) Marine Corps Base Camp Pendleton, San Diego County, CA

Client: Marine Corps Base Camp Pendleton, Duration: 5/11 to 9/11

Mrs. Doukakis conducted survey and excavation for the USMC Base Camp Pendleton condition assessment project. Areas were tested around Camp Pendleton for the presence and condition of cultural material previously recorded. She also conducted laboratory work and curation for the material collected within excavations. Mrs. Doukakis contributed to the final report with background records searches and prehistoric and historic background writing for the report.

Archaeological Excavation Results Report for the Alton Parkway Extension Project, Orange County, CA

Client: Orange County Department of Public Works; Contract: $357,170, 10/10 to 6/12

Mrs. Doukakis participated in the Alton Parkway project, City of Irvine, Orange County, CA. She was responsible for cleaning and cataloging the artifacts recovered from the excavation and surface collections. She also contributed to the final report by compiling the historical background information.

Identification and Evaluation of Historic Properties ADA Wheelchair Access Ramp Improvement Project, City of Lake Forest, Orange County, CA

Client: City of Lake Forest/Penco, Contract: $2,981.62, Duration: 6/12 to 7/12

Mrs. Doukakis contributed to the cultural resource records search, field survey, Native American contacts and report writing for this project. This residential area required wheelchair access ramps on every corner in this neighborhood. An assessment of the possible cultural resources that may be affected with this construction was made for the City of Lake Forest. Mrs. Doukakis contributed the historic and prehistoric background, and the assessment of the possible resources in the area.

Tenaska Solar Projects Imperial Solar Energy Center–South; Imperial Solar Energy Center–West; and Wistaria Ranch, Imperial County, CA

Client: Tenaska/CSOLAR Development, Contract: $3,441,809, 10/13 to 8/15.

Mrs. Doukakis conducted Native American contacts for field monitoring, coordinated with subcontractors to initiate cultural and paleontological field surveys, for the several solar energy projects being handled by UltraSystems Environmental in the El Centro area, Imperial County, CA. She contributed different parts of the survey report and monitoring program documents, including historic and prehistoric background, editorial review. At ISEC- West, Mrs. Doukakis was responsible for contacting and organizing Tribal monitors for this project. She contacted tribal organizations and inquired about their interest in providing tribal monitors for this project, directly organized with Native American groups to sign agreements, and fill out tax paperwork. She was also responsible for organizing and keeping track of and gathering field log from monitors from six tribal groups. She also recovered previously recorded artifacts in the field before the start of the project.

NEPA and CEQA Documentation, Los Angeles Regional Interoperable Communications System -Long Term Evolution, Los Angeles County, CA

Client: LARICS Joint Powers Authority, Contract: $3,051,312, 1/12 to 1/15.

UltraSystems' team prepared technical studies and NEPA and CEQA documentation toward the construction of LA-RICS-LTE, an $800-million emergency communications system that will provide a highly coordinated emergency communications system to all first-responders to natural and man-made disasters throughout Los Angeles County. For this project Mrs. Doukakis conducted record searches at the South Central Coastal Information Center for the Department of Commerce on over 300 project sites throughout the County of Los Angeles. She helped prepare letters to the NAHC and tribal organizations associated with the project area. Mrs. Doukakis contributed to contacting, organizing, and scheduling architectural historians to conduct historical research around the project areas. Letters were written for contact to local agencies and cities. A public notice was constructed and published in three local newspapers. Mrs. Doukakis also constructed hundreds of Federal Communications Commission 620 and 621 forms for submission to California State Historic Preservation Office.

Newton Canyon Monitoring Project, CA

Client: County of Los Angeles Department of Public Works, Contract: $2,930.00, Duration: 7/13 to 12/13

Mrs. Doukakis was an archaeological monitor for this project. She monitored all ground disturbing activities as well as lightly surveying the area for cultural material. Mrs. Doukakis also conducted the records center research at the South Central Coastal Information Center at CSUF. Through email, letter, and telephone correspondence, Mrs. Doukakis contacted the NAHC and associated tribal groups.

ATTACHMENT C

NATIVE AMERICAN HERITAGE COMMISSION RECORDS SEARCH AND NATIVE AMERICAN CONTACTS

UltraSystems
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June 1, 2021

Government Program Analyst
Native American Heritage Commission
1550 Harbor Blvd., Suite 100
West Sacramento, California 95691

Subject: Cultural Resources Records Search, Outdoor Soil Storage - 1399 Las Lomas Road, Irwindale, Los Angeles County, California. UltraSystems Environmental Project No. 7089.

Dear NAHC Staff,

UltraSystems Environmental, Inc. (UEI) has been contracted by the City of Irwindale (City) to conduct a Cultural Resources Records Search in support of the Outdoor Soil Storage - 1399 Las Lomas Road Project. The Project consists of proposed storage of soil in existing bunkers at Cal Blend Soils, Inc. at 1399 Las Lomas Road in Irwindale, Los Angeles County, California. UEI is conducting this records search because a conditional use permit (CUP) is required to allow the storage of soil on the property, to ensure that the proposed use would be compatible with surrounding land uses, and the City must obtain CEQA clearance for approval of the CUP. UltraSystems will also prepare a Categorical Exemption (CE) Document pursuant to the requirements of CEQA Guidelines Section 15301. I am requesting a search of the Sacred Lands File for potential traditional cultural sites.

The proposed project would include the storage of soil in existing bunkers in the approximately 1.4 acres project site, within the northern half of the larger 5-acre property. The zoning district onsite is M-2, Heavy Manufacturing. Also permitted by this CUP is a second business, Brown United – Stage Assembly, which provides temporary venues for concerts and other large events, stores components outdoors on the subject property.

The Project is located at northern boundary of Irwindale with Duarte, and is specifically located at 1399 Las Lomas Road. This may be seen on the *Azusa, Calif.*, USGS topographical quadrangle, R 10 W, T 01 N, in the SW ¼ of the SE ¼ of Section 29, and in the NW ¼ of the NE ¼ of Section 32. The subject property is surrounded to the north by single-family residential uses in the City of Duarte; to the west by a self-storage business; to the east by a Southern California Edison transmission line easement and then by the San Gabriel River; and to the south by the Interstate 210 Freeway (I-210 or Foothill Freeway).

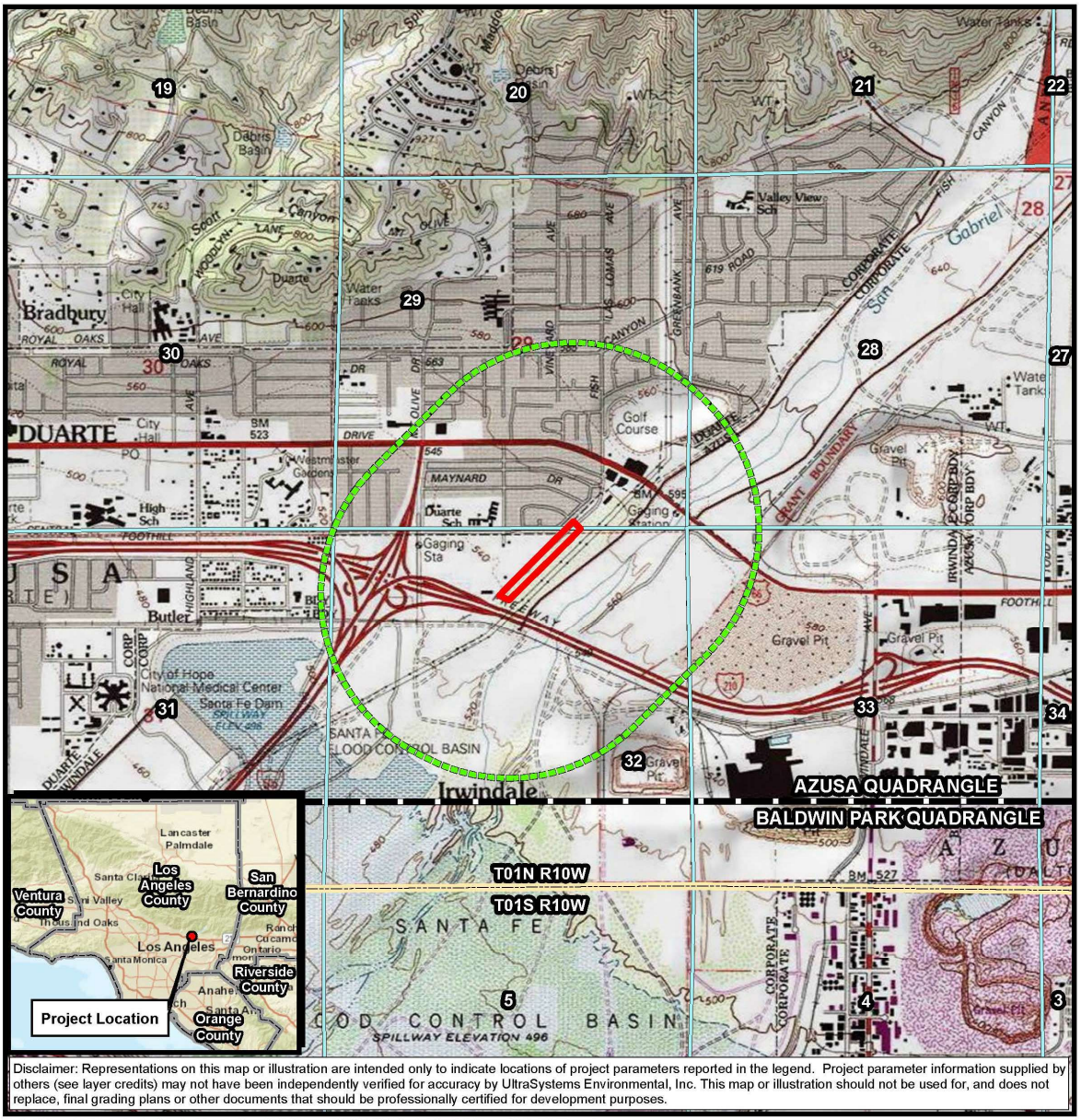
If you require additional information or have any questions, please contact me.

Thank you for your help.

Sincerely,

Stephen O'Neil, M.A., RPA
Cultural Resources Manager
soneil@ultrasystems.com

Corporate Office – Orange County
16431 Scientific Way
Irvine, CA 92618-7443
Telephone: 949.788.4900, ext. 276
Facsimile: 949.788.4901
Website: www.ultrasystems.com



Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

Path: \\Gissvr\gis\Projects\7089_Irwindale_Outdoor_Soil_Storage\MXDs\7089_Irwindale_4_5_Topo_2021_05_28.mxd
June 01, 2021

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Copyright:© 2013 National Geographic Society, i-cubed; CA Dept. of Conservation, May 2019; UltraSystems Environmental, Inc., 2021

Scale: 1:24,000

N

0 1,000 2,000 Feet

0 250 500 Meters

Legend

- Project Boundary
- Half-Mile Radius
- Quadrangle Boundary
- Township Boundary
- Section Boundary

Outdoor Soil Storage
1399 Las Lomas Road, Irwindale

Topographic Map
USGS Quadrange: Azusa
Township: 1N Range: 10W
Sections: 29, 32

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STATE OF CALIFORNIA Gavin Newsom, *Governor*

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Merri Lopez-Keifer
Luiseño

PARLIAMENTARIAN
Russell Attebery
Karuk

COMMISSIONER
William Mungary
Paiute/White Mountain Apache

COMMISSIONER
Julie Tumamait-Stenslie
Chumash

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

June 16, 2021

Stephen O'Neil
UltraSystems Environmental

Via Email to: soneil@ultrasystems.com

Re: Outdoor Soil Storage – 1399 Las Lomas Road Project, Los Angeles County

Dear Mr. O'Neil:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information submitted for the above referenced project. The results were positive. Please contact the Gabrieleno Band of Mission Indians – Kizh Nation on the attached list for information. Please note that tribes do not always record their sacred sites in the SLF, nor are they required to do so. A SLF search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with a project's geographic area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites, such as the appropriate regional California Historical Research Information System (CHRIS) archaeological Information Center for the presence of recorded archaeological sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. Please contact all of those listed; if they cannot supply information, they may recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Andrew.Green@nahc.ca.gov.

Sincerely,

Andrew Green

Andrew Green
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Native American Contact List
Los Angeles County
6/16/2021

Gabrieleno Band of Mission Indians - Kizh Nation
Andrew Salas, Chairperson
P.O. Box 393 — Gabrieleno
Covina, CA, 91723
Phone: (626) 926 - 4131
admin@gabrielenoindians.org

Gabrieleno/Tongva San Gabriel Band of Mission Indians
Anthony Morales, Chairperson
P.O. Box 693 — Gabrieleno
San Gabriel, CA, 91778
Phone: (626) 483 - 3564
Fax: (626) 286-1262
GTTribalcouncil@aol.com

Gabrielino /Tongva Nation
Sandonne Goad, Chairperson
106 1/2 Judge John Aiso St., #231 — Gabrielino
Los Angeles, CA, 90012
Phone: (951) 807 - 0479
sgoad@gabrielino-tongva.com

Gabrielino Tongva Indians of California Tribal Council
Robert Dorame, Chairperson
P.O. Box 490 — Gabrielino
Bellflower, CA, 90707
Phone: (562) 761 - 6417
Fax: (562) 761-6417
gtongva@gmail.com

Gabrielino Tongva Indians of California Tribal Council
Christina Conley,
P.O. Box 941078 — Gabrielino
Simi Valley, CA, 93094
Phone: (626) 407 - 8761
christina.marsden@alumni.usc.edu

Gabrielino-Tongva Tribe
Charles Alvarez,
23454 Vanowen Street — Gabrielino
West Hills, CA, 91307
Phone: (310) 403 - 6048
roadkingcharles@aol.com

Santa Rosa Band of Cahuilla Indians
Lovina Redner, Tribal Chair
P.O. Box 391820 — Cahuilla
Anza, CA, 92539
Phone: (951) 659 - 2700
Fax: (951) 659-2228
lsaul@santarosa-nsn.gov

Soboba Band of Luiseno Indians
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 — Cahuilla
San Jacinto, CA, 92581 — Luiseno
Phone: (951) 663 - 5279
Fax: (951) 654-4198
jontiveros@soboba-nsn.gov

Soboba Band of Luiseno Indians
Isaiah Vivanco, Chairperson
P. O. Box 487 — Cahuilla
San Jacinto, CA, 92581 — Luiseno
Phone: (951) 654 - 5544
Fax: (951) 654-4198
ivivanco@soboba-nsn.gov

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Outdoor Soil Storage - 1399 Las Lomas Road Project, Los Angeles County.

PROJ-2021-003296 — 06/16/2021 10:27 AM — 1 of 1

UltraSystems
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June 16, 2021

Charles Alvarez
Gabrielino-Tongva Tribe
23454 Vanowen Street
West Hills, CA, 91307

Subject: Cultural Resources Records Search, Outdoor Soil Storage - 1399 Las Lomas Road, Irwindale, Los Angeles County, California. UltraSystems Environmental Project No. 7089.

Dear Mr. Alvarez,

UltraSystems Environmental, Inc. (UEI) has been contracted by the City of Irwindale (City) to conduct a Cultural Resources Records Search in support of the Outdoor Soil Storage - 1399 Las Lomas Road Project. The Project consists of proposed storage of soil in existing bunkers at Cal Blend Soils, Inc. at 1399 Las Lomas Road in Irwindale, Los Angeles County, California. UEI is conducting this records search to support a required Conditional Use Permit (CUP) is required to allow the storage of soil on the property which will ensure that the proposed use would be compatible with surrounding land uses, and the City must obtain CEQA clearance for approval of the CUP. UltraSystems will also prepare a Categorical Exemption (CE) Document pursuant to the requirements of CEQA Guidelines Section 15301. UltraSystems will conduct the cultural resources study to evaluate the potential presence of prehistoric and historic resources within the project boundary.

As part of the cultural resources study for the Project, I am writing to request your input on potential Native American resources in or near the Area of Potential Effect (APE). In a letter dated June 16, 2021, the Native American Heritage Commission stated: "A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were positive [emphasis in the original]." The Commission recommended that local Native American individuals and organizations be contacted for further information, including the Gabrielino-Tongva Tribe

The Project is located at northern boundary of Irwindale with Duarte, and is specifically located at 1399 Las Lomas Road. This may be seen on the *Azusa, Calif.*, USGS topographical quadrangle, R 10 W, T 01 N, in the SW ¼ of the SE ¼ of Section 29, and in the NW ¼ of the NE ¼ of Section 32. The subject property is surrounded to the north by single-family residential uses in the City of Duarte; to the west by a self-storage business; to the east by a Southern California Edison transmission line easement and then by the San Gabriel River; and to the south by the Interstate 210 (I-210 or Foothill Freeway). This is shown on the attached map and the Project area is depicted with a one-half mile buffer zone.

If you require additional information or have any questions, please contact me.

Thank you for your help.

Respectfully yours,

Stephen O'Neil, M.A., RPA
Cultural Resources Manager
soneil@ultrasystems.com

Corporate Office – Orange County
16431 Scientific Way
Irvine, CA 92618-7443
Telephone: 949.788.4900, ext. 276
Facsimile: 949.788.4901
Website: www.ultrasystems.com

UltraSystems
environmental•management•planning

June 16, 2021

Christina Conley,
Gabrielino Tongva Indians of California Tribal Council
P.O. Box 941078
Simi Valley, CA, 93094

Subject: Cultural Resources Records Search, Outdoor Soil Storage - 1399 Las Lomas Road, Irwindale, Los Angeles County, California. UltraSystems Environmental Project No. 7089.

Dear Ms. Conley,

UltraSystems Environmental, Inc. (UEI) has been contracted by the City of Irwindale (City) to conduct a Cultural Resources Records Search in support of the Outdoor Soil Storage - 1399 Las Lomas Road Project. The Project consists of proposed storage of soil in existing bunkers at Cal Blend Soils, Inc. at 1399 Las Lomas Road in Irwindale, Los Angeles County, California. UEI is conducting this records search to support a required Conditional Use Permit (CUP) is required to allow the storage of soil on the property which will ensure that the proposed use would be compatible with surrounding land uses, and the City must obtain CEQA clearance for approval of the CUP. UltraSystems will also prepare a Categorical Exemption (CE) Document pursuant to the requirements of CEQA Guidelines Section 15301. UltraSystems will conduct the cultural resources study to evaluate the potential presence of prehistoric and historic resources within the project boundary.

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The Project is located at northern boundary of Irwindale with Duarte, and is specifically located at 1399 Las Lomas Road. This may be seen on the *Azusa, Calif.*, USGS topographical quadrangle, R 10 W, T 01 N, in the SW ¼ of the SE ¼ of Section 29, and in the NW ¼ of the NE ¼ of Section 32. The subject property is surrounded to the north by single-family residential uses in the City of Duarte; to the west by a self-storage business; to the east by a Southern California Edison transmission line easement and then by the San Gabriel River; and to the south by the Interstate 210 (I-210 or Foothill Freeway). This is shown on the attached map and the Project area is depicted with a one-half mile buffer zone.

If you require additional information or have any questions, please contact me.

Thank you for your help.

Respectfully yours,

Stephen O'Neil, M.A., RPA
Cultural Resources Manager
soneil@ultrasystems.com

Corporate Office – Orange County
16431 Scientific Way
Irvine, CA 92618-7443
Telephone: 949.788.4900, ext. 276
Facsimile: 949.788.4901
Website: www.ultrasystems.com

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June 16, 2021

Robert Dorame, Chairperson
Gabrielino Tongva Indians of California Tribal Council
P.O. Box 490
Bellflower, CA, 90707

Subject: Cultural Resources Records Search, Outdoor Soil Storage - 1399 Las Lomas Road, Irwindale, Los Angeles County, California. UltraSystems Environmental Project No. 7089.

Dear Chairperson Dorame,

UltraSystems Environmental, Inc. (UEI) has been contracted by the City of Irwindale (City) to conduct a Cultural Resources Records Search in support of the Outdoor Soil Storage - 1399 Las Lomas Road Project. The Project consists of proposed storage of soil in existing bunkers at Cal Blend Soils, Inc. at 1399 Las Lomas Road in Irwindale, Los Angeles County, California. UEI is conducting this records search to support a required Conditional Use Permit (CUP) is required to allow the storage of soil on the property which will ensure that the proposed use would be compatible with surrounding land uses, and the City must obtain CEQA clearance for approval of the CUP. UltraSystems will also prepare a Categorical Exemption (CE) Document pursuant to the requirements of CEQA Guidelines Section 15301. UltraSystems will conduct the cultural resources study to evaluate the potential presence of prehistoric and historic resources within the project boundary.

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June 16, 2021

Sandonne Goad, Chairperson
Gabrielino /Tongva Nation
106 1/2 Judge John Aiso St., #231
Los Angeles, CA, 90012

Subject: Cultural Resources Records Search, Outdoor Soil Storage - 1399 Las Lomas Road, Irwindale, Los Angeles County, California. UltraSystems Environmental Project No. 7089.

Dear Chairperson Goad,

UltraSystems Environmental, Inc. (UEI) has been contracted by the City of Irwindale (City) to conduct a Cultural Resources Records Search in support of the Outdoor Soil Storage - 1399 Las Lomas Road Project. The Project consists of proposed storage of soil in existing bunkers at Cal Blend Soils, Inc. at 1399 Las Lomas Road in Irwindale, Los Angeles County, California. UEI is conducting this records search to support a required Conditional Use Permit (CUP) is required to allow the storage of soil on the property which will ensure that the proposed use would be compatible with surrounding land uses, and the City must obtain CEQA clearance for approval of the CUP. UltraSystems will also prepare a Categorical Exemption (CE) Document pursuant to the requirements of CEQA Guidelines Section 15301. UltraSystems will conduct the cultural resources study to evaluate the potential presence of prehistoric and historic resources within the project boundary.

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If you require additional information or have any questions, please contact me.

Thank you for your help.

Respectfully yours,

Stephen O'Neil, M.A., RPA
Cultural Resources Manager
soneil@ultrasystems.com

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June 16, 2021

Anthony Morales, Chairperson
Gabrieleno/Tongva San Gabriel Band of Mission Indians
P.O. Box 693
San Gabriel, CA, 91778

Subject: Cultural Resources Records Search, Outdoor Soil Storage - 1399 Las Lomas Road, Irwindale, Los Angeles County, California. UltraSystems Environmental Project No. 7089.

Dear Chairperson Morales,

UltraSystems Environmental, Inc. (UEI) has been contracted by the City of Irwindale (City) to conduct a Cultural Resources Records Search in support of the Outdoor Soil Storage - 1399 Las Lomas Road Project. The Project consists of proposed storage of soil in existing bunkers at Cal Blend Soils, Inc. at 1399 Las Lomas Road in Irwindale, Los Angeles County, California. UEI is conducting this records search to support a required Conditional Use Permit (CUP) is required to allow the storage of soil on the property which will ensure that the proposed use would be compatible with surrounding land uses, and the City must obtain CEQA clearance for approval of the CUP. UltraSystems will also prepare a Categorical Exemption (CE) Document pursuant to the requirements of CEQA Guidelines Section 15301. UltraSystems will conduct the cultural resources study to evaluate the potential presence of prehistoric and historic resources within the project boundary.

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The Project is located at northern boundary of Irwindale with Duarte, and is specifically located at 1399 Las Lomas Road. This may be seen on the *Azusa, Calif.*, USGS topographical quadrangle, R 10 W, T 01 N, in the SW ¼ of the SE ¼ of Section 29, and in the NW ¼ of the NE ¼ of Section 32. The subject property is surrounded to the north by single-family residential uses in the City of Duarte; to the west by a self-storage business; to the east by a Southern California Edison transmission line easement and then by the San Gabriel River; and to the south by the Interstate 210 (I-210 or Foothill Freeway). This is shown on the attached map and the Project area is depicted with a one-half mile buffer zone.

If you require additional information or have any questions, please contact me.

Thank you for your help.

Respectfully yours,

Stephen O'Neil, M.A., RPA
Cultural Resources Manager
soneil@ultrasystems.com

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Irvine, CA 92618-7443
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June 16, 2021

Joseph Ontiveros, Cultural Resource Department
Soboba Band of Luiseno Indians
P.O. BOX 487
San Jacinto, CA, 92581

Subject: Cultural Resources Records Search, Outdoor Soil Storage - 1399 Las Lomas Road, Irwindale, Los Angeles County, California. UltraSystems Environmental Project No. 7089.

Dear Mr. Ontiveros,

UltraSystems Environmental, Inc. (UEI) has been contracted by the City of Irwindale (City) to conduct a Cultural Resources Records Search in support of the Outdoor Soil Storage - 1399 Las Lomas Road Project. The Project consists of proposed storage of soil in existing bunkers at Cal Blend Soils, Inc. at 1399 Las Lomas Road in Irwindale, Los Angeles County, California. UEI is conducting this records search to support a required Conditional Use Permit (CUP) is required to allow the storage of soil on the property which will ensure that the proposed use would be compatible with surrounding land uses, and the City must obtain CEQA clearance for approval of the CUP. UltraSystems will also prepare a Categorical Exemption (CE) Document pursuant to the requirements of CEQA Guidelines Section 15301. UltraSystems will conduct the cultural resources study to evaluate the potential presence of prehistoric and historic resources within the project boundary.

As part of the cultural resources study for the Project, I am writing to request your input on potential Native American resources in or near the Area of Potential Effect (APE). In a letter dated June 16, 2021, the Native American Heritage Commission stated: "A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were positive [emphasis in the original]." The Commission recommended that local Native American individuals and organizations be contacted for further information, including the Soboba Band of Luiseno Indians.

The Project is located at northern boundary of Irwindale with Duarte, and is specifically located at 1399 Las Lomas Road. This may be seen on the *Azusa, Calif.*, USGS topographical quadrangle, R 10 W, T 01 N, in the SW ¼ of the SE ¼ of Section 29, and in the NW ¼ of the NE ¼ of Section 32. The subject property is surrounded to the north by single-family residential uses in the City of Duarte; to the west by a self-storage business; to the east by a Southern California Edison transmission line easement and then by the San Gabriel River; and to the south by the Interstate 210 (I-210 or Foothill Freeway). This is shown on the attached map and the Project area is depicted with a one-half mile buffer zone.

If you require additional information or have any questions, please contact me.

Thank you for your help.

Respectfully yours,

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Cultural Resources Manager
soneil@ultrasystems.com

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June 16, 2021

Lovina Redner, Tribal Chair
Santa Rosa Band of Cahuilla Indians
P.O. Box 391820
Anza, CA, 92539

Subject: Cultural Resources Records Search, Outdoor Soil Storage - 1399 Las Lomas Road, Irwindale, Los Angeles County, California. UltraSystems Environmental Project No. 7089.

Dear Ms. Redner,

UltraSystems Environmental, Inc. (UEI) has been contracted by the City of Irwindale (City) to conduct a Cultural Resources Records Search in support of the Outdoor Soil Storage - 1399 Las Lomas Road Project. The Project consists of proposed storage of soil in existing bunkers at Cal Blend Soils, Inc. at 1399 Las Lomas Road in Irwindale, Los Angeles County, California. UEI is conducting this records search to support a required Conditional Use Permit (CUP) is required to allow the storage of soil on the property which will ensure that the proposed use would be compatible with surrounding land uses, and the City must obtain CEQA clearance for approval of the CUP. UltraSystems will also prepare a Categorical Exemption (CE) Document pursuant to the requirements of CEQA Guidelines Section 15301. UltraSystems will conduct the cultural resources study to evaluate the potential presence of prehistoric and historic resources within the project boundary.

As part of the cultural resources study for the Project, I am writing to request your input on potential Native American resources in or near the Area of Potential Effect (APE). In a letter dated June 16, 2021, the Native American Heritage Commission stated: "A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were positive [emphasis in the original]." The Commission recommended that local Native American individuals and organizations be contacted for further information, including the Santa Rosa Band of Cahuilla Indians.

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If you require additional information or have any questions, please contact me.

Thank you for your help.

Respectfully yours,

Stephen O'Neil, M.A., RPA
Cultural Resources Manager
soneil@ultrasystems.com

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June 16, 2021

Andrew Salas, Chairperson
Gabrieleno Band of Mission Indians - Kizh Nation
P.O. Box 393
Covina, CA, 91723
Phone: (626) 926 - 4131

Subject: Cultural Resources Records Search, Outdoor Soil Storage - 1399 Las Lomas Road, Irwindale, Los Angeles County, California. UltraSystems Environmental Project No. 7089.

Dear Chairperson Salas,

UltraSystems Environmental, Inc. (UEI) has been contracted by the City of Irwindale (City) to conduct a Cultural Resources Records Search in support of the Outdoor Soil Storage - 1399 Las Lomas Road Project. The Project consists of proposed storage of soil in existing bunkers at Cal Blend Soils, Inc. at 1399 Las Lomas Road in Irwindale, Los Angeles County, California. UEI is conducting this records search to support a required Conditional Use Permit (CUP) is required to allow the storage of soil on the property which will ensure that the proposed use would be compatible with surrounding land uses, and the City must obtain CEQA clearance for approval of the CUP. UltraSystems will also prepare a Categorical Exemption (CE) Document pursuant to the requirements of CEQA Guidelines Section 15301. UltraSystems will conduct the cultural resources study to evaluate the potential presence of prehistoric and historic resources within the project boundary.

As part of the cultural resources study for the Project, I am writing to request your input on potential Native American resources in or near the Area of Potential Effect (APE). In a letter dated June 16, 2021, the Native American Heritage Commission stated: "A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were positive [emphasis in the original]. Please contact the Gabrieleno Band of Mission Indians – Kizh Nation on the attached list for information." Information on the SLF traditional site, and any other cultural resources in the project study area that the tribe is willing to share with us for the report, would be appreciated.

The Project is located at northern boundary of Irwindale with Duarte, and is specifically located at 1399 Las Lomas Road. This may be seen on the *Azusa, Calif.*, USGS topographical quadrangle, R 10 W, T 01 N, in the SW ¼ of the SE ¼ of Section 29, and in the NW ¼ of the NE ¼ of Section 32. The subject property is surrounded to the north by single-family residential uses in the City of Duarte; to the west by a self-storage business; to the east by a Southern California Edison transmission line easement and then by the San Gabriel River; and to the south by the Interstate 210 (I-210 or Foothill Freeway). This is shown on the attached map and the Project area is depicted with a one-half mile buffer zone.

If you require additional information or have any questions, please contact me.

Thank you for your help.

Respectfully yours,

Stephen O'Neil, M.A., RPA
Cultural Resources Manager
soneil@ultrasystems.com

Corporate Office – Orange County
16431 Scientific Way
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June 16, 2021

Isaiah Vivanco, Chairperson
Soboba Band of Luiseno Indians
P.O. BOX 487
San Jacinto, CA, 92581

Subject: Cultural Resources Records Search, Outdoor Soil Storage - 1399 Las Lomas Road, Irwindale, Los Angeles County, California. UltraSystems Environmental Project No. 7089.

Dear Chairperson Vivanco,

UltraSystems Environmental, Inc. (UEI) has been contracted by the City of Irwindale (City) to conduct a Cultural Resources Records Search in support of the Outdoor Soil Storage - 1399 Las Lomas Road Project. The Project consists of proposed storage of soil in existing bunkers at Cal Blend Soils, Inc. at 1399 Las Lomas Road in Irwindale, Los Angeles County, California. UEI is conducting this records search to support a required Conditional Use Permit (CUP) is required to allow the storage of soil on the property which will ensure that the proposed use would be compatible with surrounding land uses, and the City must obtain CEQA clearance for approval of the CUP. UltraSystems will also prepare a Categorical Exemption (CE) Document pursuant to the requirements of CEQA Guidelines Section 15301. UltraSystems will conduct the cultural resources study to evaluate the potential presence of prehistoric and historic resources within the project boundary.

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The Project is located at northern boundary of Irwindale with Duarte, and is specifically located at 1399 Las Lomas Road. This may be seen on the *Azusa, Calif.*, USGS topographical quadrangle, R 10 W, T 01 N, in the SW ¼ of the SE ¼ of Section 29, and in the NW ¼ of the NE ¼ of Section 32. The subject property is surrounded to the north by single-family residential uses in the City of Duarte; to the west by a self-storage business; to the east by a Southern California Edison transmission line easement and then by the San Gabriel River; and to the south by the Interstate 210 (I-210 or Foothill Freeway). This is shown on the attached map and the Project area is depicted with a one-half mile buffer zone.

If you require additional information or have any questions, please contact me.

Thank you for your help.

Respectfully yours,

Stephen O'Neil, M.A., RPA
Cultural Resources Manager
soneil@ultrasystems.com

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Outdoor Soil Storage, 1399 Las Lomas Road Project, Los Angeles County, California. [UEI #7089]
Native American Contact Log

Name	Tribe/Affiliation	Letter Contacts	E-mail Contacts	Telephone Contact	Comments
Andrew Green, Cultural Resources Analyst	Native American Heritage Commission	N/A	June 1, 2021	N/A	Request for Sacred Lands File search and local Native American representatives contact information. There was a response from Mr. Green on June 16, 2021 stating negative findings in the Sacred Lands File and providing a list of nine local tribal contacts.
Andrew Salas, Chairperson	Gabrieleno Band of Mission Indians - Kizh Nation	June 16, 2021	June 16, 2021	August 20, 2021	Letter and email describing project and requesting input on concerns was sent June 16, 2021. During the telephone call of August 20, 2021, Chairperson Salas answered, stating that he was occupied at the moment, but would telephone back with a response this same day. To date there has been no further reply from Mr. Salas.
Anthony Morales, Chairperson	Gabrieleno/ Tongva San Gabriel Band of Mission Indians	June 16, 2021	June 16, 2021	August 20, 2021	Letter and email describing project and requesting input on concerns was sent June 16, 2021. Phone call was made August 20, 2021, no answer, message was left. No response to date.
Sandonne Goad, Chairperson	Gabrielino /Tongva Nation	June 16, 2021	June 16, 2021	August 20, 2021	Letter and email describing project and requesting input on concerns was sent June 16, 2021. Phone call was made August 20, 2021, no answer, message was left. No response to date.
Robert Dorame, Chairman	Gabrielino - Tongva Indians of California Tribal Council	June 16, 2021	June 16, 2021	August 20, 2021	Letter and email describing project and requesting input on concerns was sent June 16, 2021. Phone call was made August 20, 2021, no answer, message was left. No response to date.
Christina Conley	Gabrielino Tongva Indians of California Tribal Council	June 16, 2021	June 16, 2021	N/A	Letter and email describing project and requesting input on concerns was sent June 16, 2021. An email response was received on June 30, 2021 from Ms. Conley indicating that the project area is culturally sensitive and will require Native American monitoring.

Name	Tribe/Affiliation	Letter Contacts	E-mail Contacts	Telephone Contact	Comments
Charles Alvarez, Councilmember	Gabrielino - Tongva Tribe	June 16, 2021	June 16, 2021	August 20, 2021	Letter and email describing project and requesting input on concerns was sent June 16, 2021. Phone call was made August 20, 2021, no answer, message was left. No response to date.
Lovina Redner, Tribal Chair	Santa Rosa Band of Cahuilla Indians	June 16, 2021	June 16, 2021	August 20, 2021	Letter and email describing project and requesting input on concerns was sent June 16, 2021. Phone call was made August 20, 2021, the tribal receptionist indicated that the Chairwomen does not work in the office and proceeded to take a note for her.
Isaiah Vivanco, Chairperson	Soboba Band of Luiseño Indians	June 16, 2021	June 16, 2021	N/A	Letter and email describing project and requesting input on concerns was sent June 16, 2021. Phone call was made August 20, 2021, Mr. Ontiveros indicated that the tribe will differ to Mr. Anthony Morales, Chairman of the San Gabriel Band of Mission Indians.
Joseph Ontiveros, Cultural Resource Department	Soboba Band of Luiseño Indians	June 16, 2021	June 16, 2021	N/A	Letter and email describing project and requesting input on concerns was sent June 16, 2021. Phone call was made August 20, 2021, Mr. Ontiveros indicated that the tribe will differ to Mr. Anthony Morales, Chairman of the San Gabriel Band of Mission Indians.

From: CHRISTINA CONLEY-HADDOCK <christina.marsden@alumni.usc.edu>
Sent: Wednesday, June 30, 2021 1:34 PM
To: mblack@ultrasystems.com
Subject: Re: 7089 Outdoor Soil Storage - 1399 Las Lomas Road, Irwindale, Los Angeles County

Good afternoon,
Thank you for reaching out with respect to the 7089 Outdoor Soil Storage.

We know this area to be culturally sensitive and will require Native American monitoring.

Please let me know how I may be of assistance,
Christina

CHRISTINA CONLEY
Native American Monitor
Cultural Resource Administrator Under Tribal Chair, Robert Dorame
626.407.8761

GABRIELINO TONGVA INDIANS OF CALIFORNIA

From: mblack@ultrasystems.com
To: "CHRISTINA CONLEY-HADDOCK"
Cc: "steve oneil"
Subject: RE: 7089 Outdoor Soil Storage - 1399 Las Lomas Road, Irwindale, Los Angeles County
Date: Wednesday, June 30, 2021 2:21:08 PM
Attachments: image001.jpg
image002.png

Christina,

Thank you for providing this response. We will include your recommendation for Native American monitoring in our cultural report.

Best regards,

Megan Black Doukakis | Archaeological Technician | M.A.

UltraSystems Environmental | **WBE/DBE/SBE/WOSB**
16431 Scientific Way Irvine, CA 92618
Office **949.788.4900 Ext. 228** Fax 949.788.4901
Cell 310.850.8127

Please note that I am working remotely. I can best be reached via email or cell.

From: Joseph Ontiveros <jontiveros@soboba-nsn.gov>
Sent: Wednesday, June 16, 2021 4:25 PM
To: mblack@ultrasystems.com
Cc: 'steve oneil' <soneil@ultrasystems.com>
Subject: RE: 7089 Outdoor Soil Storage - 1399 Las Lomas Road, Irwindale, Los Angeles County

Megan,

Thank you for providing the notice for the aforementioned project. After review, it is our request to defer the project to Mr. Anthony Morales, Chairman of the San Gabriel Band of Mission Indians. The contact information I have on file is, cell phone: 626-483-3564, and email: GTTribalcouncil@aol.com. I hope that what I have provided is helpful.

Sincerely,

JOSEPH ONTIVEROS
TRIBAL HISTORIC PRESERVATION OFFICER
(951) 654-5544 Ext. 4137
(951) 663-5279 Cell
jontiveros@soboba-nsn.gov

CULTURAL RESOURCE
23906 Soboba Rd. San Jacinto, CA 92583
P.O. Box 487 San Jacinto, CA 92581
www.soboba-nsn.gov

NOTICE: This communication may contain information that is proprietary, privileged, confidential, or otherwise legally exempt from disclosure. It is intended exclusively for the use of the individual or entity to which it is addressed. If you are not the intended recipient, you are not authorized to read, print, retain, copy, or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of the message.

From: mblack@ultrasystems.com
To: "Joseph Ontiveros"
Cc: "steve oneil"
Subject: RE: 7089 Outdoor Soil Storage - 1399 Las Lomas Road, Irwindale, Los Angeles County
Date: Friday, June 18, 2021 4:29:29 PM
Attachments: image001.jpg
image002.png

Thank you for your reply Mr. Ontiveros. We will include your response in our report. Thank you for providing the contact information for Chairperson Morales. We have contacted him about this project.

Best regards,

Megan Black Doukakis | Archaeological Technician | M.A.

UltraSystems Environmental | **WBE/DBE/SBE/WOSB**
16431 Scientific Way Irvine, CA 92618
Office **949.788.4900 Ext. 228** Fax 949.788.4901
Cell 310.850.8127

ATTACHMENT D

CHRIS RECORDS SEARCH BIBLIOGRAPHY

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
LA-00186		1988	Brock, James and John F. Elliott	A Cultural Resources Assessment for the Raiders Stadium Project, Irwindale, California.	Archaeological Advisory Group	19-001368, 19-189104, 19-190992
LA-00261		1975	Rosen, Martin D.	Evaluation of the Archaeological Resources and Potential Impact of the Proposed Removal and Recreation Developments at the Santa Fe Dam and Basin, Los Angeles Count	UCLA Archaeological	
LA-00333		1977	Jacobs, David	Archaeological Survey 82.5 Acre Parcel in Duarte Los Angeles County, California	David Jacobs	
LA-02111		1989	Farnsworth, Paul S. and L. A. Wilkie Farnsworth	A Cultural Resource Assessment of the Proposed Azusa Quarry Conveyor/haul Road Azusa, California	Scientific Resource Surveys, Inc.	19-001368
LA-02412		1968	Singer, Clay A.	Ucla Archaeological Survey Field Project Number Ucas-086.	University of California, Los Angeles Archaeological Survey	
LA-04880		2000	Smith, Philomene and Sriro, Adam	Pavement Rehabilitation Along Route 605 Within the Cities of Long Beach, Lakewood, Cerritos, Downey, Pico Rivera, Santa Fe Springs, Whittier, City of Industry, Baldwin Park and Irwindale.	Caltrans	
LA-06110		2002	Duke, Curt	Cultural Resource Assessment Cingular Wireless Facility No Vy 268-01 Los Angeles County, California	LSA Associates, Inc.	
LA-06691		2000	Bonner, Wayne H.	Cultural Resources Survey Report for an At&t Wireless Services Telecommunications Facility: Cell Site C949 in the City of Irvindale, Los Angeles County, California	Chambers Group, Inc.	
LA-08416		2006	Schmidt, June A.	Dwo 9597-9498, Mesa-vincent Skywrap Fiber Optic Cable Repair Project, Los Angeles County, California	Compass Rose Archaeological, Inc.	19-001128, 19-002131, 19-003606, 19-186925, 19-187713
LA-08679		2006	Bonner, Wayne H. and Sarah A. Williams	Cultural Resources Records Search Results and Site Visit for T-mobile Usa Candidate le24753a (n. of Fotthill and Irwindale), 751 Encanto Parkway, Duarte, Los Angeles County, California	Michael Brandman Associates	19-001368

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
LA-09705		2007	Anonymous	Cultural Resources Inventory of the Southern California Edison Company Tehachapi Renewable Transmission Project, Kern, Los Angeles and San Bernardino Counties, California. ARR #05-01-01046	Pacific Legacy, Inc.	19-001128, 19-001299, 19-001300, 19-001315, 19-001359, 19-001382, 19-002131, 19-002206, 19-002212, 19-002350, 19-002363, 19-002411, 19-002412, 19-002998, 19-003018, 19-003025, 19-003031, 19-003032, 19-003136, 19-003141, 19-003152, 19-003720, 19-003721, 19-003722, 19-003723, 19-003727, 19-003728, 19-003729, 19-003730, 19-003731, 19-003732, 19-003733, 19-003734, 19-003735, 19-003736, 19-003737, 19-003738, 19-003739, 19-003740, 19-003741, 19-003742, 19-003990, 19-100631, 19-100806, 19-100807, 19-100808
LA-10175		2009	Unknown	Confidential Cultural Resources Specialist Report for the Tehachapi Transmission Project	Applied Earthworks, Aspen Environmental Group	19-000806, 19-001128, 19-001299, 19-001300, 19-001315, 19-001357, 19-001382, 19-001636, 19-001770, 19-001771, 19-001783, 19-001956, 19-001957, 19-002206, 19-002212, 19-002343, 19-002350, 19-002363, 19-002411, 19-002412, 19-003009, 19-003018, 19-003025, 19-003031, 19-003032, 19-003037, 19-003090, 19-003099, 19-003136, 19-003152, 19-003295, 19-003385, 19-003477, 19-003606, 19-003638, 19-003795, 19-003852, 19-003853, 19-003854, 19-100277, 19-100439, 19-100496, 19-100644, 19-120031, 19-120032, 19-120072, 19-120074, 19-180689, 19-186545, 19-186860, 19-186870, 19-186871, 19-186872, 19-186873, 19-186875, 19-186876, 19-186877, 19-186917, 19-186921, 19-186923, 19-186925, 19-187713
LA-10501		1994	Toren, George A.	Cultural Resource Survey of Three Segments of the Proposed San Gabriel Valley Water Reclamation Project, Los Angeles County, California	Greenwood and Associates	19-002207

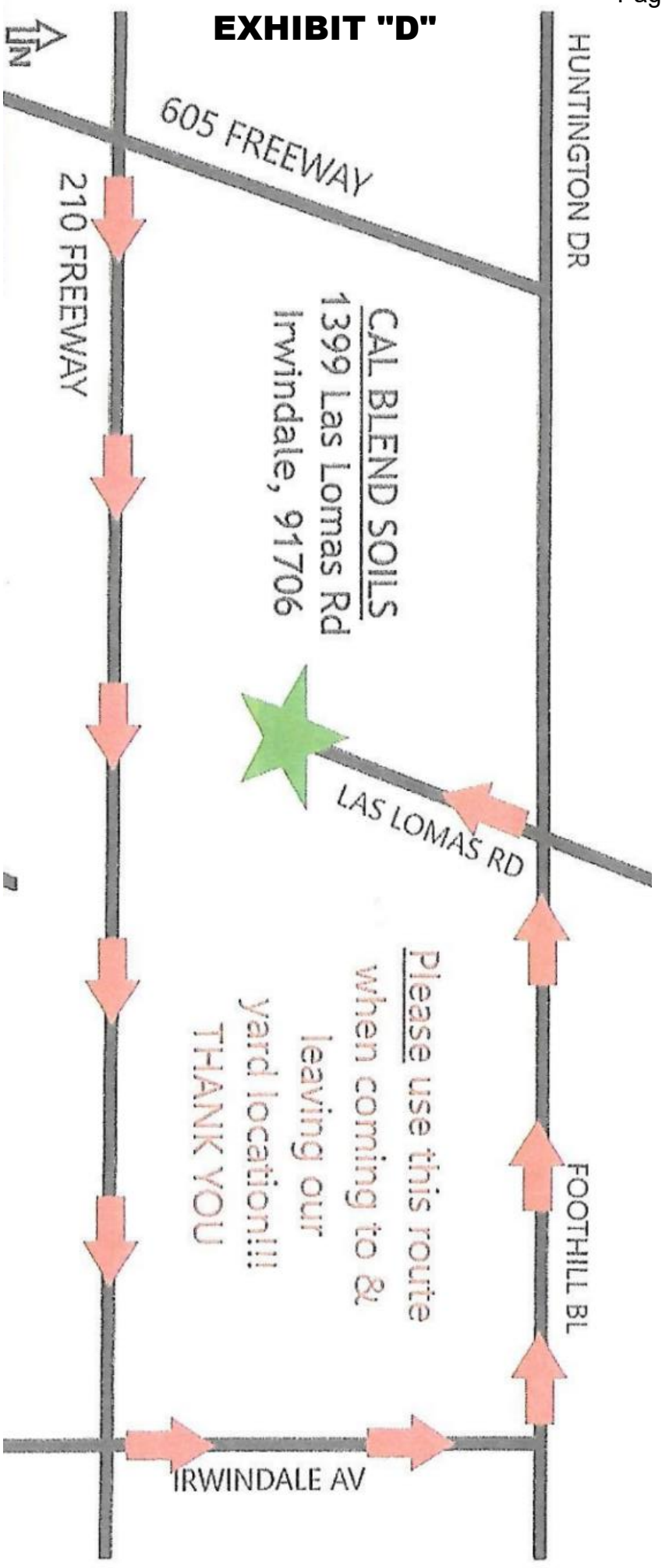
Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
LA-10643		2010	Tang, Bai "Tom", Terri Jacquemain, and Clarence Bodmer	Historical/Archaeological Resources Survey Report - Gold Line Foothill Extension Phase 2A in the Cities of Monrovia, Duarte, and Irwindale, Los Angeles County, California	CRM Tech	19-188782, 19-188783, 19-188784, 19-188785, 19-188786, 19-188787, 19-188788, 19-188789, 19-188790
LA-10896		2004	Greenwood, David	Historic Properties Survey and Effects Report for the Gold Line Phase II Project (Pasadena to Montclair) Los Angeles and San Bernardino Counties, CA	Myra L. Franck/Jones & Stokes, Applied EarthWorks	19-000075, 19-179337, 19-179357, 19-180728, 19-183943, 19-185548, 19-185894, 19-186059, 19-187944, 19-189103, 19-189104, 19-189105, 19-189106, 19-189107, 19-189108, 19-189109, 19-189110, 19-189111, 19-189112, 19-189113, 19-189114, 19-189115, 19-189116, 19-189117, 19-189118, 19-189119, 19-189120, 19-189121, 19-189122, 19-189123, 19-189124, 19-189125, 19-189126, 19-189127, 19-189128, 19-189129, 19-189130, 19-189131, 19-189132, 19-189133, 19-189134, 19-189135, 19-189136, 19-189137, 19-189138, 19-189139, 19-189140, 19-189141, 19-189142, 19-189143, 19-189144, 19-189145, 19-189146, 19-189147, 19-189148, 19-189149, 19-189150, 19-189151, 19-189152, 19-189153, 19-189154, 19-189155, 19-189156, 19-189157, 19-189158, 19-189159, 19-189160, 19-189161, 19-189162, 19-189163, 19-189164, 19-189165, 19-189166, 19-189167, 19-189168, 19-189169, 19-189170, 19-189171, 19-189172, 19-189173, 19-189174, 19-189175, 19-189176, 19-189177, 19-189178, 19-189179, 19-189180, 19-189181, 19-189182, 19-189183, 19-189184, 19-189185, 19-189186, 19-189187, 19-189188, 19-189189, 19-189190, 19-189191, 19-189192, 19-189193, 19-189194, 19-189195, 19-189196, 19-189197, 19-189198, 19-189199, 19-189200, 19-189201, 19-189202, 19-189203, 19-189204, 19-189205, 19-189206, 19-189207, 19-189208, 19-189209, 19-189210, 19-189211

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
LA-11991		2010	Schneider, Tsim and Holson, John	Supplemental Archaeological Survey Report #2, Tehachapi Renewable Transmission Project Segment 7, Los Angeles County, California	Pacific Legacy	19-003813, 19-186917
LA-12525		2003	Poka, Ervin	NHPA Section 106 Review; Metro Gold Line Phase II Extension Project	Federal Highway Adminstration, Federal Transit Administration	

EXHIBIT "D"


IN
605 FREEWAY
HUNTINGTON DR
210 FREEWAY
CAL BLEND SOILS
1399 Las Lomas Rd
Irwindale, 91706
LAS LOMAS RD
Please use this route
when coming to &
leaving our
yard location!!!
THANK YOU
FOOTHILL BL
IRWINDALE AV

RUTAN
RUTAN & TUCKER, LLP

Written Communications for Item 3-A

EXHIBIT "E"

Thai Viet Phan
Direct Dial: (714) 338-1825
E-mail: tphan@rutan.com

CITY OF IRWINDALE
COMMUNITY DEVELOPMENT

NOV 17 2021

RECEIVED

November 17, 2021

VIA E-MAIL

Irwindale Planning Commission
Irwindale City Hall
5050 N. Irwindale Ave.
Irwindale, CA 91706

jjhernandez@irwindaleca.gov

Re: Objection to Agenda Item 3-A Conditional Use Permit No. 02-2021

Dear Honorable Chair Tapia, Vice-Chair Burrola, and Planning Commissioners:

Rutan & Tucker, LLP represents the City of Duarte ("Duarte") in the capacity of City Attorney. I am writing on behalf of Duarte to raise serious concerns regarding Agenda Item 3-A involving Conditional Use Permit No. 02-2021 ("Project") and to ask that the Planning Commission continue this item to allow for further review, analysis, and collaboration with Duarte and community members.

The environmental analysis regarding this Project is severely deficient, there is inadequate evidence in support of the findings, and the process lacked proper collaboration with affected property owners and neighboring agency the City of Duarte. In the Spring of 2020, Duarte approached the City of Irwindale ("Irwindale") to discuss these issues and seek mutually agreeable solutions to mitigation or fully remedy the concerns herein, but unfortunately was not provided the professional courtesy or collaboration typically experienced in these types of border projects. The issues relating to this Project are discussed below.

1. Environmental Issues

(a) CEQA Exemption

The report claims the Project is exempt under a Class 1 categorical exemption (pg. 24 of 91) but later provides a cultural analysis under a different CEQA exemption, Class 32 In-Fill Development Projects (pg. 37 of 91). Such inconsistencies raise concerns that analysis regarding this Project is inadequate, based on faulty or no information, and requires further review.

(b) Traffic Analysis and Air Quality

The environmental analysis for this Project is flawed, first and foremost, due to the underestimation of vehicle traffic involved with the operation of the Project. The Irwindale report estimates that there would, at most, be four incoming supply vehicles and four outgoing product

vehicles per day from the Project location daily. However, this does not seem to include estimates for employee trips and other passenger vehicle trips to and from the Project during operating hours.

Irwindale's analysis does not clearly state where the estimation for this traffic information is found, as there is no traffic study clarifying that an expansion of the existing business would not create substantial traffic impacts. This is particularly concerning given that the Project more than doubles the on-site parking for visitors and employees. Thus, the low and unexplained traffic estimation provides for an inadequate environmental impact analysis, especially as it relates to air quality and emissions.

(c) Signalized Intersection and Impact Fees

One of the major concerns Duarte raised and still raises is the impact of this expanded business to the signalized intersection at Las Lomas Road and Huntington Drive, which is located in the City of Duarte. Irwindale has provided no analysis regarding the impacts to this intersection or the impact fees necessary to upgrade this signal and accommodate the expanded business.

Another intersection affected is at Maynard Drive and Las Lomas Road. Here, there is no traffic light at all but merely a yield and stop combination through a residential neighborhood. Irwindale has not begun to analyze the geometry or mechanics of this intersection as it relates to the additional traffic added by this Project.

Because there has been no analysis related to these intersections, there has been no analysis of the impact fees necessary to upgrade the signal at Las Lomas Road and Huntington Drive or any other improvements required to accommodate the expanded use requested under the Project.

(d) Odor Issues

The environmental analysis related to odor issues is cursory at best. To begin, the discussion regarding odor issues focuses not on the actual particulates or odors coming from the property but more on attempted mitigation measures. Without a proper analysis of the odors emanating from storing compost, decomposed granite, and other gardening materials, there cannot be an adequate discussion of mitigation measures.

Irwindale's report indicates that the least offensive-smelling materials are stored further away from the single-family residences nearby and water may be used to keep odors at bay, but no cover for the storage bunkers are required and no covers for the trucks and vehicles entering and exiting the property would be required. However, as evidenced by complaints already received by Duarte, the odors currently emanating from the property are negatively affecting the community every day. An expansion of the Project would further exacerbate the problem.

The report further indicates that the Project applicant would use a flag to track the direction of the wind to determine when to move soil, decomposed granite, and other materials. There is no clear threshold as to how strong winds must be for the operations to adjust in order to avoid negative health and safety impacts to the community. Worst yet, this would not seem to apply when a buyer seeks to purchase, for example, compost during a high-wind time of day.

As local agencies have seen, odors emanating from projects in the Los Angeles region may cause severe health effects, including migraines, breathing problems, and nausea. Without an analysis of the odor issues related to this Project, there may be health and safety impacts that are not addressed by Irwindale.

(e) Noise

As indicated below, the conditional use permit ("CUP") resolution contains a condition of approval ("COA") that extends the operating hours of the business, allowing 10 extra business hours during the weekday and 12 extra business hours during the weekends, when families are most likely to be home. Additionally, the discussion on noise during the Project operation is lacking in that it merely states that the "bunkers are mostly screened from the residences by a wall" but does not indicate any type of screening or mitigation for the trucks and passenger vehicles coming to and from the Project site during operational hours. Finally, as stated above, Duarte believes that the four trips to and four trips from the property is an underestimate to the traffic actually entering and leaving the property. Such concerns are further evidenced by the more than doubling of parking spaces on the property.

(f) Cumulative Impacts

None of the analysis regarding the intersections discussed above address the potential cumulative impacts related to future development impacts other than to baselessly state there are no cumulative impact concerns. The fact is, the Project only encompasses a fraction of the property involved in this matter. The storage of outdoor stages by Mike Brown Grandstands may or may not continue to exist into the future, and the outdoor shipping, hauling, and storage of stones, gravel, and other landscaping material can very well expand to the rest of the property.

2. Inadequate Support for Findings

Irwindale cannot make an adequate finding in support of the CUP. In particular, Irwindale cannot make the finding that "the proposed use will ***not*** have an adverse effect upon adjacent property" (Pg. 7 of 91) based on the evidence currently before the Commission or the attempted mitigation measures established in the COAs.

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(a) Residences Affected

The report indicates that the Project borders only five single-family residences located in the City of Duarte, but does not discuss the fact that the roadway leading to the Project site abuts approximately 15 single-family residences that would all be impacted by the expansion of the business activity. There has been evidence of complaints by residents regarding the odors, dust, and traffic related to the activity on the site that has been unaddressed by the property owner or Irwindale. An expansion of the current activities which Irwindale believes is extensive enough to require a new CUP reasonably requires analysis of the impacts to families adjacent to the Project.

(b) Extended Operating Hours

Further, the CUP contains Community Development Department COA 4, which extends the hours of operation. Currently, the existing business operates from 7 a.m. to 5p.m. on weekdays and 7 a.m. to 2 p.m. on weekends. COA 4 would allow the business to operate from 7 a.m. to 7 p.m. seven days a week, during times in which families are most likely to be home. As discussed above, this is 10 additional business hours during the weekday and 17 extra business hours during the weekends. Such an expansion of operating hours when families are most exposed to the odors, dust, and other pollutants resulting from the activity on site would greatly harm the health and safety of nearby residents.

(c) Inadequate Covering Requirement

Community Development Department COA 9 only requires that the piles of compost, soil, and other materials are covered "when dusty conditions arise" but provides no time period for such requirement and no definition for "dusty conditions." The condition also does not address what happens when such conditions arise after business hours. Such exposure, again, affects the public health and safety to adjacent residents.

(d) Sewer Connection

Public Works COA 8 states that Irwindale requires the Project to obtain a sewer connection through a residential property to a public sewer main in Duarte. This sewer connection has not been approved, but more importantly, the sewer connection sought is oversized relative to the uses it supposedly serves. Such a requirement poses the question of why Irwindale is requesting such a sewer connection and raises concerns of potential future developments resulting in cumulative impacts. Duarte has requested an analysis related to this very issue. It has not been conducted.

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RUTAN & TUCKER, LLP

(e) On-Site Processing

The report indicates that the Project does not include on-site processing or composting, but aerial photos potentially indicate otherwise. The analysis does not provide any information regarding the monitoring of such activity. This is particularly important with state-mandated composting and other forms of processing for organic waste. Failure to analyze this issue and require adequate monitoring incentivizes bad behavior and exposes residents to deleterious health effects.

3. Conclusion

In sum, the City of Duarte is asking the Planning Commission to continue this item to allow Duarte and Irwindale, along with the Project applicant, to engage in conversation about the need for adequate environmental review, proper analysis of impacts, and development of mitigation measures that would benefit the surrounding community. Duarte is asking for collaboration as adjacent municipalities and as good neighbors.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me at tphan@rutan.com or (714) 338-1825.

Very truly yours,

RUTAN & TUCKER, LLP

Thai Viet Phan
Assistant City Attorney

TVP

cc: Marilyn Simpson, Community Development Director
Adrian Guerra, Irwindale City Attorney
Craig Hensley, Community Development Director

EXHIBIT "F"

City of Duarte

1600 Huntington Drive, Duarte, CA 91010 | Tel (626) 357-7931 | Fax (626) 358-0018 | accessduarte.com

March 1, 2022

CITY OF IRWINDALE
COMMUNITY DEVELOPMENT

MAR 22 2022

RECEIVED

Marilyn Simpson
Community Development Department Director
16102 Arrow Highway
Irwindale, CA 91706

RE: **1399 Las Lomas Road – Cal Blend Soils Conditional Use Permit**
Duarte Comments and Concerns

Dear Ms. Simpson,

We are writing to you as a follow up to the on the discussion between the City of Irwindale ("Irwindale") and the City of Duarte ("Duarte") on the subject matter that was had during the Zoom meeting on December 14, 2021. During that meeting raised concerns regarding the proposed use, the analysis prepared in the staff report, and the City of Irwindale's provided responses regarding the Cal Blend Soils (Cal Blend") conditional use permit ("CUP"). It was decided at the conclusion of the meeting that it would be best for Duarte to provide written points, which are summarized below. Since the December meeting, the cities agreed upon a site visit to better understand business operations and the physical arrangement of the property. This meeting occurred on February 3, 2022, with the owner Mike McCain, a half dozen Irwindale officials from the Public Works, Planning, and Code Enforcement Departments, and three Duarte staff representatives from Planning and Code Enforcement. It is Duarte's desire to resume discussion on this topic after these points have been reviewed and considered by Irwindale.

CEQA & USE ISSUES

1) **Incorrect and Inadequate Project Description**

Irwindale has not properly defined the project to be reviewed, therefore it fails to comply with CEQA. CEQA Guidelines defines the term "project" as "the whole of an action" that has "a potential for resulting" in a direct or reasonably foreseeable indirect physical change to the environment.

First, the business has improper storage of materials. The staff report states that the purpose of the conditional use permit is to allow outdoor storage of bulk materials and the project description describes how the site will be used if approved, including the use of bunkers to store different types of landscaping materials. The business is already operating in this manner and the staff report does not include a distinction between the current operations and the proposed. The staff report reads, "Per the IMC Subsection 17.80.030(26) all ***outdoor*** storage of building and contractor supplies shall not be permitted unless a Conditional Use Permit has been granted." To date, Cal Blends has not operated with indoor storage of materials at this location and continues to operate without a permit allowing outdoor storage of materials. In fact, an inspection performed on February 3, 2022 (with the business owner) revealed roughly two dozen ***uncovered outdoor*** bunkers storing a variety of organic and inorganic materials

Second, the business conducts unpermitted on-site processing of materials. During our inspection on 2/3/22, the owner showed us three large tumbler machines and several different-sized tumbler cylinders. The machines, along with the specific sized tumbler cylinders, provide the ability to tumble organic and inorganic materials to specific sizes. The owner commented that from time to time his company tumbles materials to create specific-sized mixes for several customers, specifically identifying The Huntington Library and Gardens as one of those customers. This portion of the business operations has not been described in the staff report, analyzed from a use perspective, or examined environmentally. In fact, tumbling is considered a processing use and the report specifically states that there is no material processing on-site.

2) **Inappropriate and Improper Existing Facilities Exemption**

An existing facilities exemption was used for the project, but the facility has only been operating (unpermitted) since at least May 2020 (18 months). The previous use was a metal grandstand company (Mike Brown Grandstands). Cal Blends was operating elsewhere in Irwindale prior to 2020. The use is not existing, since the previous use is substantially different from how Cal Blends intends to operate (and is currently operating as) under the CUP. Furthermore, the environmental determination in the staff report states that the use is proposed in a location that is not an environmentally sensitive area; however the adjacent properties to the north and west are single family residential, which are sensitive uses.

3) **Dust Impacts are Insufficiently Acknowledged in the Staff Report**

There is a statement in the staff report which says that organic materials such as bark, woodchip, and mulch are ***not*** dust-free and odorless like other landscape materials and would be moved stored away from the residences to avoid impacts. This acknowledges impacts from organic materials. Cal Blend's website lists (and it was verified through an inspection on 2/3/22) inorganics for sale that are not mentioned in the staff report that create dust such as soil, sand, decomposed granite, pumice sand, structure fill, and soil mixes and these are the ones that are reported to be closer to the residences.

Further, material piles are permitted to be 12 feet high and 30 feet wide but are only required to be covered under windy conditions or after substantiated complaints from Code Enforcement. The owner admitted it is often windy at the location, with prevailing off-shore (southerly) winds common in the morning, and on-shore (northerly) winds in the evening. During our inspection there were no signs of tarps or other dust protection items near (or anywhere) the materials storage bunkers. The owner commented that during the last high wind event water was used to keep the dust down instead of tarps. Although Irwindale does attempt to condition the proposed CUP on the availability of water to control dust, the condition does not require spraying based on a schedule at the site. Overall, the remedies proposed by Irwindale do not appear to be strong enough to address the dust that is likely to come from these large material piles on a regular basis. Proper analysis would be required to determine what the impacts of the storage piles (and trucks with loads of materials, discussed further below) would be and what mitigation measures would be needed to reduce the impact to a less than significant level.

Additionally, the staff report indicated that the business operations plan recommends the use of tarps to cover vehicle loads prior to leaving the property under current operations, and that staff was recommending a requirement to use tarps as a condition of approval of the CUP. During our inspection, several pick-up trucks left the property with purchased materials without a tarp or other cover, and we

did not witness any employee recommend or otherwise suggest the use of a tarp to cover the vehicles' loads. When the owner was asked about this requirement, he said he did not want to pressure his customers to cover the purchased load and that he asks his employees to mention the tarp requirement. In the end, the owner says that he does not push the issue with his customers. Tarps are not provided to customers or offered for sale at the business. The City of Irwindale witnessed these occurrences and dialogue.

4) **Dust Impacts are Inadequately Analyzed in the Staff Report**

The analysis and conditions for dust mitigation that was included in the staff report needs to be revised and strengthened. For instance, the dust threshold was calculated to be below the level of significance, because the model ran for the project only made calculations for four (4) trucks per day with round trips of 96 miles using SCAQMD rule 403 (pdf page 93). There are many more than four (4) vehicles per day, and it is likely that customers are locally based and travel less than 96 miles per day. As such, the mitigation measures of locating the organics to the south of the property, moving materials when the wind is blowing south, and spraying down materials with a water truck are proposed without the benefit of proper analysis.

5) **Odor Impacts are Not Thoroughly Analyzed in the Staff Report or in the Attachments**

In general, there is no attempt to properly quantify or analyze odor impacts for this project. Finding C states that the project will not have an adverse effect on adjacent property. It acknowledges five single-family homes in Duarte, but it does not account the other residences in the vicinity. Moreover, the odor impacts related to the project occur at all times, not only when materials are moved. The staff report mentions Cal Blend using a windsock to determine when to move soil materials around on their property, which is an insufficient approach to an ever-present problem. Additionally, more information should be provided regarding the transport and storage of mulch and other organic materials onsite, including but not limited to, the location on the facility, the frequency of deliveries, and the amount of off-gasses they produce.

6) **The Traffic Analysis for the Project is Inaccurate and Insufficient**

Duarte understands that Irwindale's position is that it does not conduct detailed traffic impact analysis for "small" projects. We understand that some projects do not warrant such analysis. However, given the type of vehicles associated with the Cal Blend business, the nearby sensitive uses, and the incorrect data collection discussed herein, Duarte believes a thorough traffic analysis is required to ensure compliance with CEQA and to implement necessary mitigation.

The Traffic Analysis Reports Incorrect Data

The traffic analysis prepared for the project does not accurately account for vehicle trips generated by the use. It is reported that the use will create two (2) to four (4) trips inbound and outbound per day. It is unclear if these are trips associated with their fleet of trucks or total traffic in and out of the property. Our video monitoring from cameras at Las Lomas/Fernley show a much higher traffic volume than as stated in the report at shown in the tables below. Thus, clarification via a more thorough report is needed and mitigation measures, including off-site improvements are likely required.

Trucks Going to Cal Blends Soils					
Date and Times	Pick up empty	Pick up full	Delivery truck empty	Delivery truck full	TOTAL INBOUND VEHICLES
May 11, 2021 11:45 AM -4:41 PM	5	1	5	2	**13**
May 12, 2021 8 AM - 3:25 PM	4	1	5	1	**11**
May 13, 2021 8AM - 4:41 PM	7	1	5	1	**14**

Trucks Coming From Cal Blends Soils					
Date and Times	Pick up empty	Pick up full	Delivery truck empty	Delivery truck full	TOTAL OUTBOUND VEHICLES
May 11, 2021 11:45 AM -4:41 PM	3	12	3	7	**25**
May 12, 2021 8 AM - 3:25 PM	5	24	0	7	**36**
May 13, 2021 8AM - 4:41 PM	4	28	5	4	**41**

Failure to Analyze the Impacts to Affected Intersections

The change in use and change in traffic volumes and circulation patterns warrants an analysis of the impact to the potentially impacted intersections. These intersections include Las Lomas/Huntington and Las Lomas/Fernley. Upgrade to the traffic infrastructure may be necessary, especially when there is a much greater traffic coming in and out of the project than initially determined.

Description of Vehicles Used at the Project is Inadequate and Incomplete

The project description and analysis describe the vehicles used at the site as dump trucks, loaders, and personal vehicles; however, a series of other vehicle types were observed on the property during the 2/3/22 inspection. This included a bulldozer, street sweeper, and a water truck. Furthermore, a strange occurrence tipped the City of Duarte to Cal Blend owning at least one tractor trailer vehicle. On 2/10/22, a Cal Blend tractor trailer was observed shearing a City of Duarte fire hydrant and driving away from the scene. The Sheriff's Department confronted the owner later that day about the hit and run, and at that point the owner himself confessed to hitting the hydrant and fleeing the scene. Upon additional examination of our aerial imagery software, the evidence shows more than one type of trailer used by Cal Blend for their operations. Additionally, the trailers, and on occasion the tractor, are seen parked below the area Cal Blend indicates is "their property." The aerials show a pattern of tire marks that indicate many vehicles, but predominantly the larger tractor trailers, turn around in what is considered the Mike Brown Grandstand portion of the property. The report should be revised to acknowledge and

analyze the use of these vehicles. The environmental study should include a full analysis of the types and numbers of vehicles both in the Cal Blend fleet in addition to the types and numbers of vehicles associated with deliveries and pick-ups from customers, suppliers, and affiliated businesses.

Further, as discussed below, because Mike Brown Grandstands is a separate business requiring separate approvals, a separate traffic analysis should be conducted for that project.

Failure to Analyze Vehicle Weight Impacts to Duarte Roadways

As part of a larger traffic impact analysis, Duarte insists that an analysis be completed regarding the impact of vehicle weights on Duarte streets be conducted. These weights should be based on an accurate description of all vehicles associated with the business, inclusive of client and visitor vehicles. Such an analysis is necessary due to pavement degradation and quality as a result of the increased traffic and large vehicle size related to the business.

Duarte would like to also suggest another potential option for access to the Cal Blend site that would significantly reduce impacts on Duarte streets. This access may be achieved via an easement through the Southern California Edison property (APN: 8604-018-800) from a driveway from Huntington Drive to the property.

7) **Noise was Not Adequately Considered as an Impact**

Noise-generating sources were not identified and the sound coming from them was not analyzed against established criteria. There is noisy activity occurring onsite that negatively impact sensitive nearby uses. For instance, the depositing of gravel and other rock materials into metal truck beds and the tumbling of inorganic materials are noisy activities and analysis should be provided.

8) **Lack of Discussion Regarding Cumulative and Growth-Inducing Impacts**

There needs to be discussion and analysis of the cumulative and growth-inducing impacts of the proposal. Environmental analyses should examine whether this project will lead to economic or population growth or encourage development or other activities that could affect the environment. Growth-inducing impact issues typically arise when a project such as this provides new or expanded facilities with sufficient capacity to serve projects other than the one analyzed, such as oversized sewer lines similar to the 8" line discussed below. Irwindale's environmental document should at the very least provide a summary of the cumulative environmental impacts expected from the sewer capacity, easement/access issues, and roadway expansion/impacts discussed below and a reasonable analysis related to these items.

Sewer Capacity

The current Mike Brown Grandstands property is served by a septic system that is currently adequate for the intensity of the businesses on that property. Irwindale desires to connect an 8" sewer line to Duarte's main sewer line in Fernley Drive. An 8" sewer line is very large and is completely oversized to simply serve a few bathrooms and perhaps a kitchen associated with a soil company business. The 8" sewer is designed to facilitate a much larger project, the likes of which has yet to be explored by the property

owners or Irwindale. The growth-inducing infrastructure proposed by the owner and Irwindale must be fully analyzed as to the potential development that can be accommodated on the properties served by such infrastructure, as would be allowed under current zoning regulations. In this respect, the environmental analysis provided for this project is woefully inadequate.

Easement and Property Access

A gate between Mount Olive Storage LLC and the Mike Brown Property (the subject property) currently exists, as shown in the location provided on Exhibit A. There has been no mention of an easement, but one is suspected of existing. This suspected easement would allow access to the Mount Olive Storage property via Las Lomas Avenue, greatly increasing the traffic adjacent to sensitive residential uses and two intersections that have yet to be analyzed. This purported access has the potential of tremendous growth-inducing impacts that have yet to be considered by the applicant or the City.

9) **Mike Brown Grandstands is a Separate Business Requiring Separate Permit Approvals**

The report states that Mike Brown Grandstands must obtain a CUP due to the intensification of the site to allow for Cal Blend Soils to operate; however, there is no business description or analysis of the grandstand business. Also, there is no discussion regarding how these two uses will coordinate to use the same property or what combined impacts the two uses could have when the property is reviewed as a whole. The findings in the analysis section only discuss Cal Blend Soils operation. The grandstands business is a separate use and requires its own use permit. One conditional use permit cannot cover two separate businesses that are different uses that happen to share the same property.

10) To address the concerns for potential impacts included with this letter, a separate Initial Study should be prepared with a Mitigated Negative Declaration environmental document for Mike Brown Grandstands.

Simply put, the information provided by the applicant for his business operations has not been fully disclosed, which means a proper environmental analysis cannot be conducted until the applicant is up-front and honest about the business and how it operates. Further, the additional impacts from the Mike Brown Grandstands business and the potential growth inducing impacts from the access/easements from Mt. Olive Storage onto Las Lomas Road need to be analyzed. Based upon these factors, the City of Duarte is requesting an accurate and comprehensive environmental analysis of the abovementioned items before allowing this business to proceed in the entitlement process.

In sum, because Cal Blend Soils has not provided adequate information to conduct a proper environmental analysis and because it has been operating without a valid land use permit pursuant to City of Irwindale requirements, the City of Duarte believes the business should not be in operation. Such operation, which has been going on for nearly two years, is not only in violation of Irwindale's municipal code but also the California Environmental Quality Act. The continued operation of this business without the proper permitting is no different from a bar operating without a liquor license.

However, in an effort to arrive at a mutually agreeable result that allows Cal Blend Soil to continue operating, Duarte requests that Irwindale and the business owner immediately begin proper and thorough review and analysis of the items above and work collaboratively with Duarte on such matters to ensure the public health and safety of both Duarte and Irwindale residents.

Sincerely,

Nick Baldwin
Associate Planner
City of Duarte

EXHIBIT "G"

Mount Olive Storage LLC
1500 Crestfield Avenue
Duarte, California 91010-2255

April 11, 2022

Planning Commission
City of Irwindale
5050 North Irwindale Avenue
Irwindale, California 91706-2133

CITY OF IRWINDALE
COMMUNITY DEVELOPMENT

APR 13 2022

RECEIVED

Re: CUP No. 02-2021
1399 Las Lomas Avenue
Irwindale, CA
Michael McKain, Cal Blend Soils, Inc.

Att: Marilyn Simpson, AICP

Dear Ms. Simpson,

We understand that Mr. Michael Brown, the proprietor of land adjoining our land in Irwindale, just North of the 210 Freeway, is applying for a Conditional Use Permit (CUP) to operate and maintain a retail land soils business, presently not a permitted use under the City of Irwindale's M-2 zoning classification which applies to Mr. Brown's land.

As you know, Mount Olive Storage LLC ("Mount Olive") has continued to operate an indoor and outdoor storage facility, now pursuant to the CUP the City of Irwindale issued to Mount Olive in 2006.

We have the following concerns regarding the proposed retail land soils business the Brown/Cal Blend Soils proposes to carry on at the subject property.

1. Our principal concern is that rainwater drainage from the subject property is likely to increase when the City of Irwindale accomplishes the street improvements on Las Lomas Avenue, south of Huntington Boulevard. We believe these street improvements have been agreed upon by the City of Irwindale and Mr. Brown and that Mr. Brown has posted a six-figure bond to guarantee the construction of these street improvements. These street improvements should be

required to facilitate the increased trucking usage of Las Lomas Avenue which the Cal Blend Soils operation will require. Brown/Cal Blend Soils CUP application envisions the construction and use of soils materials bays on the East and West sides of the property. These street improvements should include adequate, engineered street drainage provisions on Las Lomas Avenue, North of the subject property.

2. Both the present drainage and the increased drainage present the danger that materials brought onto the property through the operations of Cal Blend Soils (mulch, fertilizer, and other chemical components) will drain onto the Mount Olive property.

We suggest that the City of Irwindale require, as a condition of granting of the CUP, basins and piping to public water reception installations South of the subject property, in the street improvements North of the subject property. Further, berms and other drainage retention devices should be required to be placed on the subject property to prevent drainage, including drainage which contains materials brought onto the subject property, onto the Mount Olive property to the West of the subject property.

These suggestions are in addition to other conditions that the City of Irwindale may require, as it did for the Mount Olive 2006 CUP (beautification trees, paint colors, etc.

Very truly yours,

Carlos Bea

Carlos T. Bea
Manager
Mount Olive Storage LLC