

**CEQA FINDINGS OF FACT  
REGARDING THE  
FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT  
FOR THE  
WALNUT BUSINESS PARK PROJECT  
STATE CLEARINGHOUSE NO. 2017101010**

**I. INTRODUCTION**

The California Environmental Quality Act (CEQA) requires that a number of written findings be made by the lead agency in connection with certification of an environmental impact report (EIR) prior to approval of the project pursuant to Sections 15091 and 15093 of the CEQA Guidelines and Section 21081 of the Public Resources Code. The CEQA Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
  - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
  - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can or should be adopted by such other agency.
  - 3. 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 final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

Public Resources Code Section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” CEQA Guidelines Section 15364 adds another factor: “legal” considerations (see *Citizens of Goleta Valley v. Board of Supervisors* [1990] 52 Cal.3d 553, 565 [*Goleta II*]).

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project (*California Native Plant Soc. v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 [“an alternative ‘may be found infeasible on the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record’”].) An alternative may also be rejected because it “would not ‘entirely fulfill’ [a] project objective” (*Citizens for Open Government v. City of Lodi* [2012] 205 Cal.App.4th 296, 314-315). “[F]easibility” under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors” (*City of Del Mar v. City of San Diego* [1982] 133 Cal.App.3d 410, 417; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* [1993] 23 Cal.App.4th 704, 715).

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's “benefits” rendered “acceptable” its “unavoidable adverse environmental effects” (CEQA Guidelines, Sections 15093, 15043, subd. (b); see also Pub. Resources Code, Section 21081, subd. (b)). The California Supreme Court has stated, “[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced” (*Goleta II, supra*, 52 Cal.3d, p. 576.).

When adopting Statements of Overriding Considerations, CEQA Guidelines Section 15093 further provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) Where the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. This statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Having received, independently reviewed, and considered the Draft Supplemental Environmental Impact Report (Draft SEIR) and the Final Supplemental Environmental Impact Report (Final SEIR) for the Walnut Business Park Project, State Clearinghouse (SCH) No. 2017101010 (collectively, the SEIR), as well as all other information in the record of proceedings on this matter, the following Findings of Facts (Findings) are hereby adopted by the City of Walnut (City) in its capacity as the CEQA lead agency. Because the proposed project would not result in significant and unavoidable impacts, no statement of overriding considerations is necessary. These Findings set forth the environmental basis for the discretionary actions to be undertaken by the City for adoption and implementation of the Walnut Business Park (proposed project). This action includes the certification of the following:

- *Walnut Business Park Supplemental Environmental Impact Report*, SCH No. 2017101010

#### **A. DOCUMENT FORMAT**

These Findings have been organized into the following sections:

- 1) **Section I** provides an introduction, including the document format, record of proceedings, and custodian and location of records.

- 2) **Section II** provides a summary of the project, overview of the discretionary actions required for approval of the project, and a statement of the project's objectives.
- 3) **Section III** provides a summary of previous environmental reviews related to the project area that took place prior to the environmental review done specifically for the project, and a summary of public participation in the environmental review for the project.
- 4) **Section IV** sets forth findings regarding the environmental impacts that were determined to be—as a result of the Notice of Preparation (NOP) and consideration of comments received during the NOP comment period—either not relevant to the project or clearly not at levels that were deemed significant for consideration given the nature and location of the proposed project.
- 5) **Section V** sets forth findings regarding significant or potentially significant environmental impacts identified in the Draft SEIR that the City has determined are either not significant or can feasibly be mitigated to a less-than-significant level through the imposition of project design features and/or mitigation measures. To ensure compliance and implementation, all these measures are included in the Mitigation Monitoring and Reporting Program (MMRP) for the project and adopted as conditions of the project by the lead agency. Where potentially significant impacts can be reduced to less-than-significant levels through adherence to project design features and/or mitigation measures, these findings specify how those impacts were reduced to an acceptable level. No impacts from the proposed project were found to be significant and unavoidable.
- 6) **Section VI** sets forth findings regarding alternatives to the proposed project.

## **B. RECORD OF PROCEEDINGS**

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The NOP and all other public notices issued by the City in conjunction with the proposed project
- The Draft SEIR for the proposed project
- The Final SEIR for the proposed project
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft SEIR
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft SEIR
- All written and verbal public testimony presented during a noticed public hearing for the proposed project

- The MMRP
- The reports and technical memoranda included or referenced in the Response to Comments
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft SEIR and Final SEIR
- The Resolutions adopted by the City of Walnut in connection with the proposed project, and all documents incorporated by reference therein, including comments received after the close of the comment period and responses thereto
- Matters of common knowledge to the City of Walnut, including, but not limited to, federal, State, and local laws and regulations
- Any documents expressly cited in these Findings
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e)

#### **C. CUSTODIAN AND LOCATION OF RECORDS**

The documents and other materials that constitute the administrative record for the City's actions related to the project are at the City of Walnut Community Development Department, 2120 La Puente Road, Walnut, California. The City's Community Development Department is the custodian of the administrative record for the project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been and will be available upon request at the City of Walnut Community Development Department office. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Title 14 of the California Code Regulations Section 15091(e).

## **II. PROJECT SUMMARY**

### **A. PROJECT LOCATION**

The proposed project is in the City of Walnut in southwestern Los Angeles County and adjacent to the cities of Diamond Bar, Industry, West Covina, San Dimas, and Pomona. The approximately 23-acre project site is between Valley Boulevard to the south, S. Lemon Avenue to the west, Paseo Del Prado to the north, and an existing industrial development to the east. Beyond Valley Boulevard is the Southern Pacific Railroad line and San Jose Creek. The City of Industry, which is characterized by industrial land uses, lies south of these features. The site is approximately 0.8 miles north of State Route 60 and 1.5 miles northwest of State Route 57.

### **B. PROJECT DESCRIPTION**

The City of Walnut's General Plan land use designation for the project site is "Industrial." The entire site is zoned Light Manufacturing (M-1). The proposed project involves the development of four concrete tilt-up buildings that would encompass a total of 414,778 square feet of building space. The proposed project would include 392,488 square feet of light industrial and warehousing space, and 22,290 square feet of office/retail space. The buildings would also include 53,549 square feet of refrigerated area. Although specific tenants have yet to be identified, the applicant intends to file an application with the City for approval of a conditional use permit to allow up to 300,000 square feet of the proposed project to be used as a "logistics facility" and/or for "warehouses, storage" uses, as those terms are defined in Section 6.08.020 of the Walnut Municipal Code.

Additionally, the proposed project would include a total landscaped area of 115,026 square feet. The proposed project would also feature 1,097 parking stalls, 54 dock-high doors, and 7 grade-level doors. Off-site improvements to accommodate project operations include the widening of Valley Boulevard at the northeast corner of the intersection with S. Lemon Street to include an additional right-turn lane from Valley Boulevard to S. Lemon Street.

The proposed project would also involve demolition of the existing buildings on-site, which total 357,544 square feet of building area and include an industrial business park accommodating multiple uses, primarily commercial and light industrial, including a beef jerky manufacturer, chorizo manufacturer, roofing material supplier, a car body shop repair facility, pizza restaurant, Mexican food supply store, rent-a-car office, and pet food supply outlet.

### **C. DISCRETIONARY ACTIONS AND APPROVALS**

Project development requires the following discretionary actions and approvals from the City:

- Certification of the SEIR
- Approval of Conditional Use Permit
- Approval of Tentative Parcel Map
- Approval of Site Plan Review
- Approval of Design Review Permit
- Approval of Development Agreement
- Adoption of MMRP

**D. STATEMENT OF PROJECT OBJECTIVES**

1. Provide for the development of the site consistent with the City’s General Plan.
2. Replace an aging industrial park with modern, attractive, efficient buildings.
3. Develop a diverse industrial campus that can accommodate a mix of industrial, retail, and office uses.
4. Create an industrial and commercial development that provides employment opportunities to area residents, expands the industrial base within the City, and responds to the growing demand for warehousing and logistics businesses in the area.

**III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION PROCESS**

In conformance with CEQA and the CEQA Guidelines, the City conducted an extensive environmental review of the proposed project.

- The City of Walnut determined that an SEIR would be required for the proposed project. The SEIR examines the environmental impacts of the proposed project compared to the impacts analyzed in the 2018 General Plan Update and West Valley Specific Plan Environmental Impact Report (GPEIR). The City of Walnut adopted a General Plan Update (GPU) in May 2018, and the City of Walnut GPEIR (State Clearinghouse No. 2017101010) was certified by the Walnut City Council in May 2018. The environmental impacts associated with the proposed project for the SEIR were defined as the incremental impacts between the approved GPU and the GPU upon implementation of the proposed project. Therefore, the scope of the SEIR review for project-related impacts was limited to the difference between the assumed buildout of the adopted GPU under the GPEIR to buildout of the GPU with the proposed project. The designated land uses and policies in the approved General Plan and mitigation measures identified in the GPEIR that would mitigate potential environmental impacts for the site were considered in the environmental impact analysis of the proposed

project, which focused on any new or substantially more severe significant impacts when compared to the impacts determined in the GPEIR.

- The City of Walnut issued a Notice of Preparation (NOP) on August 16, 2023. The NOP was sent to all responsible agencies, trustee agencies, and the Office of Land Use and Climate Innovation and posted at the Los Angeles County Clerk-Recorder's office and on the City's website on August 16, 2023. The 30-day public review period extended from August 16, 2023 to September 18, 2023.
- A scoping meeting was held on Thursday August 29, 2023, at 6:00 pm in the Walnut City Council Chambers during the NOP review period to solicit input on the scope of the Draft SEIR. The notice of the public scoping meeting was included in the NOP. Oral and written comments were received during the meeting.
- The City of Walnut prepared a Draft SEIR, which was made available for a 45-day public review period beginning Monday, February 17, 2025 and ending Thursday, April 3, 2025.
- The complete Draft SEIR consists of the analysis of the Specific Plan and all referenced appendices. The Notice of Availability (NOA) for the Draft SEIR was sent to all interested persons, agencies, and organizations. The Notice of Completion (NOC) was sent to the State Clearinghouse in Los Angeles for distribution to public agencies. The NOA was posted at the Los Angeles County Clerk-Recorder's office on Monday, February 17, 2025. Copies of the Draft SEIR were made available for public review at the City of Walnut City Hall, Walnut Public Library, and Walnut Community Development's Planning Division. The Draft SEIR was also made available for download from the City's website: <https://www.walnutca.gov/For-Residents/Departments/Community-Development/Developments>.
- The City of Walnut Planning Commission hearing is scheduled for May 20, 2026, at 7:00 PM. The meeting will be held in the City of Walnut Council Chambers, located at 21201 La Puente Road Walnut, CA 91789, and online via Zoom.
- As required by Section 15088(b) of Title 14 of the California Code of Regulations (State CEQA Guidelines) written responses to comments to public agencies commenting on the Draft SEIR were provided at least 10 days prior to certifying the Final SEIR. Seven comment letters were received from public agencies.

#### IV. ENVIRONMENTAL ISSUES THAT WERE DETERMINED NOT TO BE POTENTIALLY AFFECTED BY THE PROPOSED PROJECT

##### A. IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT DURING THE SCOPING PROCESS

Based on the public scoping process (including review of NOP responses), in addition to analysis prepared for the Draft SEIR, the City determined, based on the threshold criteria for significance, impacts to agriculture and forestry resources, mineral resources, population and housing, recreation, and wildfire would be less than significant or result in no impact, therefore warranting no detailed discussion in Chapter 5 of the Draft SEIR. As required by Section 15128 of the CEQA Guidelines, Chapter 8 of the Draft SEIR, *Impacts Found Not to Be Significant*, contains a brief discussion substantiating why these impacts were determined not to be significant.

- a) **Agriculture and Forestry Resources.** According to the California Department of Conservation Important Farmland Finder, the project site and surrounding vicinity are designated Urban and Built-Up Land, and there are no important farmlands within or in proximity to the project site. There are also no existing agricultural uses within the project site and no active Williamson Act contracts. Additionally, the project site contains no land that could be classified as forestland and is not zoned for forest land, timberland, or timberland production. Therefore, as with buildout for the project site analyzed in the GPEIR, development in accordance with the proposed project would have no impact on important farmlands, land under Williamson Act contracts, or forestland/timberland.
- b) **Mineral Resources.** The California Geological Survey classifies mineral resource areas as one of the four Mineral Resource Zones (MRZs), Scientific Resource Zones, or Identified Resource Areas. The project site is in an MRZ-1 zone, which is an area where available geologic information indicates that little likelihood exists for the presence of significant mineral resources. Additionally, there are no locally important mineral resources recovery designated in the Walnut General Plan or any other relevant land use plan. Based on the project site's location, development of the proposed project would not result in the loss of availability of known mineral resources or mineral resources of local importance. As with buildout of the project site as analyzed in the GPEIR, no impact would occur.
- c) **Population and Housing.** The proposed project would not increase the number of residential units available or designate new land uses that may generate an increased population. The proposed project would result in a 14-percent increase in square footage of development on-site and therefore may potentially introduce new businesses. Therefore, potential population growth that may be induced by the proposed project would not be substantial. Additionally, no housing or residential development exists at the project site, resulting in no displacement under the proposed project. The proposed project would therefore not directly or

indirectly induce substantial unplanned population growth in the vicinity or displace substantial numbers of existing people, resulting in no impacts.

- d) **Recreation.** The proposed project would not include any residential or other land use that would generate additional population to the area with the potential of increasing existing neighborhood and regional parks or other recreational facilities. Additionally, the proposed project would not construct any new on- or off-site recreational facilities, nor would the proposed project expand existing off-site recreational facilities. Therefore, similar to the buildout of the project site that was analyzed in the GPEIR, implementation of the proposed project would not result in the increased use or substantial physical deterioration of an existing neighborhood or adverse impacts associated with the construction or expansion of recreational facilities, and no impact would occur.
- e) **Wildfire.** The proposed project would not conflict with the City of Walnut's Emergency Operations Plan and surrounding roadways would continue to provide emergency access to the project site and surrounding properties during and after construction. Additionally, the project site is not in or near a State Responsibility Area or within a fire hazard severity zone in a Local Responsibility Area; the project site is in an urbanized portion of Walnut and is not within or immediately adjacent to any wildlands. Furthermore, the proposed project would not require the construction of new or expanded electricity, natural gas, or telecommunication facilities, nor would the flat terrain of the project site exacerbate risks associated with downstream flooding or landslides. Therefore, similar to development pursuant to the GPU, all impacts with respect to wildfire would be less than significant.

## **B. IMPACTS DETERMINED AS “NO IMPACT” AND “LESS THAN SIGNIFICANT IMPACTS” IN THE SEIR**

This section identifies impacts of the proposed project determined to be less than significant without implementation of project-specific mitigation measures. This determination assumes compliance with existing regulations, as detailed in each respective topical section of Chapter 5 in the Draft SEIR.

- a) **Aesthetics.** Buildings under the proposed project would be designed as single-story, tilt-up industrial buildings up to 35 feet high, which would generally reflect the height and scale of existing structures in the surrounding area. The proposed project would also comply with all applicable development and zoning standards, including those in Section 6.48.050 of the Walnut Municipal Code (WMC), resulting in less-than-significant impacts with respect to visual quality. There are no protected or designated scenic vistas or views in the vicinity of the project site nor is the project site in the vicinity of a designated state scenic highway. The proposed project would not obscure any scenic vistas nor alter scenic resources within a state scenic highway. Project buildings would be designed to reduce window light

exposure and reflection and vegetative barriers between project buildings and roadways would reduce reflected light. Lighting associated with the proposed project would be similar to existing industrial and commercial uses of the project site and comply with Walnut General Plan Land Use and Community Design Element includes policies to address lighting and glare from on-site development. The proposed project would not result in new or substantially more severe significant impacts when compared to the impacts determined in the GPEIR and impacts associated with aesthetics would be less than significant.

- b) Air Quality.** The proposed project would not conflict with the South Coast Air Quality Management District's (AQMD's) Air Quality Management Plan. It would not exceed the South Coast AQMD's regional or localized significance thresholds for emissions during the operational phase of the proposed project, nor would it exceed the localized significance thresholds for construction emissions. Additionally, the quantified health risk from construction and operational emissions as separate phases would not exceed South Coast AQMD's cancer risk and chronic hazards thresholds.<sup>1</sup> Furthermore, the proposed project would not result in any impacts with respect to carbon monoxide hotspots. The proposed project would not include any uses considered to have objectionable odors and all tenants would be required to comply with South Coast AQMD's Rule 402 for nuisance odor control. The proposed project would not result in new impacts or a substantial increase in severity of impacts compared to the GPEIR.
- c) Biological Resources.** The project site is fully developed and does not contain any sensitive natural communities, riparian or wetland habitat, or jurisdictional waters. The proposed project would not result in impacts with respect to Habitat Conservation Plans/Natural Community Conservation Plans since the project site is not covered under any applicable plan. The proposed project would comply with all other relevant plans protecting biological resources, including the City's Tree Preservation Ordinance, since the project would not result in impacts to or removal of any protected trees under the Ordinance. Therefore, no new or more substantial impacts would occur under the proposed project when compared to the GPEIR, and impacts would be less than significant.
- d) Cultural Resources.** The Historic Built Environment Assessment conducted for the proposed project determined that the existing buildings on the project site do not meet the criteria for listing on the National Register of Historic Places or California Register of Historical Resources. Additionally, the City does not designate any locally historic resources on the project site. Although archaeological resources have not been identified on the project site, construction activities associated with the proposed project may disturb soil. GPEIR Mitigation Measure CR-3 requires a condition of approval for projects that provides

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<sup>1</sup> Health risk associated with the combined construction and operational phases is considered potentially significant and is discussed in Section V.

procedures for the proper handling of cultural resources in the event of their unanticipated discovery during project activities. The proposed project incorporated this measure as a condition of approval, COA-CUL-1, to ensure impacts to archaeological resources are less than significant. COA-CUL-1 and existing laws and regulations would also ensure that impacts to human remains are less than significant. The impacts of the proposed project are similar to those determined in the GPEIR with respect to cultural resources; therefore, the proposed project would not result in any new or more severe impacts.

- e) **Energy.** While the proposed project would increase transportation fuel and building energy consumption when compared to the GPEIR, it would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Energy use associated with construction would be temporary. Construction contractors would be required to minimize nonessential idling of construction equipment during construction in accordance with the California Code of Regulations, Title 13, Chapter 9, Article 4.8, Section 2449. The proposed project would also comply with the Building Energy Efficiency Standards and the California Green Building Code (CALGreen). Additionally, the proposed project would not conflict with or obstruct implementation of any plans for renewable energy or energy efficiency, including the California Renewable Portfolio Standards (RPS) Program. The proposed project would not result in any new or more severe impacts with respect to energy.
  
- f) **Geology and Soils.** The project site is not located on or near any active surface faults or liquefaction hazard zones. While seismic activity in the project area could lead to ground-shaking, project buildings would comply with California Building Code (CBC) standards. Additionally, the project site is flat and not in a zone requiring investigation for earthquake-induced landslides. The project site does not have a high potential for subsidence, lateral spreading, or seismic settlement. Erosion resulting from construction of the proposed project would be reduced with compliance with a Stormwater Pollution Prevention Plan (SWPPP) and WMC and CBC standards. The proposed project would also comply with the recommendations of the project's geotechnical investigation to ensure that impacts associated with expansive soil are reduced and comply with State regulations. Additionally, no paleontological records exist at or near the project site and all project activities would be conducted in compliance with the requirements of Public Resources Code Division 5, Chapter 1.7, Section 5097.5, and Division 20, Chapter 3, Section 30244 in the event of resource discovery. The proposed project does not include the use of septic tanks. The proposed project would not result in new or substantially more severe significant impacts when compared to the impacts determined in the GPEIR, and impacts associated with geology and soils would be less than significant.

- g) Greenhouse Gas Emissions.** The proposed project's increase in greenhouse gas (GHG) emissions when compared to the project site's use under the GPEIR would not exceed the South Coast AQMD bright-line threshold of 3,000 million metric tons of carbon dioxide equivalent (MTCO<sub>2e</sub> per year). The proposed project would also not conflict with the Southern California Association of Government's (SCAG's) Regional Transportation and Sustainable Communities Strategy (RTP/SCS).<sup>2</sup> Therefore, the proposed project would not result in new impacts or a substantial increase in magnitude of impacts compared to the GPEIR.
- h) Hazards and Hazardous Materials.** The proposed project would comply with all applicable regulations related to the use, transport, and disposal of hazardous materials and compliance with these regulations would be ensured through the City's building plan-check process. Similarly, compliance with the project's Hazardous Materials Release Response Plan and applicable regulatory requirements would ensure that uses under the proposed project do not create conditions that could result in the release of hazardous materials into the environment through reasonably foreseeable upset and accident conditions. While the project site and uses in its vicinity are listed on databases for hazardous materials sites, the Phase I Environmental Assessment for the proposed project concluded that these listings would not pose an environmental concern to the proposed project due to their regulated nature and/or their distance from the site. Additionally, there are no schools within one-quarter mile of the project site so the proposed project would not emit or handle hazardous materials in the vicinity of a school. Furthermore, the City, Los Angeles County Fire Department (LACFD), and Los Angeles County Sheriff's Department would review building plans during plan check to ensure that adequate site access is maintained and that roadway improvements and project driveways would not interfere with circulation on adjacent streets or any emergency plan or evacuation routes. The project site is not within proximity to an airport or a fire hazard severity zone and no conditions under the proposed project would exacerbate fire risk. Therefore, the proposed project would not result in new impacts or a substantial increase in magnitude of impacts compared to the GPEIR.
- i) Hydrology and Water Quality.** The proposed project would be required to implement a SWPPP and comply with the WMC, the erosion control plan, and grading requirements throughout the project's construction phase. These regulatory requirements would address anticipated pollutants of concern from construction activities. Pursuant to the State Construction General Permit, the MS4 Permit, the Statewide General Permit for Stormwater Discharges Associated with Industrial Activities, Chapters 2.0.040 and 5.08 of the WMC, and requirements of Sections 404 and 401 of the Clean Water Act, the proposed project would be

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<sup>2</sup> The proposed project would conflict with the California Air Resources Board's 2022 Scoping Plan resulting in potentially significant impacts. This impact is discussed in Section V.

required to implement federal, State, and local water quality standards; construction phase best management practices (BMPs); post-construction site design, treatment, and source control measures to help keep pollutants out of stormwater. With implementation of a modular wetland system, the proposed project would treat its required Stormwater Quality Design volume. The proposed project's site-specific BMPs would improve the runoff water quality when compared to existing conditions. Additionally, the proposed project would not interfere with groundwater recharge, since the proposed project would have sufficient water supply from the project's water provider, Walnut Valley Water District (WVWD). The project's preliminary hydrology report indicated that the stormwater runoff volume for the 25-year storm scenario under post-development conditions can be accommodated by the existing public storm drain system. The project's final hydrology report required prior to commencement of grading activities would ensure that site BMPs accommodate post-development flows and do not exceed the existing flows. The proposed project is not proximate to any flood hazard, tsunami, or seiche zones. Therefore, the proposed project would not result in new impacts or a substantial increase in magnitude of impacts with respect to water quality and hydrology when compared to the GPEIR.

- j) **Land Use and Planning.** The closest established residential communities to the project site are single-family homes north of Paseo Del Prado, approximately 0.15 miles from the project site; and west of Lemon Avenue, approximately 0.23 miles from the project site. The proposed project would not physically divide an existing community. An analysis of the project's consistency with relevant plans, including the SCAG RTP/SCS and the City's General Plan, are included in Table 5.10-2, *General Plan Consistency Analysis*, and Table 5.10-3, *SCAG 2020-2045 RTP/SCS Goals Consistency Analysis*, of the Draft SEIR. The proposed project would be consistent with the applicable policies and goals of these plans in addition to the applicable standards in the WMC. The proposed project would not result in new or substantially more severe significant impacts when compared to the impacts determined in the GPEIR, and impacts associated with land use and planning would be less than significant.
- k) **Noise.** Construction noise associated with the proposed project would not exceed the Federal Transit Administration's (FTA) temporary construction noise threshold of 80 dBA  $L_{eq}$  at the nearest off-site noise-sensitive receptors to the north at 20332 Carrey Road. The proposed project's increase in traffic would also not result in an increase in roadway noise that would exceed the City's standards by creating "normally unacceptable" or "clearly unacceptable" noise levels. Additionally, noise levels associated with operational activities would not exceed the City's exterior nighttime and daytime ambient noise level standards of 45 and 50 dBA, respectively. Vibration impacts from construction equipment would not result in damage to nearby receptors. The project site is not proximate to any airports and therefore would not expose employees of the project to excessive noise related to

airport operations. The proposed project would not result in new or substantially more severe significant impacts when compared to the impacts determined in the GPEIR, and impacts associated with noise and vibration would be less than significant.

- l) Public Services.** LACFD would provide fire service to the project site and anticipates that the proposed project would not have a significant impact on the service demands of the station that serves the proposed project. LACFD would also review project plans prior to the issuance of building permits to ensure that the project design meets LACFD fire and life safety requirements and complies with the California Fire Code and CBC. Additionally, to ensure impacts to police services are reduced to less than significant, the Los Angeles County Sheriff's Department would review the building plans before the City issues a building permit to determine the needs for crime prevention, such as installation of lighting systems, emergency notification systems, and/or crime prevention through environmental design. School and library services would not be impacted by the proposed project because the project would not generate population growth. The proposed project would not result in any new or substantially more severe impacts to public services when compared to the impacts determined in the GPEIR.
- m) Transportation.** The proposed project would not conflict with programs, plans, or policies related to the circulation system included in the City's General Plan and the SCAG RTP/SCS. The project's Traffic Impact Assessment (Appendix O to the Draft SEIR) concluded that the proposed project's roadway widening at Valley Boulevard and South Lemon Street would ensure that project traffic does not exceed the City's Level of Service standards. The proposed project would also implement the applicable strategies from the City's Transportation Demand Management Ordinance which would reduce impacts to roadways in addition to incentivizing the use of alternative modes of transportation. Additionally, the proposed project would not create roadway hazards or result in inadequate emergency access to the project site. The development would comply with fire and building codes and circulation plans would be reviewed by the City planning department and LACFD. The proposed project would not result in any new or substantially more severe impacts when compared to the impacts determined in the GPEIR.
- n) Utilities and Service Systems.** The proposed project would not require the relocation or construction of new or expanded wastewater, water, storm drainage, or other utility infrastructure off-site. While the proposed project would increase wastewater flows when compared to development analyzed under the GPEIR, Los Angeles County Sanitation District facilities has capacity to meet the increase in demand. Additionally, WVWD estimates that it will have sufficient water supplies to meet proposed growth for normal, single-dry, and multiple-dry years to accommodate the negligible increase in demand under the proposed project.

Impacts to stormwater drainage would be less than significant with implementation of the modular wetlands systems at the project site, as discussed further in Section 5.9, *Hydrology and Water Quality*, and Section 5.15, *Utilities and Service Systems*, of the Draft SEIR. Solid waste disposal under the proposed project would be required to comply with various federal, State, and local laws and regulations that govern solid waste disposal. Additionally, the three landfills that would serve the proposed project have capacity to serve the proposed project. While the proposed project would increase energy demand at the site compared to the development analyzed under the GPEIR, all development would be required to comply with the latest applicable Building Energy Efficiency Standards and CALGreen. The proposed project would represent negligible increases to the natural gas and electricity consumption of its service area. The proposed project would not result in any new or substantially more severe impacts when compared to the impacts determined in the GPEIR.

## V. FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS

The following potentially significant environmental impacts were analyzed in the Draft SEIR, and the effects of the project were considered. Because of environmental analysis of the project and the identification of relevant General Plan policies; compliance with existing laws, codes, and statutes; and the identification of feasible mitigation measures, some potentially significant impacts have been determined by the City to be reduced to a level of less than significant, and the City has found—in accordance with CEQA Section 21081(a)(1) and CEQA Guidelines Section 15091(a) (1)—that “Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.” This is referred to as **Finding 1**.

The SEIR did not identify any significant, unavoidable environmental impacts of the proposed project; therefore, the City makes no findings regarding significant and unavoidable impacts (pursuant to CEQA Guidelines Section 15091 (a) (2) and (3)).

### A. IMPACTS MITIGATED TO LESS THAN SIGNIFICANT

The following summary describes impacts of the proposed project that, without mitigation, would result in significant adverse impacts. Upon implementation of the mitigation measures provided in the SEIR, these impacts would be considered less than significant.

#### 1. Air Quality

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**Impact 5.2-2: Construction activities associated with the proposed project would generate short-term emissions that exceed South Coast AQMD’s significance thresholds and would cumulatively contribute to the nonattainment designations of the SoCAB. [Threshold AQ-4]**

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Construction activities produce combustion emissions from various sources, such as on-site heavy-duty construction vehicles, vehicles hauling materials to and from the site, motor vehicles transporting the construction crew, building and asphalt demolition, site preparation, rough grading and soil haul, fine grading and soil haul, utilities trenching, building construction, paving, architectural coating, finishing and landscaping, and off-site improvements. Air pollutant emissions from construction activities on-site would vary daily as construction activity levels change. An estimate of maximum daily construction emissions for the proposed project is provided in Table 5.2-11, *Maximum Daily Regional Construction Emissions*, of the Draft SEIR.

The maximum daily emissions for volatile organic compounds (VOC), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), particulate matter with a diameter of 10 micrometers or less (PM<sub>10</sub>), and particulate matter with a diameter of 2.5 micrometers or less (PM<sub>2.5</sub>) from construction-related activities would be less than their respective South Coast AQMD regional significance threshold values. However, the construction-related nitrogen oxides (NO<sub>x</sub>) emissions generated from overlapping phases that involve off-site improvements,

demolition, site preparation, rough and fine grading and soil hauling, or utilities trenching activities would exceed the South Coast AQMD regional significance threshold. Therefore, without mitigation, short-term air quality impacts from proposed project-related construction activities would exceed South Coast AQMD's threshold criteria for NO<sub>x</sub>. Impacts would be potentially significant, so the proposed project could result in new significant impacts or a substantial increase in significant impacts compared to impacts identified in the GPEIR.

Implementation of Mitigation Measure AQ-1 would reduce construction-related NO<sub>x</sub> emissions below the regional significance thresholds. Therefore, the proposed project would not expose off-site sensitive receptors to substantial concentrations of air pollutant emissions during construction, and impacts would be less than significant with mitigation.

### **Mitigation Measure**

AQ-1 The proposed project's construction contractors shall use equipment that meets the United States Environmental Protection Agency Tier 4 Final emissions standards for off-road diesel-powered construction equipment with more than 25 horsepower, unless it can be demonstrated that such equipment is not available. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Tier 4 Final emissions standard for a similarly sized engine, as defined by the California Air Resources Board's regulations. The requirement to use Tier 4 Final equipment for engines over 25 horsepower shall be identified in construction bids.

- Have engines that meet either US EPA or California Air Resources Board (CARB) Tier 4 Final emission standards. Ensure that all construction plans clearly show the selected emission reduction strategy for construction equipment over 25 horsepower.
- Maintain a list of all operating equipment in use on the project site for verification by the City. The construction equipment list shall state the makes, models, and number of construction equipment on-site. Ensure that all equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations.
- Communicate with all sub-contractors in contracts and construction documents that all non-essential idling of construction equipment is restricted to 5 minutes or less in compliance with California Air Resources Board Rule 2449 and is responsible for ensuring that this requirement is met.
- These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans) submitted to the City and shall be verified by the City's Planning Division.

**Finding:**

**Finding 1** – The City hereby makes Finding 1. Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in the SEIR. These changes are identified in the form of the mitigation measure above. The City of Walnut hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

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**Impact 5.2-5: Operation of the proposed project would not expose sensitive receptors to substantial pollutant concentrations of criteria air pollutants and toxic air contaminants. However, combined construction and operational emissions would exceed the draft South Coast AQMD cumulative cancer risk threshold. [Threshold AQ-3]**

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Sensitive receptors proximate to the project site would be exposed to elevated levels of air pollutants during construction activities and subsequent operational activities. The combined health risks from project-related construction and operational activities for the maximum exposed receptors (MERs) can be determined in several ways. The most conservative calculation for combining health risks is to sum the highest predicted construction and operational health risks for each receptor type. The sum of the health risks for the receptors are shown in Table 5.2-17, *Operation Plus Construction Health Risk Results*, of the Draft SEIR; the total chronic hazard index would be less than one, and noncarcinogenic risk impacts would be less than significant. However, total cancer risks from project-related construction and operational activities would be 11.6 per million at the MER without mitigation and would exceed the adjusted cumulative threshold value of 5 per million. Thus, without mitigation, the proposed project could pose a significant health risk impact to nearby sensitive receptors from construction and subsequent operational activities. Since combined construction and operational phase toxic air contaminants were not analyzed in the GPEIR, the proposed project could result in new or substantially more severe significant impacts when compared to buildout under the GPEIR.

Implementation of Mitigation Measure AQ-1 would reduce diesel particulate matter emissions from off-road construction equipment by over 80 percent and result in a total cancer risk below 5 per million at the maximum exposed residential receptor for the combined operation and construction phases of the project. Therefore, the proposed project would not expose off-site sensitive receptors to substantial concentrations of air pollutant emissions, and impacts would be less than significant with mitigation.

**Mitigation Measure**

Implementation of Mitigation Measure AQ-1 would reduce impacts to less than significant.

**Finding:**

**Finding 1** – The City hereby makes Finding 1. Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in the SEIR. These changes are identified in the form of the mitigation measure above. The City of Walnut hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

**2. Biological Resources**

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**Impact 5.3-1: The proposed project could have a substantial effect on species identified as candidate, sensitive, or special-status species. [Threshold B-1]**

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The project site is developed with an existing industrial business park and is in a highly urbanized area of the city and surrounded by industrial and commercial uses. Vegetation at the project site consists of trees, shrubs, and landscaping along all street frontages of the project site. There are no known special-status plant species on the project site.

Since the site is developed, the potential of suitable habitat for threatened, endangered, or rare species on or near the project site is limited. However, as concluded in the GPEIR, existing vegetation and buildings could provide habitat for nesting birds. Special-status species that occur in Walnut, as documented in the biological resources analysis for the GPEIR and GPU existing conditions report, include the coastal cactus wren, coastal California gnatcatcher, least Bell's vireo, Swainson's hawk, white-tailed kite, and yellow warbler.

Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests, including raptors and other migratory nongame birds (as listed under the Migratory Bird Treaty Act). Project activities during the bird breeding and nesting season could result in the incidental loss of fertile eggs or nestlings or lead to nest abandonment. Therefore, similar to the impacts identified in the GPEIR, impacts to nesting birds under the proposed project are potentially significant. To reduce these impacts to less than significant, the proposed project would incorporate Mitigation Measure BIO-1B from the GPEIR (renumbered to BIO-1 in the Draft SEIR), which would require construction activities to occur outside of the avian breeding season or for a qualified biologist to conduct nesting bird surveys before the start of ground-disturbing activities and implement the appropriate measures to reduce nesting bird impacts during construction. Mitigation Measure BIO-1 has also been revised to include updated guidance provided by the California Department of Fish and Wildlife in the agency's comment letter for the proposed project's NOP (see Appendix A). Implementation of Mitigation Measure BIO-1 would reduce impacts to nesting birds to less than significant.

The existing buildings and vegetation on the project site also provide suitable habitat for special-status bat species, as discussed in the GPEIR. The species of bat known to occur in Walnut, as documented in the biological resources assessment of the GPEIR and the GPU existing conditions report, include the big free-tailed bat, pallid bat, pocketed free-tailed bat, western mastiff bat, western yellow bat, and Yuma myotis. The proposed project would involve the demolition of the existing buildings on-site and removal of approximately 32 trees. Therefore, the implementation of Mitigation Measure BIO-1C (revised to Mitigation Measure BIO-2) from the GPEIR would be required to reduce impacts to roosting bats on the project site. Mitigation Measure BIO-2 requires a qualified biologist to conduct a roost assessment survey of trees or human-made structures with the potential to support bat roosts that are planned to be removed. If bats are found to be present in these habitats, the proposed project would implement additional measures to reduce impacts to bats specific to the occurrence of construction activities inside and outside of the bat maternity roosting season.

Overall, the impacts of the proposed project would be similar to those identified within the GPEIR. The implementation of Mitigation Measures BIO-1 and BIO-2 would reduce impacts to sensitive species to less than significant.

**Mitigation Measure:**

The following mitigation measures incorporate modifications for the proposed project made in the Draft SEIR.

- BIO-1 Vegetation and buildings in the City of Walnut could provide suitable nesting habitat for six special-status bird species, including coastal cactus wren (*Campylorhynchus brunneicapillus sandeigensis*), coastal California gnatcatcher (*Polioptila californica californica*), least Bell's vireo (*Vireo bellii pusillus*), Swainson's hawk (*Buteo swainsoni*), white-tailed kite (*Elanus leucurus*), and yellow warbler (*Setophaga petechia*), as well as common bird species with protection under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC). General ground disturbance, including, but not limited to, demolition, construction, or related activities may result in removal or disturbance of nests if present on a project site. These actions would constitute a significant impact under CEQA as they may result in mortality and/or reduction in reproductive success of birds. If work cannot avoid the nesting bird season (which shall be defined as January 1 through August 31, consistent with the recommendation from the California Department of Fish and Wildlife), then preconstruction surveys shall be conducted to reduce these impacts to a less-than-significant level. A qualified biologist shall complete a nesting bird survey no more than 14 days prior to the start of any work, within a radius of at least 300 feet of suitable nesting habitat that will be disturbed or to the extent allowable and accessible. The survey radius shall be expanded to 500 feet or 0.5-mile for special-status species, if feasible. If active nests are observed during preconstruction surveys, project-related activities

shall avoid the area via a protective no-work buffer determined by a qualified biologist and determined based on a species' legal protection and biological requirements. Work may resume within this protective no-work buffer after a qualified biologist has determined that young have fledged the nest or the nest otherwise becomes inactive (i.e., predation or natural nest failure). Project personnel, including all contractors working on site, shall be instructed on the sensitivity of the area.

BIO-2 Tree stands, buildings, and other human-made structures on the project site could provide suitable roost habitat for six special-status bat species: big free-tailed bat (*Nyctinomops mactrotis*), pallid bat (*Antrozous pallidus*), pocketed free-tailed bat (*Nyctinomops femorosaccus*), western mastiff bat (*Eumops perotis californicus*), western yellow bat (*Lasiurus xanthinus*), and Yuma myotis (*Myotis yumanensis*). New development and/or demolition associated with implementation of the proposed project could result in removal or disturbance of bat roosts if present on the project site. These actions would constitute a significant impact under CEQA as they may result in mortality and/or reduction in reproductive success of bats. Implementation of Mitigation Measure BIO-2 would reduce these impacts to less-than-significant levels. A qualified biologist shall conduct a roost assessment survey of trees or human-made structures with potential to support bat roosts that are planned to be removed. The survey shall assess the use of the tree or structure for roosting as well as potential presence of bats. If the biologist finds no evidence of, or potential to support bat roosting, no further measures are recommended. However, if evidence of bat roosting is present, additional measures described below shall be implemented:

- *Work activities outside the maternity roosting season:* If evidence of bat roosting is discovered during the preconstruction roost assessment and general ground disturbance, demolition, construction, or related activities is planned from August 1 through February 28 (outside of the bat maternity roosting season), a qualified biologist shall implement passive exclusion measures to prevent bats from reentering structures. After sufficient time to allow bats to escape and a follow-up survey to determine if bats have vacated the roost, work may continue and impacts to special-status bat species shall be avoided. To offset the loss of occupied bat roosts, bat boxes shall be installed at a suitable location in the vicinity of a project site to provide roost locations for displaced bats, contingent on CDFW approval of project details.
- *Work activities during the maternity roosting season:* If a preconstruction roost assessment discovers evidence of bat roosting in the trees or human-made structures during the maternity roosting season (March 1 through July 31), and determines maternity roosting bats are present, work shall be

avoided during the maternity roosting season or until a qualified biologist determines the roost has been vacated.

**Finding:**

**Finding 1** – The City hereby makes Finding 1. Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in the SEIR. These changes are identified in the form of the mitigation measures above. The City of Walnut hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

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**Impact 5.3-4: The proposed project would not affect wildlife movement. [Threshold B-4]**

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There are no corridors valuable for overland wildlife movement or migration on, adjacent to, or in proximity to the project site. The project site and surroundings are in an urbanized area and not available for overland wildlife movement. The San Jose Creek, located across Valley Boulevard from the southern project site boundary, is a concrete canal. Project development would take place within the boundaries of the project site and is not anticipated to impact the creek. However, the project site is developed with ornamental trees, shrubs, and landscaping along street frontages, which may be potential habitat for nesting birds. The proposed project would incorporate Mitigation Measure BIO-1B from the GPEIR (now Mitigation Measure BIO-1), which largely implements the requirements of the Migratory Bird Treaty Act. For example, ground-disturbing activities would only occur outside of the breeding season (September 1 through January 14), unless it is determined via a preconstruction survey that no nesting birds (or birds displaying breeding or nesting behavior) are present immediately prior to ground-disturbing activities. Similarly, the GPEIR Mitigation Measure BIO-1C (now Mitigation Measure BIO-2) would require roosting bat surveys on the project site and the implementation of protective measures to reduce impacts to roosting bats. Compliance with these mitigation measures would avoid impacts to nesting birds and roosting bats during the proposed project's ground-disturbing construction activities.

Moreover, the GPEIR notes that no planned development under the GPU would impact areas of the city that accommodate wildlife movement, which are primarily lands within the San Gabriel Mountains in the northern and eastern portion of the city. The proposed project would not result in any new or more substantial impacts when compared to those identified in the GPEIR and impacts regarding migratory corridors would be less than significant.

**Mitigation Measure:**

Implementation of Mitigation Measures BIO-1 and BIO-2 would reduce impacts to less than significant.

**Finding:**

**Finding 1** – The City hereby makes Finding 1. Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in the SEIR. These changes are identified in the form of the mitigation measures above. The City of Walnut hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

**3. Greenhouse Gas Emissions**

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**Impact 5.7-2: The proposed project could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. [Threshold GHG-2]**

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CARB’s latest Climate Change Scoping Plan (2022) outlines the State’s strategies to reduce GHG emissions in accordance with the targets established under Assembly Bill (AB) 32, Senate Bill (SB) 32, and AB 1279. The Scoping Plan is applicable to State agencies and is not directly applicable to cities/counties and individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts.

Statewide strategies to reduce GHG emissions in the 2022 Climate Change Scoping Plan include implementing SB 100, which expands the RPS to 60 percent by 2030; expanding the Low Carbon Fuel Standards to 18 percent by 2030; implementing the Mobile Source Strategy to deploy zero-electric vehicle buses and trucks; implementing the Sustainable Freight Action Plan to provide targets and guidance for California’s future freight transport system; implementing the Short-Lived Climate Pollutant Reduction Strategy, which reduces methane and hydrofluorocarbons to 40 percent below 2013 levels by 2030 and black carbon emissions to 50 percent below 2013 levels by 2030; continuing to implement SB 375; creating a post-2020 Cap-and-Trade Program; and developing an Integrated Natural and Working Lands Action Plan to secure California’s land base as a net carbon sink.

Statewide strategies to reduce GHG emissions include the low carbon fuel standards, California Appliance Energy Efficiency Regulations, California Renewable Energy Portfolio Standard, changes in the Corporate Average Fuel Economy standards, and other early action measures necessary to ensure the State is on target to achieve the GHG emissions reduction goals of AB 32, SB 32, and AB 1279. In addition, new developments are required to comply with the current Building Energy Efficiency Standards and CALGreen. The proposed project would comply with these GHG emissions reduction measures since they are statewide strategies. The proposed project’s GHG emissions would be reduced from compliance with statewide measures that have been adopted since AB 32, SB 32, and AB 1279 were adopted.

Furthermore, while statewide efforts could provide downstream reductions at the local level, the 2022 Scoping Plan identifies three priority areas for local actions that would support and amplify the overall State efforts to reduce GHG emissions and achieve long-term climate goals: (1) transportation electrification, (2) vehicle miles traveled (VMT) reduction, and (3) building decarbonization. The proposed project would develop all-electric buildings, which would support CARB's goals for 100 percent renewable energy use. In addition, as noted in Section 5.13, *Transportation*, of the Draft SEIR, the proposed project would have a Home-based Work VMT per worker of 20.5 miles, which would not exceed the city's baseline rate of 20.97 miles per worker. However, while the proposed project would also include electric vehicle (EV) capable stalls and charging stations, the proposed project does not include provisions that would require EV parking that are comparable to the CALGreen residential and nonresidential voluntary Tier 2 EV parking standards. Thus, although the proposed project would adhere either directly or indirectly to statewide strategies, it would not meet one of the three local action priority areas (i.e., EV charging stalls that meet CALGreen Tier 2), and is considered inconsistent with the Scoping Plan. Therefore, without mitigation, the proposed project would result in new significant impacts or a substantial increase in significant impacts compared to impacts identified in the GPEIR. Impacts related to consistency with the 2022 Scoping Plan would be potentially significant.

Implementation of GHG-1 would ensure that the proposed project with the Tier 2 Nonresidential Voluntary Measures in CALGreen, thereby complying with the goals of the 2022 Scoping Plan and reducing impacts to less than significant.

**Mitigation Measure:**

GHG-1 Prior to the issuance of a building permit, the site plan shall include automobile electric vehicle (EV) charging stations equal to the Tier 2 Nonresidential Voluntary Measures of the California Green Building Standards Code (CALGreen).

**Finding:**

**Finding 1** – The City hereby makes Finding 1. Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in the SEIR. These changes are identified in the form of the mitigation measure above. The City of Walnut hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

#### 4. Transportation

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**Impact 5.13-2: The proposed project would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3(b). [Threshold T-2]**

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The City's VMT thresholds consistent with CEQA Guidelines Section 15064.3, subdivision (b) for Land Use Projects, are as follows:

- **Project Impact:** A significant impact would occur if the VMT rate for the project exceeded the applicable baseline VMT (City's VMT) rate.
- **Cumulative Project Impact:** A significant impact would occur if the project increased total regional VMT compared to cumulative no project conditions.

The City's Resolution No. 20-39 staff report directs the analysis of VMT impacts using the San Gabriel Valley Council of Governments (SGVCOG) VMT Analysis Model. According to SGVCOG's VMT Evaluation Tool, the citywide average Home-based Work VMT per Worker is 20.97. The proposed project is estimated to have a Home-based Work VMT per Worker of 20.5 when the City's required Transportation Demand Management (TDM) Ordinance measure for employee trip-reduction education is incorporated by the proposed project. Therefore, the proposed project does not exceed the project impact threshold noted.

Furthermore, the proposed project would abide by the requirements of Section 6.52.110 of the WMC and would include the following project design features that would further reduce the project's VMT:

- "Clean Air" parking spaces would be provided on-site for carpools and fuel-efficient vehicles, for a minimum number of spaces proportional to the required vehicle parking per CALGreen.
- At least 20 percent of parking spaces would be EV capable with 25 percent of those spaces including charging stations per CALGreen.
- Visitor bicycle parking racks would be provided within 200 feet of building entrances for a minimum of 5 percent of new vehicular parking. This equates to 55 bicycle parking spaces.

The Cumulative Project Impact determines a cumulative significant impact if the proposed project increases total regional VMT compared to cumulative No Project conditions. The cumulative analysis was conducted using SCAG's travel demand model, which distributes trips across the southern California region among traffic analysis zones on a network of roadways representing roadways classified as collectors, arterials, or freeways. The traffic analysis zones contain socioeconomic conditions of housing units, jobs, and population which represent the travel demand placed on the transportation system. Under existing conditions, the socioeconomic data represents the residents and employees under

existing conditions. The forecasted future-year conditions include forecasted population and employment levels that represent cumulative conditions.

The analysis of cumulative VMT determines the level of cumulative No Project conditions as compared to cumulative With Project conditions. In this analysis, all travel except for the project site is held as the same cumulative background level of traffic and the only change is from the project site. The link-level travel demand model analysis sums the daily travel on each modeled roadway link in the city by the length of the roadway links to obtain a daily VMT value. The daily trip generation of the project site under No Project and With Project conditions was segmented from the overall level of traffic to calculate the difference for the cumulative VMT assessment.

Under cumulative No Project conditions, the average daily VMT on city roadways is forecast to be 491,579, while under cumulative With Project conditions, citywide VMT is forecast to be 491,619. The proposed project increases the total citywide VMT compared to cumulative No Project conditions by 0.008 percent. Therefore, impacts would be potentially significant, since the proposed project would result in a new significant impact compared to impacts identified in the GPEIR.

#### **Significance After Mitigation**

The proposed project increases the total citywide VMT compared to cumulative No Project conditions by 0.008 percent. The effectiveness of mitigation measures is expressed in a percentage reduction of daily VMT. The source of the reduction effectiveness is the California Air Pollution Control Officers Association's (CAPCOA) Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. The handbook provides a process for calculating the cumulative effects of a series of mitigation measures.

Based on the relatively small amount of VMT needed to reduce the potential cumulative significant impact to less than significant, implementation of any of the potential feasible mitigation measures would mitigate the potential cumulative impact to less than significant.

#### **Mitigation Measures:**

- T-1 Prior to issuance of construction permits for the proposed project, the project applicant shall coordinate with the City to select one or more of the following mitigation measures:
- **First-Mile/Last-Mile Space:** The proposed project shall dedicate space in a central location for first-mile/last-mile solutions, such as bike share, scooter share, or a future mode of transportation.
  - **Improved Pedestrian Network:** The proposed project shall develop additional pedestrian connectivity within the project site such as across

Paseo Tesoro and Paseo Sonrisa or for connections outside the project site to Valley Boulevard, Lemon Avenue, Carrey Road, and Paseo Del Prado.

- **Car-Sharing Program:** The proposed project shall provide on-site parking spaces for car-sharing services such as ZipCar or GetAround.

T-2 The applicant shall develop a mitigation implementation and monitoring program. If mitigation measures are physical features, such as bicycle or pedestrian infrastructure improvements, their implementation prior to occupancy would satisfy the monitoring requirements. Programmatic mitigations, such as the employee cash-out for parking or transit passes, would require ongoing monitoring for implementation and designation of a staff member of the property management's team as a mitigation monitoring coordinator. The mitigation monitoring coordinator would oversee implementation and produce annual monitoring reports of the mitigation program for submittal to the City. Fees paid by tenants, as part of common area maintenance and management, could be used to fund the mitigation monitoring program.

**Finding:**

**Finding 1** – The City hereby makes Finding 1. Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in the SEIR. These changes are identified in the form of the mitigation measures above. The City of Walnut hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

## **5. Tribal Cultural Resources**

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**Impact 5.14-1: The proposed project would cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency to be significant pursuant to criteria in Public Resources Code Section 5024.1(c). [Threshold TCR-1.ii]**

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The California Historical Resources Information System records search for the project site determined that there are no tribal cultural resources (TCRs) on the project site or within a 0.5-mile radius that are listed or eligible for listing in the California Register of Historical Resources, as defined in Public Resources Code Section 5020.1(k). However, the Sacred Lands File search for the proposed project indicated the presence of sensitive or sacred Native American resources at or in the vicinity of the project site. In correspondence with the lead agency regarding the proposed project, the Gabrieleño Band of Mission Indians–Kizh Nation indicated that the project area is of high importance to the tribe and that there is potential for unknown and/or buried TCRs to be encountered during construction activities. Should such resources be determined by the lead agency to be significant, the

proposed project could result in potentially significant impacts related to the substantial adverse change in the significance of TCRs.

The Gabrieleño Band of Mission Indians–Kizh Nation provided Mitigation Measures TCR-1 through TCR-3 to require the presence of a Gabrieleño Band of Mission Indians–Kizh Nation tribal monitor on-site during ground-disturbing activities. They also provided instructions for proper protocol and handling of discovered TCR resources and human remains. Implementation of these mitigation measures, in addition to Conditions of Approval CUL-1 and CUL-2, would ensure that the proposed project would not result in any new or substantially more severe impacts when compared to the impacts determined in the GPEIR.

**Mitigation Measures:**

TCR-1 The project applicant shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians–Kizh Nation. The monitor shall be retained prior to the commencement of any ground-disturbing activity for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). Ground-disturbing activity shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the commencement of any ground-disturbing activity or the issuance of any permit necessary to commence a ground-disturbing activity, whichever is earlier.

The monitor shall complete daily monitoring logs that shall provide descriptions of the relevant ground-disturbing activities; the type of construction activities performed; locations of ground-disturbing activities; soil types; cultural-related materials; and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs shall identify and describe any discovered tribal cultural resources, including, but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc. (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the project applicant/lead agency upon written request to the Tribe.

On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by

the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

TCR-2 Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery (i.e., not less than the surrounding 50 feet) shall cease and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh shall recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural, and/or historic purposes.

TCR-3 Native American human remains are defined in Public Resources Code Section 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code Section 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed. Human remains and grave/burial goods shall be treated alike, per California Public Resources Code Sections 5097.98(d)(1) and (2). Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

**Finding:**

**Finding 1** – The City hereby makes Finding 1. Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in the SEIR. These changes are identified in the form of the mitigation measures above. The City of Walnut hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

**VI. FINDINGS REGARDING ALTERNATIVES**

CEQA requires that an EIR include a discussion of reasonable project alternatives that would “feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any significant effects of the project, and evaluate the comparative merits of the alternatives” (CEQA Guidelines Section 15126.6[a]).

## **A. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS**

The following is a discussion of the alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the SEIR.

### **1. Alternative Development Area**

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project. A key question in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered for inclusion in the EIR (CEQA Guidelines Section 15126[5][B][1]).

Key factors in evaluating the feasibility of potential off-site locations for EIR project alternatives include:

- If it is in the same jurisdiction.
- Whether development as proposed would require a General Plan Amendment.
- Whether the project applicant could reasonably acquire, control, or otherwise have access to the alternative site (or the site is already owned by the proponent). (CEQA Guidelines Section 15126.6[f][1])

According to the 2018 General Plan Update (GPU), residential properties make up approximately 58.4 percent of the total land use in the City of Walnut. Commercial/Industrial properties make up approximately 4.2 percent of the city's total land use, including only 2 percent for light industrial. Industrial land uses are a relatively small portion of the overall land use in Walnut. Low-impact light industrial uses, such as light manufacturing, similar to the project site, are the predominant types of industrial businesses. Most of Walnut's industrial land uses are in the southern portion of the city, on parcels bounded by Carrey Road to the north and east, Valley Boulevard to the south, and Lemon Creek to the west. Therefore, the proposed industrial, warehousing, and retail uses of the proposed project would not require a General Plan Amendment (GPA) if proposed within this boundary. Relocation to any other area within the city's boundaries would require a GPA. There is no vacant land large enough to accommodate the proposed project within the area designated as "Industrial" and any site within this area would be similarly placed relative to access to Valley Boulevard, which is a designated truck route, and Interstate (I-) 10 and State Route (SR) 60, which provide regional access to the project area.

A logical alternate location for the project within the city was not identified. The project applicant does not own or control any other property. Moreover, in general, any development of the size and type proposed by the project on a project site that is already built out would have substantially the same significant impacts on air quality, biological resources, cultural resources, GHG emissions, and tribal cultural resources as the proposed project and would require similar mitigation measures. The balance of environmental impacts for the proposed project were determined to be less than significant.

It was determined, therefore, that it is unlikely that there is an alternative project site that could meet the objectives of the proposed project and reduce significant impacts of the project as proposed. This alternative has therefore been rejected from further consideration.

## **2. Reduced Hours of Operation**

Comments received during the Notice of Preparation public review period suggested that the SEIR evaluate a project alternative with reduced hours of operation. A warehouse/light industrial use with limited operation hours would not be as competitive in the market and potentially would not be economically viable. The majority of prospective tenants for warehouse/light industrial uses prefer the option for 24 hours/7 day operations. Prospective tenants find restrictions on access and use of space undesirable and will often seek other alternatives for occupancy. A study conducted by the National Center for Sustainable Transportation listed factors that influenced a tenant's selection of a warehouse facility by surveying 1,000 warehouse establishments in Southern California. The results showed that 64 percent of respondents noted that the ability to operate 24 hours a day, 7 days a week, was an important factor in choosing a warehouse location. In another study conducted to understand the location choices of logistics firms, the ability to operate 24/7 was reported as one of the most important location factors in addition to land costs, proximity to transportation infrastructure, and access to a skilled workforce. SCAG's Industrial Warehousing Report also notes that the majority of third-party logistics operators operate 24/7 to improve efficiency and postpone the need for additional square footage.

The Ports of Long Beach and Los Angeles are moving toward 24/7 operations. The implication is that the rest of the supply chain, including warehousing/logistics operations, are also moving in this direction to meet supply needs.

Additionally, the operator of a similar facility to the proposed project, where certain sides of buildings are restricted from use at certain hours of the day, has been unsuccessful in finding interest in that property for more than a decade.

## **B. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS**

The following alternatives were determined to represent a reasonable range of alternatives with the potential to feasibly attain most of the basic objectives of the proposed project but avoid or substantially lessen any of the significant effects of the project. Table 7-6, *Summary of Proposed Project and Alternatives Impacts*, of the Draft SEIR, identifies how each of the alternatives selected for further analysis compare to the proposed project. Table 7-7, *Ability of Each Alternative to Meet the Project Objectives*, of the Draft SEIR, provides a summary of the ability of the alternatives to achieve the project objectives.

### **1. No Project/Existing General Plan**

Under this alternative, it is assumed that existing uses and operations on the project site would remain. The project site currently includes an industrial business park accommodating multiple uses, primarily commercial and light industrial, including a beef jerky manufacturer, chorizo manufacturer, roofing material supplier, car body shop repair facility, pizza restaurant, roofers' mart, Mexican food supply store, rent-a-car office, and pet food supply outlet. The 357,544 square feet of existing uses are all allowed under the site's GPU "Industrial" land use designation. This alternative avoids the construction and demolition work associated with the proposed project.

This alternative would result in similar impacts to eight impact categories, reduced impacts to nine environmental impact categories, and increased impacts to three categories. Impacts would be similar for aesthetics, agricultural resources, hazards and hazardous materials, mineral resources, population and housing, public services, recreation, and wildfire. This alternative would reduce impacts for air quality, biological resources, cultural resources, geology and soils, GHG emissions, noise, transportation, tribal cultural resources, and utilities and services systems. Impacts on energy, hydrology and water quality, and land use and planning will increase. Overall, impacts under this alternative would be decreased in comparison to the proposed project.

The No Project/Existing General Plan alternative would meet two of the proposed project's objectives: (Obj 1) provide for the development of the site consistent with the City's General Plan and (Obj 3) develop a diverse industrial campus that can accommodate a mix of industrial, retail, and office uses.

#### **Finding:**

This alternative is rejected because it would only meet two of the objectives of the proposed project and would therefore result in none of the benefits of the proposed project, including the economic benefits to the City from developing new warehousing, manufacturing, and retail uses. This alternative would also increase impacts on energy, hydrology and water quality, and land use and planning since no site improvements would be implemented. As a result, specific economic, legal, social, technological, or other

considerations, including provision of employment and residential opportunities, make this project alternative infeasible for the reasons identified in the SEIR.

## **2. Mixed-Use Alternative**

This alternative includes a mix of multifamily residential units and retail. This alternative was chosen for its potential to reduce air quality and GHG impacts and because it was requested by residents at the scoping meeting. Requests to include this alternative were also received during the public comment period after the release of the NOP. The City's 2021-2029 Housing Element includes a residential sites inventory that includes properties that will be rezoned to meet the City's Regional Housing Needs Allocation (RHNA). The inventory includes five study areas. The proposed project site was not included as a Study Area. Study Area 4 is east of the project site and is closer in size to the project site than the rest of the study areas. Similar to the project site, all parcels within Study Area 4 have a General Plan designation of "Industrial" and are zoned as Light Manufacturing (M-1). The proposed number of units for this study area is 575 units, including 387 low-income and 188 moderate-income units. This alternative proposes the same number of units for the project site as Study Area 4. There is an abundance of retail in the general area of the project site and the office market is still weak. Therefore, only 20,000 square feet of retail was considered for this alternative. This alternative would require a GPA since the current General Plan designation and zoning for the site does not allow for residential uses.

This alternative would result in similar impacts to 11 impact categories, reduced impacts to 1 category, and increased impacts to 8 categories. Impacts would be similar for aesthetics, agricultural resources, biological resources, cultural resources, energy, GHG emissions, hazards and hazardous materials, hydrology and water quality, mineral resources, tribal cultural resources, and wildfire. This alternative would reduce impacts to air quality. This alternative would increase impacts to geology and soils, land use and planning, noise, population and housing, public services, recreation, and utilities and service systems and could result in a significant and unavoidable impact to transportation. Overall, impacts under this alternative would be slightly greater in comparison to the proposed project.

The Mixed-Use Alternative would only meet one of the proposed project's objectives, Objective No. 2, replace an aging industrial park with modern, attractive, efficient buildings. The remaining three objectives would not be met—developing the site consistent with the City's General Plan (Objective No. 1); developing a diverse industrial campus (Objective No. 3); and creating an industrial and commercial development that provides employment opportunities to area residents and expands the industrial base within the City (Objective No. 4).

**Finding:**

This alternative would not be consistent with the land use designation or zoning for the project site and would introduce residential units in an area that is predominantly light industrial uses. Additionally, this alternative would surpass the City's cumulative VMT threshold and could result in a significant and unavoidable impact related to transportation. The proposed project has no significant and unavoidable impacts. Although the Mixed-Use alternative would reduce impacts to air quality, it would not eliminate the need for the mitigation measures associated with the proposed project for biological resources, cultural resources, GHG emissions, and tribal cultural resources. Furthermore, this alternative would only meet one project objective. This alternative is therefore rejected since it would not reduce significant impacts or meet most project objectives.

**C. ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

CEQA requires a lead agency to identify the "environmentally superior alternative," and in cases where the "No Project" alternative is environmentally superior to the proposed project, the environmentally superior development alternative must be identified. In this case, the No Project/Existing General Plan alternative would be considered the environmentally superior alternative. As summarized in Table 7-5, *Summary of Project and Alternative Impacts*, in the Draft SEIR, the No Project alternative would reduce nine impacts.

There is only one alternative other than the No Project/Existing General Plan alternative, the Mixed-Use alternative. Relative to the proposed project, this alternative would increase impacts for 8 impacts, result in similar impacts for 11 impacts, and reduce impacts for 1 impact category. This alternative would not be consistent with the land use designation or zoning for the project site and would introduce residential units in an area that is predominantly light industrial uses. Additionally, this alternative would surpass the City's cumulative VMT threshold and could result in a significant and unavoidable impact related to transportation. The proposed project has no significant and unavoidable impacts. Therefore, this alternative would not be "environmentally superior" to the proposed project and no other alternatives were evaluated.